

# The Boater's Log

Thursday, February 5, 2009

Volume 1, No. 1

## Marine-Related Ethanol Lawsuit Passes Motion to Dismiss in Florida

### Boat Owners Continue to Struggle with Effects of E10 Fuel

**T**he issue of ethanol in the fuel tanks of marine engines continues to cause problems for boaters nationwide, and last week, a Florida lawsuit alleging negligence against six oil companies for failing to warn boat owners of potential harm from ethanol-blended gasoline, survived a motion to dismiss from the defendants. This is a significant milestone for many boat owners who have been forced to repair and replace marine engine systems due to a lack of knowledge of the destructive effects of E10 fuel.

The effects E10 fuel, a combination of 10 percent ethanol and 90 percent gasoline, though positive for conservation measures, can damage marine engine systems. When introduced into the fuel tanks of marine engine systems, E10 fuel can dissolve fuel system components, creating contaminants that cause plaque to form, which may ultimately lead to the destruction of the engine itself.

In 2008, the state of Florida adopted a law which states all gasoline sold in Florida must contain 10 percent ethanol by the end of

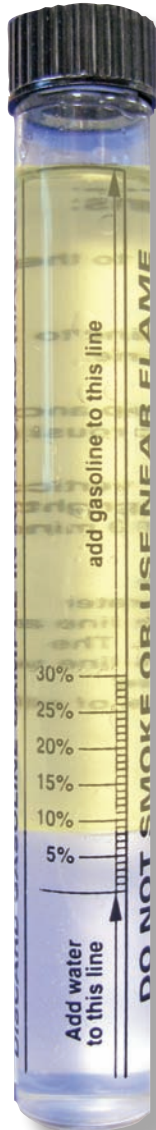
2010. However, two exemptions were included allowing the sale of ethanol-free gas for airplanes and boats. Shortly after Florida's law was passed, some boat owners around the state began experiencing engine failure and other problems after fueling up with gas purchased at gas stations or with fuel bought at marinas.

The plaintiffs filed lawsuit against the oil companies in August of 2008, claiming they were negligent because they did not warn boat owners about the negative effects of ethanol additives. The goal of Plaintiff attorney Jeffrey Ostrow is to pursue class action lawsuit certification with the intent to represent all Florida boat owners who have used ethanol-blended fuel and whose boats have been damaged by the fuel.

U.S. District Court Judge Cecilia M. Altonaga issued an order allowing the complaint to move forward on one count of negligence, NaplesNews.com reported. During earlier proceedings, the plaintiffs' attorney agreed to drop two other counts that the oil companies intentionally concealed the potential harm of ethanol in gasoline and as such, violated Florida's deceptive and unfair trade law.

The defendants include Chevron®, Exxon®, BP®, Shell Oil®, ConocoPhillips® and Tower Energy Corp.,® a California-based independent petroleum wholesaler. **Y**

*Compiled from wire reports*



# Where does the Marine Industry Stand on E10?

**T**he EFACT2005 (Energy Policy Act), Public Law 109-058 requires the use of increased renewable motor fuels. In most areas of the U.S., ethanol is the most readily available renewable fuel that can be added to conventional gasoline without major changes. Simply stated, E10 fuel is here to stay and many in the marine industry are working to find ways to mitigate any negative effects E10 may have on marine engines.

In light of this new requirement, NMMA® (National Marine Manufacturers Association) said it sought and achieved a provision in the bill that strengthens the EPA (Environment Protection Agency) approval process by requiring the agency to ensure that mid-level ethanol fuels will not increase emissions from recreational marine engines or damage boat fuel systems and components.

"It's important in the race for renewable energy that we not compromise on boating safety through the introduction of new fuel formulations that marine engines are not calibrated to safely use," said Scott Gudes, vice president for NMMA government relations.

In addition, MRAA (Marine Retailers Association of America) recently issued a statement claiming support of all efforts to retain current federal ethanol gasoline additive standards of E10 and opposition to any attempts to increase additive levels beyond that level due to "the destructive nature of ethanol to marine engine systems and the resulting safety considerations to vessel passengers." **Y**

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## Facts About E10 Fuel

**A**s we continue to adapt to our changing environment, we must remain consistent in our efforts to remain knowledgeable about the proper maintenance procedures for boats and outboards. The introduction of E10 fuel in many states requires additional attention to outboard fuel systems and filters, and it is important to understand the following:

- Ethanol may dissolve plastic resins used to make some fiberglass tanks.

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### How does E10 Fuel Contribute to Fuel System Issues?

- Ethanol is a strong cleaner (solvent).
- Ethanol is hygroscopic, (i.e. it has a strong attraction to moisture).
- Ethanol produces less energy (BTU's) than an equivalent unit of gasoline.
- E10 fuel's usable life span may be less than the normal length of off-season boat storage.
- Ethanol will clean gum and varnish as well as surface corrosion from any surface it contacts in the boat fuel system as well as storage and transport tanks in the fuel distribution system.
- Ethanol will increase the amount of water accumulating in fuel tanks.



## Why am I not having E10 issues with my car?

- Boat fuel system contamination from water is increased due to exposure to a high moisture environment.
- Typically boats sit unused for long periods during which the fuel degrades and adds more contamination to the fuel system.

## Are Yamaha Outboards Compatible with E10 Fuel?

- All current models, as well as most motors built since the late 1980's, have been designed with fuel system components that are tolerant to fresh fuel containing ethanol up to 10% (E10).
- Outboard fuel systems can still be affected by: water, dissolved gum, varnish, corrosion particles and dissolved resins that E10 fuel has cleaned from the distribution system and from boats' fuel tanks.

Although total prevention of issues may not be possible, there are steps we can take to minimize the occurrence and severity of the negative effects of E10 fuel:

- If at all possible do not use E10 fuel and never use fuel with ethanol content higher than 10%.
- Ideally before switching to E10 fuel, have your fuel tank completely drained and cleaned to

remove any accumulated water, built-up varnish and corrosion.

- Install a Yamaha 10 Micron Fuel/Water Separating Filter between the boat's fuel tank and the engine.
- Change the 10 Micron filter every 25 hours of operation until there are no indications of excessive water and contaminants collecting in the filter.
- Normal filter changes are recommended every 50 hours of operation.
- Buy name brand fuel and if possible from the same station.
- Regularly add Yamaha Fuel Stabilizer to fresh fuel to retard fuel aging.
- Stabilize fresh fuel before storing.
- Consult local dealers concerning maintenance procedures and new market developments.

As we continue to work through the issues surrounding E10 fuel, we must remember that proper maintenance of fuel systems and filters is vital to the successful operation of our outboards. Taking these necessary steps is also critical role in keeping us safe on the water, enjoying our boating experiences.

The information above is available through the Yamaha Marine consumer web site, [www.yamaha-outboards.com](http://www.yamaha-outboards.com). **Y**

# The Yamaha 10 Micron Fuel/Water Separating Filter

Yamaha's new, improved 10 Micron Filter provides superior filtration ahead of the engine's onboard filters and injectors, reducing the negative effects of E10 fuel on the engine. A large filtering and water capture area maximize filtration while maintaining an adequate flow rate. These filters are highly recommended for all two-stroke and four-stroke EFI outboards as well as two-stroke HPDIs. The 10 Micron Filter is also an excellent match for carbureted engines. For more information or to place an order for the Yamaha 10 Micron Filter, please call or visit your local Yamaha dealership. **Y**

