

COURT RULING THREATENS YEAR-ROUND SALES OF HIGHER BIOFUEL BLENDS



Due to a July 2021 D.C. Circuit Court of Appeals ruling, the majority of American drivers could be denied access to a cleaner, more affordable biofuel blend during the summer months.

Specifically:

- The D.C. Circuit Court of Appeals **reversed EPA's removal of outdated restrictions on the summertime sale of E15** (15% ethanol fuel blends), threatening the expansion of clean, homegrown renewable energy and increasing greenhouse gas (GHG) emissions.
- This ruling **affects nearly 85% of retailers currently selling E15 across 30 states** and would create needless uncertainty across the marketplace.

Policymakers must move swiftly to ensure uninterrupted access to lower-cost E15 this summer and beyond, particularly as consumers seek relief from rising gasoline prices.

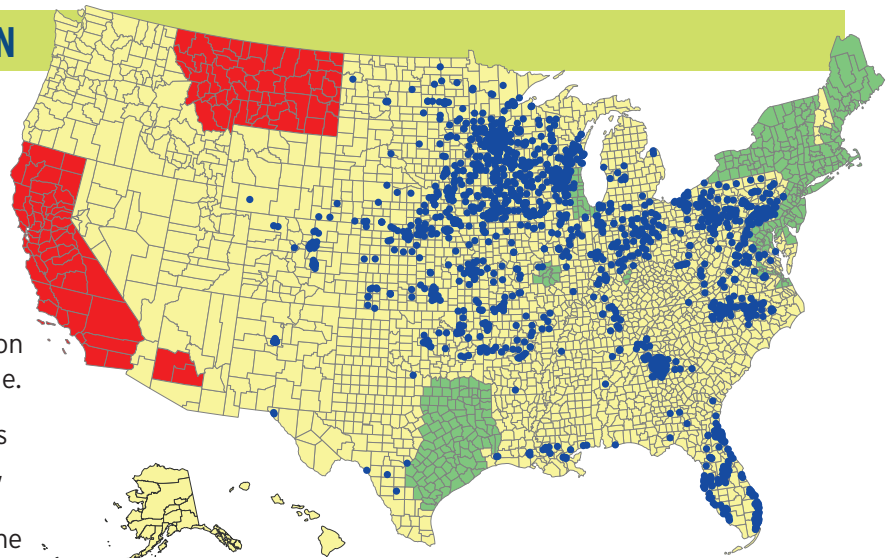
RESTRICTING ACCESS TO E15 HURTS OUR ECONOMY AND ENVIRONMENT

If not addressed, the court's decision would require E15 retailers to change out fuels twice a year (on June 1 and September 15), a costly and burdensome process that actually increases GHG emissions, counter to Congress' intent of providing cleaner fuel choices at the pump.

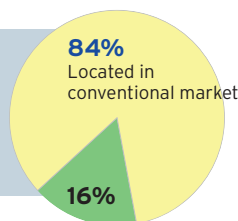
AREAS IMPACTED BY THIS DECISION

This decision could impact all non-reformulated gasoline markets, or markets outside of urban areas that are not required to participate in our nation's reformulated gasoline program. Non-reformulated gas markets, also known as conventional markets, can be found in 33 states. In these areas, summer sales of E15 in retail sites could fall by 85%, but new restrictions would also cut overall consumption and increase greenhouse gas emissions nationwide.

This decision has no impact on long-standing rules that permit sales of E15 in RFG and other markets, which are found in 17 states. However, the largest concentration of RFG markets is in California and the Northeast, where the availability of E15 is already limited.



Currently, more than 2,470 retail sites offer E15 across 30 states: 2,079 stations (84%) are located in a county not participating in the RFG program, and 383 (16%) stations are located in impacted markets.



Located in RFG market

- YELLOW:** Conventional market where summer sales of E15 would be restricted
- GREEN:** RFG and other markets where outdated E15 restrictions do not apply
- RED:** State/county restricts all sales of E15
- BLUE:** Current E15 retail locations in conventional markets