

Synopsis of UAI public comments 2012 - 2019:

- 1. [UAI Comments on Fuel Regulations to Provide Flexibility for E15](#), submitted March 2019**

EPA should recognize in its final rule that the sub-sim law no longer controls the concentration of ethanol in gasoline because ethanol is a fuel additive utilized in certification. Under this approach, all gasoline-ethanol blends qualify for the 1 psi RVP waiver, and the sub-sim law poses no bar to the sale of any gasoline-ethanol blends. Even assuming, for the sake of argument, that the sub-sim law still controls the concentration of ethanol in gasoline (and for the reasons discussed above, it does not), at a very minimum the data shows that E20 is substantially similar to the E10 certification fuel. EPA must not restrict its “substantially similar” definition to E15 blends.
- 2. [UAI Comments on SAFE Rule](#), submitted August 2018**

High-octane, midlevel ethanol blends would increase efficiency, reduce CO2 emissions, and lower vehicular pollution. EPA should support high-octane midlevel ethanol blends by approving a certification fuel and removing other regulatory barriers that impede the sale and use of these fuels.
- 3. [UAI Comments on Reconsideration of Final Determination of the Mid-Term Evaluation of Greenhouse Gas Emission Standards for Light Duty Vehicles](#), submitted August 2017**

Under the best reading of section 211(h)(4), the 1 psi RVP waiver applies to all fuels containing 10 percent ethanol, including E15. Whether by recognizing that ethanol is now substantially similar to a certification fuel additive, or by promulgating a new interpretive rule defining “substantially similar” for gasoline, EPA could realize the economic, environmental, and national security benefits of E15 with the 1 psi waiver. Although the first approach is simplest and gives effect to the plain meaning of section 211(f)(1)(B), either would avoid any recourse to the sub-sim waiver process of section 211(f)(4). At the very least, EPA should grant a new sub-sim waiver for E15 or higher ethanol blends and extend to those fuels the benefit of the 1 psi RVP waiver. Whatever the regulatory mechanism employed, equalizing EPA’s RVP standards for E10 and E15 would answer the President’s call to eliminate costly regulatory barriers and to promote clean air, American agriculture, and energy security.
- 4. [UAI Comments on Renewable Fuel Standard Program for 2018](#), submitted August 2017**

In the Proposed Rule, EPA continues to ignore new data concerning ethanol’s lifecycle emissions of greenhouse gases (GHG). EPA last conducted a lifecycle analysis (LCA) in its regulatory impact analysis accompanying the 2010 Renewable Fuel Standard (RFS) Rule. Seven years later, EPA continues to rely on its outdated 2010 LCA to meet its cost-benefit analysis obligations and to approve pathways under the RFS. Despite EPA’s recognition that the Proposed Rule is “an economically significant regulatory action,” EPA admits that it “ha[s] not quantified benefits for the 2018 proposed standards.” EPA is required by Executive Order to “use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible.”

5. [UAI Comments on EPA's Request for Regulatory Reform, Submitted April 2017](#)

A UAI led coalition respectfully requesting requests that EPA repeal and replace rules that have unreasonably capped ethanol's market potential. EPA's counterproductive regulatory barriers have prevented ethanol's superior automotive and environmental values from driving its continued growth in the U.S. fuel market as a source of clean octane for today's motor vehicles and the highly efficient vehicles that increased ethanol blending would enable in the near future. As a result, EPA's regulatory barriers have inhibited job creation in the ethanol industry, imposed costs without countervailing benefits, and created serious inconsistencies in regulatory policy. By repealing and replacing these outdated rules, EPA would carry out the President's Executive Order on regulatory reform and air quality, 3 as well as the President's other Executive orders in support of energy independence and American agriculture.

