



SUMMARY OF EPA'S LIST OF BOUTIQUE FUELS

The Energy Policy Act of 2005 (Public Law 109-58) includes a provision to reduce the proliferation of boutique fuels (see section 1541). First, EPA may temporarily waive a motor fuel or fuel additive requirement, and the Agency is required to promulgate regulations to implement waiver procedures by February 2006. Second, EPA may not approve a motor fuel in a new State Implementation Plan (SIP) if that fuel would increase the total number of approved fuels as of September 1, 2004. The Agency must find, after public review and comment, that a proposed new fuel:

- will not cause supply or distribution disruptions,
- will not have an adverse impact on fuel producibility in the affected area or in contiguous areas, and
- was already in use in the same PADD (this does not apply to summer 7.0 psi RVP conventional gasoline).

The Agency published a list of approved fuels as of 9/1/04 (71 FR 78192; 12/28/06). EPA cannot approve a state fuel into a SIP unless it is already in an existing SIP within that Petroleum Administration for Defense District (as of the date of the Agency's consideration of the request), with the exception of summer 7.0 psi RVP gasoline. The original options were:

<u>PADD</u>	<u>Options</u>
1	summer 7.0 psi RVP gasoline
1	summer 7.0 psi RVP gasoline with sulfur provisions
1	summer 7.8 psi RVP gasoline
2	summer 7.0 psi RVP gasoline
2	summer 7.2 psi RVP gasoline
2	summer 7.8 psi RVP gasoline
3	summer 7.0 psi RVP gasoline
3	summer 7.8 psi RVP gasoline
3	Texas low emission diesel
4	summer 7.0 psi RVP gasoline
5	summer 7.0 psi RVP gasoline
5	summer AZ Cleaner-burning Gasoline
5	winter AZ Cleaner-burning Gasoline
5	winter NV Cleaner-burning Gasoline

There were 8 different fuel types approved into SIPs under Clean Air Act section 211(c)(4)(C) as of September 1, 2004:

- summer 7.0 psi RVP gasoline
- summer 7.0 psi RVP gasoline with sulfur provisions
- summer 7.2 psi RVP gasoline
- summer 7.8 psi RVP gasoline
- Texas low emission diesel
- summer AZ Cleaner-burning Gasoline
- winter AZ Cleaner-burning Gasoline
- winter NV Cleaner-burning Gasoline

EPA cannot approve a state fuel if it would cause the total number of fuels approved into SIPs to exceed 8.

The Agency has deleted 2 of these (because they are no longer used):

- summer 7.0 psi RVP gasoline with sulfur provisions
- summer 7.2 psi RVP gasoline

Now there are 6 boutique fuels.