



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

THE ADMINISTRATOR

The Honorable Tom Corbett
Governor
State of Pennsylvania
Governor's Office
225 Main Capitol Building
Harrisburg, Pennsylvania 17120

Re: Fuel Waiver Concerning the Pittsburgh-Beaver Valley Area, Pennsylvania

Dear Governor Corbett:

This is in response to the September 9, 2011, request made on your behalf by Pennsylvania Department of Environmental Protection Secretary Michael L. Krancer to waive the federal gasoline low volatility requirements under the Clean Air Act (CAA) for the seven-county Pittsburgh-Beaver Valley Area (Allegheny, Armstrong, Beaver, Butler, Fayette, Washington and Westmoreland counties) due to disruptions in the supply of fuel to this area caused by the shutdown of the Buckeye Pipeline as a result of severe flooding in South-Central Pennsylvania. EPA and the Department of Energy (DOE) have been actively monitoring the supply of fuel to the Pittsburgh-Beaver Valley area, as well as coordinating with Pennsylvania officials. EPA has determined, and DOE concurs, that it is necessary to take action to minimize or prevent disruption of an adequate supply of gasoline in the Pittsburgh-Beaver Valley area. By this letter, I am granting a waiver of the federal low volatility gasoline requirements, as described below.

Regulations promulgated under the CAA require gasoline sold in the Pittsburgh-Beaver Valley area to have a maximum Reid Vapor Pressure (RVP) of 7.8 pounds per square inch (psi) during the "high ozone" season, which ends on September 15, 2011. These federal requirements are codified as part of the federally-approved Pennsylvania State Implementation Plan (SIP). *See* 40 C.F.R. § 52.2020(c); *see also* 63 *Fed. Reg.* 31116 (June 8, 1998) and 66 *Fed. Reg.* 19724 (April 17, 2001). Flooding caused by Hurricane Irene and Tropical Storm Lee had previously slowed deliveries of 7.8 psi RVP gasoline to the Pittsburgh-Beaver Valley area, and on September 9, 2011 continued flooding caused a shutdown of the Buckeye Pipeline, further curtailing supplies of 7.8 psi RVP gasoline to this area.

EPA has concluded, with DOE's concurrence, that it is necessary to take action to minimize or prevent disruption of an adequate supply of gasoline to the Pittsburgh-Beaver Valley area of Pennsylvania. I have determined that an "extreme and unusual fuel supply circumstance" exists that will prevent the distribution of an adequate supply of gasoline to

Internet Address (URL) • <http://www.epa.gov>

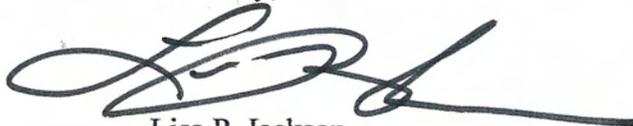
Recycled/Recyclable • Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 30% Postconsumer)

consumers in Pennsylvania. CAA § 211(c)(4)(C)(ii)(I), 42 U.S.C. § 7545(c)(4)(C)(ii)(I). This extreme and unusual fuel circumstance is the result of flooding caused by Hurricane Irene and Tropical Storm Lee, a natural disaster that could not reasonably have been foreseen or prevented, and is not attributable to a lack of prudent planning on the part of suppliers of the fuel to these areas. CAA § 211(c)(4)(C)(ii)(II), 42 U.S.C. § 7545(c)(4)(C)(ii)(II). Furthermore, I have determined that it is in the public interest to grant this waiver and that this waiver applies to the smallest geographic area necessary to address the fuel supply circumstances. CAA § 211(c)(4)(C)(ii)(III) and (iii)(I), 42 U.S.C. § 7545(c)(4)(C)(ii)(III) and (iii)(I).

Therefore, to minimize or prevent problems with the supply of gasoline, I am today issuing this waiver of the federal 7.8 psi RVP requirement codified in the federally-approved SIP for the Pittsburgh-Beaver Valley area of Pennsylvania. This waiver is effective immediately and will continue through the remainder of the summertime "high ozone" period through September 15, 2011. This waiver allows the sale of gasoline in the Pittsburgh-Beaver Valley area that meets the 9.0 psi RVP standard applicable in other parts of Pennsylvania. Regulated parties are required to continue to sell or distribute gasoline meeting the 7.8 psi RVP where such supplies are available.

If you have any questions, you may call me, or your staff may call Phillip A. Brooks at (202) 564-0652.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa P. Jackson', with a long horizontal flourish extending to the right.

Lisa P. Jackson

cc: The Honorable Stephen Chu
Secretary of Energy