WASHINGTON, D.C. — American Fuel & Petrochemical Manufacturers **(AFPM) President and CEO Chet Thompson** sent a letter to EPA Administrator Lee Zeldin Wednesday urging EPA to avoid a repeat of last year's 11th hour emergency RVP waivers for summer gasoline sold in the Midwest. Excerpts from AFPM's letter and a brief explainer of E10 and E15, summer gasoline and RVP waivers are included below:

- *[Last year], just three days before the summer season, EPA abruptly reversed course and granted emergency waivers to [several Midwest] states temporarily re-establishing the 1-pound waiver for E10—something the states had opposed just weeks before. This last-minute waiver instantly eliminated the market for lower-RVP summer gasoline, which had already been introduced to the marketplace for six weeks, thereby preventing refiners and distributors from recouping millions of dollars of fuel production and delivery costs.*
- *Fuel suppliers should not be put in this same situation again this year. The opt-out states must decide now whether they want lower-RVP summer gasoline. If they do, the market is prepared to produce and deliver it. If the opt-out states are concerned about added costs for consumers and want to reverse course, they should follow Ohio's lead and seek immediate reinstatement of the 1-pound waiver. This decision needs to be made before the [summer gasoline] transition period begins…*
- *Energy Information Administration (EIA) data show that total motor gasoline stocks in [the Midwest] are at their highest level in five years. Therefore, absent an unforeseen event, there will be no basis for claiming any fuel supply concerns to justify an [E10 or E15] emergency waiver again this year.*

AFPM's full letter to EPA Administrator Lee Zeldin is available here.

A closer look at E10, E15 and RVP waivers:

The difference between E10 and E15:

E10 gasoline is made by blending ethanol (equivalent to 10% of the finished fuel) with a wholesale gasoline blendstock supplied by refineries. E15 is made from the same wholesale blendstock. It just contains slightly more ethanol (15% of the finished fuel).

Nearly all gasoline sold in the United States (upwards of 95%) is E10.

History of the RVP waiver:

Under the Clean Air Act, states are allowed to "opt in" to a federal 1-pound Reid vapor pressure (RVP) emissions waiver for E10 summer gasoline. Up until recently, every state chose to do so, and for decades, wholesale gasoline has received this regulatory relief providing it's used to make E10.

Why Midwest governors attempted to opt-out and then opt back into the RVP waiver for E10:

Because E15 doesn’t qualify for the 1-pound RVP waiver, several governors petitioned EPA back in 2022 stating they no longer wanted the 1-pound RVP waiver for E10. In short, if E15 didn’t get a waiver, no gasoline in their states should get regulatory reprieve.

Because the waiver applies to wholesale gasoline blendstock, eliminating it would force refiners to change their wholesale recipes for all summer gasoline sold in those states, regardless of whether it’s blended to make E10 or E15.

Refiners and midstream operators warned that removing the waiver would raise costs and threaten gasoline supplies in the Midwest. The governors moved ahead anyway. E10 was scheduled to lose its waiver by summer of 2025, after fuel manufacturers had already made substantial investments to meet the new requirements. But just days before the start of the summer driving season, when the costs of lower RVP gasoline were clear, these governors asked EPA for a first-ever emergency RVP waiver for E10 — effectively opting back into the very program they petitioned to get out of.

Why the RVP waiver matters for consumers:

Summer gasoline has to meet more stringent environmental specifications than winter gasoline blends. The ingredients needed to meet those summer standards are often more expensive.

The 1?pound RVP waiver reduces some of the total cost by allowing E10 to be made with a blendstock that includes more affordable components (“light ends”).

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Media Contact:

Ericka Perryman

media@afpm.org

202.457.0480

About AFPM:

The American Fuel & Petrochemical Manufacturers (AFPM) is the leading trade association representing the makers of the fuels that keep us moving, the petrochemicals that are the essential building blocks for

modern life, and the midstream companies that get our feedstocks and products where they need to go. We make the products that make life better, safer and more sustainable — we make progress.

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