



STATE of NEBRASKA
OFFICE OF THE GOVERNOR
LINCOLN

EXECUTIVE ORDER No. 23-10
E15 Reid Vapor Pressure Fuel Waiver

WHEREAS, on April 28, 2023, the United States Environmental Protection Agency (EPA) issued a temporary waiver under the Clean Air Act (CAA) Section 211(c)(4)(C)(ii)(I), 42 U.S.C. § 7454(c)(4)(C)(ii)(I), to address extreme and unusual fuel supply circumstances caused by the ongoing war in Ukraine that are affecting all regions of the Nation; and

WHEREAS, there exists a need to protect the interests of Nebraska citizens as a result of the extreme fuel supply disruptions.

NOW, THEREFORE, I, Jim Pillen, Governor of the State of Nebraska, pursuant to the provisions of Nebraska Revised Statutes §81-829.40, hereby order the waiver of any requirements set out in the American Society for Testing and Materials (ASTM) publication D4814-89 entitled Standard Specifications for Automotive Spark Ignition Engine Fuels adopted by reference in Nebraska Revised Statutes §66-1226 which conflict with the April 28th waiver issued by the EPA for the 9-psi Reid vapor pressure (RVP) limitation for gasoline blended with 15 percent ethanol (E15) for the 2023 summer ozone control season.

As a result of EPA's action, fuel bulk terminals may continue to sell E15 ethanol fuel in Nebraska after May 1 until the EPA waiver expires. Further, while fuel retail locations are typically prohibited from selling E15 ethanol fuel after June 1, such locations may continue selling E15 ethanol fuel beyond that date for as long as the EPA waiver is in effect

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 11th day of May, 2023.



Jim Pillen, Governor
State of Nebraska

Robert B. Evnen, Secretary of State
State of Nebraska

Attest: