

September 1, 2017

VIA EMAIL & REGULAR MAIL

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

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

Re: Request for Expansion of Temporary Fuel Waivers for Certain Diesel Fuel Requirements

Dear Mr. Pruitt and Mr. Starfield:

On Aug. 26, 2017, the U.S. Environmental Protection Agency (EPA) granted a request to waive the federal fuel requirement for dyed diesel fuels in certain Texas counties impacted by Hurricane Harvey for the period of Aug. 25, 2017 through Sept. 15, 2017.

The Texas Comptroller's office, on behalf of the state of Texas and Governor Greg Abbott, requests the EPA exercise its authority under Section 211(c)(4)(C)(ii) of the Clean Air Act and expand this waiver statewide. We are requesting this same expansion with the Internal Revenue Service.

We are seeking the waiver in regard to 40 C.F.R. Part 80, Section 520(b)(1), concerning the requirement that all motor vehicle diesel fuel be free of visible evidence of red dye, to allow off-road diesel fuel to be used by on-road vehicles statewide, for the same period of Aug. 25, 2017 through Sept. 15, 2017, with the option to request an extension if needed.

This dyed diesel waiver will facilitate prompt fueling of vehicles for emergency responders and vehicles needed to transport supplies into the areas affected by this unprecedented natural disaster and is needed to address the shortage of fuel across the state created by this disaster.

If you have any questions, please feel free to contact Mr. Karey Barton, Deputy Comptroller of Tax, at 512-463-3895 or Karey.Barton@cpa.texas.gov.

Sincerely,



Glenn Hegar

Enclosure

cc: Karey Barton

Madison Le, Office of Transportation & Air Quality, U.S. Environmental Protection Agency
Richard Hyde, Executive Director, Texas Commission on Environmental Quality (TCEQ)
Minor Hibbs, Technical Advisor to Deputy Executive Director, TCEQ



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