



# State of North Carolina

**ROY COOPER**  
GOVERNOR

September 10, 2018

## EXECUTIVE ORDER NO. 53

### WAIVER OF FUEL VAPOR REGULATIONS TO ENSURE ADEQUATE SUPPLY OF FUEL AS HURRICANE FLORENCE APPROACHES

**WHEREAS**, Executive Order No. 51 declared a State of Emergency on September 7, 2018; and

**WHEREAS**, Tropical Storm Florence became a hurricane on September 9, 2018, and now Hurricane Florence is approaching the State of North Carolina; and

**WHEREAS**, in the coming days, the state and many counties are likely to order mandatory or voluntary evacuations to ensure the safety of populations in the Emergency Area as defined in Section 1 of Executive Order No. 51; and

**WHEREAS**, large-scale evacuations, should they be ordered, will require an enhanced supply of gasoline in the Emergency Area, and an adequate supply of gasoline will be necessary for response and recovery operations; and

**WHEREAS**, the maintenance of adequate motor fuel supplies for these purposes is necessary for the protection of residents in the Emergency Area; and

**WHEREAS**, the waiver of the gasoline truck tank and vapor system requirements of 15A N.C. Admin. Code 02D.0932(c) will allow trucks from out-of-state haulers to transport additional fuel to North Carolina without undue delay, ensuring the necessary supply of motor fuel to respond to the above challenges; and

**WHEREAS**, every county in North Carolina is in compliance with all federal air quality standards; and

**WHEREAS**, under N.C. Gen. Stat. § 166A-19.30(b)(4), the Governor, with the concurrence of the Council of State, may waive a provision of any regulation or ordinance of a state agency which restricts the immediate relief of human suffering.

**NOW, THEREFORE**, pursuant to the authority vested in me as Governor by the Constitution and the laws of the State of North Carolina, **IT IS ORDERED:**

#### **Section 1.**

The gasoline truck tank and vapor system requirements of 15A N.C. Admin. Code 02D.0932(c) shall be waived during this event, as long as the U.S. Environmental Protection Agency's Method 27 Rule is followed by gasoline haulers.

**Section 2.**

This waiver is effective immediately and shall remain in effect until rescinded.

**IN WITNESS WHEREOF**, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this 10<sup>th</sup> day of September in the year of our Lord two thousand and eighteen.

  
\_\_\_\_\_  
Roy Cooper  
Governor

**ATTEST:**

  
\_\_\_\_\_  
Elaine F. Marshall  
Secretary of State

