



August 30, 2022

Kevin Allen, Associate Director
Arizona Department of Agriculture Weights and Measures
Services Division
1802 W. Jackson St., #78
Phoenix, AZ 85007

Submitted via email: kallen@azda.gov

RE: Notice of Proposed Rulemaking for Arizona Administrative Code, Title 3, Chapter 7

Dear Mr. Allen,

We are writing to provide public comment for the Notice of Proposed Rulemaking for Arizona Administrative Code, Title 3, Chapter 7. We appreciate the opportunity to offer input on this rulemaking.

The Advanced Biofuels Business Council (ABBC) represents global leaders in the advanced biofuel and technology sector. Our members produce advanced, bio-based products, including low-carbon transportation fuels, Sustainable Aviation Fuel (SAF), cellulosic ethanol and bio-enzymes.

We strongly support the Department of Agriculture's ("the Department's") decision to allow 15 percent ethanol blends (E15). As discussed during workshop, allowing E15 will reduce pump prices,¹ tailpipe emissions,² and lifecycle carbon emissions³ while giving Arizona fuel terminals and retailers access to additional transportation fuel supply to help buffer against chronically tight petroleum markets.

Opponents of higher ethanol blends – often ethanol's competitors at the pump – tend to raise concerns about infrastructural readiness for higher ethanol content. But at the infrastructural and equipment level, E15 is not new. E15 is allowed for sale in all but 3 states and is sold in significant quantities in more than 30 states. U.S. consumers have traveled more than [30 billion miles on E15 without mis-fueling or fuel dispensing issues](#). And, the U.S. Environmental Protection Agency (EPA) has [approved E15 for use](#) in all 2001 and newer passenger vehicles; or, more than 96 percent of the cars and trucks on the road today.⁴ Retailers have well-established systems in place to confirm compatibility of equipment, including

¹ E15 is offered at more than 2600 retail gasoline stations across 31 states - often at a [30-40 cents per gallon](#) (CPG) discount to regular gasoline. At some stations, E15 has sold at a 60 CPG discount, with E85 (85 percent ethanol blends) at a \$1.50-2.00 discount to regular gasoline.

² See: [E15 reduces emissions relative to regular gasoline](#)

³ Rigorous and peer-reviewed analysis by [academic researchers](#), the [California Air Resources Board](#), [DOE](#) and [U.S. Department of Agriculture](#) confirms that ethanol blending reduces lifecycle greenhouse gas (GHG) emissions.

⁴ The U.S. Department of Energy, in collaboration with the National Renewable Energy Laboratory (NREL), tested 86 cars (for more than 100,000 miles each) on E15 and E20 blends, and found [no degradation of vehicle systems or materials \(including emissions controls\)](#).

existing regulations on [Underground Storage Tanks](#). Since the 1980s, [petroleum equipment](#) manufacturers have offered compatible products for blends above 10 percent ethanol, including storage tanks, piping, [pipe dope](#), valves, hanging hardware, dispensers, hoses, and nozzles, as standard equipment. More specifically, the [National Renewable Energy Laboratory \(NREL\)](#), [U.S. Department of Energy](#), [EPA](#), [Steel Tank Institute](#), and [Fiberglass Tank and Pipe Institute](#) have all confirmed that most underground storage tanks made in the last 30 years are approved for up to 100 percent ethanol. The vast majority of fuel dispensing equipment is already manufacturer-approved for E15. For example, all Wayne and Gilbarco dispensers are compatible with E15 (and have been for years). And E15 is covered by product liability and commercial liability insurance policies.

Finally, we appreciate the due diligence conducted by the Department and other agencies on the critical question of harmonizing the rule with federal law. The proposed rule strikes the right balance between ensuring compliance with state law and deferring to federal law in the key areas – e.g., mis-fueling, labeling and Reid Vapor Pressure (RVP). The proposed language would allow E15 to be used in Arizona only insofar as its use complies with state and federal law and avoids conflict with federal law in the event that federal fuel regulations (including those related to E15) evolve over time.

We very much appreciate the Department's commitment to running an open and transparent process for streamlining and updating Arizona gasoline regulations (including the allowance of E15). We would be happy to discuss further any questions the Department might have.

Thank you for the opportunity to comment.

Sincerely,



R. Brooke Coleman
Director
Advanced Biofuels Business Council (ABBC)