

## ADMINISTRATIVE ORDER

### Alternative Fuels E-85

The State of West Virginia has become aware of the lack of an Underwriters Laboratory (UL) and National Type Evaluation Program (NTEP) approved E-85 devices for dispensing E-85 fuel into a motor vehicle. E-85 fuel consists of 85% ethanol and 15% gasoline. At this time there are a very limited number of these devices in West Virginia; however, the number of these devices will continue to increase

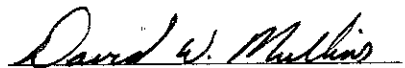
West Virginia Division of Labor, Weights and Measures Section, is unaware of any failure of E-85 devices in West Virginia or Nationwide

West Virginia Division of Labor, Weights and Measures Section, will continue to work with the dispenser manufacturers and nationally recognized testing laboratories to ensure the continued safety and accuracy of these devices.

West Virginia Division of Labor, Weights and Measures Section, recommends following the same procedures that are used for all gasoline dispensing devices at the initial inspection and then require the business to do a follow up safety inspection every ninety days thereafter. If any problems are found, the device shall be removed from service immediately and the Weights and Measures Section notified as soon as possible, but no later than twenty-four hours.

West Virginia Division of Labor, Weights and Measures Section, will apply the necessary security seals to insure continued accuracy of these devices. Weights and Measures will not apply approval seals to these devices. As long as the devices continue to operate in the correct manner, the location may continue to use these devices until they are Underwriters Laboratory (UL) and National Type Evaluation Program (NTEP) approved or other approved devices become available.

These guidelines will remain in effect until July 1, 2008. After that date, all devices must meet Underwriters Laboratory (UL) and National Type Evaluation Program (NTEP)

  
David W. Mullins, Commissioner  
West Virginia Division of Labor

3/6/07  
Date