

Missouri Blocks Wider E15 Use

David A. Lieb, AP

Missouri lawmakers blocked a proposal Wednesday that could have allowed greater amounts of ethanol to be blended into the gasoline sold for most vehicles. The decision by a legislative panel halts a proposed rule change by the Missouri Department of Agriculture that would have allowed stations to sell fuel containing 15 percent ethanol. Lawmakers said the proposal goes beyond what's allowed under a 2006 state law that required most Missouri gasoline to contain a 10 percent ethanol blend.

Associations for gas stations, petroleum suppliers and automakers had raised concerns that E15 could damage engines in some vehicles and create liability problems for consumers and retailers alike. Corn farmers, whose product is used to make ethanol, had pointed to federal studies affirming that E15 is safe for newer vehicles and can help lower gas prices for drivers. The decision by the Joint Committee on Administrative Rules was not based on the merits of using E15 gasoline. Committee members said the Legislature — not an executive agency — must make the policy decision about whether to allow it.

The motion to block the proposed rule change passed 6-2 with two members absent, getting the minimum vote needed for a majority on the 10-person panel. The decision is essentially a temporary moratorium. The full Legislature can decide whether to permanently block the rule when it convenes in January. Or the department can withdraw the proposed rule change. As of last month, E15 was being sold at about 40 gas stations in nine states — Iowa, Illinois, Kansas, Michigan, Nebraska, North Carolina, North Dakota, South Dakota and Wisconsin, according to the Renewable Fuels Association.

"The real losers here are consumers," said Gary Marshall, CEO of the Missouri Corn Growers Association. "Consumers in nine other states have the ability to buy a fuel that right now is significantly cheaper than gasoline, and Missouri residents don't." By blocking the rule change, consumers may have been spared confusion about whether E15 is appropriate for their vehicles and who should bear responsibility if its use voids manufacturer warranties and causes problems, said Ron Leone, executive director of the Missouri Petroleum Marketers and Convenience Store Association. Now the Legislature can debate and work out those details, he said.

"If somebody misfuels, I do not want my folks to be held liable if they complied with the law," Leone said. "We also don't want the consumer, obviously, to be hurt if they make a mistake and misfuel a car with E15 that's not E15 compatible." Committee chairman Sen. Eric Schmitt said he tried to broker a deal among corn farmers, fuel sellers and the Agriculture Department to back away from the rule change and address the availability of E15 during the 2014 legislative session. Schmitt said a representative of Democratic Governor Jay Nixon wanted to try to go forward with the rule change now. After the legislative panel blocked the

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rule, Nixon said he hopes lawmakers will still eventually authorize E15 gasoline.

"Expanding the use of renewable fuels is a proven strategy for boosting our nation's energy independence and bringing more dollars back to farming communities across Missouri," Nixon said in a written statement. "I look forward to working with members of the legislature to implement this responsible, voluntary measure that will increase domestic energy production and help grow Missouri's economy." The vote blocking the rule passed with bipartisan support.

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