



701 8th Street, NW, Suite 400, Washington, D.C. 20001

PHONE 202.545.4000 FAX 202.545.4001

GrowthEnergy.org

February 28, 2017

Mr. Paul Anderson
Chairman Nevada Board of Agriculture
State of Nevada
405 South 21st Street
Sparks, NV 89431

Dear Chairman Anderson,

We write to you today to request a modification to the Nevada Administrative Code in order to advance the available fuel options at retail motor fuel facilities in the state of Nevada. There are significant efforts underway to expand biofuel consumption across the U.S. In fact, the U.S. Department of Agriculture has pledged \$100 million in competitive grants designed to expand the infrastructure for renewable fuels in a program called the “Biofuel Infrastructure Partnership” grants. This historic pledge must be matched one for one with private investment dollars to pay for costs related to the installation of fuel pumps, tanks, really any retail fuel equipment that is needed to store, handle and dispense higher blends of ethanol.

Together with private investment, retail motor fuel stations across the nation are installing modern equipment that’s suitable for dispensing higher blends of ethanol, including E15 and E85 ethanol flex fuel. We would like to extend this national investment to Nevada. However, the Nevada regulations for gasoline and other motor fuels restrict our efforts by limiting gasoline content to only 10% ethanol. We respectfully request your consideration to modify your state code to allow up to 15% ethanol in gasoline. By allowing up to 15% ethanol in gasoline, you give retailers the flexibility to offer a low cost, higher-octane fuel option alongside today’s options of Regular 87 AKI and premium gasoline. We recommend the treatment of gasoline containing any amount of ethanol, 1- 15% by volume, to meet the Nevada motor fuel quality expectations including all requirements of the ASTM International Standard Specification D4814 for gasoline.

In 2010 and again in 2011, U.S. Environmental Protection Agency (EPA) approved the use of E15 in 2001 and new light duty trucks and passenger vehicles and all flexible fuel vehicles after extensive research programs by the U.S. Department of Energy, automobile and oil industry research programs, and other government and industry research efforts. EPA’s approval under section 211(f) of the Clean Air Act allows fuel manufacturers to offer for sale gasoline that contains more than 10% ethanol and no more than 15% ethanol (by volume.) EPA’s approval of E15 came with significant requirements: fuel quality restrictions, misfueling actions, a survey program and a mandatory new label. E15 is now being offered in more than 25 states at nearly 650 locations. Consumers are having a positive experience with E15; there have been zero complaints with E15 after running more than 500 million miles on this fuel choice.

In review of the Nevada Administrative Code, Chapter 590- Motor Vehicle Fuel, Petroleum Products and Antifreeze, the subsection 590.065 restricts the ethanol content allowed in gasoline to 10%; we request the Department raise the allowed ethanol content to 15% by volume by making the below suggested changes: strike the “10” and replace with “15” in the regulatory details prescribed by the state:

NAC 590.065 Gasoline: Adoption by reference of standard specifications; limitations on vapor pressure; minimum temperatures for vapor lock; limitations on contents. ([NRS 561.105](#), [590.070](#))

3. Except as otherwise provided in subsection 5, gasoline:

(b) Sold during any other period in a calendar year containing not more than ~~10~~ 15 percent ethanol by volume must not exceed the limits specified in ASTM D4814 by more than 1 pound per square inch.

6. A person shall not sell, offer for sale, supply or offer to supply in this State any gasoline intended for use in a vehicle which is primarily driven on a highway if:

(c) It contains more than ~~10~~ 15 percent ethanol by volume; or

Our request simply adds E15 as another fuel option for retailers and consumers alike as it is in 27 other states in conjunction with federal fuel approval. This change in no way mandates or requires a retailer to offer E15.

Thank you in advance for your consideration. We would be happy to answer any questions or provide any additional information that you may need regarding E15 and ethanol blended fuel and welcome the opportunity to discuss this request at your earliest convenience.

Sincerely,

Christopher P. Bliley, Vice President of Regulatory Affairs

cc: Director Jim R. Barbee, Nevada Department of Agriculture
Mr. William Striejewske, Nevada Department of Agriculture

Appendix:

Nevada Administrative Code 590.065

Renewable Fuels Association's E15 Handbook

National Renewable Energy Laboratory's Report on E15 and Infrastructure