**AYC Ecology North**

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**The E15 Controvery**

By Jonathan Sweet, [BoatingIndustry.com](http://www.boatingindustry.com/features/2013/04/01/the-e15-controversy/)

It’s the regulatory issue getting the most attention in the industry right now: What to do about E15?

The controversial 15-percent ethanol blend has been approved by the Environmental Protection Agency for use in all automobiles built after 2001 **(Ed's note: Most auto manufacturers disavow their engine warranty if E15 is used in any vehicles prior to 2006)**. Although it has not been approved for use in boats or small engines, those in the industry worry that if it becomes widely available, it could cause significant damage to the marine industry. After all, it’s not hard to imagine the scenario where that happens:

“When they fill up their cars, they’re going to fill up their tanks to go boating and it’s going to cause just awful damage,” said Larry Innis, MRAA’s Washington representative. “E15 would be disastrous as far as we’re concerned.”

In a recent study, AAA found that 95 percent of consumers were not aware of E15, making potential misfueling very likely, the group said.

For an industry that is just beginning to recover from the recession, E15 and it’s associated problems could be a serious obstacle, said NMMA President Thom Dammrich.

“If people put E15 in their boat, they will destroy the engine,” Dammrich said. “How many destroyed engines will it take to drive people out of boating, either because they can’t afford the repair or they just decide it’s not worth it?”

Stations that sell E15 are required to display labels warning consumers of the potential damage to small engines. However, a recent survey of the handful of stations currently selling E15 found that 6 of the 17 were not displaying the labels, said Jim Currie, NMMA’s legislative director.

That’s particularly concerning because those early adopters should be the most likely to follow the regulations, Currie added.

There is also no consensus that E15 is even safe for automobile engines. AAA has urged the EPA to delay approval until more testing can be done, as have many automakers.

In an industry where boat owners will use outboard engines for decades, simple innovation isn’t enough to solve the problem, said Ben Speciale, president of Yamaha’s Marine Group.

“Our issue is pretty straightforward: If you use it, it fails,” Speciale said.  “We can build engines to run on just about any type of fuel. The question is do you meet the emission standards. Can we design around it? The answer is yes, but we do have that legacy and legacy is huge in our industry. That’s not fair to the consumer.”

There are currently multiple efforts to block E15 supported by the industry. The NMMA and MRAA are both members of a large coalition that has sued over EPA’s waiver allowing E15. The U.S. Court of Appeals for the D.C. Circuit dismissed that suit on procedural grounds last year, but the coalition has filed a petition with the U.S. Supreme Court asking it to review the decision. (Link: [NMMA, others challenge E15 ruling](http://www.boatingindustry.com/?p=21246))

That’s no guarantee the court will agree to hear the case, though. The court receives approximately 10,000 petitions for a writ of certiorari each year and grants and hears oral argument in about 75 to 80 cases.

A more likely solution, then, is a legislative one. Two bills addressing the issue – one in the U.S. House of Representatives, one in the Senate – have been introduced and others are in the works (see sidebar [E15 bills in congress](http://www.boatingindustry.com/?p=21358)).

Currie said he is optimistic that a bill addressing E15 can be passed this year, but “certainly would not be giving any guarantees on it.”

He warns that it will be a tough fight against the powerful ethanol lobby.

“The people that are lobbying on behalf of increasing the amount of ethanol in fuel – E15 is only the beginning for them,” he said. “They are well-organized and well-funded and they’re very active.”

One of the biggest challenges in addressing E15 is that it is not yet widely available, so there aren’t large groups of consumers that have been affected by it.

“The average person has not seen and felt the problem themselves,” Currie said. “We’re trying to stop these bad things from happening and in a way we’re a little bit handicapped because they haven’t happened yet.”

That’s why it is so important for everyone in the industry to contact their representatives in Washington to urge them to support action against E15, Speciale said.

“Most congressmen would love to sit and talk to every business owner in this country,” he said. “If every dealer calls their congressman and says they want to talk about it, we’ll win.”