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## REGULATORY ALERT

September 25, 2008

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### NEW U.S. DOT SHIPPING PAPER REQUIREMENTS FOR GASOLINE WITH ETHANOL CONCENTRATION OVER TEN PERCENT

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**REGULATORY ACTION:** As reported earlier this year, the U.S. DOT's Pipeline and Hazardous Material Safety Administration (PHMSA) issued a final rulemaking on January 28, 2008, that requires new shipping paper entries for gasoline blends containing ethanol concentrations **greater than** ten percent. PHMSA is also limiting the shipping paper entry "gasohol" to gasoline with no more than ten percent ethanol content (see "\*" below).

**REASON FOR REGULATORY CHANGE:** According to PHMSA, gasoline with ethanol content greater than ten percent is polar/water-miscible (mixes with water) and requires alcohol resistant foam to minimize blanket breakdown, vapor breakthrough and re-ignition. The new shipping paper entry will alert emergency responders to this important information.

**NEW REGULATORY REQUIREMENTS:** Under the new requirements, gasoline blended with ethanol in a concentration **over** ten percent requires a new shipping paper entry beginning **October 1, 2008**. However, there are **no** changes in proper shipping paper entries for gasoline with ethanol in concentrations of ten percent or less. The proper shipping names for ethanol blends are as follows:

| Blends   | U.S. DOT Shipping Paper Entry   |
|--|---|
| Gasoline with up to ten percent ethanol content. | "Gasohol, 3, NA1203, PG II" <i>or</i><br>"Gasoline, 3, UN1203, PG II"   |
| Gasoline with over ten percent ethanol*.         | "Ethanol and Gasoline Mixture, 3, UN3475, PG II"  |
| E-85   | "Ethanol and Gasoline Mixture, 3, UN3475, PG II"  |
| Alcohol with up to 5 percent Gasoline            | "Alcohols, n.o.s., 3, UN1987, PG II" <i>or</i><br>"Denatured Alcohol, 3, NA1987, PG II" <i>or</i><br>"Ethanol and Gasoline Mixture, 3, UN3475, PG II" |

\* Transitional provision - the shipping name "Gasohol, 3, NA1203, PG II" may be used for gasoline with concentrations of up to 20 percent ethanol (E-20) until October 1, 2010.

**FUTURE REGULATORY REQUIREMENT FOR PLACARDS:** This final rule also contained a provision that requires separate placard for gasoline with ethanol concentration over ten percent when transported in cargo tanks. Currently, for each of the different petroleum fuels transported in different compartments of a cargo tank, the identification number for the fuel having the lowest flash point may be displayed on the placard. However, beginning October 1, 2010, if a cargo tank is used to transport a gasoline and alcohol fuel blend containing more than ten percent ethanol, the identification number "3475" must also be displayed in addition to the identification number for the other petroleum distillate fuel having the lowest flash point.