

Alliance for a Safe Alternative Fuels Environment • American Lung Association •
Association of International Automobile Manufacturers •
Engine Manufacturers Association • International Snowmobiles Manufacturers Association •
Motorcycle Industry Council • National Association of Clean Air Agencies •
National Marine Manufacturers Association • Natural Resources Defense Council •
NESCAUM • Outdoor Power Equipment Institute • Sierra Club

July 23, 2010

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC

Dear Administrator Jackson:

As a diverse group of environmental, public health, state and industry organizations, we are writing to express our concern about the U.S. Environmental Protection Agency's plans to issue a "partial waiver" to allow the use 15% ethanol (E-15) in certain motor vehicles. Our organizations have communicated to EPA our concerns about the impact of E-15 blends on public health, the environment and to on-road and non-road vehicles and equipment.

We believe a "partial waiver" approach is misguided from a legal and public policy standpoint. Among the concerns we have voiced, paramount is our concern about E-15 being used in vehicles and equipment for which EPA has not granted the waiver. Misfueling vehicles and equipment may lead to increased air pollution, damage to engines and pollution control equipment and safety issues. It is incumbent upon EPA to ensure that these adverse consequences are prevented.

Prior to allowing E-15 to be introduced into commerce, we urge EPA, at a minimum, to adopt and implement an enforceable and robust federal regulatory program to prevent misfueling. We are especially concerned that there may be availability and/or price differences between E-15 and approved fuels that could make using the appropriate fuel difficult for consumers. We do not believe that simply including signage on E-15 pumps will be adequate to prevent misfueling. Signs alone will not prevent the public health, environmental and safety impacts resulting from such misfueling. We urge you to convene workshops with all stakeholders to help EPA develop regulations to address misfueling issues as part of the regulatory process before any final decision is made.

If E-15 enters commerce without robust regulations to protect the public, consumers will have great difficulty determining which fuel is appropriate for their vehicles and engines and may face difficulty finding appropriate fuel in their communities. Experience with unleaded gasoline demonstrated that even with different nozzle sizes, signage and labeling on vehicles, significant misfueling occurred. Therefore E-15 misfueling regulations must include practical and legally enforceable controls implemented before any E-15 fuel is introduced into commerce. We are concerned that any public education messaging from EPA and other stakeholders

concerned about misfueling will be overwhelmed and confused by messaging by those promoting E-15 use.

We look forward to working with you and your staff to address our concerns.

Sincerely,

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CC: Regina McCarthy, Assistant Administrator for Air and Radiation
Margo Oge, Director, Office of Transportation and Air Quality
Karl Simon, Director, Compliance and Innovative Strategies Division