2 CSR 90-30.040 Quality Standards for Motor Fuels. The Missouri Department of Agriculture is amending section (1)(C)2. and (4)(C) to reflect changes made by the U.S. Environmental Protection Agency (USEPA).

PURPOSE: USEPA streamlined and modernized 40 CFR part 80 fuel quality regulations to minimize the implementation burden associated with them while still ensuring that the fuel quality standards previously established under the Clean Air Act continue to be met in real-world use. USEPA transferred the relevant part 80 provisions into a new set of regulations in 40 CFR part 1090. This rule change by the USEPA was effective January 1, 2021. Missouri regulation 2 CSR 90-30.040 sections (1)(C)2. and 4(C) currently reference 40 CFR part 80 and must be changed to reference the new USEPA regulation at 40 CFR part 1090. This amendment is necessary to ensure that the Department of Agriculture continues to reference the appropriate section in USEPA regulations which the Department uses to enforce volatility and labeling regulations for gasoline containing nine percent (9%) to fifteen percent (15%) ethanol.

(1) Regulation Regarding Quality of Motor Fuels. The following fuels when sold, offered for sale, or when used in this state shall meet the following requirements:
(C) All automotive gasoline containing oxygenated additives shall meet the requirements set in ASTM D4814 and the following requirements:
2. When gasoline contains nine percent (9%) or up to and including fifteen percent (15%) ethanol, a vapor pressure tolerance not exceeding one pound per square inch (1.0 psi) is allowed in accordance with U.S. EPA per 40 CFR [80.27(d)] 1090.215(b)(2) from June 1 through September 15;

(4) Classification of Petroleum Fuels. When gasoline, illuminating oils, heating fuels, or other motor fuels are sold or offered for sale in Missouri, the invoice bill of lading, shipping paper, or other documentation must identify the name of the product, the particular grade of the product as designated by ASTM, and, when applicable, the minimum octane (antiknock index) as listed in subsections (4)(A)–(K) of this section. All retail dispensing devices must conspicuously identify the name of the product, the particular grade of the product as designated, and, when applicable, the minimum octane (antiknock index) as listed as follows:
(C) Retailers and wholesale purchaser-consumers of gasoline shall comply with the Environmental Protection Agency (EPA) pump labeling requirements for gasoline containing greater than ten (10) volume percent up to fifteen (15) volume percent ethanol (E15) under 40 CFR [80.1501] 1090.1500(b)(1-3) - 1510;


PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Missouri Department of Agriculture, Weights, Measures and Consumer Protection Division, Fuel Quality Program, PO Box 630, Jefferson City, MO 65102, or online at Agriculture.Mo.Gov/proposed rules/. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.