



# State of New Jersey

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

AIR QUALITY, ENERGY AND SUSTAINABILITY

OFFICE OF THE ASSISTANT COMMISSIONER

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**PHILIP D. MURPHY**

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**SHEILA Y. OLIVER**

*Lt. Governor*

**CATHERINE R. McCABE**

*Commissioner*

March 30, 2020

To whom it may concern:

This is to advise you that the New Jersey Department of Environmental Protection (NJDEP) will be exercising its authority to utilize enforcement discretion with respect to certain provisions of N.J.A.C. 7:27-25.

NJDEP's regulation at N.J.A.C. 7:27-25.3 prohibits any refiner, importer, blender, distributor, wholesale purchaser-consumer, or retailer from providing, storing, offering for sale, selling, transporting, importing or exchanging in trade for use in New Jersey between May 1 and September 15, gasoline having an RVP greater than 9 psi. The COVID-19 pandemic has altered American's driving habits to the point where gasoline consumption has significantly dropped. As a result, gasoline distributors have a higher supply of higher (>9 psi) RVP gasoline in their tanks than is normally warranted for this time of year. As a result, there is little room for storage of the 9 psi gasoline required on May 1.

On March 27, 2020, the United States Environmental Protection Agency (USEPA) issued a temporary waiver of federal requirements for RVP for gasoline. In order to ensure an adequate supply of gasoline, and consistent with USEPA's actions, NJDEP will exercise its enforcement discretion regarding the RVP limits in N.J.A.C. 7:27-25.3 until May 20, 2020.

Please be advised that all other statutory and regulatory requirements remain in effect unless otherwise specifically exempted. If you have any questions, please contact Peg Hanna at 609 292-7953.

Sincerely,

Paul Baldauf, P.E., Assistant Commissioner  
Air Quality, Energy and Sustainability