

Iowa Renewable



Fuels Association

December 19, 2020

Administrator Andrew Wheeler
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Wheeler:

While we are severely disappointed the Trump Administration finalized the 2020 Renewable Volume Obligation (RVO) rule with a mechanism that fails to ensure future small refinery exemptions (SREs) will be fully accounted for in future RVO calculations, this result makes transparency and trust in the SRE review/approval process all the more critical as we move forward with Renewable Fuel Standard (RFS) implementation.

As such we urge the Agency to work with the Department of Energy (DOE) to shed more light on its SRE review and recommendation process. Helping market participants better understand this secretive process could help build trust in the new regulatory regime adopted with today's rule.

Further, we ask the Agency to immediately add past DOE recommendations to the Agency's SRE dashboard and to formalize this process on a going forward basis. The information added to the dashboard should include, at a minimum, the number of full and partial SREs recommended for approval, as well as the numbers recommended for denial and any pending review. In addition, the aggregate fuel gallonage and estimated biofuel equivalents for each category should also be reported.¹

Some of this information was made officially public for the first time in the Agency's October supplemental rule proposal. That was the first time anyone outside of the Trump Administration knew what had actually occurred during the multi-agency SRE adjudication process. As the Agency now intends to follow the DOE recommendations, this information is vital for public trust in the process and to ensure that all market participants have access to the same information at the same time to ensure against any unfair market manipulation.

With today's rule, the biofuels industry was essentially told to trust the Agency to keep the RFS whole. Taking the steps outlined in this letter can be one small step in building trust in this new process. With compliance year 2019 SREs already pending at the Agency, this information is of timely importance. After all, the adjudication of the 2019 SREs will be the first opportunity for the Agency to follow its

¹ IRFA continues to strongly believe more information about SRE requests should be made public, including the name and the location of the applying refinery. This would also build trust in the SRE process without revealing confidential business information.

newly outlined course. Ensuring transparency between the roles the DOE and the Agency will perform going forward can put to rest any questions regarding the final outcome.

IRFA will continue to work with the Agency to properly implement the RFS according to the letter of the law and the clear intent of Congress. We look forward to your timely response to this sensible and easily implemented request.

If we can provide any additional information or background regarding this request, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink that reads "Monte Shaw". The signature is written in a cursive style and is contained within a thin black rectangular border.

Monte Shaw
Executive Director

Cc: Sec. Dan Brouillette
Gov. Kim Reynolds
Sen. Chuck Grassley
Sen. Joni Ernst
Francis Brooke