

## **Proposal for fuels restricted to Flex Fuel Vehicles L&R Item 237-9**

- **Proposed Text**
  - **Addition of Uniform regulation for method of sale of commodities**
  - **Minor modifications to pub 16 text**
  - **Add “Blends”**
  - **Editorial modifications**
- **Status of the item**
  - **Still lack consensus**
  - **Many seem to favor this approach**
  - **Some jurisdictions have defined E85 to allow minimum 51% ethanol**

## Proposal from 2013 Pub 16

(Proposed modifications from pub 16 text is highlighted in yellow)

## IV. Uniform Regulations

### B. Uniform Regulation for the Method of Sale of Commodities

#### 2.30. Ethanol Flex Fuel Blends ~~E85 Fuel Ethanol~~.

2.30.1. How to Identify ~~Ethanol Flex Fuel Blends Fuel Ethanol~~. – ~~Ethanol Flex Fuel Blends Fuel ethanol~~ shall be identified as Ethanol Flex Fuel or EXX Flex Fuel ~~E85~~.

2.30.2. Labeling Requirements.

(a) Ethanol Flex Fuel blends with an ethanol concentration no less than 51 and no greater than 83 volume percent shall be labeled "Ethanol Flex Fuel, minimum 51% ethanol". ~~Fuel ethanol shall be labeled with its automotive fuel rating in accordance with 16 Code of Federal Regulations Part 306.~~

(b) Ethanol Flex Fuel blends with an ethanol concentration less than or equal to 50 volume percent shall be labeled "EXX Flex Fuel, minimum YY% ethanol", where the XX is the target ethanol concentration in volume percent and YY is XX minus 5. The actual ethanol concentration of the blend shall be XX volume percent plus or minus 5 volume percent.

~~(c)(b)~~ A label shall be posted which states "For Use in Flexible Fuel Vehicles (FFV) Only." This information shall be clearly and conspicuously posed on the upper 50 % of the dispenser front panel in a type at least 12.7 mm (½ in) in height, 1.5 mm (1/16 in) stroke (width of type). A label shall be posted which states, "CHECK OWNER'S MANUAL", in 20 point font ~~"Consult Vehicle Manufacturer Fuel Recommendations," and shall not be less than 6 mm (¼ in) in height by 0.8 mm (1/32 in) stroke; block style letters~~ and the color shall be in definite contrast to the background color to which it is applied.

(Added 2007)

### G. Uniform Engine Fuels and Automotive Lubricants Regulation

1.13. **Denatured Fuel Ethanol.** – ~~"Ethanol" as defined in Section 1.20. Ethanol.~~ An ethanol blend component for use in gasoline-ethanol blends and Ethanol Flex Fuel blends. The ethanol is rendered unfit for beverage use by the addition of denaturants under formulas approved by the Alcohol and Tobacco Tax and Trade Bureau (TTB), www.ttb.gov. shall meet the latest version of ASTM D4806, "Standard Specification for Denatured Fuel Ethanol for blending with Gasolines for Use as Automotive Spark-Ignition Engine Fuel" which describes the acceptable denaturants for denatured fuel ethanol to be blended into spark-ignition engine fuels.

1.17. **Ethanol Flex Fuel Blends ~~E85 Fuel Ethanol~~.** – ~~A blend Blends~~ of ethanol and hydrocarbons restricted for use as fuel in ground vehicles equipped with flexible-fuel spark-ignition engines. ~~of which the ethanol portion is (nominally 75 to 85 volume percent denatured fuel ethanol).~~

1.20. **Ethanol.** – Also known as "ethyl alcohol". Ethanol is provided in gasoline-ethanol blends and Ethanol Flex Fuel blends by blending denatured fuel ethanol. See "Denatured Fuel Ethanol" in Section 1.13. ~~"Denatured Fuel Ethanol," means nominally anhydrous ethyl alcohol meeting ASTM~~

~~D4806 standards. It is intended to be blended with gasoline for use as a fuel in a spark-ignition internal combustion engine. The denatured fuel ethanol is first made unfit for drinking by the addition of the Alcohol and Tobacco Tax and Trade Bureau (TTB), [www.ttb.gov](http://www.ttb.gov), approved substances before blending with gasoline.~~

**1.53. Wholesale Purchaser Consumer.** – Any person who is an ultimate ~~gasoline~~ consumer of [gasoline](#), fuel methanol, [Ethanol Flex Fuel blends](#), ~~fuel ethanol~~, diesel fuel, biodiesel, [biodiesel blends](#), fuel oil, kerosene, aviation turbine fuels, natural gas, compressed natural gas, or liquefied petroleum gas and who purchases or obtains the product from a supplier and receives delivery of that product into a storage tank.

