

## EPA Finalizes Regulations to Mitigate the Potential for Misfueling of Vehicles, Engines and Equipment with E15

**E**PA is issuing a final rule to mitigate the potential for misfueling of vehicles, engines and equipment not covered by the Agency's partial waivers for gasoline containing greater than 10 volume percent (vol%) ethanol (E10) and up to 15 vol% ethanol (E15). The regulations are expected to further reduce the potential for misfueling and emission increases that could result from misfueling. EPA is also modifying the Reformulated Gasoline (RFG) program to allow fuel manufacturers to certify batches of E15 fuel.

### E15 Partial Waivers

In March 2009, the U.S. Environmental Protection Agency (EPA) received an application under section 211(f)(4) of the Clean Air Act (CAA) for a waiver for gasoline-ethanol blends of up to 15 vol% ethanol. In response, EPA granted two partial waivers, issued in October 2010 and January 2011, that allow, but do not require, E15 to be introduced into commerce for use in model year (MY) 2001 and newer light-duty motor vehicles, subject to certain conditions. Light-duty vehicles include cars, pick-up trucks, and other passenger vehicles such as minivans and all but the largest SUVs. EPA also placed conditions on the waivers to ensure fuel quality and mitigate the potential misfueling of vehicles, engines, and equipment not covered by the E15 waiver decisions.

Under the Clean Air Act, a new fuel or fuel additive must be registered with EPA before it can be introduced into commerce. As of the date of signature of the final rule, E15 had not been registered.

## Key Actions

EPA is finalizing the following misfueling mitigation measures:

- A prohibition on the use of gasoline containing more than 10 vol% ethanol in vehicles, engines and equipment not covered by the partial waiver decisions (i.e., MY2000 and older light-duty motor vehicles, and all heavy-duty gasoline vehicles and engines, motorcycles and gasoline-powered equipment such as lawn and garden equipment and boats)
- The use of the following label for fuel pumps that dispense E15 to alert consumers to the appropriate and lawful use of the fuel:



In developing today's final labeling requirements, the Agency consulted with Federal Trade Commission (FTC) consumer labeling experts and other staff about effective and consistent label design. EPA will continue to work with FTC on labeling issues.

- The product transfer document (PTD), a commercial document that accompanies a gasoline shipment, is required to specify the ethanol content of, or the level of ethanol that may be added to, the gasoline prior to sale to retail stations or wholesale purchaser-consumers. The Agency is also providing more flexibility in how that information is conveyed to help ensure that fuel producers, distributors and retailers have the information they need to properly blend, track and label E15.
- An ongoing implementation survey of fuel samples taken from gasoline retail stations to ensure that E15 is being properly blended and labeled.

A public education and outreach program for E15 is an important step to help mitigate misfueling. EPA encourages stakeholders to develop accurate and objective information for the public about the appropriate use of E15. EPA plans to work with stakeholders in the development and dissemination of E15 outreach materials.

The Agency is also modifying the RFG program, including revisions to the Complex Model, to allow fuel manufacturers to certify batches of E15 fuel.

In addition, EPA is issuing a final interpretation of (CAA) section 211(h)(4) to clarify that the statute allows only gasoline-ethanol blends that contain 9-10 vol% ethanol to exceed the Reid Vapor Pressure (RVP) standard by 1.0 psi (and therefore to have an RVP of up to 10.0 psi). The E15 partial waivers separately limit E15 to 9.0 psi RVP in the summer months (June 1 to September 15).

Finally, EPA is denying a petition to establish regulations that would require gasoline retail stations to make E10 available for vehicles, engines, and equipment not covered under the partial waiver decisions. As the transition to E15 occurs, we will work with fuel producers, distributors, and marketers to monitor the availability of E15, E10, and E0 (pure gasoline) so that any potential availability problems in the marketplace can be anticipated and prevented.

## **Cost of Compliance of the Rule**

The cost to industry to comply with the misfueling mitigation rule includes the periodic capital costs of labeling fuel dispensers, the one-time capital and annual operating costs of the PTD requirements, and the annual cost of the survey requirements. The total cost of all of the requirements is estimated at \$3.64 million per year. We believe these costs will be offset by the avoided costs to consumers of repairing engines, vehicles, and equipment not covered by the partial waivers that would otherwise potentially be damaged by misfueling with E15.

## **For More Information**

You can access the rule and related documents, including the waiver decisions, on the E15 website at:

[www.epa.gov/otaq/regs/fuels/additive/e15](http://www.epa.gov/otaq/regs/fuels/additive/e15)

For more information, please contact EPA's Fuels Program at:

U.S. Environmental Protection Agency  
Office of Transportation and Air Quality (6405J)  
1200 Pennsylvania Avenue NW  
Washington, DC 20460  
202-343-9755  
E-mail: [epafuelsprograms@epa.gov](mailto:epafuelsprograms@epa.gov)