



California Environmental Protection Agency



State of California ENVIRONMENTAL POLICY COUNCIL

Resolution

August 18, 2026

WHEREAS, California Health and Safety Code section 43830.8 provides that the California Air Resources Board (CARB or Board) may not adopt any regulation that establishes a specification for motor vehicle fuel unless that regulation, and a multimedia evaluation conducted by the affected agencies and coordinated by CARB, are reviewed by the California Environmental Policy Council (Council);

WHEREAS, Public Resources Code section 71017 established the California Environmental Policy Council, consisting of the following members or their designees: the Secretary for Environmental Protection; the Chairpersons of CARB and State Water Resources Control Board (State Water Board); and the Directors of Office of Environmental Health Hazard Assessment (OEHHA), Department of Toxic Substances Control (DTSC), Department of Pesticide Regulation (DPR), and Department of Resources Recycling and Recovery (CalRecycle);

WHEREAS, Health and Safety Code section 43830.8(b) specifies that a multimedia evaluation shall include the identification and evaluation of any significant adverse impact on public health or the environment, including air, water, or soil, that may result from the production, use, or disposal of the motor vehicle fuel that may be used to meet CARB's motor vehicle fuel specification;

WHEREAS, Health and Safety Code section 43830.8(c) specifies that the multimedia evaluation shall be based on the best available scientific data, written comments submitted by any interested person, and information collected by CARB in preparation for the rulemaking, and address, at a minimum, an evaluation of the following:

- Emissions of air pollutants, including ozone forming compounds, particulate matter, toxic air contaminants, and greenhouse gases;
- Contamination of surface water, groundwater, and soil; and
- Disposal or use of the byproducts and waste materials from the production of the fuel;

WHEREAS, Health and Safety Code section 43830.8(g) specifies that CARB shall consult with other boards and departments within the California Environmental Protection Agency, the California Department of Public Health, the State Energy Resources Conservation and Development Commission (Energy Commission), the Department of Forestry and Fire Protection (CAL FIRE), the Department of Food and Agriculture (CDFA), and other state agencies with responsibility for, or expertise regarding, impacts that could result from the production, use, or disposal of the motor vehicle fuel that may be used to meet the specification;

WHEREAS, Health and Safety Code section 43830.8(d) requires CARB to prepare a written summary of the multimedia evaluation, and submit it for external scientific peer review in accordance with Health and Safety Code section 57004, and to submit its written summary and results of the peer review to the Council;

WHEREAS, Health and Safety Code section 43830.8(e) requires that if the Council determines that the proposed regulation will cause a significant adverse impact on public health or the environment, or that alternatives exist that would be less adverse, then the Council shall recommend measures that CARB or other State agencies may take to reduce the adverse impact on public health or the environment;

WHEREAS, Health and Safety Code section 43830.8(f) requires CARB, within 60 days of receiving notification from the Council of a determination of adverse impact, to make revisions to the proposed regulation to avoid or reduce the adverse impact, or the affected agencies are required to take action that will, to the extent feasible, mitigate the adverse impact so that, on balance, there is no adverse impact on public health or the environment;

WHEREAS, CARB plans to consider amendments to the California Reformulated Gasoline Regulations (Gasoline Regulation) to incorporate fuel specifications and other requirements for gasoline containing up to 15 percent ethanol (E15) when used as a transportation fuel;

WHEREAS, Council review of the E15 multimedia evaluation and the proposed amendments (E15 regulation) to the Gasoline Regulation is required before CARB amends the Gasoline Regulation;

WHEREAS, CARB staff coordinated a multimedia evaluation of affected agencies of E15;

WHEREAS, as part of the interagency collaboration through the Multimedia Working Group (MMWG), CARB, State Water Board, OEHHA, DTSC, and the Office of the State Fire Marshal (OSFM) staff conducted the multimedia evaluation of E15 and submitted it for peer review in accordance with Health and Safety Code section 43830.8(d) and Health and Safety Code section 57004;

WHEREAS, the peer review was completed in May 2025. The December 2025 report entitled *California Multimedia Evaluation of Gasoline Containing up to 15 percent Ethanol (E15) Staff Written Summary* contains the results of the peer review required by Health and Safety Code sections 43830.8 and 57004;

WHEREAS, as part of the multimedia evaluation, the MMWG also consulted with DPR, CalRecycle, and CDFA;

WHEREAS, the Council scheduled a duly noticed public meeting on August 18, 2026, to consider the E15 Written Summary, and the E15 regulation proposed by CARB;

WHEREAS, the Council also received and considered presentations from agencies of the MMWG, including CARB, State Water Board, OEHHA, and DTSC, summarizing the benefits and potential impacts of using E15 in California;

WHEREAS, the Council received and considered written comments submitted by August 17, 2026, as well as welcomed and considered any verbal comments received from interested parties at the August 18, 2026, meeting of the Council;

WHEREAS, the multimedia evaluation for E15 concluded that:

- Based on a relative comparison between E10 (gasoline with up to 10 percent ethanol) and E15, CARB staff concludes that with fuel requirements, E15 does not pose a significant adverse impact on public health or the environment from potential air quality impacts;
- Water Board staff concludes that given the current information and similarities between E15 and E10, there are minimal additional risks to the beneficial uses of California waters posed by E15 as compared to current fuel blend of E10. The State Water Board supports the multimedia evaluation of E15, and the finding of no significant adverse impacts on public health or the environment;
- OEHHA did not find evidence of significant adverse impacts on human health from the use of E15 compared to E10. The reports generated during the multimedia evaluation support the approval of E15, based on environmental benefits, reduced greenhouse gas emissions, and no expected significant new public health risks compared to E10;
- Overall, DTSC did not find increased risks to human health and the environment from use of E15 compared to E10. Based on available data, DTSC staff concludes that E15, if improperly released, may lead to an elongated subsurface benzene plume. However, this subsurface plume would overall also contain lower concentrations of BTEX (benzene, toluene, ethylbenzene, and xylene) pollutants found in gasoline-ethanol blends due to the higher ethanol content compared to E10. BTEX contaminants from petroleum may also biodegrade less quickly in the event of an E15 release into the environment. Improper release of E15 may also result in marginally increased production of methane in soil and groundwater;

WHEREAS, any hazardous substances and hazardous waste used in production, storage and transportation of E15 must be handled in compliance with applicable California and federal laws and regulations;

WHEREAS, fuel formulations not included within the scope of this multimedia evaluation may be reviewed by the MMWG for consideration of appropriate action;

WHEREAS, CARB staff will continue to monitor acetaldehyde and ethanol emissions through existing programs, and will develop and implement protective measures if supported by that emissions data;

WHEREAS, all other applicable local and State laws and regulations, including fuel storage requirements, will remain in effect;

WHEREAS, in the event that any other new information indicates the potential for a significant adverse impact on public health or the environment from E15 use, the use of E15 will be reviewed by the MMWG to determine whether a further multimedia evaluation is warranted, and if so, to make recommendations regarding any further action by the Council;

NOW, THEREFORE BE IT RESOLVED, that after review of the E15 multimedia evaluation and the proposed E15 regulation, and based on the best available scientific information and public comments received, the Council determines that the use of E15 in California consistent with the proposed E15 regulation will not pose a significant adverse impact on public health or the environment compared to California reformulated gasoline.

BE IT FURTHER RESOLVED, that based on its determination of no significant adverse impact from E15 use, the Council does not identify any alternatives that would be less adverse than the use of E15 as contemplated in the proposed E15 regulation.

DATED: _____

Yana Garcia
Secretary for Environmental Protection