

NOYES LAW CORPORATION

September 5, 2017

E. Scott Pruitt
Administrator
U.S. Environmental Protection Agency

Submitted via Federal eRulemaking Portal and at the Public Hearing of September 6, 2017, held at the Renaissance Hotel, Washington D.C.

RE: **Docket ID No. EPA-HQ-OAR-2015-0827**
Pearson Fuels, Part I of Greenhouse Gas Emissions Standards Comment

Dear Administrator Pruitt:

We appreciate the opportunity to comment regarding the Reconsideration of the Final Determination of the Mid-Term Evaluation of Greenhouse Gas (GHG) Emissions Standards for Model Year (MY) 2022-2025 Light-Duty Vehicles and MY 2021 GHG Emission Standards (collectively GHG Standards). This comment letter (Comment) is submitted on behalf of Pearson Fuels, the largest supplier of E85 in the California market. Due to rising consumer demand, California's E85 market has tripled in volume over the last four years. This Comment is submitted to make the U.S. Environmental Protection Agency (EPA) aware of this dramatic growth trend in high blend ethanol, and to urge the agency to develop GHG Standards that fully leverage the energy policy and environmental benefits provided by E85 and ethanol. In addition, this Comment makes specific recommendations regarding the proper scope of the Environmental Impact Statement (EIS) being prepared for the corporate average fuel economy (CAFE) proceeding currently being conducted by the National Highway and Transportation Safety Administration (NHTSA). These recommendations have been directly submitted to NHTSA but are also submitted to EPA consistent with EPA's anticipated role as a cooperating agency to NHTSA in the National Environmental Policy Act ("NEPA") review process.

As discussed in this Comment and in the comments of other ethanol industry stakeholders, the development of GHG Standards and complementary policy mechanisms that maximize the use of E85 and ethanol present EPA with opportunities to improve energy security; to expand American jobs; to enable vehicle technologies; to minimize fuel costs borne by American citizens; and to reduce GHG, criteria pollutant, and toxic air contaminant emissions.

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Given the complex nature of this proceeding and its interrelationship with the corporate average fuel economy (CAFE) proceeding currently being conducted by the National Highway and Transportation Safety Administration (NHTSA), we have determined to file this comment as Part I of our GHG Standards Comment. We intend to file a supplemental Part II GHG Standards Comment prior to the expiration of the comment period.

Ethanol Reduces Petroleum Use and Environmental Impacts

Prior to analyzing the NEPA issues, it is appropriate to highlight the policy importance of ethanol as a domestically produced, renewable fuel that directly displaces petroleum, thereby improving U.S. energy independence and security by reducing U.S. reliance on foreign oil. It is these policy objectives that Congress has mandated that NHTSA seek to achieve in the development of the CAFE standards and the corresponding CAFE regulatory policy framework. At the same time as fulfilling the core policy goals of the Energy Policy and Conservation Act of 1975 (EPCA) and the Energy Independence and Security Act of 2007 (EISA), ethanol reduces the adverse environmental impacts of higher petroleum use such as ocean acidification, and benefits the human environment.

The U.S. Energy Information Administration (EIA) includes biofuels in its reported consumption of petroleum products. According to EIA, the United States consumed a total of 7.19 billion barrels of petroleum products in 2016, an average of about 19.63 million barrels per day.¹ Of this amount, approximately 3.4 billion barrels of motor gasoline were consumed.² EIA reports that about 95% of the motor gasoline contained a 10% blend of ethanol.³ Converting 3.4 billion barrels to gallons results in a figure of 142.8 billion gallons of motor gasoline consumed by the U.S. motorists. Ten percent of this figure represents 14.3 billion gallons of ethanol, and discounting this by 5% percent to reflect the EIA estimate of gasoline not blended with ethanol yields 13.6 billion gallons of ethanol. EIA forecasts that total U.S. ethanol production will reach 1.02 million barrels per day in 2017, a rate equivalent to 15.8 billion annual gallons.⁴ Thus there is sufficient U.S. ethanol supply to meet current demand, with additional ethanol production serving as exports or reserves to further enhance U.S. energy security.⁴

¹ See "How much oil is consumed in the United States?" U.S. Energy Information website at <https://www.eia.gov/todayinenergy/detail.php?id=32152> (last viewed August 25, 2017).
² See "U.S. fuel ethanol production continues to grow in 2017," U.S. Energy Information website at <https://www.eia.gov/todayinenergy/detail.php?id=32152> (last viewed August 25, 2017).
³ See "Almost all U.S. gasoline is blended with 10% ethanol," U.S. Energy Information website at <https://www.eia.gov/todayinenergy/detail.php?id=26092> (last viewed August 25, 2017).
⁴ See "U.S. fuel ethanol production continues to grow in 2017," U.S. Energy Information website at <https://www.eia.gov/todayinenergy/detail.php?id=32152> (last viewed August 25, 2017).

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Docket number is stated at the beginning of the comment

Credentials are stated at the beginning

Purpose is stated upfront

Statement of how "general welfare" is affected

Title helps organize major sections of the comment

Specific, quantitative claims are supported by evidence