

HOUSE JOINT RESOLUTION 13

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2000 Regular Session
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By: **Delegate Owings**

Introduced and read first time: February 11, 2000

Assigned to: Environmental Matters

HOUSE JOINT RESOLUTION

1 A House Joint Resolution concerning

2 **Oxygenated Fuel**

3 FOR the purpose of requesting the United States Congress to repeal certain fuel
4 oxygenate content requirements in the federal Clean Air Act and to encourage
5 reliance instead upon clean-burning, non-oxygenate fuel formulations that
6 meet the air quality standards established in the Clean Air Act; urging the U.S.
7 Environmental Protection Agency to provide more aggressive enforcement and
8 oversight of federal underground storage tank regulations in order to protect the
9 groundwater and surface waters of the State; directing that copies of this
10 Resolution be forwarded to certain persons; and generally relating to
11 oxygenated fuel.

12 WHEREAS, The 1990 amendments to the federal Clean Air Act (CAA)
13 mandated the addition of oxygenates in reformulated gasoline (RFG) at a minimum of
14 2% of content by weight to reduce the concentration of various types of air
15 contaminants, including ozone and carbon monoxide, in regions of the country
16 exceeding National Ambient Air Quality Standards; and

17 WHEREAS, Methyl tertiary-butyl ether (MtBE), the most commonly used
18 gasoline oxygenate in the United States and Maryland, is being detected with
19 increasing frequency in surface and groundwater supplies and public and private
20 water supply wells throughout the United States due to leaking underground
21 petroleum storage tanks, spills, and other accidental discharges; and

22 WHEREAS, Because MtBE is highly soluble in water, spills and leaks
23 involving MtBE-laden gasoline are considerably more expensive and difficult to
24 remediate than those involving conventional gasoline, and current wellhead
25 techniques for treating gasoline-tainted water, such as air sparging and carbon
26 filtration, are less effective in treating water contaminated by MtBE-laden gasoline,
27 resulting in increased treatment costs to water suppliers; and

28 WHEREAS, Several studies, including the May 1999 study on "The
29 Ozone-Forming Potential of Reformulated Gasoline" by the National Research
30 Council, have found that gasoline oxygenates contribute little to reducing ozone
31 pollution and that the air quality benefits of oxygenates in reformulated gasoline are
32 restricted to cars manufactured prior to 1989 and, therefore, are diminishing as older
33 model vehicles are phased out; and

1 WHEREAS, A "Blue Ribbon Panel" of the U.S. Environmental Protection
2 Agency called for the elimination of the federal oxygenate requirement and for the
3 reduction of the use of MtBE in gasoline because of the public health concerns
4 associated with MtBE in water supplies; and

5 WHEREAS, The prescriptive requirements in the Clean Air Act Amendments
6 for oxygenate content restrict the State's ability to address groundwater
7 contamination and air quality issues; now, therefore, be it

8 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That the United
9 States Congress is urged to repeal the oxygenate content requirements in the Clean
10 Air Act, and to encourage reliance instead upon clean-burning, non-oxygenate fuel
11 formulations that meet the air quality standards established in the Clean Air Act and
12 provide reductions of ozone and airborne toxic pollutants equivalent to or greater
13 than gasoline oxygenates; and be it further

14 RESOLVED, That the U.S. Environmental Protection Agency is urged to provide
15 more aggressive enforcement and provide more complete oversight of federal
16 underground storage tank (UST) regulations, including requiring the upgrading of all
17 USTs as well as strengthening other release prevention and detection requirements
18 in order to protect both the groundwater and surface waters of the State; and be it
19 further

20 RESOLVED, That a copy of this Resolution be forwarded by the Department of
21 Legislative Services to the Maryland Congressional Delegation: Senators Paul S.
22 Sarbanes and Barbara A. Mikulski, Senate Office Building, Washington, D.C. 20510;
23 and Representatives Wayne T. Gilcrest, Robert L. Ehrlich, Jr., Benjamin L. Cardin,
24 Albert R. Wynn, Steny Hamilton Hoyer, Roscoe G. Bartlett, Elijah E. Cummings, and
25 Constance A. Morella, House Office Building, Washington, D.C. 20515; and be it
26 further

27 RESOLVED, That a copy of this Resolution be forwarded by the Department of
28 Legislative Services to the Honorable William J. Clinton, President of the United
29 States; the Honorable Albert Gore, Vice-President of the United States in his capacity
30 as President of the United States Senate; the Honorable J. Dennis Hastert, Speaker
31 of the United States House of Representatives; the Honorable Carol M. Browner,
32 Administrator of the U.S. Environmental Protection Agency; Robert Perciasepe, U.S.
33 Environmental Protection Agency; and Merrylin Zaw-Mon, U.S. Environmental
34 Protection Agency; and be it further

35 RESOLVED, That a copy of this Resolution be forwarded by the Department of
36 Legislative Services to the Honorable Parris N. Glendening, Governor of Maryland;
37 the Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; and
38 the Honorable Casper R. Taylor, Jr., Speaker of the House of Delegates.