

Congress of the United States
Washington, DC 20515

June 8, 2020

President Donald J. Trump
The White House
1600 Pennsylvania Ave, NW
Washington, D.C. 20500

Dear President Trump,

We write to express our concern regarding recent requests to waive blending requirements under the Renewable Fuel Standard (RFS). This pandemic has severely strained the market for biofuels, closing plants and dealing another crippling blow to an industry that is already struggling. We urge you to stand with our farmers and rural economies during this challenging time and deny any request for blanket statewide or nationwide waivers from the 2020 RFS blending requirements under the Clean Air Act.

Recently, several governors have asked the Environmental Protection Agency (EPA) to grant a waiver from the RFS. Granting this waiver will only compound the challenges facing rural America and weaken one of the most successful clean air policies in the US. These waivers directly undermine the RFS and only stand to put more pressure on the ethanol and biodiesel industries, which support over 300,000 high-paying American jobs.

The effects of COVID-19, on top of the damage caused by abuse of the small refinery exemption waivers, have caused more than 150 biofuel plants to either completely or partially idle production. This means that over 50 percent of US ethanol production capacity has ceased operations, resulting in economic uncertainty for our rural economies and the loss of a critical market for corn farmers. At an already turbulent time for ethanol and biodiesel producers, we must take action to support—not undermine—the industry and our farmers.

In addition to the economic harm waiving the RFS would cause rural America, these requests are unjustified and run contrary to the EPA’s well-established precedents. The Clean Air Act (Title 42 United States Code §7454(o)(7)) stipulates that the EPA can only grant RFS waivers if the renewable fuel requirement “would severely harm the economy or environment of a state, a region, or the United States” or “that there is an inadequate domestic supply” of renewable fuel. The requests for RFS waivers fail to meet these crucial legal criteria and the EPA must reject these requests because:

- Recent oil market volatility is a result of COVID-19 impacts on travel and lower demand for fuel combined with high production levels in Russia and Saudi Arabia, not the RFS;
- RFS regulations and requirements account for a drop in the demand for fuel with a proportional change in the volume of renewable fuel required; and

- There is an excess supply of RINs currently on the market and available to refiners, offering flexibility for RFS compliance.

We stand ready to work with you on ways to deliver on continued investment and support for biofuels. They offer an immediately available and proven path towards decarbonizing the transportation sector, driving economic growth, creating jobs, and improving air quality. We need to make sure that our rural economies are in the best possible position to recover from this crisis and any move to weaken the RFS would only put us further behind.

Again, we strongly urge you to uphold the integrity of the RFS and decline issuing any blanket statewide or nationwide waivers from the 2020 RFS blending requirements under the Clean Air Act. Thank you for your consideration and please contact us with any questions that you may have.

Sincerely,



Abby Finkenauer
Member of Congress



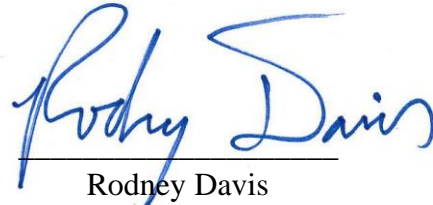
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Member of Congress



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Rodney Davis
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