

113TH CONGRESS  
1ST SESSION

# S. 344

To prohibit the Administrator of the Environmental Protection Agency from approving the introduction into commerce of gasoline that contains greater than 10-volume-percent ethanol, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2013

Mr. WICKER (for himself and Mr. VITTER) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To prohibit the Administrator of the Environmental Protection Agency from approving the introduction into commerce of gasoline that contains greater than 10-volume-percent ethanol, 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. PROHIBITION OF GASOLINE BLENDS WITH**  
4                       **GREATER THAN 10-VOLUME-PERCENT ETH-**  
5                       **ANOL.**

6       Notwithstanding any other provision of law, the Ad-  
7       ministrators of the Environmental Protection Agency may  
8       not, including by granting a waiver under section

1 211(f)(4) of the Clean Air Act (42 U.S.C. 7545(f)(4)), au-  
2 thorize or otherwise allow the introduction into commerce  
3 of gasoline containing greater than 10-volume-percent eth-  
4 anol.

5 **SEC. 2. PROHIBITION OF WAIVERS.**

6 (a) IN GENERAL.—Any waiver granted under section  
7 211(f)(4) of the Clean Air Act (42 U.S.C. 7545(f)(4)) be-  
8 fore the date of enactment of this Act that allows the in-  
9 troduction into commerce of gasoline containing greater  
10 than 10-volume-percent ethanol for use in motor vehicles  
11 shall have no force or effect.

12 (b) CERTAIN WAIVERS.—The waivers described in  
13 subsection (a) include the following:

14 (1) The waiver entitled, “Partial Grant and  
15 Partial Denial of Clean Air Act Waiver Application  
16 Submitted by Growth Energy To Increase the Allow-  
17 able Ethanol Content of Gasoline to 15 Percent; De-  
18 cision of the Administrator”, 75 Fed. Reg. 68094  
19 (November 4, 2010).

20 (2) The waiver entitled, “Partial Grant of  
21 Clean Air Act Waiver Application Submitted by  
22 Growth Energy To Increase the Allowable Ethanol  
23 Content of Gasoline to 15 Percent; Decision of the  
24 Administrator”, 76 Fed. Reg. 4662 (January 26,  
25 2011).

1 **SEC. 3. MISFUELING RULE.**

2       The portions of the rule entitled, “Regulation to Miti-  
3 gate the Misfueling of Vehicles and Engines with Gasoline  
4 Containing Greater Than Ten Volume Percent Ethanol  
5 and Modifications to the Reformulated and Conventional  
6 Gasoline Programs”, 76 Fed. Reg. 44406 (July 25, 2011)  
7 to mitigate misfueling shall have no force and effect 60  
8 days after the date of enactment of this Act.

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