[redacted]

THE WHITE HOUSE
WASHINGTON

DATE: 7/31

file
ethanol

TO: Greg Simon

FROM: JOHN D. PODESTA
Assistant to the President and
Staff Secretary

Call me about this

JOHN

[redacted]

[redacted]

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July 6, 1993

The Honorable William J. Clinton
President of the United States
The White House
Washington, D.C. 20500

Dear Mr. President:

The Governors' Ethanol Coalition has been closely following the progress of the proposed rules for reformulated gasoline, published by the U.S. Environmental Protection Agency (USEPA) on February 26, 1993 in the Federal Register. As you are aware, the Coalition is a 19 state body that promotes the use of ethanol, a renewable, domestically produced and clean-burning fuel. For the last year and a half, the Coalition has been advocating that ethanol blends be allowed to play a role in improving air quality in the ozone non-attainment areas throughout the nation. The increased use of ethanol not only enhances air quality, but also stimulates economic activity.

In April, at the USEPA public hearing, the Coalition was well represented by Governor Terry Branstad of Iowa as well as numerous other witnesses from Coalition states. As a result of our close monitoring of this issue, the Coalition has become increasingly concerned with the direction in which the USEPA is heading in drafting a final rule. The Coalition firmly believes that ethanol can make a significant contribution to achieving the goals of the Clean Air Act and should not be precluded from playing a role.

Due to the importance and timeliness of the proposed reformulated gasoline rules, I and several Coalition members respectfully request a meeting with you to discuss ethanol's role in the nation's environmental, economic and energy future.

P.O. Box 95085, Lincoln, NE 68509-5085, Phone (402) 471-2867, FAX (402) 471-3064

As a former Coalition member, your interest in and support for increasing the use of ethanol is appreciated. I realize that you must tackle many pressing concerns in the months ahead, but I hope you can find time to meet with us on this important issue. The Governors' Ethanol Coalition is looking forward to working with you toward our mutual goal of capturing the many benefits of ethanol.

Sincerely,

Jim Edgar

Jim Edgar
Chairman, Governors' Ethanol
Coalition

JE:ag

OFFICE OF THE MAYOR

CITY OF CHICAGO

RICHARD M. DALEY
MAYOR

July 13, 1993

The Honorable William J. Clinton
The President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

To ensure a competitive role for ethanol-blended fuels, I am requesting your support for modifications to the proposed rule implementing the reformulated gasoline requirements of the Clean Air Act.

The proposed rule would severely restrict the use of ethanol blends in Chicago and other major cities, and give the other oxygenated fuel, a methanol-based chemical produced by major oil companies known as MTBE, a virtual lock on the market for the oxygenates that must be included in reformulated gasoline for environmental purposes.

Recent studies have demonstrated that, while ethanol may increase mass emissions, its higher oxygen content and lower reactivity result in a fuel blend equal to or better than MTBE in reducing ozone formation. There is no legitimate reason to impose barriers to the use of ethanol in the reformulated gasoline program.

Chicago's interest in these rules is threefold. First, we want to be certain that the implementation of this program will result in a demonstrable reduction in ozone levels, not just a reduction in the mass of emissions that may lead to ozone formation. A focus on emissions accounting, rather than actual ozone formation, would not address the true environmental needs of the citizens of Chicago, and might require the imposition of more stringent and perhaps more costly ozone control programs at a later date.

Second, we want the assurance that there will be a competitive market for the oxygenates that are required to be included in the

reformulated gasoline program. Competition will hold down costs and provide consumers with a choice. Ethanol-blended fuels have been successfully marketed in the City of Chicago for the past 12 years. They account for nearly 40 percent of the fuels sold in the Chicago metropolitan area today and enjoy widespread consumer support. If the reformulated gasoline regulations result in only MTBE being available, consumer support for the program will quickly diminish.

Finally, ethanol use has important economic and energy security implications for the City of Chicago, the State of Illinois and the nation-at-large. Illinois is the largest producer of ethanol in the nation and Chicago is the largest single market for ethanol-blended fuels in the country. Ethanol production creates rural economic development opportunities, provides jobs in regions all over the state of Illinois, and enhances our energy security by replacing imports of foreign crude oil.

