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Prepared Comments
for
U.S. Environmental Protection Agency
Public Hearing on RFS Standards for 2019 and BBD Volumes for 2020
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I am Lucy Norton, managing director of the Iowa Renewable Fuels Association. I come before you today to help represent dozens of renewable fuels producers and hundreds of corn industry leaders that are attending long-scheduled meetings in Washington, DC. Please know many, many others wanted to be here and echo the views you'll hear today.

Let's start with the numbers. We appreciate the baseline ethanol RFS level being proposed at 15 billion gallons. And it was refreshing to see EPA recognize the growth in cellulosic, biodiesel and total advanced biofuels by proposing higher numbers. However, the EPA proposal notes we'll use 2.8 billion gallons of biodiesel in 2019, so the 2020 number should be at least 2.8 billion gallons and the total advanced level should be increased as well.

The RFS levels proposed, even if increased to reflect the true potential of advanced biofuels, mean nothing without looking at their real-world context. We don't live and operate in the hypothetical. The moment the ink dries on this rule in the Federal Register, retroactive and questionable small-refinery exemptions, if not addressed, will slash the RFS categories to meaningless levels.

In fact, the EPA recently put the official number of exemptions from 2016 and 2017 at 2.25 Billion gallons. That equates to over 700 million bushels of corn left in the bin instead of being ground into renewable fuels and feed coproducts.

I understand the EPA proposal says it won't consider comments on small-refinery exemptions – quite a cowardly position I must say. But also absurd considering the vast majority of interagency comments before this rule was officially proposed related to small-refinery exemptions. The exemptions are a cancer that eats into each and every RFS category. Quite frankly, the rampant use of small-refinery exemptions is a cancer that is eating into the credibility of the EPA.

Today, our message is simple: 15 billion gallons must mean 15 billion gallons. That is what the law says and what President Trump promised at the 2016 Iowa Renewable Fuels Summit we host. The solution is not difficult. There are ways to bring sanity to small-refiner exemptions and to fairly and adequately reallocate gallons that have been exempted and that will be exempted in the future.

We will have more specific comments for the docket, but the general outline to make the RFS great again was actually in a pre-publication version of this very rule. Yet, for the second year in a row, we've seen a proposal go from EPA to the White House for interagency review where it was affirmed or strengthened, only to be weakened and slashed by the EPA at the very last moment. The EPA going rogue makes a mockery of the interagency process and highlights how the EPA under its former leadership was out of step with the Trump Administration and President Trump himself.

Between now and finalization of this rule in the fall, we implore the new EPA leadership to revisit the interagency review comments. Tell whatever powerful interest group that mere hours before this proposed rule was made public convinced the prior EPA leadership to abandon the law and President's Trump's commitment to the RFS that, in the end, 15 billion gallons must mean 15 billion gallons. Restore the integrity of the RFS and, by doing so, the trust of rural America in this agency and in this Administration.

Finally, I would be remiss not to note that the EPA has publicly confirmed it has the authority to grant E15 to E50 blends RVP parity with other ethanol blends, thereby unlocking year-round access to E15. There is simply no reason for the EPA to delay removing this, in the President's words, "unnecessary and ridiculous" restriction on consumer choice at the pump. The EPA should begin a rule making immediately to this end. Times are tough in rural America and getting tougher as more and more foreign markets dry up. Rural America needs good news and new markets. Opening up E15 sales would be a positive and meaningful step in that direction.

Thank you for your time and consideration.