



# Florida Department of Environmental Protection

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2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Noah Valenstein  
Secretary

## Via Electronic Mail

September 5, 2017

Mr. Scott Pruitt, Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue N.W.  
Washington, DC 20460

Mr. Lawrence Starfield, Acting Assistant Administrator  
Office of Enforcement & Compliance Assurance (OECA)  
Mail Code 2201 A, Room AR 3204  
12000 Pennsylvania Avenue N.W.  
Washington, DC 20460

Re: State of Florida Request for Extension of Waiver of Blendstock Requirements

Dear Mr. Pruitt and Mr. Starfield:

On August 30, 2017, the U.S. Environmental Protection Agency (EPA) issued a multi-state fuel waiver concerning conventional and reformulated gasoline. This waiver addressed supply shortages, in part, by waiving the provisions at 40 C.F.R. § 80.78(a)(7) that prohibit the combining of any reformulated blendstock for oxygenate blending (RBOB) with any other gasoline, blendstock, or oxygenate, except for the oxygenate or the type and amount specified by the refiner that produced the RBOB. This fuel waiver was effective through September 15, 2017. This letter shall serve as the State of Florida's and Florida Department of Environmental Protection's (Department) written request for extension of the relief from the prohibitions on blending various blendstocks for the entire State of Florida through September 30, 2017. This waiver is needed due to fuel supply interruptions caused by Hurricane Harvey and projected to occur as a result of the potential landfall of Hurricane Irma in Florida.

Extension of the waiver of the requirements of 40 C.F.R. 80.78(a)(7), which prohibits the combining of reformulated gasoline blendstock for oxygenate blending with any other

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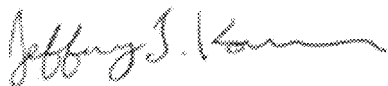
gasoline, blendstock or oxygenate, will allow for more types of fuels to be imported into Florida, improving the ability of the state to receive shipments from a diverse set of suppliers and diminishing the likelihood of fuel shortages.

This request meets the waiver requirements of Clean Air Act section 211(c)(3)(C)(ii) as an extreme and unusual fuel supply circumstance exists and the expected fuel supply interruptions are the result of natural disasters that could not reasonably have been foreseen or prevented and not the result of the lack of prudent planning. The granting of this waiver is in the public interest as an adequate supply of transportation fuels, including fuels for emergency response and disaster recovery operations, is of the utmost concern to the general public. The State of Florida intends to be on the best possible footing with regard to addressing potential storm damage, emergency response, and recovery needs resulting from Hurricane Irma, and any shortage of compliant transportation fuel in the state would unnecessarily complicate those efforts.

The Department respectfully requests that the U.S. Environmental Protection Agency extend the existing waiver through September 30, 2017. Pursuant to this waiver, reformulated blendstocks blended with conventional blendstocks will be able to be imported to Florida. Any gasoline meeting the conditions of this waiver that is stored in terminal storage tanks for distribution to retail outlets and wholesale purchasers and consumers in the State of Florida after September 30, 2017, could be distributed and sold until the supply is depleted. Likewise, retailers and wholesale purchasers and consumers in the state could continue selling or dispensing gasoline that meets the conditions of this waiver after September 30, 2017, until their supplies are depleted.

If you have any questions about this fuel waiver request, please contact me at (850) 717-9000 or by email at [Jeff.Koerner@dep.state.fl.us](mailto:Jeff.Koerner@dep.state.fl.us).

Sincerely,



Jeffery F. Koerner, Director  
Division of Air Resource Management