

## Questions/Comments for EPA Administrator Scott Pruitt

### Sorghum Oil Biodiesel Pathway

- When can we expect a final rule approving sorghum oil as a biodiesel feedstock?

### Small Refiner Waivers/Exemptions

- So far at least 1.5 billion gallons of ethanol demand destruction has resulted from EPA's waivers for profitable refiners while my son struggles through three years of negative margins on the farm. How does EPA plan to remedy the lost gallons to make good on the President's promise to ensure blend levels match the statute?
- When can the reallocation of lost gallons start? How are you going to protect 2019 RVOs against future waivers? Have you reallocated any gallons as directed by the President? If not, when will you?
- So far the only way we know about the Small Refinery Waivers is through publicly traded company SEC reports and media stories. How many small refinery exemptions has EPA granted and how will the exemptions impact ethanol blending?
- Although EPA typically publishes its proposed actions and final decisions for the public to see in the Federal Register, EPA has not followed those protocols for small refinery waivers; nor has EPA even informed the public by any means that it had received or acted on such carve-out requests. Why has EPA consistently rejected attempts to bring greater transparency to the small refinery exemption extension process and ignored demands from members of Congress for the same essential facts?

### RINs

- Under your leadership (and previously under Administrator McCarthy), EPA has stated that refiners of all shapes and sizes recover RIN costs through the prices they charge for the gasoline and diesel product they make. Your EPA and the Obama EPA also both publicly stated that RIN prices are not a cause of economic harm to refiners. Does EPA still stand behind these statements or has the Agency changed its mind? If you've changed your mind, why? What facts led you to change your mind?
- When Donald Trump was elected president ethanol RIN prices were \$1.00, after a couple of White House meetings on changing the RFS they fell to 40 cents, and today they've collapsed to around 20 cents. What is the ideal RIN price for EPA?
- When RIN prices fall it becomes less economically attractive for retailers to sell blends such as E15, E30, and E85. Data from the Energy Department indicate ethanol blending has indeed fallen in 2018 as a result of the Small Refinery Waivers and RIN price collapse. How does this not break your promise and the President's promise to uphold the RFS as the law of the land and to ensure blending volumes match the statute?
- On October 19, you sent a letter to Midwest Senators that EPA will not pursue regulations to allow RINs on exported renewable fuel. This export RIN idea surfaced again recently as part of an 'indefinitely delayed' White House plan. Is the Administration still considering allowing RIN credits on exports? If yes, why have you gone back on your written promise from October 19?

### RVP relief for E15 and higher blends

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- On April 12, President Trump publicly stated he was going to allow E15 sales year-round, he repeated that promise at a May 8 meeting at the White House. Why has EPA not made good on the President's repeated promise and when will EPA finally carry out the President's commands to extend RVP relief to E15 and higher blends?
- Gas prices are climbing to their highest levels since 2014, exceeding \$3 per gallon in some parts of the country already, yet EPA won't let most Americans fill up on E15 which costs about a nickel per gallon less than regular. Allowing E15 year-round would also help spur demand for farmers who are suffering from low prices and surplus crops. Why won't EPA act on this issue? It seems like a lost opportunity to do something to help Americans.
- Will EPA streamline/fast-track the rulemaking process to provide RVP relief to E15 with an interim final rule so retailers will be able to sell the fuel for part of the current summer ozone season? Rural America deserves and needs immediate action.

#### Combining the Issues of Waivers, RINs, RVP

- Granting RVP relief for E15 in exchange with export RIN credits for refiners would have unquestionably been a loss for rural America and consumers because the benefits of selling E15 year-round would have been wiped out by export RINs. How do you see it?
- In EPA's opinion, how would RVP relief for E15 and higher blends impact RIN prices?

#### Other Biofuel-Related Issues

- How does EPA intend to comply with the 2016 calendar year statutory requirement of 15 billion gallons of conventional biofuel as remanded by the U.S. Appeals Court for the DC Circuit (Americans for Clean Energy et al vs. EPA)?
- Has EPA begun preparing for a Reset of RFS volumes (total, cellulosic, and advanced)? If so, when do you expect the Reset to go into effect?
- Do you believe EPA has the legal authority to increase the minimum octane of gasoline or would that require an Act of Congress?
- You've asked for input on the impact of GHG standards "on advanced fuels technology, including the potential for high octane fuel." What plans does EPA have for high octane fuel? What does EPA think about E25-30 blends as a potential source of high octane fuel?
- According EPA analysis, biodiesel reduces greenhouse gas emissions by 57-86 percent compared to petroleum diesel, so why isn't the EPA further expanding the volumes for biomass-based diesel and advanced biofuel under RFS since the market can support a much larger volume? Doing so would not only foster a cleaner environment and stronger, more robust economy, but benefit the livestock industry by reducing costs for inputs such as soybean meal, as well.

#### Pesticide Registration and Re-registration

- Why does EPA use laboratory data instead of real data submitted by pesticide registrants? (For example, atrazine.)
- Why does EPA not take the advice of the Scientific Advisory Board? (For example, atrazine.)

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- Why is EPA more precautionary with bees and other species than they are with humans? (For example, neonicotinoids.)

Gene Editing and Plant Incorporated Pesticides (PIPs)

- Will the exemption for conventional breeding apply to gene editing under FIFRA?