

# United States Senate

WASHINGTON, DC 20510

February 28, 2023

The Honorable Joseph R. Biden, Jr.  
President of the United States  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20500

Dear President Biden:

We write to request you again direct the Environmental Protection Agency (EPA) to use existing authority to prevent the disruption of sales of E15 fuel during the 2023 summer driving season by extending the Reid vapor pressure (RVP) allowance from June 1 through September 15.

As you know, enabling full market access for E15 increases the energy security, environmental, and economic benefits of the domestic fuel supply and is a sound component of an all-of-the-above energy strategy. Unfortunately, an underlying justification for your emergency action last summer, the Russian war of aggression against Ukraine, appears likely to continue causing global energy and security issues into this year.<sup>1</sup> Taking early action on E15 will send timely and necessary signals across the energy supply chain so that fuel producers and retailers will have the certainty they need to ensure affordable, reliable, and cleaner fuel options for American consumers throughout the year. Further, U.S. use of E15 will continue to displace Russian oil and finished gasoline products, ease domestic and global supply constraints, and lower net domestic fuel prices.

States hold authority under the Clean Air Act (CAA) to request that EPA permit them to effectively require lower volatility fuel in their states during the summer months by eliminating the RVP allowance for standard E10 blends. Numerous states have sought to use this option to enable consumers in their states to permanently access a more affordable and cleaner fuel amidst elevated energy costs. While the regulatory process to implement their request is ongoing, retailers and consumers alike need to know that they can access E15 this summer. Uniformity across the nation's fuel supply chain, resulting from your administration acting again, would provide consumer benefits and regulatory certainty nationwide.

This is why biofuel, oil and gas, agriculture, fuel retailer, and transportation stakeholders have come to Congress in support of a permanent legislative solution that will finally remove outdated and unnecessary barriers to full market access for E15 while respecting states' authority under the CAA. This bill, the Consumer and Fuel Retailer Choice Act, has growing bipartisan, bicameral support. As Congress works to advance this permanent solution, we urge you to again take executive action to ensure consumers can continue to access E15, as they have for four years now, while supporting ongoing legislative efforts.

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<sup>1</sup> <https://www.epa.gov/system/files/documents/2022-08/extensionof-nationwide-fuel-waiver-allowing-e15-gasoline082622.pdf>


When industry stakeholders have certainty that the infrastructure investments they make, some of which have been supported by tens of millions of federal dollars in cost-sharing agreements, they have the confidence to offer consumers E15 without the risk and expense of switching out fuels for no reason. Now, over 2,900 retail locations offer E15 nationwide, providing consumers a cleaner fuel that sold for as much as 96 cents less per gallon than conventional gasoline blends last summer, with an average nationwide discount of 16 cents per gallon between May and August of 2022.<sup>2</sup> As a result of your timely action last summer, the nation's fuel supply was increased at a critical time and American consumers saved \$57 million.<sup>3</sup> Going forward, net consumer savings from E15 could exceed \$20 billion annually while also reducing carbon emissions by 17.62 million tons, the equivalent of taking 3.8 million cars off the road each year.<sup>4</sup>

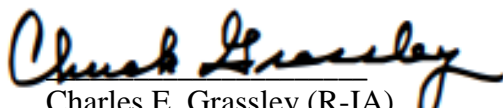
Preventing a disruption in consumer access to E15 through the summer of 2023 remains a straightforward, no-cost solution at your disposal to recommit our nation's broader response to the effect of Russia's actions and the war's collateral effect on fuel markets while advancing our domestic energy and environmental needs.

Thank you for your swift consideration of this request.

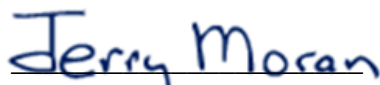
Sincerely,

  
John Thune (R-SD)  
United States Senator


  
Richard J. Durbin (D-IL)  
United States Senator

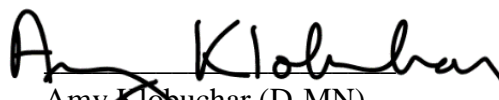
  
Charles E. Grassley (R-IA)  
United States Senator

  
Debbie Stabenow (D-MI)  
United States Senator

  
Jerry Moran (R-KS)  
United States Senator

  
Sherrod Brown (D-OH)  
United States Senator

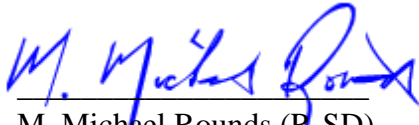
  
Deb Fischer (R-NE)  
United States Senator

  
Amy Klobuchar (D-MN)  
United States Senator

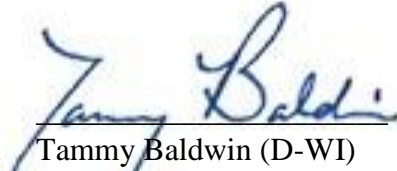
<sup>2</sup> <https://growthenergy.org/wp-content/uploads/2022/10/One-Sheet-DigitalB.pdf>

<sup>3</sup> <https://ethanolrfa.org/media-and-news/category/blog/article/2022/10/e15-extended-gasoline-supplies-at-a-critical-time-this-summer-and-saved-americans-millions-at-the-pump>

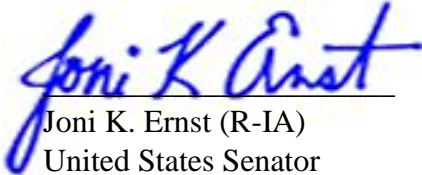
<sup>4</sup> <https://www.biofuelsdigest.com/bdigest/2022/10/18/the-uss-86b-e15-bonanza-new-study-finds-big-boost-for-us-gdp-with-e15/>



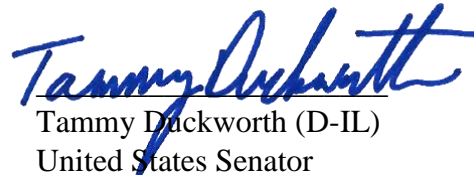
M. Michael Rounds (R-SD)  
United States Senator



Tammy Baldwin (D-WI)  
United States Senator



Joni K. Ernst (R-IA)  
United States Senator



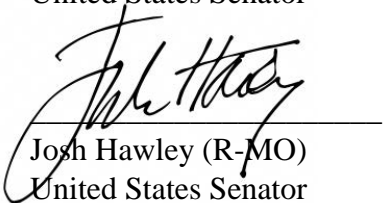
Tammy Duckworth (D-IL)  
United States Senator



Kevin Cramer (R-ND)  
United States Senator



Tina Smith (D-MN)  
United States Senator



Josh Hawley (R-MO)  
United States Senator



Roger Marshall, M.D. (R-KS)  
United States Senator



Pete Ricketts (R-NE)  
United States Senator

cc:

The Honorable Michael S. Regan, Administrator of the Environmental Protection Agency