

Missouri Considers Expanding Ethanol Usage

David A. Lieb, AP

Missouri lawmakers are considering whether to block a proposed rule that could expand the use of ethanol in gasoline. A legislative committee heard about two hours of testimony Monday on whether the rule change goes beyond existing state law, but it delayed a decision on whether to halt the proposal until Wednesday. A 2006 Missouri law already requires regular gasoline to contain 10 percent ethanol, which generally is made from corn.

The Department of Agriculture implemented that law with a rule capping the ethanol content at 10 percent in regular gasoline. The department now wants to amend its rules to delete the 10 percent ethanol limit and permit gas stations to sell regular gasoline containing up to 15 percent ethanol. The Legislature's Joint Committee on Administrative Rules is considering whether the proposed rule change goes beyond the authority granted to the department in state law. If it decides that it does, the committee can block the proposed rule from taking effect.

Opinions appeared to be divided among powerful interest groups, as well as among lawmakers. Committee Chairman Eric Schmitt, R-Glendale, said the 2006 law appeared to allow only a 10 percent ethanol blend for regular gasoline or a higher percentage like E85 for use in flexible-fuel vehicles. Committee member Rep. Jay Barnes, R-Jefferson City, said after Monday's hearing that he believes the Agriculture Department has the authority to allow an E15 mixture for most vehicles, but he questioned whether another part of the proposed rule went beyond state law by allowing variances on the vapor pressure for gasoline.

Opponents of the rule change included trade groups for gas stations, petroleum suppliers and automakers such as Ford Motor Co. and General Motors Co. Among other things, they said most cars now on the road weren't built to handle E15, though the Environmental Protection Agency has said it's safe for most vehicles made since 2001. Ron Leone, executive director of the Missouri Petroleum Marketers and Convenience Store Association, said allowing E15 gasoline would "create chaos in the marketplace. It will cause misfueling with your constituents, and it will potentially cause damage to engines and void vehicle warranties," Leone told lawmakers. "These are huge problems that we think need to be addressed legislatively in the 2014 session instead of through a department rule."

Many in the packed committee room wore orange and black buttons stating "I want E15" that were distributed by the Missouri Corn Growers Association. Several farmers and ethanol plant managers said they expected an abundant harvest more than capable of supplying extra ethanol fuel. 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 availability of E15 is expected to grow, partly because federal law sets a renewable fuel standard of 16.55 billion gallons this

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year. That rises to 18.15 gallons next year and 36 billion by 2022.

"We have a safe, legal product that has been federally approved for sale — that is for sale in our surrounding, directly competitor states," said Missouri Department of Agriculture Director Jon Hagler. "The only reason that it is not for sale today (in Missouri) is that we have a rule that is historical in nature ... that we need to update."

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