

## Summary of Dissenting Opinion By Todd C. Sneller, Member

EPA Blue Ribbon Panel

*The complete text of Mr. Sneller's dissenting opinion on the Panel's recommendation to eliminate the federal oxygen standard for reformulated gasoline has been submitted for inclusion in the final report and recommendations of the Blue Ribbon Panel.*

In its report regarding the use of oxygenates in gasoline, a majority of the Blue Ribbon Panel on Oxygenates in Gasoline recommends that action be taken to eliminate the current oxygen standard for reformulated gasoline. Based on legislative history, public policy objectives, and information presented to the Panel, I do not concur with this specific recommendation. The basis for my position follows:

The Panel's report concludes that aromatics can be used as a safe and effective replacement for oxygenates without resulting in deterioration in VOC and toxic emissions. In fact, a review of the legislative history behind the passage of the *Clean Air Act Amendments of 1990* clearly shows that Congress found the increased use of aromatics to be harmful to human health and intended that their use in gasoline be reduced as much as technically feasible.

The Panel's report concludes that oxygenates fail to provide overwhelming air quality benefits associated with their required use in gasoline. The Panel recommendations, in my opinion, do not accurately reflect the benefits provided by the use of oxygenates in reformulated gasoline. Congress correctly saw a minimum oxygenate requirement as a cost effective means to both reduce levels of harmful aromatics and help rid the air we breathe of harmful pollutants.

The Panel's recommendation to urge removal of the oxygen standard does not fully take into account other public policy objectives specifically identified during Congressional debate on the *1990 Clean Air Act Amendments*. While projected benefits related to public health were a focal point during the debate in 1990, energy security, national security, the environment and economic impact of the *Amendments* were clearly part of the rationale for adopting such amendments. It is my belief that the rationale behind adoption of the *Amendments* in 1990 is equally valid, if not more so, today.

Congress thoughtfully considered and debated the benefits of reducing aromatics and requiring the use of oxygenates in reformulated gasoline before adopting the oxygenate provisions in 1990. Based on the weight of evidence presented to the Panel, I remain convinced that maintenance of the oxygenate standard is necessary to ensure cleaner air and a healthier environment. I am also convinced that water quality must be better protected through significant improvements to gasoline storage tanks and containment facilities. Therefore, because it is directly counter to the weight of the vast majority of scientific and technical evidence and the clear intent of Congress, I respectfully disagree with the Panel recommendation that the oxygenate provisions of the federal reformulated gasoline program be removed from current law.