

RESOLUTION NO. _____, SERIES 2022

A RESOLUTION CALLING ON THE GOVERNOR AND THE GENERAL ASSEMBLY TO REQUEST THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO ISSUE AN EMERGENCY FUEL WAIVER OF THE REFORMULATED GAS REQUIREMENTS DURING THE CURRENT BAN ON OIL IMPORTS FROM RUSSIA.

SPONSORED BY: COUNCIL MEMBER JAMES PEDEN

WHEREAS, Former Kentucky Gov. Brereton Jones in 1993 exercised his power under the federal Clean Air Act Amendments of 1990 to require that gasoline sold in Louisville Metro be Reformulated Gasoline (“RFG”), and as this program is strictly voluntary, the Current Governor of Kentucky may under federal Environmental Protection Agency (“EPA”) regulations “opt-out” or change the type of boutique fuel utilized to achieve Louisville’s clean air goals;

WHEREAS, the RFG decision is 29 years old and when first implemented, gave Louisville Metro an estimated 17 reduction in VOC emissions over regular gasoline, but the present benefit is approximately 2 percent;

WHEREAS, since implementation of this type of boutique gasoline there has been an increase in hybrid and electric cars, more computerized vehicles which alert vehicle operators to emissions equipment malfunctioning and gasoline is much cleaner as a result of the Energy Act of 2005;

WHEREAS, Louisville’s gas is up to approximately twenty-five cents (\$.25) per gallon more expensive than the surrounding communities where other fuel is sold, because of the limited and expensive boutique RFG fuel required to be used;

WHEREAS, since RFG is a boutique fuel it is more susceptible to supply chain issues which could further drive up the per gallon cost for the Louisville Metro community;

WHEREAS, Louisville Metro area drivers and motorists collectively pay for RFG, as it costs them an average of \$200,915 daily and \$73,000,000 annually;

WHEREAS, with the recent ban on oil imports from Russia, gas prices in Louisville Metro have already climbed to more than \$4.00 per gallon, and it is expected the prices will continue to increase;

WHEREAS, the EPA has and can issue emergency waivers of the RFG requirements; and

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) wishes to urge Governor Beshear and the General Assembly to request the EPA issue an emergency waiver to relieve some of the economic burden on Louisville Metro area drivers and motorists resulting from this sudden, unanticipated spike in gas prices, particularly when the environmental benefit of RFG has been decreasing over time.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: The Council urges Governor Beshear and the Kentucky General Assembly to request the EPA to issue an emergency waiver that shall waive the RFG requirements for Louisville Metro during the current spike in gas prices resulting from the ban on oil imports from Russia. The request should be for the waiver to last through at least the end of 2022, with the waiver to be re-evaluated at that time for further extension or longer termed adjustment to Louisville Metro’s efforts to achieve its clean air goals.

SECTION II: This Resolution shall take effect upon its passage and approval or otherwise becomes law.

Sonya Harward
Metro Council Clerk

David James
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

R-052-22 Calling on the Governor and the General Assembly to Request the EPA to Issue an Emergency Waiver of the RFG requirements (lf).docx