Ethanol production is important to our nation's economy and energy security, provides healthy competition in the reformulated gasoline marketplace, and, most importantly, is an effective weapon in our fight for cleaner, healthier air. The City of Chicago supports ethanol, and we believe it must be allowed to compete in the reformulated gasoline market in a meaningful way. I urge your support and assistance to ensure that it is allowed to compete.

Sincerely,

Mayor

~~CONFIDENTIAL~~ DRAFT

ETHANOL/REFORMULATED GASOLINE PROPOSAL

1) Promulgate an oxygenate standard which allows either ethanol or MTBE to be added to reformulated gasoline blendstocks meeting the appropriate VOC reduction requirements.

The air quality studies conducted to date, and in particular the most recent analysis by the Council of Great Lakes Governors, demonstrate that the impact on ozone resulting from the use of the two oxygenates is indistinguishable. As such, any reformulated gasoline blendstock that has been certified with MTBE as the oxygenate should also be certified if ethanol is the oxygenate added. In other words, MTBE could be used as a "surrogate" for either oxygenate for the purposes of RFG certification. In addition to recognizing the relative ozone-forming potential of each oxygenate, this approach will obviate the need for ethanol marketers to secure a specially-tailored RFG blendstock and allow ethanol to compete effectively in the marketplace.

2) Limit the use of ethanol to 10-percent blends.

The airshed studies all conclude that ethanol and MTBE are similar in ozone-forming potential when ethanol blends have sufficient oxygen content to offset the VOC increase attributable to their higher volatility. It is for this reason that EPA currently limits the volatility tolerance provided in Section 211(h) to ethanol blends between 9 and 10 percent. This same restriction should be placed on ethanol blends that are certified without a specially-tailored RFG blendstock in this program for the four summer months only.

3) Preclude the accumulation of oxygen credits from ethanol blends that have been certified with an MTBE RFG blendstock.

EPA has expressed concern that the recent Urban Airshed Model completed by the Council of Great Lakes Governors is not a valid study because oxygen credits generated through the use of ethanol would undermine the environmental benefits attributable to their increased oxygen content. As noted above, ethanol's increased oxygen content is necessary to offset the increase in VOC emissions, and if this increased oxygen content were merely used to reduce the oxygen content of other fuels, the overall emissions benefits of the program would not be realized. Therefore, EPA should simply prohibit the accumulation of oxygen credits from ethanol fuels certified without a special sub-RVP RFG blendstock. In this way, the environmental benefits demonstrated by the UAM would be preserved.

DETERMINED TO BE AN ADMINISTRATIVE MARKING Per E.O. 13526
Sec. 3.2(C) Initials: DB Date: 6/1/18

4) Allow states to impose restrictions on the use of any oxygenated fuel in reformulated gasolines through the SIP process, including the completion of Urban Airshed Modeling studies that demonstrate measurable ozone increases.

Urban Airshed Modeling studies are required by the Act in order for states to demonstrate attainment with Clean Air Act standards. These studies are submitted to EPA for review along with the state's SIP (State Implementation Plan). If, in completing these UAM studies, a state determines that the use of oxygenated fuels, at the anticipated market penetration will prevent or interfere with the attainment of an air quality standard, that state should be allowed to impose additional restrictions on the use of oxygenates through the SIP process. This will provide yet another "safety net" to assure the environmental objectives of the Act are met.

5) Develop an accounting mechanism that recognizes that the increased VOC emissions attributable to the use of ethanol are not "ozone-forming" for states to utilize in meeting their "reasonable further progress" requirements under Section 182 of the Clean Air Act.

State concerns about meeting the VOC reduction requirements of Section 182 of the Clean Air Act can be addressed through the definition of VOCs. EPA's current definition of VOCs, in 40 C.F.R. 51.100(s) excludes certain compounds because of low reactivity. In the same manner, EPA could amend the definition so that states could disregard the VOCs that are attributable to the additional volatility in measuring reasonable further progress. This would prevent states, and thus other industries, from being penalized by having to reduce VOC emissions further than would otherwise be necessary to meet air quality standards.

Ozone Study Talking Points

- The Council of Great Lakes Governors have completed the most comprehensive analysis to date comparing the ozone effects of ethanol and MTBE blended reformulated gasolines. The protocols for the study were carefully developed, in an interactive manner, with the assistance of state air pollution control officials, Argonne National Laboratory, and the Environmental Protection Agency.