## Section 2. Standard Fuel Specifications

**2.7. Denatured Fuel Ethanol.** – Intended for blending with gasoline shall meet the most recent version of ASTM D4806, “Standard Specification for Denatured Fuel Ethanol for Blending with Gasolines for Use as Automotive Spark-Ignition Engine Fuel.”

**2.10. Ethanol Flex Fuel ~~E85 Fuel Ethanol~~.** – ~~Shall meet the most recent version of the following ASTM D5798, “Standard Specification for Fuel Ethanol (Ed75-Ed85) for Automotive Spark-Ignition Engines.”~~ [Ethanol Flex Fuel blends](#) ~~are is~~ covered by one of two ASTM standards based on the [ethanol concentration of the blend](#):

[\(a\) Ethanol Flex Fuel blends containing 51 to 83 volume percent ethanol shall meet the latest version of ASTM D5798, “Standard Specification for Ethanol Fuel Blends for Flexible-Fuel Automotive Spark-Ignition Engines”; and](#)

[\(b\) Ethanol Flex Fuel Blends containing 16 to 50 volume percent ethanol shall be blended, stored and conveyed for consumption in accordance with the latest version of ASTM D7794, “Standard Practice for Blending Mid-Level Ethanol Fuel Blends for Flexible-Fuel Vehicles with Automotive Spark-Ignition Engines”](#)

## Section 3. Classification and Method of Sale of Petroleum Products

### 3.8. [Ethanol Flex Fuel Blends](#) ~~E85 Fuel Ethanol~~.

**3.8.1. How to Identify [Ethanol Flex Fuel Blends](#) ~~E85 Fuel Ethanol~~.** – [Ethanol Flex Fuel blends](#) ~~Fuel ethanol~~ shall be identified as [Ethanol Flex Fuel or EXX Flex Fuel](#) ~~E85~~.

### 3.8.2. Labeling Requirements.

[\(a\) Ethanol Flex Fuel blends with an ethanol concentration no less than 51 and no greater than 83 volume percent shall be labeled “Ethanol Flex Fuel, minimum 51% ethanol”.](#) ~~Fuel ethanol shall be labeled with its automotive fuel rating in accordance with 16 CFR Part 306.~~

[\(b\) Ethanol Flex Fuel blends with an ethanol concentration less than or equal to 50 volume percent shall be labeled “EXX Flex Fuel, minimum YY% ethanol”, where the XX is the \[target ethanol concentration in volume percent\]\(#\) and YY is XX minus 5. The actual ethanol concentration of the blend shall be XX volume percent plus or minus 5 volume percent.](#)

[\(c\) ~~\(b\)~~ A label shall be posted which states “For Use in Flexible Fuel Vehicles \(FFV\) Only.” This information shall be clearly and conspicuously posed on the upper 50 % of the dispenser front panel in a type at least 12.7 mm \(½ in\) in height, 1.5 mm \(1/16 in\) stroke \(width of type\). A label shall be posted which states, “CHECK OWNER’S MANUAL”, in 20 point font](#) ~~“Consult~~

~~Vehicle Manufacturer Fuel Recommendations," and shall not be less than 6 mm (¼ in) in height by 0.8 mm (1/32 in) stroke; block style letters~~ and the color shall be in definite contrast to the background color to which it is applied.

**(Amended 2007 and 2008)**

#### **Section 4. Retail Storage Tanks and Dispenser Filters**

**4.1. Water in Gasoline-Alcohol Blends, Biodiesel Blends, Ethanol Flex Fuel Blends ~~E85 Fuel Ethanol~~, Aviation Gasoline, and Aviation Turbine Fuel.** – No water phase greater than 6 mm (¼ in) as determined by an appropriate detection paste or other acceptable means, is allowed to accumulate in any tank utilized in the storage of gasoline-alcohol blend, biodiesel, biodiesel blends, Ethanol Flex Fuel blends ~~E85 fuel ethanol~~, aviation gasoline, and aviation turbine fuel.

**4.2. Water in Gasoline, Diesel, Gasoline-Ether, and Other Fuels.** – Water shall not exceed 25 mm (1 in) in depth when measured with water indicating paste or other acceptable means in any tank utilized in the storage of diesel, gasoline, gasoline-ether blends, and kerosene sold at retail except as required in Section 4.1. Water in Gasoline-Alcohol Blends, Aviation Blends, Biodiesel Blends, Ethanol Flex Fuel Blends ~~E85 Fuel Ethanol~~, Aviation Gasoline, and Aviation Turbine Fuel.

#### **4.3. Dispenser Filters.**

##### **4.3.1. Engine Fuel Dispensers.**

(a) All gasoline, gasoline-alcohol blends, gasoline-ether blends, Ethanol Flex Fuel blends ~~E85 fuel ethanol~~, and M85 methanol dispensers shall have a 10 micron or smaller nominal pore-sized filter.

(b) All biodiesel, biodiesel blends, diesel, and kerosene dispensers shall have a 30 micron or smaller nominal pore-sized filter.