

# STATE OF NEBRASKA



Dave Heineman  
Governor

NEBRASKA ENERGY OFFICE  
Neil P. Moseman  
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September 25, 2008

Todd Denton  
Vice President of Supply and Production  
NuStar Energy L.P.  
2330 North Loop 1604 West  
San Antonio, TX 78248

*Via Electronic Mail Only*

RE: Reid Vapor Pressure Request – Immediate Fuel Supply

Dear Mr. Denton:

This letter is written in response to your September 24, 2008, request that the State of Nebraska allow the immediate use of 13.5 psi Reid Vapor Pressure ["RVP"] gasoline. Your request is made in response to the actual motor fuel supply shortages that are occurring in light of the damage which Gulf Coast refineries incurred during Hurricane Ike.

In order to allow greater flexibility and security in the Midwest region's fuel supply, and pursuant to Neb. Rev. Stat. § 81-1603 (7), the State of Nebraska is granting your request and issuing a temporary waiver of the existing RVP standard. No enforcement action on gasoline with a RVP of 13.5 psi or less will be taken from this date through November 15, 2008, at which time, state law will require fuel to be blended with a 13.5 psi RVP.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil Moseman", written over a horizontal line.

Neil Moseman  
Director

cc: Nebraska Department of Agriculture, Weights & Measures Division