

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515

June 8, 2016

The Honorable Gina McCarthy  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Administrator McCarthy,

We write to express concern regarding the Environmental Protection Agency's (EPA) implementation of the Renewable Fuel Standard (RFS). As you know, EPA's 2016 rule increasing Renewable Volume Obligations (RVOs) is projected to move us beyond the blend wall. We remain concerned about the lack of consumer awareness surrounding the limitations of E15 and the damage it can cause to engines and infrastructure. As such, we ask EPA to provide information as to how the agency plans to ensure that consumers are given adequate information regarding this issue.

Following EPA's final rule issued on November 30, 2015, the use of ethanol blends such as E15 will be increasingly required in order to meet EPA's RVO requirements. Since 2011, EPA has recognized the limitations of E15 and only approved E15 for use in conventional motor vehicles of model year 2001 and newer. In its approval process, the EPA prohibited the use of E15 in non-approved engines, including motorcycles, off-road vehicles, boats and marine equipment, small spark-ignited engines, and vehicles older than 2001. Accompanying the E15 waiver, EPA consented to the 2012 Misfueling Mitigation Plan to help provide guidance and protections to retailers and consumers. Thus, to date, the only information offered to consumers, to our knowledge, has been an at-the-pump, 3x3 inch label, which has not provided sufficient awareness of the dangers of mistakenly fueling with E15.

Additionally, in its 2015 rulemaking, EPA recognized its RVOs for 2016 will put pressure on the market to exceed the E10 blend wall, acknowledging that meeting the increased volume level could require significantly greater use of E15. Thus, for the first time, the ethanol content of our nation's gasoline supply will exceed the amount of ethanol that can be safely accommodated by much of our infrastructure and in non-approved engines, like motorcycles, boats, and outdoor power equipment. This is of particular concern because, according to a recent report, only five percent of consumers are currently aware that E15 is prohibited for use in certain engines, with 60 percent of consumers assuming that any gas sold at a gas station must be

safe for all of their engines. Only 24 percent of consumers notice ethanol content while at the pump<sup>1</sup>.

However, while consumers remain unaware of the high cost of inappropriate use of E15, misfueling can lead to significant problems. According to the American Automobile Association, American Motorcyclist Association, and National Marine Manufacturers Association, use of E15 will instantly void warranties for their engine products. Additionally, research conducted by the marine industry shows that E15 use in marine engines can pose serious safety and technology concerns, including operational malfunctions and complete engine failure.

As E15 supplies increase across the country, uninformed consumers will make fueling mistakes, resulting in costly and dangerous malfunctions. Therefore, we request information on what type of research EPA has performed, and any data it has collected, to understand the current level of consumer awareness regarding the dangers inherent in the inappropriate use of E15. In addition, we request information as to what actions EPA has taken to address consumer awareness and ensure the American public has the information it needs to avoid the consequences inherent within the distribution and use of midlevel blends of ethanol, like E15.

Congress will continue to seek a permanent solution for the RFS, but until then it is imperative that EPA take upon itself the responsibility to reduce the likelihood of widespread fueling mistakes associated with E15. We request a response as to how the agency plans to prevent such avoidable accidents if it intends to continue to administer the RFS in a manner that increases RVOs to a level beyond the blend wall. We look forward to hearing from you.

Sincerely,



Bob Goodlatte  
Member of Congress



Peter Welch  
Member of Congress



Steve Womack  
Member of Congress



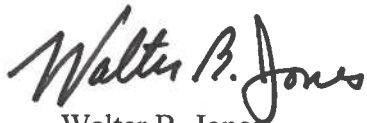
Bill Flores  
Member of Congress




Jim Costa  
Member of Congress

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<sup>1</sup> "A Survey about Ethanol, Fuel and Gasoline Pumps" prepared by *Harris Poll* (March, 2016)

  
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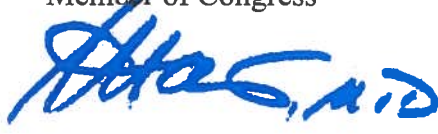
  
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