

October 3, 2018

To: NCWM, NEWMA, CWMA, SWMA

RE: FLR-8 Prohibition of Terms from PMAA

Thank you for the opportunity to provide technical comments to the PMAA proposal restricting octane posting and labeling on retail fuel dispensers, specifically FLR-8 Section 3.2.5. Prohibition of Terms.

I am asking for withdraw of this item due to the lack of data and fact submitted with this proposal.

—In 2012, I initiated a work item at ASTM International to review and amend the ASTM Standard Test Methods D2699, D2700 to ensure accurate measurement and reporting of octane results. At the time, the ASTM test methods only included 10% ethanol blends in the precision statements of the methods. I sponsored the study that had more than a dozen petroleum laboratories volunteer their lab time in the Interlaboratory Study to accurately measure octanes of various gasoline- ethanol blends with up to 25% ethanol. This ILS was a great success and today the methods specifically state inclusion up to 25% ethanol. Importantly, I am participating in the follow on study to review and modify the methods for up to 100% ethanol blends and accurate octane measurement. This project will cover globally needs to post an octane on fuels like Brazil's alcool, and Sweden's E85 program.

Accurate measurement of octane is a requirement of the Federal Trade Commission requirements for Automotive Fuel Rating posting in 16CFR306, just like in many other countries.

— There are no misfueling events with 15% ethanol in gasoline gasoline at the nearly 2000 stations currently offering the fuel. There have been over 300,000 transactions with no safety incidents, no misfueling events, no complaints from consumers. Growth Energy has a team of us that work with retailers on E15 and higher blends, every day on consumer outreach, education and branding. We would know if there were misfueling events, the retailers that we work with would alert us right away. There are no misfueling events.

— The Federal Trade Commission provides clear and understandable guidance on fuel dispenser labeling. There may have been many questions when the modification for EXX labeling was first published in 2010 but that confusion has subsided. An important point: There is already "EXX" labeling on pumps required by many states.

Saying that anyone opposed to this item "doesn't support" renewable fuels or ethanol is a stretch. That's like saying if you don't wear pink in October, you don't support breast cancer research.

We need to maintain flexibility for retailers to develop branding and promotional elements for the products they sell while complying with Federal, State and local labeling requirements.

This proposal is duplicative and unnecessary. The EPA and FTC already require that each and every dispenser carrying E15 must display a federally approved label that specifies ethanol content and its approved uses.

There is no data presented in support of this proposal. There are no misfueling issues with E10 vs. E15. If there were, I would know. Trust me, there are many parties that would ensure that I would know.

Please vote to withdraw this item from consideration.

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