- The study concluded that the ozone effects of 10-percent ethanol blends and 11-percent MTBE blends, when added to the same reformulated gasoline blendstock, are virtually identical. In fact, peak ozone for the ethanol blend was .5 ppb less than the MTBE blend (116.7 ppb for MTBE, 116.2 ppb for ethanol).

- The study simulated a five-day ozone episode and showed no progressive effects. In other words, regions downwind of ozone areas showed no deleterious multi-day ozone impacts.

- The results of the study are relevant beyond the Chicago area. While Chicago was the specific city studied, because the ozone formation differentials between the two oxygenates were unaffected by the differing 5-day meteorology and the fact that the gasoline-related emissions were varied using an emissions model and data not unique to the Lake Michigan region, it can be reasonably inferred that ozone differences in other regions will be insignificant as well.

- The inputs used for the study were not biased in favor of ethanol. For example: the year chosen to model, the base RVP used (8.1 psi), and the speciation profiles used all tended to increase the relative impact on ozone of the ethanol blend compared to the MTBE blend. In addition, the evaporative emissions of the ethanol blend were increased to account for commingling consistent with EPA guidance.

- The study represents a realistic marketplace scenario. The study assumed that 10-percent ethanol and 11-percent MTBE could be added to the same base RFG blendstock -- providing similar toxic reductions, octane equivalence, and meeting other Clean Air Act and fuel performance requirements. The study also included the effects of non-road engines that will be using these fuels. According to EPA, non-road emissions are critically important and can actually exceed on-road emissions in certain areas. The non-road emissions were derived using the best available information from EPA and Southwest Research Institute.

- In short, the CGLG analysis reaffirms the conclusions of previous studies, i.e., <u>there is no difference in ozone formation potential between ethanol and MTBE.</u>

Renewable Fuels Association
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Washington, D.C. 20001
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Eric Vaughn
President/Chief Executive Officer

MEMORANDUM

TO: John Podesta
FROM: Eric Vaughn
RE: Ethanol & Reformulated Gasoline
DATE: July 26, 1993

Background

For almost two years now, a debate regarding the use of ethanol in reformulated gasolines has delayed the timely promulgation of Clean Air Act regulations, chilled investment in U.S. ethanol production capacity, slowed rural economic growth, and exacerbated U.S. energy and trade imbalances.

When Congress passed the Clean Air Act Amendments in 1990, with the active support of the domestic ethanol industry and major farm and commodity groups, there was great expectation that ethanol demand would increase to meet the demand for new, clean alternative fuels requirements. In fact, the Congress included specific language in the law in support of the use of ethanol in ozone non-attainment areas. EPA's draft RFG regulations, however, virtually preclude the use of ethanol from this important program -- creating significant policy and political problems for the Administration.

Policy Issues

Ethanol contributes to a broad range of public policy objectives. It has obvious and significant benefits to American agriculture, increasing rural income and decreasing farm program costs. But ethanol also helps the U.S. balance of trade by reducing our demand for imported oil and increasing U.S. exports of high-value feed products such as corn gluten. Indeed, the use of ethanol reduces the U.S. annual oil import bill by almost $1 billion while corn gluten export sales currently exceed $200 million. As a result, the U.S. balance of trade is reduced by more than $1.2 billion annually today, and a growing ethanol market would only enhance these benefits. Moreover, as MTBE, a chemically-derived oxygenate produced by the major oil companies, will be increasingly produced in the mideast (approximately 50% of the

MTBE used today is imported), EPA's decision to effectively mandate its use will only further exacerbate U.S. dependence on imported energy. Finally, because ethanol is produced from renewable agricultural feedstocks, it is the only available oxygenate that has a carbon dioxide benefit -- helping to reduce greenhouse gas emissions that lead to global warming.

Political Concerns

The importance of this issue to the agriculture community cannot be overstated. At a time when the farm economy is faced with crop-threatening weather conditions, flood waters that will impair river transport for months, and a bleak trade outlook, the only positive opportunity for many rural communities is the potential for increased grain demand resulting from a growing market for fuel ethanol. Assuring a competitive role for ethanol in this important market could significantly increase the demand for grain used in its production.

