RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF THE DIRECTOR
235 Promenade Street
Providence, Rhode Island 02908

ORDER OF DIRECTOR, Revised

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

The United States Environmental Protection Agency (EPA) on 27 March 2020 issued a waiver of Clean Air Act (CAA) requirements related to 40 C.F.R. § 80.27 and § 80.78 from 1 May 2020 through 20 May 2020. These regulations promulgated under the CAA require the use of low volatility gasoline during the summer months in order to limit the formation of ozone pollution beginning on 1 May of each year. The Rhode Island Department of Environmental Management concurs with all actions included in the 27 March 2020 EPA waiver to minimize or prevent further disruption of an adequate supply of gasoline to consumers.

The Rhode Island Department of Environmental Management (RIDEM) has evaluated the impact that responses and actions related to the COVID-19 public health threat and the declarations by state and national leaders have had on fuel supplies in Rhode Island. Based upon this evaluation, RIDEM has determined that as a result of the risk mitigation measures needed to address the public health threat and the emergency declarations related to COVID-19, the public's driving habits have significantly decreased to the point where gasoline consumption has drastically dropped. RIDEM is aware that distributors are experiencing an over-supply of winter gasoline relative to this time of year, making it difficult or impossible to shift supplies to a lower volatility fuel.

RIDEM issued a waiver dated on 7 April 2020 to waive enforcement of RIGL § 31-37-7.1 and 250-RICR-120-05-11 - Petroleum Liquids Marketing and Storage, Subsection 11.11, from 1 May 2020 through 20 May 2020. DEM hereby extends the waiver through30 June 2020. Gasoline that does not meet the low volatility requirements set forth in 250-120-05-11.11 may not be introduced into terminal storage tanks. The RIDEM 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. Nothing in this waiver shall supersede the 27 March 2020 waiver issued by the EPA. All other statutory and regulatory requirements remain in effect unless otherwise specifically exempted.

Janet Coit, Director

May 5, 2020

Date