



February 4, 2009

Mr. August Schaefer  
Underwriters Laboratories Inc.  
333 Pfingsten Road  
Northbrook, IL 60062-2096

Dear Mr. Schaefer:

On behalf of the members of the American Coalition for Ethanol (ACE), I am writing to express our concern that Underwriters Laboratories has recently made what appears to be an arbitrary change to the “UL 87” standard. That standard, which has been relied upon by the ethanol industry, pump manufacturers, and many petroleum marketers, has consistently been interpreted as allowing the use of up to 15 percent ethanol in standard gasoline dispensing equipment. Recent statements by UL that have changed the meaning of the standard without any accompanying change in data, coupled with similar action by UL two-and-a-half years ago regarding E85, have caused many within the ethanol industry to question whether UL – an organization built on a reputation of precision and impartiality – has at very least treated ethanol issues with carelessness and at times appears to have an anti-ethanol bias.

We are aware that UL 87 does not specifically mention E15 (nor does it mention E10); however, UL 87 does reference a number of underlying standards that clearly use phrases such as “ethanol does not exceed 15 percent,” and “approved for gasoline/ethanol blends up to 15 percent ethanol” and “gasoline with up to 15 percent ethanol.” Consistent with those “up to E15” definitions are the many characterizations of the new E85 standard as covering fuel blends above 15 percent ethanol. In fact, the first report in what has become standard UL87A clearly stated “Current dispensing equipment Listings are limited to fuels with a maximum 15 percent alcohol.”

Yet even the explanation of E15 as a fuel used for a safety margin flies in the face of all of the other testing UL has done in its 125 years of existence. If an extension cord is tested by UL at 25 amps to provide a safety margin for its approved use at 15 amps, the approval would not say “up to 25 amps.” If a 60 watt light bulb was tested at 100 watts to provide safety for the user, the bulb would not carry a 100 watt seal of approval. It stands to reason that UL would not say “up to 15 percent ethanol” when it really meant “up to 10 percent ethanol.” It also stands to reason that if there were any safety hazards discovered during the testing of equipment at E15, the standard would have been written with clear language limiting ethanol use to 10 percent.

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This latest arbitrary change adds to the frustration the ethanol industry has felt over similar treatment of ethanol issues. When it declared that no standard existed for E85, UL also stated that there had been no “reports of corrosion,” “no field incidents,” and “no reported safety issues,” yet a very stringent new standard for E85 equipment was developed. Pump manufacturers recently pointed out to ACE that although their equipment has passed UL’s E85 dispenser tests, they will not receive the UL mark for that part of the fueling system until all parts in the entire system have been tested and approved. Those manufacturers say that this procedure is unique to E85 equipment. As a result of those issues, the current E15 issue, and the timing of the announcements about both, some now question whether UL has been unduly influenced to be more critical of ethanol. Lack of data backing up the E15 standard reversal, coupled with the statement that UL is working with the U.S. Department of Energy and U.S. Environmental Protection Agency to investigate the impact of using higher ethanol blends in vehicles and engine system adds to questions of influence.

We trust that is not the case, and we assure you that the ethanol industry has no interest in dispensing our fuel in a way that is unsafe or potentially harmful to vehicles. With many years of experience in selling blends of up to 85 percent ethanol in dispensers originally approved only for blends up to 15 percent, we believe that those dispensers can accommodate the blends UL’s original standards clearly state they can safely dispense. If there is existing data that suggests this is not the case, it should have been presented in UL’s joint statement with the U.S. Department of Energy in December 2008. Barring that, UL should stand by its clear, consistent statements that pumps with the UL label are approved for blends up to 15 percent ethanol.

Thank you for your time and consideration. I look forward to your response.

Sincerely,



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American Coalition for Ethanol

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