

Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer Protection
Chapter 30—Petroleum Inspection

PROPOSED AMENDMENT

2 CSR 90-30.040 Quality Standards for Motor Fuels. The Missouri Department of Agriculture is amending the summary statement within this rule to comply with RsMo Chapter 536.031, adding language to section (1)(B) and (1)(C) 3 for clarification, deleting sections (1)(C)2, (1)(C)5, and the direct reference to 40 CFR 1090 in section (4)(C).

PURPOSE: Missouri currently adopts the most current version of the annual book of ASTM standards and supplements thereto. This amendment will adopt the 2024 edition of annual book of ASTM standards to comply with RsMo Chapter 536.031. Because we will no longer adopt the most current version of the annual book of ASTM standards and supplements thereto, we must also remove section 1(C)5. This section states that vapor pressure exceptions remained in effect until ASTM incorporated changes to the vapor pressure maximums for ethanol blends. With adoption of the proposed changes, this section is no longer accurate. Additionally, pursuant to provisions specified by the Clean Air Act (CAA), the Governors of Illinois, Iowa, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin submitted petitions requesting that EPA remove the 1-pound per square inch (psi) Reid vapor pressure (RVP) waiver for summer gasoline-ethanol blended fuel containing 10 percent ethanol (E10). EPA is acting on those petitions by removing the 1-psi waiver in those States effective April 28, 2025. This amendment will align Missouri fuel quality regulation with the Environmental Protection Agency (EPA) removal of the 1-pound RVP allowance during the summer months for gasoline-ethanol blended fuels containing 10 percent ethanol (E10). Finally, a specific reference to the EPA's pump labeling requirement found in 40 CFR 1090 will be removed because it is not necessary.

*SUMMARY: ASTM International, formerly known as the American Society of Testing and Materials (ASTM) addresses standard specifications for kerosene, diesel fuel, heating oil, aviation turbine fuel, gasoline, gasoline-alcohol blends, and other motor fuels. Missouri references the [most current] **2024** edition of ASTM specifications as Missouri law (Chapter 414.032 RSMo).*

(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:

(B) All automotive gasoline shall meet the requirements set in ASTM D4814-**24a Standard Specification for Automotive Spark-Ignition Engine Fuel (July 2024)**, herein incorporated by reference and made a part of this rule as published by ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428-2959, phone: 610-832-9500, website: www.astm.org. This rule does not incorporate any subsequent amendments or additions;

(C) All automotive gasoline containing oxygenated additives shall meet the requirements set in ASTM D4814-**24a** 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 1090.215(b)(2) from June 1 through September 15;]

[3] **2.** When gasoline contains one percent (1%) or up to and including fifteen percent (15%) ethanol, a one pound per square inch (1.0 psi) vapor pressure tolerance is allowed for volatility classes A, B, C, and D from September 16 through May 31 **for retailers and wholesale purchaser-consumers and September 16 through April 30 for refineries, importers, pipelines, and terminals; and**

[4] **3.** When gasoline contains one percent (1%) or up to and including fifteen percent (15%) ethanol, a one-half pound per square inch (0.5 psi) vapor pressure tolerance is allowed for volatility class E from September 16 through May 31; [and]

[5. *The vapor pressure exceptions in paragraphs (1)(C)2., 3., and 4. of this rule will remain in effect until ASTM incorporates changes to the vapor pressure maximums for ethanol blends;*]

(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 1090.1500(b)(1-3) -1510];

AUTHORITY: sections 414.142 and 414.300, RSMo 2016. This rule was previously filed as 2 CSR 90-30.030. Emergency rule filed Dec. 1, 1987, effective Jan. 1, 1988, expired March 1, 1988. Original rule filed Oct. 16, 1987, effective Feb. 11, 1988. Amended: Filed April 2, 1990, effective June 28, 1990. Emergency amendment filed Aug. 30, 2002, effective Sept. 10, 2002, expired March 9, 2003. Amended: Filed Aug. 30, 2002, effective Feb. 28, 2003. Amended: Filed May 31, 2013, effective May 30, 2014. Amended: Filed Dec. 31, 2015, effective Aug. 30, 2016. Emergency amendment filed July 15, 2016, effective July 25, 2016, expired Jan. 20, 2017. Amended: Filed July 15, 2016, effective Jan. 30, 2017. Amended: Filed Feb. 27, 2018, effective Aug. 30, 2018. Amended: Filed Nov. 25, 2019, effective May 30, 2020. Amended: Filed March 24, 2021, effective Oct. 30, 2021.*

**Original authority: 414.142, RSMo 1987, amended 1993, 1995 and 414.300, RSMo 2015.*

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 the 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.