

United States Senate

WASHINGTON, DC 20510

April 20, 2021

The Honorable Michael S. Regan
Administrator
Environmental Protection Agency
1200 Pennsylvania Ave, NW
Washington, D.C. 20460

Dear Administrator Regan,

We write to respectfully request that you continue your commitment to support farmers and rural communities by upholding and restoring confidence in the RFS.

Restoring the integrity of the RFS and expanding market opportunities for renewable fuels should remain a core part of our plans to assist in the economic recovery of rural America and further reduce emissions from the transportation sector. It is for this reason that when considering the 2021 and 2022 Renewable Volume Obligation (RVO), we also urge you to require conventional renewable fuel volumes of at least 15 billion gallons per year, as required by the statute, along with the court-ordered 500 million gallons illegally waived from the 2016 standards and increase biodiesel, advanced, and cellulosic volumes.

Since its inception in 2007, the Renewable Fuel Standard (RFS) has bolstered rural economies, diversified our fuels, strengthened our national security, and reduced greenhouse gas emissions from the transportation sector. Like many industries, the coronavirus pandemic created unique challenges for biodiesel and ethanol. With fewer people on the roads, fuel consumption saw a sharp decline, biofuel refinery production idled, and in some cases, closed biofuel refineries permanently.

Despite the damage done by the pandemic the RFS remains an effective tool for reducing greenhouse gas emissions and expanding economic opportunity in rural America. In fact, a recent analysis found that the RFS has reduced greenhouse gas emissions by 980 million metric tons since 2008; equivalent to removing 212 million passenger vehicles (roughly four out of five registered automobiles) from the road for an entire year. We request that EPA update its own modeling to help affirm these emissions reductions.

While smaller petroleum refineries have also felt the effects of fewer cars on the roads, EPA responded on April 1, 2021, by finalizing a rule extending the RFS compliance deadlines for 2019 and 2020 until January 31, 2022 for documentation and June 1, 2022 for engagement reports. This is in addition to exemptions and waivers that were granted by the previous administration and undercut renewable fuels and the communities that produce them. Often, the previous administration granted exemptions to refineries that are owned by some of the world's largest and wealthiest oil companies.

The Renewable Identification Numbers (RIN) mechanism within the RFS program was designed to drive increased blending and consumption of higher blends like E15 and E85. While some industry advocates have claimed that rising RIN values threaten the viability of the refineries, the EPA has previously noted that, "...high RIN prices do not cause significant harm to refiners," because all obligated parties are generally able to recover the cost for compliance.

We disagree with the assertion that it is impossible for refiners to comply with the RFS in 2021. Refiners have numerous options at their disposal to comply with the RFS, including by blending more renewable fuels (flex fuel, E15, or biomass-based diesel), purchasing RIN credits from obligated parties who are blending more biofuel than required, utilizing surplus RIN credits, or carrying over their compliance deficit into the next year. Even so, as EPA recently stated in its response brief in *HollyFrontier v. RFA*, "...creating incentives for market participants to replace petroleum fuels with renewable fuels is a core purpose of the RFS."

We respectfully request that you reject requests to waive or reduce the renewable volume obligations (RVOs) under the Renewable Fuel Standard (RFS) and continue your commitment to support farmers and rural communities by upholding and restoring confidence in the RFS.

We thank you for your consideration and look forward to working with you to promote the use of environmentally friendly renewable energy sources.

Sincerely,

/s/ Amy Klobuchar
Amy Klobuchar
United States Senator

/s/ Deb Fischer
Deb Fischer
United States Senator

/s/ Tina Smith
Tina Smith
United States Senator

/s/ Charles Grassley
Charles Grassley
United States Senator

/s/ Debbie Stabenow
Debbie Stabenow
United States Senator

/s/ M. Michael Rounds
M. Michael Rounds
United States Senator

/s/ Richard J. Durbin
Richard J. Durbin
United States Senator

/s/ John Thune
John Thune
United States Senator

/s/ Tammy Baldwin
Tammy Baldwin
United States Senator

/s/ Roger Marshall, M.D.
Roger Marshall, M.D.
United States Senator

/s/ Josh Hawley
Josh Hawley
United States Senator

/s/ Joni K. Ernst
Joni K. Ernst
United States Senator