



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF THE DIRECTOR

235 Promenade Street, Room 425
Providence, Rhode Island 02908

ORDER OF DIRECTOR

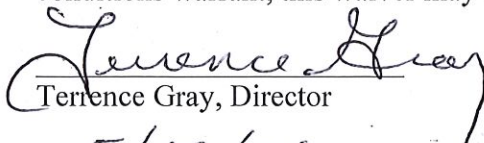
Regarding RIGL § 31-37-7.1 and 250-RICR-120-05-11

On 19 May 2026, the United States Environmental Protection Agency (USEPA) issued a temporary waiver under Section 211(c)(4)(C)(ii)(I) of the Clean Air Act (CAA) of the requirements contained in 40 C.F.R. §1090.215, effective 21 May 2026. These regulations promulgated under the CAA require the use of low volatility gasoline during the summer months to limit the formation of ozone pollution beginning on 1 May of each year. This temporary waiver is a renewal of the 30 April 2026 waiver and extends the waiver of federal enforcement of all state “boutique” fuel requirements for gasoline for an additional twenty (20) days. Specifically, the temporary waiver allows the production and distribution of gasoline with at least nine percent (9%) ethanol content at a single Reid Vapor Pressure (RVP) standard of 10 pounds per square inch (psi). The temporary federal waiver also allows state discretion to waive or maintain state fuel requirements and enforcement given the specific circumstances in each state.

In the temporary waiver, EPA’s Administrator concludes that it is in the public interest to grant the waiver to address “extreme and unusual fuel supply circumstances caused by, among other things, global issues in the Middle East”. The Administrator also cites a decrease in U.S. refining capacity over the past several years caused by the permanent closure of refineries due to the impacts of the Covid-19 pandemic, damage from hurricanes and accidents, as well as economic closures. Also noted in the waiver is an increase in “refinery utilization” of 4.3 percent in comparison to the same time last year.

The RI Department of Environmental Management (the Department) has evaluated the impact of the reported reduced refinery capacity and the impacts caused by the conflict with Iran on the fuel supply in Rhode Island and nationally. While the Department’s evaluation did not result in any evidence indicating a domestic fuel supply shortage at this time, we recognize that the conflict in the Middle East has created an emergency situation resulting in impacts on the global fuel supply. These impacts, combined with EPA’s waivers, and other regional responses thereto, present a risk of supply shortages for Rhode Island or other states. Further considering the public’s interest in potentially lowering fuel prices, the Department is waiving the RVP compliance requirements set out in Section 31-37-7.1(b) of the Rhode Island General Laws and allowing gasoline to be distributed and sold in Rhode Island with a RVP of 10 psi when blended with ten percent (10%) ethanol.

This waiver shall take effect as of the date of this letter and continue through September 15, 2026, or until the USEPA rescinds or does not renew the temporary waiver, whichever occurs first. Should conditions warrant, this waiver may be modified, terminated or extended as appropriate.


Terrence Gray, Director

5/20/26

Date