



COMMONWEALTH of VIRGINIA

Department of Agriculture and Consumer Services

PO Box 1163, Richmond, Virginia 23218

Phone: 804/786-3501 • fax: 804/371-2945 • Hearing Impaired: 800/828-1120

www.vdacs.virginia.gov

*Jewel H.
Bronaugh, Ph.D
Commissioner*

Emergency Waiver of Reid Vapor Pressure Requirements in Virginia

Effective date: May 1, 2020

Expiration date: Upon cessation of the Governor of Virginia's Executive Order 51

Purpose:

The purpose of this order is to provide a waiver to the ASTM Reid Vapor Pressure specifications for ethanol blended gasoline due to an emergency situation as a result of the COVID-19 pandemic.

Background:

On March 12, 2020, Governor Ralph S. Northam declared a state of emergency for the Commonwealth of Virginia to provide response to the COVID-19 pandemic. In Executive Order 51, Governor Northam, pursuant to his authority under § 44-146.17 of the Code of Virginia, authorizes the Commissioner of Agriculture and Consumer Service, on behalf of the Virginia Department of Agriculture and Consumer Services' regulatory boards as appropriate and with concurrence of the Secretary of Agriculture and Forestry, to waive any state requirement or regulation. Executive Order 51 shall remain in effect until amended or rescinded by further executive order.

Definitions:

"Volatility class A" means fuel with a vapor pressure and distillation designation of "A" set forth in Table 1 Vapor Pressure and Distillation Class Requirements of ASTM D4814.

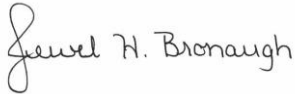
"Volatility class D" means fuel with a vapor pressure and distillation designation of "D" set forth in Table 1 Vapor Pressure and Distillation Class Requirements of ASTM D4814.

Required vapor pressure limits from May 1, 2020, until Executive Order 51 is rescinded:

Pursuant to the authority granted in Executive Order 51, the Commissioner of Agriculture and Consumer Services waives the vapor pressure limit for gasoline ethanol blends prescribed by reference to ASTM D4814 in regulation 2 VAC 5-425 et seq., Vapor Pressure Requirements for Gasoline Ethanol Blends, until the Executive Order is rescinded.

While the Governor of Virginia's Executive Order 51 is in effect, when gasoline is blended with ethanol, the blend's maximum vapor pressure shall not exceed the ASTM D4814 limits for volatility class D by more than 1.0 psi during this period. Any gasoline meeting the conditions of this waiver that is stored in terminal storage tanks for distribution to retail outlets and wholesale purchaser-consumers after May 20, 2020, may be distributed and sold until the supply is depleted or Executive Order 51 is rescinded, whichever occurs first. Likewise, retailers and wholesale purchaser-consumers may continue selling or dispensing gasoline that meets the conditions of this waiver after May 20, 2020, until their supplies are depleted or Executive Order 51 is rescinded, whichever occurs first. Gasoline that does not meet the ASTM Volatility Class A may not be introduced into terminal storage tanks from which gasoline is dispensed into trucks for distribution to retail outlets after May 20, 2020.

By Order of:



Jewel H. Bronaugh, Ph.D.
Commissioner, Department of Agriculture and Consumer Services

With Concurrence from:

Bettina Ring
Secretary, Agriculture and Forestry