Maria Pica Karp
Vice President &
General Manager

Chevron Government Affairs
1401 Eye Street, NW
Suite 1200
Washington, DC 20005
Tel 202 408 5800
Fax 202 408 5845
mpica@chevron.com

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Federal Trade Commission
Office of the Secretary
Room H-113 (Annex N)
600 Pennsylvania Avenue, N.W.
Washington, DC 20580

Re: Fuel Rating Rule Review, 16 CFR Part 306, Project No. R811005

To Whom It May Concern:

Chevron Corporation appreciates the opportunity to review and comment on the referenced Notice of Proposed Rulemaking (NPRM). Through its subsidiary Chevron U.S.A. Inc., Chevron is a major refiner and marketer of petroleum products in the U.S. This proposed rule directly affects facilities operated by Chevron and its customers.

Chevron is a member of the American Petroleum Institute (API) and the American Fuel & Petrochemicals Manufacturers (AFPM). We support the comments submitted by API and AFPM in response to this proposed rulemaking.

Chevron supports the FTC proposal to include spectroscopic multivariate analysis as an alternative for octane testing. However, we encourage the FTC to expand the scope of the proposal to include all techniques that conform to the guidelines in ASTM D6122 ("Standard Practice for Validation of the Performance of Multivariate On-line, At-line, and Laboratory Infrared Spectrophotometer Based Analyzer Systems"). The optimal approach would be to adopt a set of criteria by which any alternative test method could be qualified as correlating to the referee test methods. Such guidelines would be similar to the EPA's recent adoption of Performance-Based Measurement Systems. Whether or not the FTC adopts such an approach, we believe that Standard Practice D6122 applies to non-infrared spectroscopic techniques which use multivariate models, such as Raman spectroscopy. Section 1.8 of D6122 states: "Although this practice deals primarily with validation of infrared analyzers, the procedures and statistical tests described herein are also applicable to other types of analyzers which employ multivariate models." We request that FTC recognize this in its final rulemaking and allow for the adoption of non-infrared methods.

The NPRM refers to the use of portable infrared analyzers by state regulators as low cost screening tools. It is important to note that these analyzers, such as IROX and PetroSpec analyzers, are used for screening purposes only and are not correlated to the referee methods with the level of rigor described in the ASTM Standard Practice D6122. Regulators use these methods to detect potential problems, but use the referee methods for confirmation and enforcement. Any allowance for the use of infrared and other methods in

the FTC's final rule should require proper correlation to the official referee methods. We also support API's proposal to add language identifying ASTM D2699 and ASTM D2700 as the designated referee test methods.

The NPRM proposes to exempt fuel meeting EPA's E15 waiver from labeling requirements. While we remain concerned that EPA's E15 label remains inadequate as it fails to warn consumers with 2001 and newer passenger vehicles to check their owner's manuals for the vehicle manufacturer's fuel recommendations, we agree with the API and AFPM position that the FTC should restrict its label to apply to ethanol blends of greater than 15% to avoid confusion for the consumer.

The National Conference on Weights and Measures (NCWM) is proposing to vote on amending the National Institute of Standards and Technology's (NIST) Handbook 130, Uniform Regulation for the Method of Sale of Commodities and the Uniform Engine Fuels and Automotive Lubricants Regulation, with respect to the definition and/or standard fuel specifications, method of sale and labeling for ethanol, denatured fuel ethanol and gasoline-ethanol blends between 16 and 83 volume percent. These amendments include modifying its labeling requirements for these gasoline-ethanol blends. The current language being voted on by NCWM in July 2014 differs from that proposed in the FTC's rulemaking. If the NCWM votes to approval the proposed language in NIST Handbook 130, especially its labeling guidelines, certain states will adopt changes to NIST Handbook 130, either automatically by rule or by election. There is a real risk that retailers in those states would have to post two different labels in order to comply with both federal and state requirements for gasoline-ethanol blends between 16 and 83 volume percent. We strongly recommend that the FTC make every effort to coordinate with NCWM in developing final labeling language.

Thank you for the opportunity to comment.

Kind Regards,