



State of Wisconsin
Governor Tony Evers

Department of Agriculture, Trade and Consumer Protection
Secretary Randy Romanski

GUIDANCE DOCUMENT

Date: April 28, 2025

Re: EPA Fuel Waiver for Gasoline Volatility Requirements in Wisconsin

Analysis:

On April 28, 2025, the U.S. Environmental Protection Agency (EPA) issued a waiver related to gasoline volatility requirements. Per the EPA waiver, starting on May 1, 2025, regulated parties may produce, sell, and distribute gasoline containing between 9% and 15% denatured anhydrous ethanol to exceed the applicable Reid Vapor Pressure (RVP) standard by 1 pound per square inch (psi).

Note the EPA RVP waiver does not apply to finished fuels that are subject to reformulated gasoline requirements in Southeastern Wisconsin.

Code Sections:

Wis. Admin. Code § ATPC 94.210 and ASTM D4814-21c

Conditions of temporary enforcement suspension:

- Conventional gasoline containing between 9% and 15% denatured anhydrous ethanol may exceed the applicable RVP standard by 1 psi. This is not applicable to reformulated gasoline.
- The Department will not take enforcement actions for the sale of covered finished fuels with an RVP within the limits listed above during the periods in which an EPA waiver is in effect if that finished fuel meets all conditions of this guidance document and all other required specifications.
- This temporary and conditional suspension of enforcement is being provided in conjunction with the RVP waiver issued by the EPA.
- This guidance document will remain in effect for as long as the EPA has a waiver in place.
- This guidance document will be automatically rescinded with the expiration or termination of any EPA waiver.

Additional information regarding fuel waivers issued by the EPA can be found on the EPA website here:

<https://www.epa.gov/enforcement/fuel-waivers>.

For questions, please contact the department at (608) 224-4942, option 4, or email datcpwmcompliance@wi.gov.

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