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Julia S. Moore, P.E.
Agency Secretary

State of Vermont
Agency of Natural Resources

April 28, 2020

To whom it may concern:

Vermont Air Pollution Control Regulation (APCR) §5-253.6(a) limits the Reid vapor pressure (RVP) of gasoline sold or supplied in Vermont to 9.0 PSI May 1 through September 15 of each year. The purpose of this regulation is to require low volatility gasoline during the summer months in order to limit the formation of ozone pollution beginning on May 1 of each year. Pursuant to §5-253.6(e), being consistent with EPA's waiver dated March 27, 2020, and to minimize and prevent further disruption of an adequate supply of gasoline to consumers, I have decided to waive the requirements of §5-253.6(a) and allow bulk gasoline terminals and bulk gasoline plants in Vermont to sell or supply gasoline with an RVP above 9.0 PSI until May 20, 2020.

Supply issues related to the public health crisis caused by COVID-19 have caused gasoline suppliers to have an unexpected over-supply of winter gasoline, which has an RVP of greater than 9.0 PSI, remaining in the distribution system. This over-supply will cause gasoline to remain in the supply chain that has an RVP of greater than 9.0 PSI beyond May 1. This information is sufficient to support my finding that quantities of gasoline sufficient to meet the demand in the State of Vermont cannot be distributed to meet all of the requirements of §5-253.6.

The Agency of Natural Resources recognizes that this is an evolving situation that is causing rapid changes to market dynamics. Should conditions warrant, this waiver may be modified, terminated or extended as appropriate. If you have any questions regarding my decision, please contact Heidi Hales of the Vermont Air Quality and Climate Division at (802) 498-7338 or Heidi.hales@vermont.gov.

Sincerely,

Julia S. Moore, P.E.
Secretary

cc via email: Heidi Hales, Director, Air Quality and Climate Division
John Wakefield, Compliance Section Chief, Air Quality and Climate Division
Megan O'Toole, Attorney, Air Quality and Climate Division