

117TH CONGRESS
2D SESSION

H. R. 9455

To amend the Clean Air Act with respect to the ethanol waiver for Reid Vapor Pressure under that Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 7, 2022

Ms. CRAIG (for herself, Mr. SMITH of Nebraska, Mrs. AXNE, Mr. JOHNSON of South Dakota, Mr. KILDEE, Mr. FEENSTRA, Mr. FLOOD, Mr. BAIRD, Mr. MANN, Mr. BANKS, Mrs. MILLER-MEEKS, Mr. LATURNER, Mrs. FISCHBACH, Mrs. HINSON, Mrs. HARTZLER, Mr. GRAVES of Missouri, Mr. BUCK, Mrs. BUSTOS, Mr. FINSTAD, Mr. ESTES, Mr. RYAN of Ohio, Mr. SMITH of Missouri, and Mr. COMER) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Clean Air Act with respect to the ethanol waiver for Reid Vapor Pressure under that Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Consumer and Fuel
5 Retailer Choice Act of 2022”.

1 **SEC. 2. ETHANOL WAIVER.**

2 (a) EXISTING WAIVERS.—Section 211(f)(4) of the
3 Clean Air Act (42 U.S.C. 7545(f)(4)) is amended—

4 (1) by striking “(4) The Administrator, upon”
5 and inserting the following:

6 “(4) WAIVERS.—

7 “(A) IN GENERAL.—The Administrator,
8 on”;

9 (2) in subparagraph (A) (as so designated)—

10 (A) in the first sentence—

11 (i) by striking “of this subsection”
12 each place it appears; and

13 (ii) by striking “if he determines” and
14 inserting “if the Administrator deter-
15 mines”; and

16 (B) in the second sentence—

17 (i) by striking “such an application”
18 and inserting “an application described in
19 subparagraph (A)”; and

20 (ii) by striking “The Administrator”
21 and inserting the following:

22 “(B) FINAL ACTION.—The Adminis-
23 trator”; and

24 (3) by adding at the end the following:

1 “(C) REID VAPOR PRESSURE.—A fuel or
2 fuel additive may be introduced into commerce
3 if—

4 “(i)(I) the Administrator determines
5 that the fuel or fuel additive is substan-
6 tially similar to a fuel or fuel additive uti-
7 lized in the certification of any model year
8 vehicle pursuant to paragraph (1)(A); or

9 “(II) the fuel or fuel additive has been
10 granted a waiver under subparagraph (A)
11 and meets all of the conditions of that
12 waiver other than any limitation of the
13 waiver with respect to the Reid Vapor
14 Pressure of the fuel or fuel additive; and

15 “(ii) the fuel or fuel additive meets all
16 other applicable Reid Vapor Pressure re-
17 quirements under subsection (h).”.

18 (b) REID VAPOR PRESSURE LIMITATION.—Section
19 211(h) of the Clean Air Act (42 U.S.C. 7545(h)) is
20 amended—

21 (1) by striking “vapor pressure” each place it
22 appears and inserting “Vapor Pressure”;

23 (2) in paragraph (4), in the matter preceding
24 subparagraph (A), by inserting “or more” after “10
25 percent”; and

1 (3) in paragraph (5)(A)—

2 (A) by striking “Upon notification, accom-
3 panied by” and inserting “On receipt of a noti-
4 fication that is submitted before January 1,
5 2022, or after the date of enactment of the
6 Consumer and Fuel Retailer Choice Act of
7 2022, and is accompanied by appropriate”; and

8 (B) by inserting “or more” after “10 per-
9 cent”.

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