May 18, 2009

United States Environmental Protection Agency
Air and Radiation Docket
Docket ID No. EPA-HQ-OAR-2009-02111
6102T, 1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

RE: Comments on Clean Air Act Waiver Application to Increase the Allowable Ethanol Content of Gasoline to 15 Percent.

I. INTRODUCTION

On March 6, 2009, Growth Energy and 54 ethanol manufacturers submitted a waiver application to the EPA Administrator, pursuant to section 211(f)(4) of the Clean Air Act, requesting a waiver of the prohibition of certain fuels and fuel additives in commercial fuels and seeking approval of ethanol-gasoline blends containing up to 15 percent ethanol by volume (“E15”). On behalf of the South Dakota and Iowa Departments of Agriculture, we write to urge the adoption and implementation of this waiver, increasing the allowable ethanol content of gasoline beyond the current regulatory cap of 10 percent.

II. ETHANOL – AMERICA’S FUEL

For more than 30 years, clean, affordable, domestically produced ethanol has enhanced America’s economy through job growth, increased domestic production and a larger tax base. In 2007 alone, the ethanol industry created more than 200,000 American jobs that cannot be exported or outsourced, while contributing $47.6 billion to our GDP and generating $4.6 billion in tax revenues.

Current Limit - Section 211(f)(1)
The EPA’s longstanding decision to limit the base blend of ethanol to 10 percent was based on 1970s science, antiquated fuel systems designs, and outdated technology. Conversely, countries like Brazil have successfully utilized blends between E20 and E100 for decades. The EPA implemented the E10 blend limit at a time when ethanol production capacity and conversion efficiency was a fraction of what it is today.

III. TODAY’S ETHANOL – GASOLINE BLENDS

Ethanol-gasoline blends containing over 10 percent ethanol will not cause or contribute to the failure of engines, vehicles, or equipment in today’s automobiles nor contribute to a failure to meet emissions standards.

Today’s ethanol blends offer a sustainable solution to our country’s energy needs, while continuing to reduce our dependency on foreign oil. The federal government embraced this concept through passage of the Energy Independence and Security Act of 2007, which among
other things, mandated 36 billion gallons of ethanol be blended into our domestic fuel supply by 2022.

However, in order to satisfy this Renewable Fuels Standard ("RFS"), the current EPA regulatory cap of 10 percent ethanol in commercial fuel must be waived. American ethanol production has nearly reached 10 percent saturation. Therefore, in order to continue to achieve the graduated renewable fuel production standards set forth in the 2007 Energy Bill, the existing regulatory cap must be waived.

An increase in the amount of ethanol contained in commercial fuel will not negatively impact the materials in today’s cars. The following studies demonstrate the feasibility of using ethanol-gasoline blends containing over ten percent ethanol in motor vehicles and small non-road engines:

- **Report to the U.S. Senate on E-20 Ethanol Research**, prepared by the ROCHESTER INSTITUTE OF TECHNOLOGY (October 2008) (Study evaluated effects of E20 on ten legacy vehicles; initial results after 75,000 collective miles driven found no fuel-related failures or significant vehicle problems and documented reductions in regulated tailpipe emissions when using E20 compared to E0.)

- **Effects of Intermediate Ethanol Blends on Legacy Vehicles and Small Non-Road Engines, Report 1**, prepared by OAK RIDGE NATIONAL LABORATORY FOR THE U.S. DEPARTMENT OF ENERGY (October 2008) (Peer-reviewed study regarding the effects of E15 and E20 on motor vehicles and small non-road engines concluded that when E15 and E20 were compared to traditional gasoline, there were no significant changes in vehicle tailpipe emissions, vehicle driveability, or small non-road engine emissions as ethanol content increased.)

  
  A. The Effects of E20 on Metals Used in Automotive Fuel System Components (study compared the effects of E0, E10 and E20 on nineteen metals and found that the metals tested were compatible with all three fuels);
  
  B. The Effects of E20 on Elastomers Used in Automotive Fuel System Components (study compared the effects of E0, E10 and E20 on eight elastomers and found that E20 caused no greater change in properties than E0 or E10);
  
  C. The Effects of E20 on Plastic Automotive System Components (study compared the effects of E0, E10 and E20 on eight plastics and found that there was no significant difference in the properties of the samples exposed to E20 and E10);
  
  D. The Effects of E20 on Automotive Fuel Pumps and Sending Units (study compared the effects of E0, E10 and E20 on the performance of twenty-four fuel pumps and nine sending units and found that E20 has similar effect as E10 and E0 on fuel pumps and sending units);
  
  E. Demonstration and Driveability Project to Determine the Feasibility of Using E20 as a Motor Fuel (study tested forty pairs of vehicles on E0 and E20 and found no driveability or operational issues with either fuel.)

- **Optimal Ethanol Blend-Level Investigation, Final Report**, prepared by ENERGY & ENVIRONMENTAL RESEARCH CENTER AND MINNESOTA CENTER FOR AUTOMOTIVE RESEARCH FOR AMERICAN COALITION FOR ETHANOL (October 2007) (Report studied the...
effects of ethanol blends ranging from E10 to E85 on motor vehicles and found that exhaust emissions levels for all vehicles at all levels of ethanol blend were within the applicable Clean Air Act standards.)

- **Fuel Permeation from Automotive Systems: E-0, E-6, E-10, E-20 and E-85**, prepared by the COORDINATING RESEARCH COUNCIL, INC. (CRC Report No. E-65-3) (December 2006) (Study evaluated effects of E0, E6, E20 and E85 on the evaporative emissions rates from permeation in five newer California vehicles and found that there was no statistically significant increase in diurnal permeation rates between E6 and E20.)

- **Blending of Ethanol in Gasoline for Spark Ignition Engines: Problem Inventory and Evaporative Measurements**, prepared by STOCKHOLM UNIVERSITY ET. AL., (2004-05) (Study tested and compared evaporative emissions from E0, E5, E10, and E15 and found lower total hydrocarbon emissions and lower evaporative emissions from E15 than from E10 and E5.)

- **Use of Mid-Range Ethanol/Gasoline Blends in Unmodified Passenger Cars and Light Duty Trucks**, prepared by MINNESOTA CENTER FOR AUTOMOTIVE RESEARCH (July 1999) (One-year study evaluated the effects of E10 and E30 in fifteen older vehicles in “real world” driving conditions; found no effect on driveability or component compatibility from either fuel and found that regulated exhaust emissions from both fuels were well below federal standards.)

### IV. Summary

The scientific and technical studies listed above demonstrate that approval of a waiver of section 211(f)(1) of the Clean Air Act will not cause or contribute to a failure of today’s automobiles to meet ordinary performance standards or current emissions requirements.

Based on this collection of data, coupled with the fact that a section 211(f)(1) waiver will not mandate the use of higher blends of ethanol but will simply enable the use of such fuels, we strongly urge the adoption of a 211(f)(1) waiver, as an important step in continuing this Administration’s support of development and use of domestically-produced, renewable fuels.

Regards,

Bill Even
South Dakota Secretary of Agriculture

Bill Northey
Iowa Secretary of Agriculture