



## States' Biofuels Statutes

### STATE OF PENNSYLVANIA

*This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [States' Biofuels Statutory Citations](#).*

*Current through the 2014 Legislative Session of the Pennsylvania State Legislature.*

#### § 1650.4. Cellulosic ethanol content in gasoline

**(a) Cellulosic ethanol content required.**--All gasoline sold or offered for sale to ultimate consumers in this Commonwealth must contain at least 10% cellulosic ethanol by volume as determined by an appropriate Environmental Protection Agency or American Society for Testing Materials standard method of analysis one year after the in-State production volume of 350,000,000 gallons of cellulosic ethanol has been reached and sustained for three months on an annualized basis as determined by the department.

**(b) Renewable fuel substitution.**--A person may apply to the department for approval to use renewable fuel other than cellulosic ethanol to meet the requirements of this section. The applicant shall demonstrate that the renewable fuel complies with regulations promulgated by the department which shall include, at a minimum, the following criteria:

- (1) Meets the requirements of 40 CFR Pt. 79 (relating to registration of fuels and fuel additives).
- (2) Has an emissions profile at least as environmentally protective as the cellulosic ethanol that the proposed renewable fuel is replacing or can demonstrate commensurate environmental or cost-effective benefits as defined by the department.
- (3) Is suitable for use in motor vehicle engines.
- (4) Is derived from renewable resources or feedstock.

**(c) Exception.**--The requirements of this section shall not apply to gasoline sold in regions of this Commonwealth where the use of cellulosic ethanol would violate, conflict with or otherwise exacerbate compliance with a National Ambient Air Quality Standards State Implementation Plan.

**Credits** 2008, July 10, P.L. 1009, No. 78, § 4, effective in 90 days [Oct. 8, 2008]. Amended 2012, July 5, P.L. 921, No. 96, § 2, effective in 30 days [Aug. 6, 2012].