



April 22, 2013

Air and Radiation Docket
Docket ID No. EPA-HQ-OAR-2013-0120
U.S. Environmental Protection Agency
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Washington, DC 20460

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Docket ID No. EPA-HQ-OAR-2013-0120: Draft Guidance for E85 Flexible Fuel Vehicle Weighting Factor for Model Years 2016-2019 Vehicles Under the Light-Duty Greenhouse Gas Emissions Program

The Biotechnology Industry Organization ("BIO") appreciates the opportunity to comment on the U.S. Environmental Protection Agency's ("EPA") draft guidance for E85 Flexible Fuel Vehicle Weighting Factor for Model Years 2016-2019 Vehicles Under the Light-Duty Greenhouse Gas Emissions Program ("draft guidance").¹

BIO is the world's largest biotechnology organization, with more than 1,100 member companies worldwide. BIO represents leading technology companies in the production of conventional and advanced biofuels and other sustainable solutions to energy and climate change. BIO also represents the leaders in developing new crop technologies for food, feed, fiber, and fuel.

The Draft Guidance Impact on the Production of Flexible Fuel Vehicles

We applaud the commitment made by domestic automotive manufacturers back in 2007² to increase the production of flexible fuel vehicles ("FFV"). FFVs are of significant importance to meeting the goals of the Renewable Fuel Standards ("RFS") and one of the few means by which significant fossil fuel greenhouse gas (GHG)

¹ Draft Guidance for E85 Flexible Fuel Vehicle Weighting Factor for Model Years 2016-2019 Vehicles Under the Light-Duty Greenhouse Gas Emissions Program, 78 Fed. Reg. 56, 17660 (proposed Mar. 22, 2013) (available at: <http://www.gpo.gov/fdsys/pkg/FR-2013-03-22/html/2013-06657.htm>) [hereinafter *Draft Guidance*]

² "Bush lauds automakers for 'flex-fuel' vehicles," *Milwaukee Journal Sentinel*, 27 March 2007, 2D



reductions can be obtained in consumer vehicles today. Critical to maintaining and expanding this commitment to all auto manufacturers is the need to adequately incentivize the production of these vehicles and the fuel infrastructure for consumers to have access to higher blends of biofuels to achieve the optimal amount of GHG reductions.

BIO believes if the *draft guidance* were to be implemented as proposed, it would create a significant disincentive to the development and deployment of FFVs. This would be counter to Congress's goals under the Energy Independence and Security Act of 2007 to produce 36 billion gallon of renewable fuels by 2022 and undermines EPA's efforts to implement the RFS, by deterring the production of vehicles capable of consuming an increase in renewable fuels. It would also undermine the increasing deployment of FFVs and consumption in E85. According to the annual alternative fuel assessment released by EIA April 8, 2013, use of E85 has increased significantly between 2010 and 2011, due to an increase in the number of FFVs. According to the report, alternative-fueled vehicles consumption of E85 jumped 52 percent from the prior year's consumption, an increase from 90,323 thousand gasoline-equivalent gallons in 2010 to 137,165 thousand gasoline-equivalent gallons in 2011, a reflection of the increase in overall inventory of E85-capable vehicles, demonstrating FFV owners are beginning to utilize the fuels to achieve the maximum benefits higher blended fuel can have with their vehicles.³

In revising the *draft guidance*, BIO would encourage the Agency to look closely at the comments provided by the Alliance of Automobile Manufacturers Comments on the

³ U.S. Energy Information Administration, "Renewable & Alternative Fuels, Alternative Fuel Vehicle Data, 8 April 2013, <http://beta.eia.gov/renewable/afv/index.cfm>



Proposed Rulemaking to Establish Light-Duty Vehicle Greenhouse Gas Emissions Standards and Corporate Average Fuel Economy Standards for MY 2017-2025 submitted February 13, 2012⁴ as the best means of providing the appropriate guidance and incentives to automotive manufacturers to ensure the ongoing and expanded production of FFVs. In Appendix 4 of the Alliance’s comments, they indicate support for determination of CO₂ credits based on national E85 usage. The comments go on to state, “The idea of actual national usage would be in conjunction with an early issuance of guidance to manufacturers indicating the value of the F-factor so that manufacturers can develop their vehicle portfolios and GHG compliance plan.”

Conclusion

While the distribution channel continues to dis-incent consumer demand for FFV and ethanol, adherence to the RFS and assuring the vehicles are in place to accommodate the volume will ultimately require fuel distributors to provide the consumer with the economic and environmental benefits of renewable fuels and help our Nation meet its RFS obligations. In examining the current limitations of FFVs and E85, EPA should explore ways to help increase the distribution of higher blends of ethanol for consumers and promote a better understanding of FFVs in order to truly get the greater environmental benefits these vehicles provide rather than undermine their production. As such, we encourage the EPA to reevaluate its draft guidance for E85 Flexible Fuel

⁴ Alliance of Automobile Manufacturers Comments on the Proposed Rulemaking to Establish Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards for MY 2017-2025, https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CDYQFjAA&url=http%3A%2F%2Fwww.utoalliance.org%2Findex.cfm%3Fobjectid%3D6CADFDC0-B980-11E1-9E4C000C296BA163&ei=GmpwUeb_PPel4APA54GgBw&usq=AFQjCNFb2RfGHxSTqq0plmjNHI4tbucpVw&sig2=gY3IAY9XxBReVLMlLda9NQ&bvm=bv.45373924,d.dmg



Vehicle Weighting Factor for Model Years 2016-2019 Vehicles Under the Light-Duty Greenhouse Gas Emissions Program, so as to not discourage the production and sale of FFVs.

Thank you for considering these comments.

Sincerely,

A handwritten signature in black ink that reads "Brent Erickson". The signature is fluid and cursive, with a prominent flourish at the end.

Brent Erickson
Executive Vice President
Industrial and Environmental Section
Biotechnology Industry Organization