



March 4, 2022

Via Electronic and U.S. Mail

President Joseph Biden  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear Mr. President,

As American families continue to confront skyrocketing gas prices, we write today to urge the Administration to take a simple action that can provide immediate relief at the pump while simultaneously reducing carbon emissions from the transportation sector. Specifically, we request that the Administration use its authority to authorize the year-round sale of gasoline blended with up to 15 percent ethanol (E15) in response to surging oil prices and expected fuel supply disruptions caused by Russia's invasion of Ukraine.

Over the past two months, oil prices have risen steeply from around \$70 per barrel to more than \$100 per barrel, and gas prices are inching closer to record levels. As Russia's harmful actions in Ukraine continue and further sanctions are potentially imposed against Russia, oil prices will likely continue to rise, creating still higher consumer costs and threatening U.S. energy and economic security. Expanding the volume of American-made ethanol in the U.S. fuel supply can help alleviate these issues, as ethanol is currently priced 70-80 cents per gallon lower than gasoline. And, by displacing imported petroleum, increased ethanol use will enhance U.S. energy security and independence, while reducing emissions and supporting America's farmers and rural economies. Congress recognized the energy security benefits of renewable fuels in enacting the Energy Independence and Security Act of 2007; Russia's aggression against Ukraine creates the need for the U.S. to take additional steps to maximize these benefits.

E15 has been approved for sale since 2010-2011, but regulatory roadblocks have slowed E15's introduction into the market, particularly during the summer ozone control season—May 1 through September 15. Renewable fuel and feedstock producers suggest three possible means through which the Administration could eliminate these barriers and authorize the year-round sale of E15:

*First*, the U.S. Environmental Protection Agency (EPA) could exercise its waiver authority pursuant to Section 211(c)(4)(C)(ii) of the Clean Air Act to waive the 9-psi RVP limit for ethanol-gasoline blends during the summer ozone control season. This action is expressly authorized by the statute and actually would result in lower overall tailpipe emissions. Moreover, EPA's March 2020 waiver of the federal RVP requirements in response to the fuel supply issues caused by the COVID-19 pandemic establishes a recent precedent for a nationwide waiver.

*Second*, EPA could exercise its enforcement discretion to allow the sale of E15 with an RVP of up to 10-psi during the summer. Enforcement discretion under these circumstances would be appropriate given the substantial energy security concerns implicated by the conflict in Ukraine.

*Third*, the Administration could take action, using its executive order authority, to authorize the sale of E15 pursuant to its broad executive authority triggered by a national emergency. A potential energy crisis could certainly constitute a national emergency, and enabling E15 to be sold year-round would be a straightforward solution to address such a situation.

While a permanent resolution to E15 regulatory roadblocks remains necessary<sup>1</sup>, any of the temporary, emergency actions proposed above would serve to ease the impact of oil import disruptions and skyrocketing prices caused by Russia's invasion of Ukraine. At the same time, such actions would also unleash substantial benefits to the environment and America's rural economies by increasing the production and use of clean renewable fuels.

Thank you for your consideration of this request.

Sincerely,

Renewable Fuels Association  
American Farm Bureau Federation  
Growth Energy  
National Corn Growers Association  
National Farmers Union  
National Sorghum Producers

cc:

The Honorable Michael Regan, Administrator, U.S. Environmental Protection Agency  
The Honorable Thomas Vilsack, Secretary, U.S. Department of Agriculture  
The Honorable Jennifer Granholm, Secretary, U.S. Department of Energy

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<sup>1</sup> Our groups sent a letter, dated Dec. 9, 2021, to Michael Regan, Administrator, U.S. Environmental Protection Agency, proposing a permanent resolution to existing E15 regulatory hurdles. Available at: [https://www.fb.org/files/Letter\\_to\\_EPA\\_re\\_RVP\\_Regulatory\\_Approach\\_Letter\\_12-9-21.pdf](https://www.fb.org/files/Letter_to_EPA_re_RVP_Regulatory_Approach_Letter_12-9-21.pdf)