

19 states

Table 23. States That Could Be Affected by the Methanex v. California NAFTA Decision*

STATE	STATUTE	DESCRIPTION	EFFECTIVE DATE
California	California Executive Order D-5-99	On March 25, 1999 Governor Gray Davis issued an Executive Order stating that MTBE must be removed from gasoline by December 31, 2002. On March 12, 2002 he extended that deadline by one year.	Banned 12/31/03
Colorado	C.R.S 25-7-139 (2001)	Effective April 30, 2002, no person may sell, offer for sale, or store any fuel product containing or treated with MTBE.	Banned 4/30/02
Connecticut	Conn. Gen. Stat. 22a-450a (2001)	Will phase out MTBE from gasoline by October 1, 2003. Must also run education campaigns about the proper handling of gasoline, including instructions on new containers and newspaper, radio, and television info ads.	Banned 10/01/03
Illinois	415 ILCS 122/15 (2001) 815 ILCS 370/4.1 (2001)	Effective 3 years after passing, no person shall be allowed to buy or sell MTBE in Illinois. Retailers must label the dispensing devices of any motor fuel containing at least 2% MTBE by volume with the words "Contains Methyl Tertiary Butyl Ether (MTBE)."	Banned 7/24/04 > 2 % Labeled
Indiana	2002 Ind. SEA 281	Effective, July 23, 2004 gasoline may not contain more than .5% MTBE by volume.	> .5 % Banned 7/23/04
Iowa	Iowa Code 214A.18 (2002)	No person shall sell or store motor vehicle fuel with .5% MTBE by volume.	> .5 % Banned
Kansas	K.S.A. 55-527 (2001)	Effective July 1, 2004 no person shall sell, deliver, or import for sale any motor-vehicle fuel containing .5% MTBE by volume. Effective July 1, 2003, the distributor shall provide, at the time of delivery, a declaration of the MTBE content by volume. Penalties may be imposed of up to \$10,000.	> .5 % Banned 7/1/04
Kentucky	2002 Ky. SB 13 (enacted 4/23/02)	Effective Jan. 1, 2006 the use, sale, or storage of MTBE shall be illegal. In order to allow for a smooth transition, .5 % by volume will be allowed until then.	Banned 1/1/06
Maine	38 M.R.S. 586-H (2001) 10. M.R.S 2413 (2001)	The state will also work to eliminate MTBE by Jan 1, 2003 provided the plan adequately accounts for market constraints and actually results in the lowest environmental impact. Retailers must label the dispensing devices of any motor fuel containing measurable amounts of MTBE with the words "MTBE."	Goal of Banning 1/1/03 Measurable amounts of MTBE Labeled
Maryland	Md. Environmental Code Ann. 14-602 (2001)	Establishes a task force on the environmental effects of MTBE to determine health and environmental risks, recommend a plan, and explore alternative to MTBE.	Study
Michigan	MCLS 290.643 (2001)	A goal of banning MTBE by June 1, 2003 with the understanding that a study will be finished by June 1, 2002 determining whether this deadline can be met, and if not, to what date it should be extended.	Banned Hopeful deadline: 6/1/03
Minnesota	Minn. Stat. 239.761 (2001)	Effective July 1, 2000, gasoline containing in excess of .33 % of MTBE may not be sold or offered for sale. Effective July 1, 2005 MTBE may not be sold or offered for sale.	> .33 % Banned 7/1/00 Banned 7/1/05
Nebraska	R.R.S. Neb. 66-1227 (2001)	Effective July 13, 2000, a retailer shall not offer for sale any petroleum product that contains more than 1 % MTBE by volume.	> 1 % Banned
New Hampshire	RSA 485:16-b (2002)	Declare to seek a waiver from the EPA, and begin the process of limiting, to the greatest extent possible, levels of METB – dependent on market forces, overall environmental impacts, and EPA approval.	Plans to limit levels of MTBE
New York	NY CLS Agr & M 1 92-g (2002)	Effective Jan 1, 2004, NY prohibits the sale or import of gasoline containing NTBE with a civil penalty of not less than \$500.	Banned 01/01/04
Ohio	2001 Ohio HB 425 (enacted 5/29/02)	Effective July 1, 2005, any motor vehicle fuel containing BTBE in quantities greater than .5 % cannot be sold, stored, or imported.	> .5 % Banned 7/1/04
South Dakota	S.D. Codified Laws 37-2-33 (2001)	No person may sell, offer for sale, or store petroleum products containing or treated with MTBE.	Banned
Virginia	Va. Code Ann. 15.2-2144 (2001)	Every public water supply operator shall at least quarterly test the water for MTBE. If the results of any test indicate the presence of MTBE in excess of 15 parts per billion, the locality shall immediately notify the Department of Environmental Quality and Dept. of Health	Water tests
Washington	Rev. Code Wash. (ARCW) 19.112.100 (2002)	MTBE may not be intentionally added to gasoline, motor fuel, or clean fuel produced for sale or use in Washington after Dec. 31, 2003, and in no event shall MTBE be knowingly mixed in gasoline above a 0.6% volume.	Banned 12/31/03

* All entries come from the Lexis-Nexis database of state laws. Specific statute numbers are given for reference purposes.