6. [EPA's Renewables Enhancement and Growth Support Rule, Submitted February 2017](#)

In its comments, UAI takes on EPA's longstanding assumption that the Clean Air Act limits the sale of fuel blends with more than 15% ethanol (E16-E83) to Flex Fuel Vehicles (FFVs). UAI argues that EPA's interpretation of the Clean Air Act's substantially similar (sub-sim) law is inconsistent with the clear language of the law. In addition, UAI points out that under the Clean Air Act, EPA bears the burden of showing that ethanol increases emissions. By imposing the burden of proving that ethanol does not increase emissions on the ethanol industry, EPA's interpretation of the sub-sim law unlawfully subverts the regulatory scheme designed by Congress. UAI asks that EPA correct its misinterpretation of the sub-sim law to recognize that mid-level ethanol blends may be legally used in all vehicles.

7. [Proposed Determination On the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Standards Under the Midterm Evaluation, submitted December 2016](#)

The Energy Future Coalition ("EFC") and Urban Air Initiative ("UAI") oppose EPA's Proposed Determination on the Appropriateness of the Model Year 2022-2025 Light Duty Vehicle Greenhouse Gas Emissions Standards (the "Proposed Determination"). The Proposed Determination ignores fuel, one of the key factors to be considered in any discussion of fuel efficiency. 3 Automakers need an affordable, high-octane fuel to comply with the 2022-2025 standards. But EPA's Proposed Determination ignores octane's contribution to fuel efficiency, even though it relies on models that assume the use of high octane fuels.

8. [Midterm Evaluation Draft Technical Assessment Report for Model Year 2022-2025 Light Duty Vehicle GHG Emissions and CAFE Standards, submitted September 2016](#)

UAI and three other organizations respectfully urge the agencies to adopt the recommendation of the National Research Council (NRC), and "determine how to implement an increase in the minimum octane level so that manufacturers would broadly offer engines with significantly increased compression ratios for further reductions in fuel consumption." Encouraging the widespread availability of higher octane gasoline in advanced, high compression engines.

9. [CARB proposed short-lived climate pollutant reduction strategy, submitted May 2016](#). UAI made a compelling case for higher octane, lower carbon fuels like mid-level ethanol blends to help the state meet its carbon reduction goals. CARB had requested comments on its efforts to

deal with brown and black carbon through what the state is calling its *Short Lived Climate Pollutant Reduction Strategy*. These carbon molecules are formed via incomplete combustion of fuels, with fossil fuels being particularly problematic as it relates to global warming potential. UAI's comments focused on providing documented technical and scientific information challenging CARB's position that current diesel controls and new vehicle technologies are effective strategies. UAI argues that gasoline is the predominant transportation fuel and CARB, as well as the Environmental Protection Agency undervalue the contribution of gasoline to the problem.

