



THE ADMINISTRATOR
WASHINGTON, D.C. 20460

January 28, 2026

The Honorable Mike DeWine
Governor of Ohio
77 South High Street, 11th Floor
Columbus, Ohio 43215

Dear Governor DeWine:

The U.S. Environmental Protection Agency received your October 31, 2025, letter requesting the reinstatement of the 1.0 pound per square inch (psi) volatility waiver for gasoline-ethanol blends that contain 10 percent ethanol (E10). As described below, we grant your request and thus the 1.0 psi volatility waiver will be available for gasoline containing 10 percent ethanol in the state of Ohio, beginning April 28, 2026.

In June 2022, you requested that, pursuant to Clean Air Act Section 211(h)(5), the EPA Administrator remove the 1.0 psi waiver for E10. EPA granted that request via rulemaking on February 29, 2024, with an effective date of April 28, 2025.¹ At the same time, EPA provided a regulatory mechanism in our regulations at 40 CFR 1090.297 to allow states to request to have the 1.0 psi waiver reinstated.² In January 2025, you requested that EPA extend the effective date for the removal of the 1.0 psi waiver to April 28, 2026.³ EPA granted that request on March 20, 2025.⁴

In your October 31, 2025, letter, you indicated that annual emergency fuel waivers are not a permanent solution for year-round E15 access and that your request to remove the 1-psi waiver in June 2022 was intended to ensure such access.⁵ Your letter also indicated that implementing the removal of the 1.0 psi waiver in Ohio may result in significant increases in the price of gasoline. You requested that the 1.0 psi waiver be reinstated in Ohio for the summer 2026 season.

We have reviewed your submission and conclude that the regulatory criteria provided in 40 CFR 1090.297 have been met. As Ohio has not relied on the removal of the 1.0 psi waiver in any State Implementation Plans, provisions in 40 CFR 1090.297(2)–(3) do not apply. Pursuant to your letter, EPA approves your request for the reinstatement of the 1.0 psi waiver for E10.

¹ Request from States for Removal of Gasoline Volatility Waiver, 89 FR 14760 (February 29, 2024).

² *Id.* at 14774.

³ Petition from Ohio Governor Mike DeWine (January 24, 2025).

⁴ Extension of Effective Date for Removal of Gasoline Volatility Waiver, 90 FR 13093 (March 20, 2025).

⁵ Letter from Governor Mike DeWine to EPA Administrator Lee Zeldin, October 31, 2025.

The effective date of the reinstatement of the 1-psi volatility waiver is 90 days from the date of this letter, or April 28, 2026. This is in advance of the 2026 summer season. We will also be publishing notice of the reinstatement of the 1.0 psi waiver and the April 28, 2026, effective date in the *Federal Register*.

If you have questions, you are welcome to contact me, or your staff may contact Sarah Talmage, Associate Administrator for Congressional and Intergovernmental Relations, at Talmage.Sarah@epa.gov or (202) 766-2261.

Sincerely,



Lee M. Zeldin