

Mike Beam, Secretary

Laura Kelly, Governor

**ORDER GRANTING A TEMPORARY WAIVER OF THE ENFORCEMENT
OF STATE FUEL STANDARDS**

COMES NOW, the Secretary of the Kansas Department of Agriculture, Michael M. Beam (“Secretary”), and hereby issues the following findings and order:

On March 12, 2020 the Governor of Kansas declared that a state of emergency exists in all 105 counties of the state due to the outbreak of the novel coronavirus (“COVID-19”) and on March 27, 2020 the Administrator of the Environmental Protection Agency (“EPA”) determined that an extreme and unusual fuel supply circumstance exists that will prevent the distribution of an adequate supply of compliant gasoline to consumers due to the outbreak of COVID-19.


That pursuant to K.S.A. 55-436, the Secretary is responsible for the enforcement of the Petroleum Products Inspection Law within the state of Kansas (K.S.A. 55-422, *et seq.*) and pursuant to K.A.R. 99-25-9, the Secretary enforces the ASTM International Standards regarding gasoline, including ASTM D4814, adopted therein by reference.

On March 23, 2020, the Secretary issued an order that waived enforcement of state fuel standards and allowed for the continued sale of winter blend gasolines based on the Reid Vapor Pressure (“RVP”) in order to minimize or prevent further disruption of an adequate supply of gasoline to consumers, and amendment of the previous order is now necessary.

THEREFORE, for all the reasons stated herein, the Secretary hereby orders that:

1. The order dated March 23, 2020 is hereby rescinded and, effective immediately, the existing inventory of ASTM Volatility Class D-4 gasoline may be sold, distributed, and used until such supplies are depleted and ASTM Volatility Class C-3 gasoline may be produced until April 15, 2020, and sold, distributed, and used until such supplies are depleted; and
2. All other RVP and blending requirements waived by the EPA shall also be waived under state law, unless otherwise required by this order, until May 20, 2020 or as long as further extended by the EPA, subject to the conditions of all applicable EPA waivers issued on or after March 27, 2020.

ORDERED THIS 9th DAY OF APRIL 2020, AT MANHATTAN, RILEY COUNTY, KANSAS.


Michael M. Beam, Secretary
Kansas Department of Agriculture