



April 5, 2023

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

Dear Mr. President,

The ongoing conflict in Ukraine, now extending into its second year, continues to reverberate across global energy markets. At home, this conflict continues to cause fuel supply disruptions, high gasoline prices, and ongoing uncertainty for millions of Americans. To help remedy these disruptions, provide stability for American families, and support domestic energy and economic security, we urge the Administration to authorize the summer sale of gasoline blended with up to 15 percent ethanol (E15).

As described in further detail below, the conditions supporting the Administration's authority to do so are analogous to those in place last year, when the Administration directed the Environmental Protection Agency (EPA) to exercise its authority pursuant to Section 211(c)(4)(C)(ii) of the Clean Air Act to waive, on a temporary basis, the 9.0 psi RVP limit for ethanol-gasoline blends during the summer ozone control season in conventional areas.¹ The EPA must do the same this year. There is ample reason to justify this emergency action:

- First, crude oil and petroleum product inventories remain at near-historic lows. Total stocks are at a 19-year low for this time of year, and the U.S. Strategic Petroleum Reserve (SPR) is at its lowest level since 1983. In most regions of the country, fuel inventories today are lower than they were in April 2022 when EPA issued its first emergency waiver of the 9.0 psi RVP limit for E15.
- Second, there is increasing uncertainty in the domestic fuel supply. U.S. export volumes of crude oil and petroleum products are at record levels, as shipments to Europe and other markets are surging. Moreover, the surprise oil output cuts recently announced by OPEC+ are likely to further increase demand for U.S. exports, putting additional pressure on domestic fuel supplies heading into summer.
- Gasoline prices are rising rapidly. Between March 15 and April 3, wholesale gasoline prices jumped 35 cents per gallon, with some analysts warning that "last summer's \$5 a gallon [is] a possibility again."² These elevated fuel prices continue adding to inflationary pressures.

The conditions above, which have been in place since 2022, remain "extreme and unusual," and, as EPA concluded when it issued emergency RVP waivers in 2022, they are not attributable to a lack of prudent planning on the part of fuel suppliers. CAA § 211(c)(4)(C)(ii)(I), (II), 42 U.S.C. § 7545(c)(4)(C)(ii)(I), (II).

¹ [Environmental Protection Agency, letter to Governor Tim Walz, April 29, 2022 \(issuing first of seven emergency RVP waivers that covered the 2022 summer ozone control season\).](#)

² <https://www.reuters.com/business/energy/falling-us-gasoline-stockpiles-signal-repeat-last-summers-high-prices-2023-03-22/>

In addition, temporary emergency RVP waivers for the 2023 summer driving season would continue to be in the public interest. CAA § 211(c)(4)(C)(ii)(III), 42 U.S.C. § 7545(c)(4)(C)(ii)(III). Research shows that the emergency RVP waivers issued in 2022 had a positive impact on American consumers, with cost savings of nearly a dollar per gallon in some locations and an average of 23 cents per gallon according to the Minnesota Department of Commerce. And E15 continues to save consumers significantly at the pump; continued access to E15 in the summer months would help relieve supply pressure stemming from reduced petroleum imports, increased petroleum exports, and lower-than-usual refining capacity utilization.

Furthermore, allowing summer sales of E15 would provide environmental benefits through lower greenhouse gas emissions, reduced evaporative emissions, and fewer harmful pollutants linked to poor air quality. And, by displacing imported petroleum, continued access to E15 in the summer will enhance U.S. energy security, while supporting America's farmers and rural economies.

While a permanent solution that would allow E15 sales year-round remains an important necessity, we urge you to take action on a temporary, emergency RVP waiver as soon as possible to remedy current and expected supply challenges resulting from ongoing conflict in Ukraine.

Thank you for your consideration of this request.

Sincerely,

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

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