

The Iowa State Fire Marshal adopted an amendment to the standard for dispensing of motor vehicle fuel (rule 661--51.202(101)), which reads as follows:

Add the following new section:

- 6.9 Dispensing of E-blend.
- 6.9.1 Definitions.
 - "E-10" means a blend of petroleum and ethanol including no more than 10 percent ethanol intended for use as a motor vehicle fuel.
 - "E-blend" means a blend of petroleum and ethanol including more than 10 percent ethanol intended for use as a motor vehicle fuel.
- 6.9.2 Requirements for equipment dispensing E-blend prior to July 1, 2007.

Prior to July 1, 2007, E-blend may be dispensed from equipment listed for use with gasoline or E-10, provided that the equipment is fully in compliance with all requirements for use in dispensing gasoline or E-10 if the manufacturer states:

 1. That the equipment is, in the opinion of the manufacturer, not incompatible with E-blend, and
 2. The manufacturer has initiated the process of applying to an independent testing laboratory for listing of the equipment for use in dispensing E-blend. "Manufacturer states" means that the manufacturer has provided a written statement, with reference to a particular type and model of equipment, signed by a responsible official on behalf of the manufacturer either to the retail outlet using the dispensing equipment or to the fire marshal. If the written statement is provided to a retail outlet, the written statement shall be retained in the files on the premises of the retail outlet and shall be available to personnel of the fire marshal division or the department of natural resources on request.
- 6.9.3 Retail outlets which had been dispensing E-blend prior to August 1, 2005. A retail outlet which had been dispensing E-blend prior to August 1, 2005, may continue to do so until July 1, 2007, with existing equipment provided that:
 1. The dispensing equipment fully complies with the requirements established in NFPA 30A for dispensing E-10.
 2. The dispensing equipment has not been found by the manufacturer or an independent testing laboratory to be incompatible with the dispensing of E-blend.

- 6.9.4 Requirements for equipment dispensing E-blend on or after July 1, 2007. On or after July 1, 2007, any equipment used to dispense E-blend shall be listed for dispensing E-blend.

The intent of this language is to facilitate the dispensing of E-85, while ensuring the safety of dispensing facilities.

During the 2006 session of the Iowa General Assembly, the enactment of 2006 Iowa Acts, House File 2754 resulting in extending the date for use of listed equipment for dispensing E-85 until July 1, 2009.

The Iowa Department of Public Safety and the Iowa Department of Natural Resources have entered into a 28E agreement which allows DNR inspectors who inspect a fueling site which is dispensing E-85 to enforce rules of the Fire Marshal as well as DNR rules. A checklist was developed by staff of the Fire Marshal Division to assist DNR staff in this effort.

Further information regarding regulation of E-85 dispensing and storage may be obtained from the Web site of the Iowa Department of Natural Resources at <http://www.iowadnr.com/land/ust/technicalresources/ethanol.html>.