

ND Corn Growers Association
Smart Sector Subjects
June 25, 2018

Ethanol Priority Issues

- **RVP parity for ethanol blends greater than 10 percent, such as E15**
Corn growers have asked EPA to use the agency's authority to extend the 1.0 pound per square inch (psi) Reid Vapor Pressure (RVP) allowance that currently applies for 10 percent ethanol blends to E15, enabling E15 to be sold year-round and enter the market on the same terms as E10. We believe EPA has several justifiable options to update the agency's RVP regulations and encourage EPA to move forward. Because E15 has lower evaporative emissions than E10, as well as produces fewer tailpipe emissions, extending the same RVP allowance to E15 as applies to E10 furthers EPA policy goals.

- **Broad grant of RFS exemptions for small refineries without reallocating exempted obligations to other parties**
Corn growers are extremely concerned with EPA's recent use of the small refinery exemption authority to grant RFS exemptions to small refineries. If the exempted obligations are not reallocated to other obligated parties, the Agency's actions have the effect of reducing the RFS volume requirements. Most recently in the 2019 RVO proposed rule, EPA stated exemptions granted for 2016 and 2017 RFS obligations amounted to 2.25 billion ethanol-equivalent gallons. For farmers, every billion gallons of ethanol production ties back to 2.1 million acres of corn; these exemptions impact corn demand.

Clean Water Act Issues

- **We look forward to a new WOTUS rule that provides clear jurisdictional boundaries to farmers and protects our nation's water.**
Under the unlawful 2015 Rule farmers would have had to obtain permits for discharges into mostly-dry land features that are not actually "waters of the United States" (at a costs of tens or hundreds of thousands of dollars per permit), or assume the risk of fines and criminal penalties.

- **NCGA and ND Corn supports the repeal of the National Pollutant Discharge Elimination (NPDES) permits for pesticide applications as mandated by the U.S. Sixth Circuit Court of Appeals.**
Requiring Clean Water Act NPDES water permits for pesticide applications is redundant, costly, and provides no additional environmental benefit.

Crop Protection Issues

- **ND Corn growers urge the EPA to objectively evaluate the risks and benefits of crop protection products using the best available science.**

NCGA and ND Corn supports a requirement for a scientific-based review and cost risk/benefit analysis for the registration and re-registration of crop protection products including triazines.

- **The interagency consultation process for pesticide registrations under Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Endangered Species Act (ESA) must be streamlined.**

The continued confusion around this process and a path forward has been an issue for decades and has not provided additional protection for wildlife. The process has created confusion on the farm, in the marketplace, and wasted time and resources.