

United States Senate

WASHINGTON, DC 20510

August 23, 2018

The Honorable Andrew Wheeler
Acting Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Acting Administrator Wheeler:

We write in response to the Environmental Protection Agency's (EPA) proposed Renewable Volume Obligations (RVOs) for advanced biofuel for calendar year 2019 and biomass-based diesel for calendar year 2020. We appreciate that the proposed volumes acknowledge the U.S. biodiesel industry's demonstrated production capacity, which supports jobs and economies in rural communities across the nation. However, the proposal fails to include the necessary signals that EPA will ensure the annual RVOs are fully met. Therefore, we urge you to address this shortcoming in the final rule.

Biodiesel is the first EPA-designated advanced biofuel to reach commercial scale production nationwide. The biodiesel industry has met and exceeded the goals that Congress envisioned when it created the Renewable Fuel Standard (RFS) with bipartisan support. Additionally, biodiesel has consistently made up the majority of the annual advanced biofuel volumes. This ability to meet or exceed RVOs coupled with the substantial investments made by the biodiesel industry indicate that biodiesel can continue to grow in the near future. Importantly, every 500 million gallons of increased biodiesel production supports roughly 16,000 jobs, according to estimates.

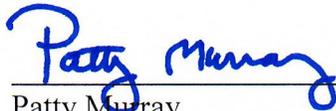
EPA's proposal would raise the biomass-based diesel volume for 2020 to 2.43 billion gallons and increase the advanced biofuel volume for 2019 to 4.88 billion gallons. While these proposed increases are encouraging, these volumes continue to underestimate the existing potential of the biodiesel and renewable diesel industries in our states. We believe the biodiesel industry can do more and that EPA should demonstrate more confidence in the RFS program's ability to drive growth. Increasing biomass-based diesel and advanced biofuel volumes would encourage investment in capacity and new fuel development.

Further, EPA must accurately account for small refiner economic hardship exemptions in the final rule. The proposed rule indicates EPA has not granted any such hardship exemptions for 2019 and therefore did not consider exemptions in the proposed volumes. EPA reportedly granted an unprecedented number of these exemptions for 2016 and 2017. It is estimated that these retroactive exemptions have reduced biomass-based diesel demand by almost 300 million gallons. It is critical that EPA appropriately account for any small refiner economic hardship exemptions that it reasonably expects to grant during the 2019 compliance year in the final rule, or EPA will not be able to fulfill its duty to ensure RVOs are met.

We have made great progress through the RFS in diversifying our nation's fuel supply while creating and sustaining jobs, strengthening local economies, generating tax revenues, and improving energy security. We urge you to continue to increase annual RVOs for biomass-based diesel and advanced biofuel and to ensure that, once set, the annual RVOs are fully met.

Thank you for your consideration.

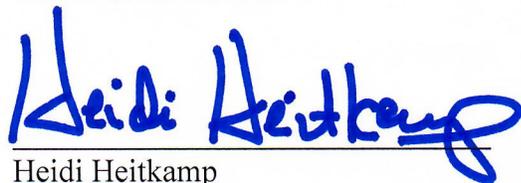
Sincerely,



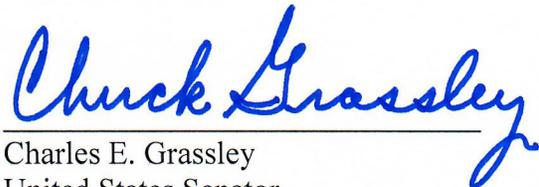
Patty Murray
United States Senator



Roy Blunt
United States Senator



Heidi Heitkamp
United States Senator



Charles E. Grassley
United States Senator



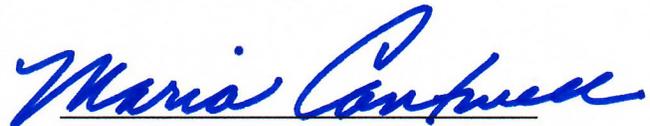
Tammy Baldwin
United States Senator



Richard Blumenthal
United States Senator



Sherrod Brown
United States Senator



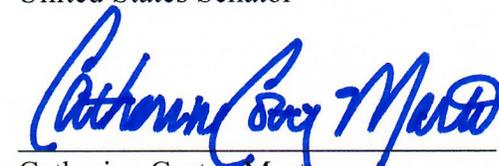
Maria Cantwell
United States Senator



Robert P. Casey, Jr.
United States Senator



Susan M. Collins
United States Senator



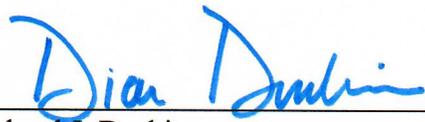
Catherine Cortez Masto
United States Senator



