



Tennessee Department of Agriculture
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Julius Johnson
Commissioner

Bill Haslam
Governor

ORDER OF THE COMMISSIONER

An Order Establishing Alternative Standards for Motor Fuel Conveyed for Consumption in Tennessee

WHEREAS, Tenn. Comp. R. & Regs. 0080-05-12-.02(1)(b) establishes alternative standards from requirements of the American Society for Testing and Materials (ASTM) for vapor pressure in gasoline-ethanol blended motor fuel conveyed in the state;

WHEREAS, the alternative standards created by this rule shall sunset on the first occurring date of: May 1, 2016, or upon ASTM incorporation of changes or confirmation of current limits for vapor pressure maximums for ethanol blended fuel;

WHEREAS, ASTM has not determined whether it will incorporate changes or confirm limits for vapor pressure maximums of ethanol blended fuel prior to May 1, 2016;

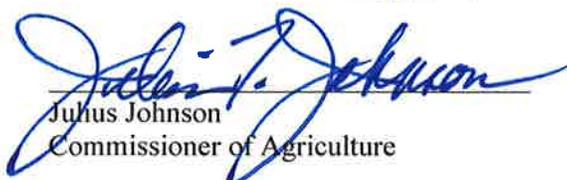
WHEREAS, Tenn. Code Ann. §47-18-1304(c) authorizes the commissioner of agriculture in absence of rule to establish alternative standards for fuel from ASTM requirements, provided that the alternative standards are necessary for the protection and promotion of public health, safety, welfare, and interests of the Tennessee citizenry and shall remain in effect for a specified period of time equal to or shorter than one year; and,

WHEREAS, in the absence of limits incorporated or confirmed by ASTM for ethanol blended fuel, alternative standards established by the Department serve to protect the public health, safety, welfare, and interests of the Tennessee citizenry;

NOW THEREFORE, I, Julius Johnson, Commissioner of the Tennessee Department of Agriculture, by virtue of the power and authority vested in me by the laws of the State of Tennessee, do hereby order and direct that, beginning May 1, 2016, and until May 1, 2017:

1. All alternative standards established under Tenn. Comp. R. & Regs. 0080-05-12-.02(1)(b)1-3 shall continue in full force and effect and shall be the standards for maximum vapor pressure limits of gasoline-ethanol blended fuel that may be lawfully conveyed for consumption in Tennessee; and,
2. After the date of this Order and prior to May 1, 2017, this Order shall be voided by any of the following: ASTM incorporation of changes or confirmation of current limits for vapor pressure maximums for ethanol blended fuel; or by promulgation of permanent rules by the department for alternative standards regarding vapor pressure maximums for ethanol blended fuel.

IT IS SO ORDERED, this 21st day of December 2015.


Julius Johnson
Commissioner of Agriculture