

United States Senate

WASHINGTON, DC 20510

January 22, 2014

The Honorable Gina McCarthy
EPA Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator McCarthy:

We are writing to share serious concerns regarding the EPA's proposal for the 2014 Renewable Volume Obligations (RVOs) under the Renewable Fuel Standard (RFS.) Congress passed the RFS to increase the amount of renewable fuel utilized in our nation's fuel supply. The Administration's proposal is a significant step backward – undermining the goal of increasing biofuels production as a domestic alternative to foreign oil consumption. Further, the proposed waiver places at risk both the environmental benefits from ongoing development of advanced biofuels and rural America's economic future. We urge you to modify your proposal.

The Renewable Fuel Standard (RFS) provides the EPA with significant authority to adjust to shifting conditions over the 15-year life of the policy. In any given year, EPA can adjust the advanced biofuel and total biofuel volumes based on anticipated production. While EPA has used the authority to adjust biofuels levels in the past based on anticipated production levels, your proposal, for the first time, adjusts the 2014 overall volumes based on criteria not clearly identified in the law *below* anticipated production levels of biofuels and even *below* previous years' RFS levels.

Further, defining the "blend wall" as blends of E10 and then waiving RFS requirements beyond the blend wall creates significant barriers to future biofuels growth. Lack of infrastructure remains one of the key hurdles to further deployment of biofuels into the market. Limiting RFS to levels that can be met with existing infrastructure eliminates incentives to invest in the technologies and infrastructure necessary to meet our domestic policy goal of increasing biofuels production and use.

If the rule as proposed were adopted, it will:

- Replace domestic biofuel production with fossil fuels, contributing to a greater dependence on foreign sources of oil and reduce our energy security.
- Increase unemployment as renewable fuel producers cut back production.
- Halt investments in cellulosic, biodiesel and other advanced renewable fuels. Rolling back the RFS will, potentially strand billions of dollars of private capital;
- Undermine the deployment of renewable fuels infrastructure throughout the country;
- Threaten the viability of the RFS, thereby solidifying an oil-based transportation sector and lowering consumer choice at the pump.

With these concerns in mind, we request that EPA revise the proposed 2014 RVOs in a manner that promotes investments in the next generation of biofuels and the infrastructure necessary to deploy those fuels into the market. Without a revised proposal, the EPA's rule will bring severe economic consequences, and prevent the growth of the renewable fuel sector.

Thank you in advance for your consideration.

Sincerely,

Dick Durbin

Al Franken

Tom Harkin

Joe Donnelly

Tim Wirth

Mark Udall

Mike Braun

Heidi Heitkamp

Chuck Grassley

John Thune

Brian Schatz

Jack Reed

Sheldon Brown

Chris McCosh

Jeanne Shaheen

Clara Kim

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Elizabeth Han

Jim Johnson

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