

Las Vegas Office:
2300 East St. Louis Ave.
Las Vegas, NV 89104-4211
(702) 668-4590
Fax (702) 668-4567



Elko Office:
4780 East Idaho Street
Elko, NV 89801-4672
(775) 753-1360
Fax (775) 738-2639

DEPARTMENT OF AGRICULTURE

405 South 21st Street
Sparks, Nevada 89431-5557
Telephone (775) 353-3601 Fax (775) 353-3661
Website: <http://www.agri.nv.gov>

EPA Fuel Waiver for Gasoline Volatility Requirements Guidance for Nevada

April 9, 2026

On March 25, 2026, the U.S. Environmental Protection Agency (EPA), in consultation with the U.S. Department of Energy and in accordance with the Clean Air Act, issued a waiver regarding the requirements in 40 C.F.R. § 1090.215 to allow the production and distribution of a single national gasoline pool with 9% to 15% ethanol content at a common Reid Vapor Pressure (RVP) standard of 10 pounds per square inch (psi). The 10 psi waiver is effective from May 1, 2026, to May 20, 2026, therefore expanding nationwide ethanol blending limits. Additionally, effective March 25, 2026, the EPA issued a waiver related to federal enforcement of state level fuel controls under 40 CFR 1090.215.

Code Sections: Nevada Administrative Code 590.065

Conditions of temporary enforcement suspension:

- Conventional and reformulated gasoline containing up to 15% denatured ethanol may exceed the applicable RVP standard by 1.0 psi, up to a maximum of 10.0 psi. This enforcement discretion applies to Washoe County, which normally has a summertime RVP limit of 7.8 psi. **Base fuel** in Washoe County may therefore have an RVP of up to 9.0 psi **prior** to ethanol blending, provided the final blended fuel does not exceed 10.0 psi.
- The Nevada Department of Agriculture will not take enforcement actions for the sale of covered finished fuels with a RVP within the limits listed above during the periods in which an EPA waiver is in effect if that finished fuel meets all conditions of this guidance document and all other required ASTM specifications.
- This temporary and conditional suspension of enforcement is being provided in conjunction with the RVP waiver issued by the EPA.
- This guidance document will remain in effect for as long as the EPA has a waiver in place.
- Upon expiration or termination of the current national EPA waiver, the NDA will apply enforcement discretion for 45 days after the effective date of expiration of the national EPA waiver to support compliance with state fuel specifications while maintaining supply stability. The NDA will coordinate with suppliers, pipeline operators, and terminals should additional time be required related to enforcement discretion of existing fuel supplies.

Additional information regarding fuel waivers issued by the EPA can be found on the EPA website:
<https://www.epa.gov/gasoline-standards/fuel-waivers>.

For questions, please contact the Nevada Department of Agriculture at 775-353-3782 or Vernon Miller, at vmiller@agri.nv.gov.

J.J. Goicoechea, DVM
Director, Nevada Department of Agriculture