

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 14, 2017

Ms. Shannon Rusing
Texas Oil and Gas Association
304 West 13th Street
Austin, Texas 78701

AND

Mr. Scott Fisher
Texas Food and Fuel Association
401 West 15th Street, Suite 510
Austin, Texas 78701

RE: Notice of the September 13, 2007 U.S. Environmental Protection Agency (EPA) Extension of the Waiver for Federal Reformulated Gasoline (RFG), Low Reid Vapor Pressure (RVP), and Texas Low-Emission Diesel (TxLED) Fuel Requirements

Dear Ms. Rusing and Mr. Fisher:

On September 13, 2017, the U.S. EPA issued a fuel waiver through October 1, 2017, waiving the Texas State Implementation Plan (SIP) requirements for low RVP gasoline and TxLED, as well as the federal RFG requirements in Texas in order to increase the fuel supply and minimize potential supply disruptions caused by the impact of Hurricane Harvey in Texas. The enclosed EPA letter details the requirements of the fuel waiver for specific fuel types. The Texas Commission on Environmental Quality (TCEQ) concurs with the EPA action.

The TCEQ further expects that compliant TxLED will be distributed, if available, throughout the waiver period in accordance with the TCEQ Regulatory Guidance Concerning Hurricane Harvey (enclosed) that regulated entities "apply best engineering and pollution control practices as required by applicable standards".

Persons or businesses must keep records on the amount of conventional fuel distributed or sold using this waiver. If you have any questions, please feel free to contact Mr. Minor Hibbs, P.E., or Mr. Keith Sheedy, P.E., of my staff at (512) 239-6590 or (512) 239-1556, respectively.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard A. Hyde".

Richard A. Hyde, P.E.
Executive Director

Enclosures