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Reid Vapor Pressure/Clean Air Act: U.S. Environmental Protection Agency Proposal to Approve Tennessee Request for Shelby County (Memphis) Change/Relaxation

08/17/2017

The United States Environmental Protection Agency (“EPA”) issued an August 17th Federal Register Notice proposing to approve a request from the State of Tennessee to change the summertime Reid Vapor Pressure (“RVP”) standard for Shelby County, Tennessee from 7.8 psi to 9.0 psi. See 82 Fed. Reg. 39098

The relaxed standard would be applicable to gasoline introduced into commerce from June 1st to September 15th of each year.

Pursuant to § 211 of the Clean Air Act, the EPA has the authority to regulate various aspects of motor fuel. Beginning in 1987, the Agency determined that gasoline’s evaporative emissions (i.e., volatile organic compounds) are precursors to the formation of tropospheric ozone and contribute to ground-level ozone. As a result, maximum limits for the RVP gasoline sold during certain regulatory control periods were established on a state-by-state basis were established.

On April 12, 2017, Tennessee submitted a request to relax the gasoline RVP requirement in Shelby County. The State simultaneously submitted a Clean Air Act § 110(l) non-interference demonstration for approval by EPA. The federal agency has determined that the non-interference demonstration shows the relaxation would not interfere with maintenance of the 2008 Ozone National Ambient Air Quality Standard or any other applicable Clean Air Act requirement.

The request for approval of the Clean Air Act § 110(l) non-interference demonstration was approved on July 7, 2017. As a result, the EPA is proposing to relax the previously referenced RVP standard for Shelby County.

A copy of the Federal Register Notice can be downloaded [here](#).