



MIKE DEWINE

GOVERNOR OF OHIO



October 31, 2025

Lee Zelden
Administrator
U.S. Environmental Protection Agency (EPA)
1200 Pennsylvania Avenue, NW Washington,
DC 20460

Dear Administrator Zelden:

I am writing today to request the reinstatement of the one-pound waiver in Ohio for E-10.

We are grateful for the emergency waiver that allowed for uninterrupted access to E-15 this summer. However, while relying on annual emergency waivers for the year-round sale of E-15 meets a temporary need, it does not provide a permanent solution for year-round access.

In June 2022, I asked the EPA to remove the one-pound waiver in Ohio, ensuring that our consumers would have access to E-15 on a year-round basis. I then subsequently asked to delay the implementation of my request to allow our petroleum industry to make needed adjustments to their refining capacity and distribution systems to serve E-15 year-round. A second reason for the requested delay was to allow time for a federal legislative change that would ensure E-15 is sold year-round on a *nationwide* basis. This would help eliminate the creation of “fuel islands” in certain states, ensure minimal fuel disruptions, and maximize the consumption of the E-15.

Without a federal legislative fix, I remain concerned that Ohio’s refining capacity and petroleum distribution system will need substantial upgrades that could cause significant increases in the price of gasoline. And so again, I request the reinstatement of the one-pound waiver.

Upon approving the removal of the one pound per square inch (PSI) RVP waiver for several states (February 29, 2024, Federal Register), the U.S. EPA outlined a process for reinstating the waiver (as identified in 40 CFR 1090.297). Enclosed is the required information needed to reinstitute the 1.0 PSI RVP waiver in Ohio for E-10, starting with the 2026 summer blend season.

Thank you for your consideration of this request and for your attention to this important issue. Very respectfully yours,

Mike DeWine

Governor Enc.

77 South High Street, 30th Floor
Columbus, Ohio 43215 governor.ohio.gov
| 614.644.4357
Attachment to Governor DeWine Letter

Section 1090.297 Procedures for Reinstating the 1.0 psi RVP allowance for E10.

Section 1090.297

(b) The request must be signed by the governor of the state, or the governor's authorized representative, and must include all the following:

(b) Response: Request letter signed by Governor DeWine.

(1) A geographic description of each area (or portion of such area) that is covered by the request.

(1) Response: The request applies to the entire state of Ohio.

(2) A description of all the means in which emissions reduction from the removal of the ethanol 1.0 psi waiver are relied upon in any approved SIP or in any submitted SIP that has not yet been approved by EPA, if applicable.

(2) Response: Ohio has not relied on the emission reductions associated with the removal of the waiver in any approved SIP or any submitted SIP that has not yet been approved by U.S. EPA.

(3) For any area covered by the request where emissions reductions from the removal of the ethanol 1.0 psi waiver are relied upon as specified in paragraph (b)(2) of this section, the request must include the following information.

(i) Identify whether the state is withdrawing any submitted SIP that has not yet been approved.

(ii)(A) Identified whether the state intends to submit a SIP revision to any approved SIP or any submitted SIP that has not yet been approved, which relies on emissions reductions from the removal of the ethanol 1.0 psi waiver, and describe any control measures that the state plans to submit to EPA for approval to replace the emissions reductions from the removal of the ethanol 1.0 psi waiver.

(B) A description of the state's plan and schedule for adopting and submitting any revision to any approved SIP or any submitted SIP that has not been approved.

(iii) If the state is not withdrawing any submitted SIP that has not yet been approved and does not intend to submit a revision to any approved SIP or any submitted SIP that has not yet been approved, describe why no revision is necessary.

(3) Response: Ohio has not relied on any reductions for SIP approval, so paragraph (3) is not applicable.

(4) The governor of a state or the governor's authorized representative, must submit additional information needed to administer the reinstatement of the ethanol 1.0 psi waiver upon request by EPA.

(4) Response: Ohio will promptly respond to requests for additional information from U.S. EPA. Requests for additional information may be directed to Robert Hodanbosi at Ohio EPA, (614) 644-3585, robert.hodanbosi@epa.ohio.gov.

Summary: On February 29, 2024, U.S. EPA issued a final rule that removed the 1.0 RVP waiver for E-10 gasoline for Ohio effective April 29, 2025. Prior to April 29, 2025, Ohio submitted a request to delay implementation of the removal of the 1.0 RVP waiver until at least the spring of 2026. This request was approved by U.S. EPA on March 20, 2025. As such, the request for removal of 1.0 psi RVP waiver was never enacted and therefore could not have been relied on for emission reductions.