10. **EPA rulemaking on the RFS Standards for 2014 – 2016, submitted July 2015.** UAI urged EPA to adjust its ethanol targets upward in the RFS schedules. UAI pointed out that EPA had known since the enactment of the second RFS in 2007 that the E10 Blend Wall was looming, and that EPA has numerous tools at its disposal to move beyond that blend wall, and encourage EXX/E30 blends in a market-based manner. UAI presented dozens of peer-reviewed studies by automakers and respected scientists that support the use of higher octane, lower carbon fuel blends to reduce gasoline aromatics levels. Such a regulatory strategy would make it possible for EPA to comply, simultaneously and cost effectively, with a number of the nation's regulatory priorities—GHG/CAFE; Tier 3; RFS2; and the MSAT provision.
11. **[EPA rulemaking on Ground-level Ozone, submitted March 2015.](#)** UAI's comments pointed out that EPA's models fail to predict the predominant source of urban ground level ozone—gasoline aromatic hydrocarbons. Carnegie-Mellon and other experts have confirmed that EPA under-predicts the emissions of secondary organic aerosols by as much as a factor of four, and that light-duty vehicle emissions control systems are not capable of capturing these dangerous aerosols and the toxics they carry. UAI presented extensive documentation from health experts and automakers that improving gasoline quality by replacing aromatic hydrocarbons with ethanol was the only effective way to control the VOCs and SOAs that are predominant source of urban ozone formation.
12. **CARB Re-Adoption of the Low Carbon Fuel Standard, Feb. 2015.** UAI urged CARB to remove regulatory barriers to the widespread use of EXX/E30 high octane, low carbon blends. UAI provided extensive documentation of university, DOE national labs, and automaker studies that confirmed EXX blends' ability to substantially reduce the transportation sector's carbon footprint, both upstream and downstream. UAI provided CARB with new research that shows that high-yield corn acres are major sources of soil carbon sequestration, and that corn ethanol lifecycle carbon accounting models require major revisions to reflect the new science and technological advances in ethanol feedstock cultivation and production facilities.
13. **Health Effects Institute (HEI) 5-Year Strategic Plan, July 2014.** EPA relies heavily on the HEI for guidance on mobile source health effects, and HEI's five year plan (2015 – 2020) was heavily focused on the dangers posed by gasoline ultra-fine particles and their associated PAH toxics, etc. UAI presented evidence from EPA and others that ethanol does NOT contribute to SOAs, UFPs, and PAHs, and that EXX blends offered a cost-effective, commercially feasible means of substantially reducing billions of dollar per year in public health costs and lost productivity.
14. **National Institute on Environmental Health Sciences (NIEHS) & Institute of Medicine Gasoline Aromatics Workshop, April 2014.** UAI collaborated with its partners, Energy Future Coalition, in assembling a prestigious gathering of internationally recognized health and fuel experts from

Tufts, Carnegie-Mellon, UCLA, Columbia University, Harvard University, and EPA/HEI. Presenters confirmed that the tiny UFP nano-particles were the most potent in terms of a wide range of health effects, and that the predominant urban source (where millions of people live and commute) are gasoline aromatic hydrocarbons.

15. **[EPA Tier 3 rule \(in collaboration with EFC\), March 2014.](#)** UAI urged EPA to improve upon its proposal to reduce gasoline sulfur content by creating a commercially practicable process for automakers to certify EXX-optimized vehicles on a high octane, low carbon E30 cert fuel. UAI's comments urged EPA to correct a number of substantial errors it had made in its factual predicates to the 2007 Mobile Source Air Toxics (MSAT) rule, including significantly understating ethanol's true octane blending value compared to aromatic hydrocarbons. A number of automakers also urged EPA to encourage the use of EXX blends as a means of facilitating their compliance with the fuel efficiency and carbon targets, as well as the Tier 3 rule's requirements.
16. **EPA rulemaking on fine particulates (PM2.5), August 2012.** UAI provided extensive documentation of recent peer-reviewed science that confirmed gasoline aromatic hydrocarbons are the predominant contributors to urban fine particulate emissions and their associated toxics. UAI cited experts from Harvard, U-Cal Berkeley, California Air Resources Board, and other prestigious health experts that proved that gasoline exhaust emissions pose a far greater threat than diesel emissions, and UAI argued that EPA's regulatory approach fails to address that fact. Numerous automaker studies were also cited that showed EXX/E30 blends helped to substantially reduce secondary organic aerosols and their related PM-associated toxics and black carbon emissions.
17. **EPA rulemaking on GHG – CAFE, Feb. 2012** (ad hoc CFDC Coalition, prior to UAI formation). UAI urged EPA to improve fuel efficiency and reduce transportation sector carbon emissions by replacing gasoline aromatic hydrocarbons with EXX/E30 high octane, low carbon blends. Aromatic hydrocarbons are the most carbon intensive, expensive, and toxic fraction of gasoline, and constitute approximately 30% of every gallon. Congress directed EPA to ensure that fuel providers shared the compliance burden with automakers, and UAI presented data that showed E30 blends would be the most cost effective, commercially feasible, and environmentally effective way to comply with a multitude of national priorities.