

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

August 26, 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 Temporary Fuel Waivers for Federal Reformulated Gasoline (RFG), Low Reid Vapor Pressure (RVP), and Texas Low-Emission Diesel (TxLED) Fuel Requirements in Specifically Listed Counties

Dear Mr. Pruitt and Mr. Starfield:

Thank you for your quick response and approval of our request for fuel waivers, dated August 25, 2017, due to impacts of Hurricane Harvey in certain Texas coastal counties. As a result of the increasing scope of current and potential impacts on the fuel production and distribution facilities in Texas, we find it necessary to request an expansion of our original request to include the four-county Dallas-Fort Worth RFG area, the 98-county area required to use low RVP fuel, and the entire 110-county area required to use TxLED. As such, 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 temporarily waive federal fuel requirements for RFG fuels, low RVP, and TxLED fuel requirements for the additional counties specified below until September 15, 2017.

Reasoning for the expanded request is that the TCEQ is continuing to receive reports of refinery shut downs and fuel distribution terminal shortages in various areas of the State, as well as concern with future impacts that will be associated with the continuing emergency situation. As you may be aware, fuel infrastructure in the Corpus Christi and Houston areas supply fuels across the entire eastern part of the state. Central Texas counties from San Antonio up through the Dallas-Fort Worth

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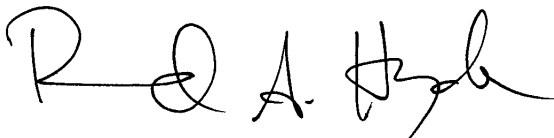
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area and into other eastern Texas counties are supplied via pipeline from Corpus Christi and the upper Gulf Coast.

Based upon the above information, the State of Texas requests an expanded waiver from the federal clean fuel requirements for RFG fuels for the following four-county area in the Dallas-Fort Worth ozone nonattainment area: Collin, Dallas, Denton, and Tarrant. The TCEQ further requests an expanded waiver from Low RVP fuel requirements for the following additional counties: Anderson, Angelina, Atascosa, Bastrop, Bell, Bexar, Bosque, Bowie, Brazos, Burleson, Caldwell, Camp, Cass, Cherokee, Comal, Cooke, Coryell, Delta, Ellis, Falls, Fannin, Franklin, Freestone, Grayson, Gregg, Grimes, Guadalupe, Hardin, Harrison, Hays, Henderson, Hill, Hood, Hopkins, Houston, Hunt, Jasper, Johnson, Kaufman, Lamar, Lee, Leon, Limestone, Madison, Marion, McLennan, Milam, Morris, Nacogdoches, Navarro, Newton, Orange, Panola, Parker, Polk, Rains, Red River, Robertson, Rockwall, Rusk, Sabine, San Jacinto, San Augustine, Shelby, Smith, Somervell, Titus, Travis, Trinity, Tyler, Upshur, Van Zandt, Walker, Washington, Williamson, Wise, and Wood. Also, the TCEQ requests a waiver from TxLED fuel requirements in the additional counties of Anderson, Angelina, Atascosa, Bastrop, Bell, Bexar, Bosque, Bowie, Brazos, Burleson, Caldwell, Camp, Cass, Cherokee, Collin, Comal, Cooke, Coryell, Dallas, Delta, Denton, Ellis, Falls, Fannin, Franklin, Freestone, Grayson, Gregg, Grimes, Guadalupe, Hardin, Harrison, Hays, Henderson, Hill, Hood, Hopkins, Houston, Hunt, Jasper, Johnson, Kaufman, Lamar, Lee, Leon, Limestone, Madison, Marion, McLennan, Milam, Morris, Nacogdoches, Navarro, Newton, Orange, Panola, Parker, Polk, Rains, Red River, Robertson, Rockwall, Rusk, Sabine, San Jacinto, San Augustine, Shelby, Smith, Somervell, Tarrant, Titus, Travis, Trinity, Tyler, Upshur, Van Zandt, Walker, Washington, Williamson, Wise, and Wood.

Thank you for your consideration of this request, and we sincerely appreciate the efforts of your staff and that 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, appearing to read "R. A. Hyde". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

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

cc: Mr. Sam Coleman
Mr. Guy Donaldson
Mr. John Walser