



State of Wisconsin
Governor Tony Evers

Department of Agriculture, Trade and Consumer Protection
Secretary Randy Romanski

GUIDANCE DOCUMENT

Date: March 25, 2026

Re: EPA Fuel Waiver for Gasoline Volatility Requirements in Wisconsin

Analysis:

On March 25, 2026, the U.S. Environmental Protection Agency (EPA), in consultation with the U.S. Department of Energy and in accordance with the Clean Air Act, issued a waiver regarding the requirements in 40 C.F.R. § 1090.215 to allow the production and distribution of a single national gasoline pool with 9% to 15% ethanol content at a common Reid Vapor Pressure (RVP) standard of 10 pounds per square inch (psi). The 10 psi waiver is effective from May 1, 2026 to May 20, 2026, therefore expanding nationwide ethanol blending limits. Additionally, effective March 25, 2026, the EPA is waiving federal enforcement of state level fuel controls under 40 CFR 1090.215.

Code Sections:

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

Conditions of temporary enforcement suspension:

- Conventional and reformulated gasoline containing from 9% to 15% denatured anhydrous ethanol may exceed the applicable RVP standard by 1 psi, not to exceed 10 psi.
- The Department of Agriculture, Trade and Consumer Protection (DATCP) will not take enforcement actions for the sale of covered finished fuels with a 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- This guidance document will be automatically rescinded with the expiration or termination of any EPA waiver.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:

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

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

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2811 Agriculture Drive • PO Box 8911 • Madison, WI 53708-8911 • Wisconsin.gov

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