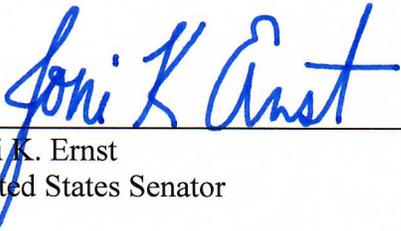
Joe Donnelly
United States Senator



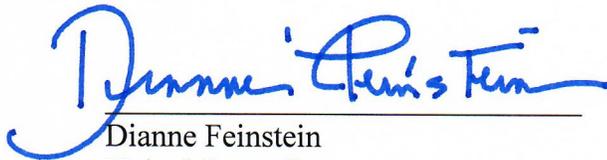
Tammy Duckworth
United States Senator



Richard J. Durbin
United States Senator



Joni K. Ernst
United States Senator



Dianne Feinstein
United States Senator



Deb Fischer
United States Senator



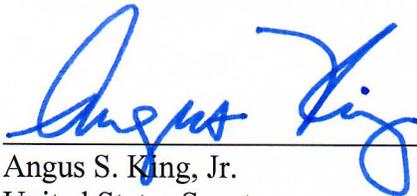
Margaret Wood Hassan
United States Senator



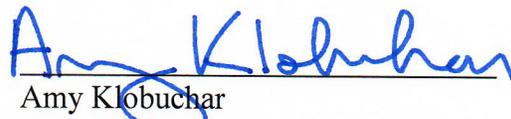
Mazie Hirono
United States Senator



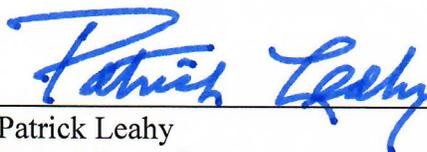
John Hoeven
United States Senator



Angus S. King, Jr.
United States Senator



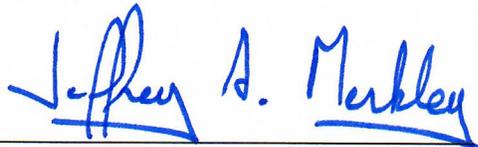
Amy Klobuchar
United States Senator



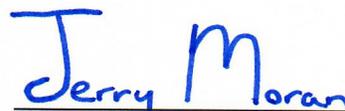
Patrick Leahy
United States Senator



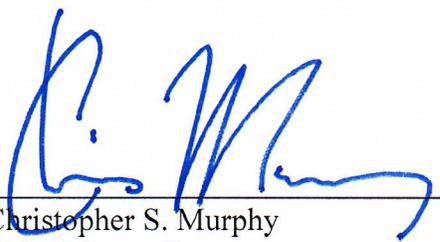
Claire McCaskill
United States Senator



Jeffrey A. Merkley
United States Senator



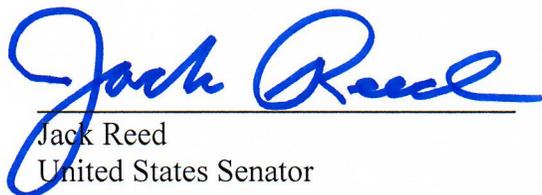
Jerry Moran
United States Senator



Christopher S. Murphy
United States Senator



Gary C. Peters
United States Senator



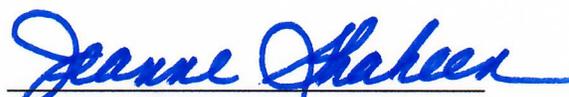
Jack Reed
United States Senator



Pat Roberts
United States Senator



Bernard Sanders
United States Senator



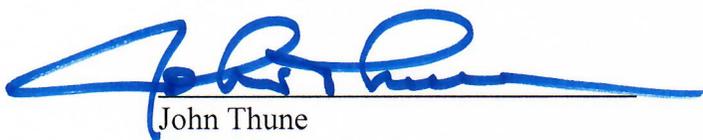
Jeanne Shaheen
United States Senator



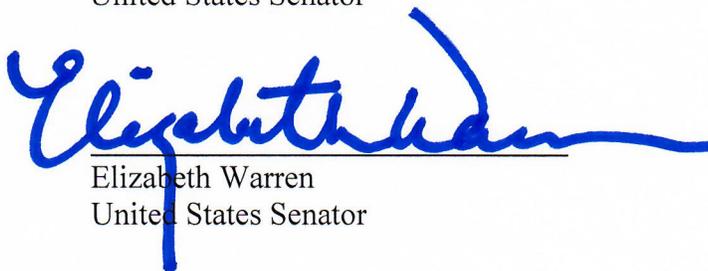
Tina Smith
United States Senator



Debbie Stabenow
United States Senator



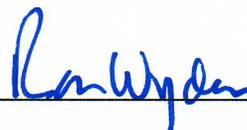
John Thune
United States Senator



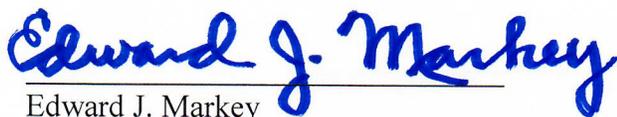
Elizabeth Warren
United States Senator



Sheldon Whitehouse
United States Senator



Ron Wyden
United States Senator



Edward J. Markey
United States Senator