



E. SCOTT PRUITT
ADMINISTRATOR

December 15, 2017

The Honorable Pete Ricketts
Governor of Nebraska
P.O. Box 94922
Lincoln, Nebraska 68509

Dear Governor Ricketts:

Thank you for your letter of August 23, 2017, requesting a testing exemption for the use of mid-level ethanol fuel blends in state-owned legacy vehicles.

The EPA's fuels regulations contain provisions for testing exemptions that may apply to the potential test program described in your letter. Your letter identified the potential need for testing exemptions from the applicable seasonal and geographic Reid vapor pressure (RVP) standards under 40 CFR 80.27(a) and the "substantially similar" provisions described in Clean Air Act section 211(f). The EPA has specific testing exemption provisions for RVP in 40 CFR 80.27(e) and for the "substantially similar" provisions of the Clean Air Act in 40 CFR 79.4(a)(3).

We would be happy to discuss with you the process and requirements for obtaining test exemptions under 40 CFR parts 79 and 80, and, given the size and scope of the potential test program discussed in your letter, we believe that the most effective next step would be to have a conference call between technical staff from the interested state(s) and the EPA's Office of Transportation and Air Quality (OTAQ). Please have your staff coordinate with Mary Manners in OTAQ's Compliance Division to set up the conference call, at manners.mary@epa.gov or 734-214-4873.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Troy Lyons, Associate Administrator for Congressional and Intergovernmental Relations, at lyons.troy@epa.gov or 202-564-5200.

Respectfully yours,

A handwritten signature in black ink, appearing to read "E. Scott Pruitt", written over a horizontal line.

E. Scott Pruitt

cc:
Member Governors
The Honorable Dennis Daugaard
The Honorable Kim Reynolds