



Department of Commerce

Division of State Fire Marshal

Ted Strickland, Governor
Kimberly A. Zurz, Director

STATE OF OHIO

DIVISION OF STATE FIRE MARSHAL

E-85 DISPENSER UTILIZATION APPROVAL POLICY

When the Division of State Fire Marshal is involved in the approval process for a flammable/combustible liquid dispensing facility that utilizes ethanol based fuels, including E-85 or other E-Blend Fuels, where a listed dispensing device is required by the state fire code and the proposed dispensing device is not specifically listed for the intended application, the following guidelines shall be followed in the approval process:

As there are currently no approved dispensers, as tested and listed by Underwriters Laboratory or other approved authoritative source set forth in OAC 1301:7-7-01(O)(2), Ohio Fire Code 115.2, that can be used for the dispensing of E-Blend fuels in Ohio in accordance with the existing and as filed revisions to the Ohio Fire Code, the dispensing of such ethanol fuels is prohibited by the Ohio Fire Code. Thus, until ethanol dispensers are approved and listed by the nationally recognized testing laboratory, a modification permitting the dispensing utilizing such proposed noncompliant dispensing equipment would need to be requested and such modification request shall be processed by the Division of State Fire Marshal in order to achieve the following intent and to specify the necessary stipulations.

The modification shall contain the following provisions:

Definitions.

- “E-15” means a blend of petroleum and ethanol including no more than 15 percent ethanol intended for use as a motor vehicle fuel.
- “E-blend” means a blend of petroleum and ethanol including more than 15 percent ethanol intended for use as a motor vehicle fuel.
- “Listed” means equipment or materials included on a list published by an approved testing laboratory, inspection agency or other organization concerned with current production evaluation that maintains periodic inspection of production of listed equipment or materials, and whose listing states that equipment or materials comply with approved nationally recognized standards and have been tested or evaluated and found suitable for use in a specified manner.

Requirements for equipment dispensing E–blend prior to July 1, 2012 if no other E-Blend dispenser is approved and listed.

Prior to July 1, 2012, if no dispenser has been approved and listed for E-Blend dispensing in accordance with the requirements of the Ohio Fire Code, then E–blend may be dispensed from equipment listed for use with gasoline or E–15, provided that the equipment is fully in compliance with all requirements for use in dispensing gasoline or E–15 and:

1. Each facility shall use the dispensers in accordance with the manufacturer’s (to include manufacturers of nozzles, hoses and other associated accessories) guidance for regular inspections and preventative maintenance. If the guidance documents specifically indicate that your dispensers (or parts thereof) shall not be used to dispense E-85 or similar fuels, then you may not use that dispenser or associated parts to dispense such fuels;
2. The dispensing equipment fully complies with the requirements established in NFPA 30A for dispensing E–15, and
3. The manufacturer has initiated the process of applying to an independent testing laboratory for listing of the equipment for use in dispensing E–blend.

In addition, for each facility that uses E-85 or similar type fuels, each facility must provide notice to the Division of State Fire Marshal and the local fire code official of its intent to dispense E-85 or similar fuels;

Requirements for equipment dispensing E–blend after listed E-Blend dispensers become available, but prior to July 1, 2012.

Noncompliant E-Blend dispensers in existence when listed E-Blend dispensers become available in the marketplace, where such noncompliant dispenser installations are otherwise in accordance with this policy and the state fire code, such existing installations must install a listed dispenser within a reasonable time as approved by the fire code official. In no case shall such timeframe be approved to extend beyond July 1, 2012.

Requirements for equipment dispensing E–blend on or after July 1, 2012.

On or after July 1, 2012, any equipment used to dispense E–blend shall be listed for dispensing E–blend as required by the Ohio Fire Code.

If no approved E-Blend dispensers are listed for use with E-85 are in existence on July 1, 2012, then each facility that intends to continue to use noncompliant E-Blend dispensers shall apply to the Division of State Fire Marshal for an extension of the facility’s modification period of approval.

Effective: June 17, 2010

Issued by:


State Fire Marshal