

# EPA Approval of E15 Misfueling Mitigation Plans

**E**PA has approved the first plans for satisfying the misfueling mitigation conditions of the E15 partial waivers. With EPA's approval of a number of companies' misfueling mitigation plans, EPA has acted on each of the Clean Air Act steps required to bring E15 to market. Additional steps may also need to be taken, as outlined below.

## Misfueling Mitigation Plan Approvals

The E15 partial waivers include conditions requiring each fuel and fuel additive manufacturer subject to the waivers to submit to EPA a misfueling mitigation plan (MMP). MMPs must include, but are not limited to:

- Measures for labeling E15 fuel pump dispensers
- Tracking ethanol content and other information on product transfer documents
- Participating in a compliance survey

The E15 Misfueling Mitigation Rule establishes largely parallel federal requirements, and MMPs build on and help facilitate compliance with those requirements.

On March 15, 2012, EPA concluded that the Model MMP submitted by the Renewable Fuels Association (RFA) would generally be sufficient to satisfy the partial waivers' MMP requirement. Since then, EPA has received requests from a number of companies for approval to use the RFA Model MMP. In a recent email, EPA asked those companies for information about potential use of blender pumps for dispensing E15. Along with several companies, RFA responded and submitted an addendum to their Retailer Handbook (referenced in their Model MMP) that describes several configurations of pumps and suggests strategies for providing appropriate ethanol concentrations and clear labeling for E15.

After evaluating and approving specific E15 dispensing methods described in the RFA addendum, EPA approved companies' request to use the RFA Model Plan as supplemented by the addendum. As E15 enters the market, EPA plans to work with stakeholders to monitor the effectiveness of E15 misfueling mitigation measures. If it becomes evident that additional measures may be needed, EPA will notify companies with approved MMPs and seek their input and that of other stakeholders in determining what, if any, additional measures should be required.

## **Additional Steps in Bringing E15 to Market**

With the MMP approvals, EPA has acted on each of the Clean Air Act steps required to bring E15 to market (see timeline below). Some companies have now met all Clean Air Act requirements related to E15 and may lawfully introduce E15 into the marketplace. However, other federal, state and local requirements and practical concerns must also be addressed. For example, dispenser and tank compatibility with E15 must be considered by marketers of E15. (EPA has issued guidance and a proposed rule on tank compatibility.) Since a number of states restrict the sale of some gasoline-ethanol blends, state law changes may also be needed before E15 may be sold in those states. Industry stakeholders are also preparing an E15 public education campaign to provide consumers with additional information about the proper use of E15 and to help them avoid misfueling. EPA is participating in that effort.

## **Timeline of EPA's E15 Clean Air Act Actions:**

- March 6, 2009 – Growth Energy and 54 ethanol manufacturers submitted a waiver application to the Clean Air Act for the introduction into commerce of gasoline-ethanol blends containing more than 10 vol% and up to 15 vol% ethanol content (E15 Waiver Request).
- October 13, 2010 – EPA took two actions:
  - ◆ It partially approved Growth Energy's E15 Waiver Request to allow E15 to be introduced into commerce for use in Model Year (MY) 2007 and newer cars, light-duty trucks, and SUVs.
  - ◆ EPA also proposed a regulatory program to promote the successful introduction of E15 into commerce by reducing the potential for the misfueling of vehicles, engines and equipment that are prohibited from using E15.
- January 26, 2011 – EPA partially approved the E15 Waiver Request to be introduced into commerce for use in MY 2001 and newer cars, light-duty trucks, and SUVs.
- June 23, 2011 – EPA issued a final rule establishing the regulatory program rule to help inform consumers about the appropriate use of E15 and reduce the potential for the misfueling of vehicles, engines and equipment that are prohibited from using E15.
- February 17, 2012 – EPA released an evaluation of information submitted by the Renewable Fuels Association and Growth Energy for satisfying the emissions and health effects data requirements for registration of E15 as required by the Clean Air Act.

- March 15, 2012 – EPA informed the RFA that its Model E15 MMP would generally be sufficient to satisfy the E15 partial waivers’ requirement for an MMP.
- April 2, 2012 – EPA approved the first applications for registering ethanol for use in making E15.
- May 24, 2012 – EPA approved the RFG Survey Association’s E15 Compliance Survey Plan for 2012.
- May 31, 2012 – EPA approves first MMP submissions to satisfy the E15 partial waivers’ MMP requirement.

## **For More Information**

You can access the list of companies with approved E15 MMPs and related materials on EPA’s Office of Transportation and Air Quality (OTAQ) Web site 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:

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