1. Copy and paste the letter into a new email.
2. Ensure that the following appears in the subject line (the docket number **MUST** be included): **Comment on Proposed Rule for 2017 RFS Volumes, Docket # EPA-HQ-OAR-2016-0004**
3. Add any personal touches you want to the letter, including any comments on the impact of the RFS on your community and/or livelihood.
4. Replace the NAME/CONTACT INFO placeholder at the bottom with your name and email address or phone number.
5. Send the email to a-and-r-Docket@epa.gov
6. Forward this email to your organization's employees, members, investors, etc. and encourage them to submit their own comment.

Attention: Docket ID No. EPA-HQ-OAR-2016-0004
The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460 *VIA EMAIL* a-and-r-docket@epa.gov
Re: Comments on *Renewable Fuel Standard Program: Standards for 2017 and Biomass-Based Diesel Volume for 2018*; Proposed Rule (81 Fed. Reg. 33,169; May 25, 2016).
Dear Administrator McCarthy,
Thank you for the opportunity to submit comments in response to the U.S. Environmental Protection Agency's (EPA) proposed rule regarding 2017 Standards for the Renewable Fuel Standard (RFS) Program (81 Fed. Reg. 33,169; May 25, 2016).
The RFS has been a tremendous success. It has stimulated dramatic growth in the domestic production of renewable fuels, revitalized rural communities, reduced the emissions of greenhouse gases and harmful tailpipe pollutants, and lowered consumer fuel prices. The RFS has introduced healthy competition into the fuel market and has worked effectively to reduce petroleum consumption. In fact, net petroleum import dependence has been cut in half since the original RFS was adopted in 2005.
Given the accomplishments of the RFS program to date, EPA's proposal to reduce the 2017 renewable volume obligation (RVO) for conventional renewable fuel from statutory level of 15 billion gallons (bg) is a stunning misstep. The RFS is

intended to change the way oil companies do business and spur investment in cleaner, lower carbon, domestic fuels like ethanol and the infrastructure necessary to accommodate higher biofuel blends. The RFS was designed to give American consumers more choices at the pump and lower gas prices, and to utilize ethanol as more than just a gasoline additive with octane boosting value. But EPA's 2017 proposal fails to break the so-called "blend wall" or spur greater infrastructure investment and meaningful marketplace change.

While EPA's proposed rule for 2017 RVOs is an improvement over the final rule for 2014-2016 RVOs, it does makes the same fundamental mistake: EPA again violates the law by inappropriately applying the "general waiver" provision to conventional renewable fuels and suggesting there is an "inadequate supply" to meet the 15 bg statutory requirement. The Clean Air Act does not permit EPA to take into account hypothetical constraints on ethanol distribution, such as the "blend wall," when determining whether to utilize a general waiver of the volumes. In fact, the Clean Air Act is crystal clear on this point: If the supply of renewable fuel and RIN credits is "adequate" to meet the statutory volumes, then refiners are obligated to distribute those volumes to consumers. EPA's 2017 proposal continues to let those parties off the hook for a portion of their legal obligation.

Detailed analysis by the Renewable Fuels Association demonstrates that the market can readily achieve the 15 bg requirement for conventional biofuels in 2017. The ethanol industry has the physical capacity to produce well over 16 bg per year and it has recently operated at an annualized output rate of 15.4 bg. The sustained increase in gasoline demand means more ethanol will be consumed in E10 blends, while the U.S. Department of Agriculture's Biofuels Infrastructure Partnership is rapidly expanding the availability of E15 and E85. Further, a significant volume of non-advanced biodiesel and renewable diesel is expected to contribute to the conventional renewable fuel pool as well.

Additionally, there are nearly 2 billion surplus RINs available to help obligated parties cover any shortfall in physical blending and comply with the statutory volume requirements. It is illogical that EPA would ignore RIN stocks in determining whether supply is "adequate" to meet statutory volumes. Because carryover RINs represent physical gallons that are–or were–in the fuel supply, they must be included in calculating the appropriate RVOs.

Perhaps the most frustrating aspect of EPA's proposal is that the proposed conventional renewable fuel volume of 14.8 bg is within a hair's breadth of the statutory volume of 15 bg. Why not go all the way? Doing so would eliminate the

risk of further litigation, eliminate conflict with stakeholders, and ensure the program is faithful to the statute and Congressional intent.

Over the past 10 years, the RFS has been a tremendous success and has worked exactly as intended to drive growth in biofuel production and consumption. The program has provided the stability and certainty needed for our industry to invest in expansion projects, as well as new technologies to increase production efficiencies, decrease environmental impacts, and diversify product streams. I am concerned that needlessly cutting the conventional renewable fuel volume as proposed will breed uncertainty and undermine further innovations and investments in ethanol production and distribution. These negative effects can radiate throughout rural communities, whose vitality is closely linked to the ethanol and agriculture industries.

In closing, I strongly encourage EPA to abandon its flawed approach to determining “adequate supply” and finalize the 2017 conventional renewable fuel requirement at the statutory level of 15 bg.

Sincerely,

NAME CONTACT INFO