



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Non-Interference Demonstration for Federal Low-Reid Vapor Pressure Requirement/Shelby County, Tennessee: U.S. Environmental Protection Agency Public Notices Proposed Approval

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Chuck Buttry of Trinity Consultants noted a May 11th Federal Register Notice that could eventually be relevant to purchase or sale of motor fuel in Shelby County, Tennessee.

The United States Environmental Protection Agency ("EPA") in a May 11th Federal Register Notice stated it was proposing to approve a "noninterference demonstration that evaluates whether the change for the Federal Reid Vapor Pressure (RVP) requirements in Shelby County. . . would interfere with the Area's ability to meet the requirements of the Clean Air Act." See 82 Fed. Reg. 21966.

The Tennessee Department of Environment and Conservation ("TDEC") submitted on April 12th to EPA a noninterference demonstration on behalf of the Shelby County Health Department. The request asked that EPA change the RVP requirements for Shelby County.

TDEC's noninterference demonstration is stated to have concluded that relaxing the Federal RVP requirement from 7.8 pounds per square inch to 9.0 pounds per square inch for gasoline sold between June 1 and September 15th of each year in Shelby County would not interfere with attainment or maintenance of the Clean Air Act National Ambient Air Quality Standards or with any other Clean Air Act requirement.

EPA notes that in support of this demonstration of noninterference TDEC undertook a technical analysis. This analysis included modeling to estimate the change in emissions that would result from a switch to 9.0 pounds per square inch RVP fuel in Shelby County. The noninterference demonstration is stated to be further supported by the June 23, 2016 revised and approved maintenance plan that utilizes a RVP input parameter of 9.0 pounds per square inch. See 81 Fed. Reg. 40816.

RVP is a common measure of fuel volatility. It is deemed useful in evaluating gasoline evaporative emissions. EPA has previously promulgated volatility controls establishing maximum RVP standards that vary depending on the state, the month, and the area's attainment designation.

The discussion in the May 11th Federal Register also addresses:

- Summary of the Clean Air Act 110(1) requirements
- EPA's analysis of TDEC's submittal
- Overall preliminary conclusions regarding TDEC's noninterference demonstration
- Noninterference analysis for the ozone National Ambient Air Quality Standard
- Noninterference analysis for the PM National Ambient Air Quality Standard
- Noninterference analysis for the 2010 NO2 National Ambient Air Standard

[A copy of the Federal Register notice can be downloaded here.](#)