



State of Wisconsin  
Governor Tony Evers

**Department of Agriculture, Trade and Consumer Protection**  
Secretary Randy Romanski

## **GUIDANCE DOCUMENT**

**Date: May 9, 2023**

**Re: RVP Relief for Summer-Grade Fuels**

### **Analysis:**

On April 28, 2023, the U.S. Environmental Protection Agency (EPA) [issued a waiver](#) related to Reid Vapor Pressure (RVP) requirements. Per the EPA waiver, starting on May 1, 2023 regulated parties may produce, sell, and distribute gasoline containing between 9% and 15% denatured anhydrous ethanol to exceed the applicable 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 § ATCP 94.210(1)(c) and ASTM D4814-18b

### **Conditions of temporary enforcement suspension:**

- Gasoline containing between 9% and 15% denatured anhydrous ethanol may exceed the applicable RVP standard by 1 psi.
- 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 granting an additional 1.0 psi to gasoline containing between 9% and 15% denatured anhydrous ethanol.
- This guidance document will be automatically rescinded with the expiration or termination of any EPA waiver granting an additional 1.0 psi to gasoline containing between 9% and 15% denatured anhydrous ethanol.

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 or email [datcpwmcompliance@wi.gov](mailto:datcpwmcompliance@wi.gov).

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2811 Agriculture Drive • PO Box 8911 • Madison, WI 53708-8911 • [Wisconsin.gov](http://Wisconsin.gov)

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