



## Maryland Gasoline Volatility Requirements Enforcement Discretion

The Comptroller of Maryland, in consultation with the Maryland Department of the Environment, has determined that recent actions of the U.S. Environmental Protection Agency (EPA) create the potential for a gasoline supply shortage or other extreme or unusual supply circumstances that would interfere with the supply of gasoline to consumers in Maryland.

**In order to protect Marylanders from disruptions and subsequent increases in gasoline prices, the Comptroller of Maryland will exercise enforcement discretion of gasoline volatility requirements of COMAR 03.03.05.01-1D and allow the distribution and sale of gasoline with an RVP of 9.0 psi (10.0 psi when blended with 10% ethanol) during the term of the waiver or any extensions thereof, through September 15, 2026.** From September 15 to April 30, the minimum RVP in Maryland exceeds 9.0 under current regulation.<sup>1</sup>

Maryland is taking this action because on March 25, 2026, with subsequent updates on April 13, 2026, and April 30, 2026, the EPA issued a temporary waiver under the Clean Air Act, section 211(c)(4)(C)(ii)(I) related to federal low volatility requirements of

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<sup>1</sup> Generally, RFG sold in VOC Control Regions 1 and 2 must have a RVP that does not exceed 11.5 psi from September 16 through September 30, inclusive; 13.5 psi for October and November; 15.0 psi for December, January, and February; and 13.5 psi for March and April. COMAR 03.03.05.01-1(1).

gasoline.<sup>2</sup> The waiver was issued to allow gasoline with a single common specification of Reid Vapor Pressure (RVP) of 10.0 psi for gasoline when blended with ethanol. The waiver is effective from May 1, 2026, through May 20, 2026. The EPA has indicated they intend to renew the waiver until the “extreme and unusual” circumstances causing the purported fuel supply issues are no longer present.

Maryland Code of Regulations 03.03.05.01-1-1 requires that all gasoline sold, distributed, and intended for sale starting May 1 have an RVP that does not exceed 9 psi, and furthermore that all gasoline sold, distributed, and intended for sale as Reformulated Gasoline (RFG) in Volatile Compounds (VOC) Control Regions 1 and 2, between June 1 and September 15 have an RVP that does not exceed 7.4 psi.

Although current gasoline inventories are at adequate levels nationally and in our region, the EPA’s waiver of federal requirements for summer fuel blending has created a patchwork of inconsistent requirements among neighboring states in our region, which has caused localized distribution interference in parts of Maryland where fuel is delivered across state lines. Business decisions by some oil companies and terminal operators to cease serving Maryland customers, enabled by EPA’s action, threaten disruptions at Maryland retail stations that could result in increased costs for consumers.

This enforcement discretion does not allow for the distribution of additional E15 gasoline in place of E10 gasoline in the State of Maryland. This notice of the Comptroller’s intent to exercise discretion in enforcement only applies to and allows for gasoline ethanol blends containing 9-10% ethanol by volume.

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<sup>2</sup> <https://www.epa.gov/gasoline-standards/fuel-waivers>

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