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 SENATE OF THE UNITED STATES

Mrs. Fischer introduced the following bill; which was read twice and referred to the Committee on ____________________

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

SEC. 2. ETHANOL WAIVER.

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

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

“(A) In general.—The Administrator,

on”;

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

(A) in the first sentence—

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

(ii) by striking “if he determines” and inserting “if the Administrator determines”; and

(B) in the second sentence—

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

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

“(B) Final action.—The Administrator”; and

(3) by adding at the end the following:

“(C) Reid vapor pressure.—A fuel or fuel additive may be introduced into commerce if—

“(i)(I) the Administrator determines that the fuel or fuel additive is substantially similar to a fuel or fuel additive uti-
lized in the certification of any model year vehicle pursuant to paragraph (1)(A); or

“(II) the fuel or fuel additive has been granted a waiver under subparagraph (A) and meets all of the conditions of that waiver other than any limitation of the Reid Vapor Pressure of the fuel or fuel additive; and

“(ii) the fuel or fuel additive meets all other applicable Reid Vapor Pressure requirements under subsection (h).”.

(b) **Reid Vapor Pressure Limitation.**—Section 211(h) of the Clean Air Act (42 U.S.C. 7545(h)) is amended—

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

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

(3) in paragraph (5)(A)—

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

(B) by inserting “or more” after “10 per-

cent”. 