

PROPOSED  
SENATE AMENDMENTS TO H.B. 2400  
(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Fuel formulations; waiver request; definitions

3 A. Within thirty days after the effective date of this act, the  
4 director of the department of environmental quality shall in good faith  
5 collaborate with the associate director of the weights and measures  
6 services division of the Arizona department of agriculture to submit a  
7 fuel formulation waiver request for Area A and Area C to the United States  
8 environmental protection agency consistent with the waiver process for the  
9 regulation of fuels provided in the clean air act.

10 B. The fuel formulation waiver request must:

11 1. Include the available information required by the criteria in  
12 the clean air act and must request a twenty-day waiver period. The  
13 director of the department of environmental quality shall submit a copy of  
14 the request to the president of the senate, the speaker of the house of  
15 representatives, the governor and the secretary of state.

16 2. Include all available information in an effort to demonstrate to  
17 the United States environmental protection agency that extreme and unusual  
18 fuel supply circumstances exist that prevent the distribution of an  
19 adequate supply of fuel to consumers, that extreme and unusual fuel supply  
20 circumstances are the result of an event that could not reasonably have  
21 been foreseen or prevented and that it is in the public interest to grant  
22 the fuel formulation waiver. The circumstances and events justifying the  
23 requested fuel formulation waiver shall be limited to the adoption and  
24 implementation of energy and environmental policies in the state of  
25 California and the closure of refineries in that state and may not include  
26 any other circumstance or condition.

27 C. If the United States environmental protection agency grants the  
28 fuel formulation waiver request pursuant to subsection A of this section  
29 or otherwise issues a decision in 2026 to waive the applicable federal  
30 standards established under the clean air act, all of the following apply:

31 1. The associate director of the weights and measures services  
32 division of the Arizona department of agriculture shall waive the  
33 applicable state requirements provided in section 3-3491, 3-3492, 3-3493,  
34 3-3494, or 3-3495, Arizona Revised Statutes, that result from the fuel  
35 formulation waiver.

36 2. The fuel formulation waiver shall be equally applicable to all  
37 regulated persons that the standards apply to and may not be selectively  
38 applied to any single regulated person.

39 3. Before the expiration of the federal waiver or any fuel  
40 formulation waiver extension, if the conditions identified in the fuel

1 formulation waiver or otherwise justifying the fuel formulation waiver  
2 continue, the director of the department of environmental quality shall  
3 collaborate with the associate director of the weights and measures  
4 services division of the Arizona department of agriculture to submit an  
5 additional fuel formulation waiver request to the United States  
6 environmental protection agency to extend the waiver for an additional  
7 twenty days.

8 D. For the purposes of this section:

9 1. "Area A" has the same meaning prescribed in section 49-541,  
10 Arizona Revised Statutes.

11 2. "Area C" has the same meaning prescribed in section 3-3401,  
12 Arizona Revised Statutes.

13 3. "Clean air act" has the same meaning prescribed in section  
14 3-3511, Arizona Revised Statutes.

15 Sec. 2. Emergency

16 This act is an emergency measure that is necessary to preserve the  
17 public peace, health or safety and is operative immediately as provided by  
18 law."

19 Amend title to conform

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