

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 7, 2017

Mr. Scott Pruitt
Administrator
U.S. Environmental Protection Agency
Mail Code 1101A
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

AND

Mr. Lawrence Starfield
Acting Assistant Administrator
Office of Enforcement & Compliance Assurance (OECA)
Mail Code 2201A, Room AR 3204
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Re: Request for Extension of EPA Temporary Fuel Waiver Dated August 31, 2017, to Allow Use of 11.5 Pounds per Square Inch (psi) Reid Vapor Pressure (RVP) Gasoline in the State of Texas

Dear Messrs. Pruitt and Starfield:

As a result of the continuing impact of Hurricane Harvey and refinery shutdowns in the entire southeast Texas region, the Texas Commission on Environmental Quality (TCEQ), on behalf of Governor Greg Abbott, requests the U.S. Environmental Protection Agency (EPA) exercise its authority under the Clean Air Act to issue an extension of your August 31, 2017 waiver from federal fuel requirements for Federal Reformulated Gasoline (RFG) fuels and Texas State Implementation Plan (SIP) low RVP fuel requirements, which will allow distribution and use of 11.5 RVP gasoline in Texas from September 15, 2017 through October 1, 2017.

Multiple refinery shutdowns have occurred in the Corpus Christi, Houston and Beaumont/Port Arthur areas that have resulted in gasoline supply issues across the state. A number of refineries in southeast Texas remain shut down, while others are in the process of startup and/or operating at reduced capacity. We also understand that while ports serving these Texas refineries are beginning to reopen, there are continuing restrictions limiting shipments. Extending the waiver in Texas should continue to result in increased fuel supplies available both in and out of state.

Mr. Scott Pruitt and Mr. Lawrence Starfield

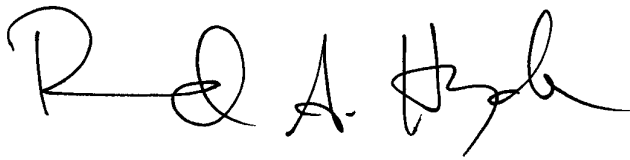
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Thank you for your consideration of this request. We sincerely appreciate the continuing efforts of your staff and those of the Department of Energy in addressing this on-going emergency situation. If you have any questions, please feel free to contact Mr. Minor Hibbs, P.E., or Keith Sheedy, P.E. of my staff at (512) 239-6590 or (512) 239-1556, respectively.

Sincerely,

A handwritten signature in black ink, reading "Richard A. Hyde". The signature is written in a cursive style with a large, stylized "R" and "H".

Richard A. Hyde, P.E., Executive Director
Texas Commission on Environmental Quality

cc: Mr. Sam Coleman, Acting Regional Administrator, U.S. Environmental Protection Agency, Region 6
Mr. Guy Donaldson, U.S. Environmental Protection Agency, Region 6
Mr. John Walser, U. S. Environmental Protection Agency, Region 6