



State of Wisconsin
Governor Tony Evers

Department of Agriculture, Trade and Consumer Protection
Secretary Randy Romanski

GUIDANCE DOCUMENT

Date: August 25, 2026

Re: EPA Fuel Waiver for Gasoline Volatility Requirements in Wisconsin

Analysis:

On August 20, 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 temporary waiver under the Clean Air Act to address extreme and unusual fuel supply circumstances affecting all parts of the United States. This action is a renewal of the August 9, 2026, EPA waiver extension. This action extends the ethanol blending limit in gasoline from 10% to 15%, reinstates the 1 psi allowance for ethanol blends in states where it was previously removed, and waives federal low volatility gasoline standards in two steps. In the first step, it extends the existing volatility waiver through August 31, 2026, maintaining a single national gasoline pool with 9% to 15% ethanol content at a common Reid vapor pressure (RVP) standard of 10 psi. In the second step, it waives all federal volatility standards starting on September 1, 2026, and pulls forward the wintertime volatility limits that would otherwise apply at the end of the summertime control season.

Code Sections:

Wis. Admin. Code § ATPC 94.210 and ASTM D4814-24b

Conditions of temporary enforcement suspension:

- Through August 31, 2026, 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.
- On September 1, 2026, wintertime volatility limits take effect. In Wisconsin, RVP for gasoline-ethanol blends containing up to 15% oxygenate by volume shall meet ASTM D4814, "Standard Specification for Automotive Spark-Ignition Engine Fuel," except that the maximum vapor pressure shall not exceed the ASTM D4814 limits by more than 1.0 psi for volatility classes A, B, C, D, and E through May 31.
- The Department of Agriculture, Trade and Consumer Protection (DATCP) 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 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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