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GrowthEnergy.org

January 24, 2020

Craig Van Buren, Chair, National Conference on Weights and Measures

Via email: vanburenc9@michigan.gov

Don Onwiler, Executive Director, National Conference on Weights and Measures

Via email: don.onwiler@ncwm.com

Dear Mr. Van Buren and Mr. Onwiler,

Growth Energy is the world's largest association of biofuel producers, representing 103 U.S. plants that each year produce more than 8.6 billion gallons of cleaner-burning, renewable fuel; 96 businesses associated with the production process; and tens of thousands of biofuel supporters around the country. Together, we remain committed to bring better and more affordable choices at the fuel pump to consumers, help our country diversify our energy portfolio in order to grow more energy jobs, sustain family farms, and drive down the costs of transportation fuels for consumers.

We write to oppose the following proposals: FAL 20.2 and FAL 20.3, that have been submitted to the National Conference on Weights and Measures for consideration. The FAL 20.2 and FAL 20.3 proposals create duplicative and unnecessary regulatory authority on top of existing federal regulation, placing additional burden on state government personnel with no technical justification. It is our preference that state level officials focus on the business of the state and not duplicate the efforts of Federal Agencies. U.S. Environmental Protection Agency already has a robust compliance program and misfuelling mitigation in place for E15 including a required sampling program that ensures proper blending and labeling. The FAL 20.2 and FAL 20.3 proposals are duplicative and unnecessary.

Today, 98 percent of all gasoline sold in the U.S. contains 10 percent ethanol, and E15 is now available at more than 2000 retail locations in 30 states. Consumers have now driven more than 12 billion miles on E15 and retailers have conducted millions of transactions with this fuel. There have been no adverse reports of fuel quality experienced with E15 since first being approved 9 years ago.

The U.S. Environmental Protection Agency approved E15 for all 2001 and newer vehicles which represents 95 percent of the vehicle miles traveled today and has one of the most robust fuel compliance programs for E15. EPA and the Federal Trade Commission already require specific labels for each dispenser carrying E15. Additionally, EPA has a specific required sampling program for E15 with thousands of samples taken each year at retailers across the country to ensure compliance. There is no reason for additional layers of regulation and compliance.

We feel these proposals have no merit and urge you to oppose these proposals by identifying these items to be “withdrawn” from consideration at the National Conference of Weights and Measures Interim Meeting at the upcoming meeting the week of January 27th, 2020.

Thank you for your consideration. Please feel free to contact us with comments or questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christopher D. Bliley". The signature is fluid and cursive, with the first name "Christopher" written in a larger, more prominent script than the last name "Bliley".

Chris Bliley, Vice President of Regulatory Affairs