In May, more than a hundred agricultural commodity and farmer organizations joined together (the Ad Hoc Ethanol Committee) in an unprecedented demonstration of unified support to file comments before the Environmental Protection Agency urging that the proposed regulations be changed to allow ethanol to have the competitive opportunities which were anticipated when the Clean Air Act was passed in October of 1990. The importance of this issue to American agriculture is evidenced by the following facts:

- Market Demand: 400 million bushels of corn are processed into ethanol and other co-products annually.

- Farm Economy: Between 1988 and 1992 a total of $8.2 billion of increased economic activity.

- Farm Income: According to GAO, increased ethanol production would increase farm income $415 million annually.

- Grain Prices: Every 100 million bushels of corn demand for ethanol production raises the value of the total corn crop by 5-10 cents per bushel.

- Jobs: For every 100 million bushels of grain processed into ethanol more than 1,500 direct jobs in rural communities are established.

- Federal Farm Program Costs: The General Accounting Office reported that the ethanol tax incentive actually saves the government $460-610 million every year in terms of lower federal farm program costs.

Congressional Interest

Congressional interest in the successful resolution of this issue is evidenced by the scores of letters filling the EPA docket from Capitol Hill. For example, Senators George Mitchell, Max Baucus, Bob Dole, and John Chafee joined in a letter to state their intention that ethanol should have a competitive role in the RFG market, noting that the Clean Air Act was not intended to be a "methanol mandate at the expense of ethanol."

Just last month, one hundred and three Members of Congress from thirty different states wrote to EPA Administrator Browner to reiterate the clear Congressional intent that ethanol be used in this program, and to urge that the Agency consider the "ozone-forming potential" of fuels which will be used in the RFG program, and not simply to account for VOC emissions as if all were equal in their contribution to ozone.

Environmental Issue

The central environmental issue in this debate is the ozone-forming potential of ethanol blends. Because ethanol, when added to gasoline, slightly increases gasoline volatility, it can increase mass emissions of ozone forming VOCs more than oxygenates that do not increase volatility. But the overall effect of ethanol on the environment is positive, and studies have shown that ethanol will not increase ozone. In fact, since 1978 and as recently as February, 1992, EPA has supported a volatility tolerance for ethanol blends based on the Agency's consistent conclusion that the slight volatility increase attributable to ethanol "should not adversely effect air quality overall."

Based on this consistent position, Congress codified a volatility tolerance in the Clean Air Act for ethanol blends sold in ozone nonattainment areas. Congress clearly intended ethanol to be marketed in ozone nonattainment areas without a requirement to secure a specially-tailored blendstock.

In promulgating the reformulated gasoline rules, however, EPA has required ethanol blends to have the same volatility standard as non-ethanol blends. Such a requirement represents a dramatic departure from previous rulemakings regarding gasoline emissions in which EPA has consistently concluded that such specially-tailored blendstocks would not be made available to ethanol marketers. Moreover, it reads the words "ozone-forming" out of the statute and ignores the purpose of the reformulated gasoline program -- to reduce ozone.

If air quality, i.e., ozone, is the issue, then ethanol blends should certainly be allowed to participate without the restriction to secure a specially-tailored blendstock. Over the

past several years, numerous studies, including some performed by EPA, have verified that the increased oxygen content and lower reactivity of 10-percent ethanol blends offset the VOC increase attributable to their higher volatility.

Most recently, the Council of Great Lakes Governors performed the most comprehensive study of the impact of oxygenates on ozone completed to date. This study verified that there is absolutely no difference in air quality when either ethanol or MTBE is added to the same RFG blendstock. In fact, the study concluded that the ethanol-blended reformulated gasoline produced less peak ozone than the MTBE-blended reformulated gasoline.

Clearly, in the face of an exhaustive analysis that demonstrates ethanol can reduce ozone as well or better than its imported competitor -- MTBE, if a final rule is promulgated which precludes the use of ethanol, the best which could be hoped for would be litigation. Far worse, and far more likely, would be continued political difficulty and more gridlock.

Proposed Five-Point Plan

In an effort to resolve this issue in an environmentally sensitive nature, and in a way that will assure market opportunities for ethanol in RFG, the following five-point plan has been developed for your review and consideration. This plan should be given careful consideration before a final decision is made on the reformulated gasoline regulations.

With the adoption of this five-point plan:

-- The ethanol industry would be allowed to participate in the RFG market without the unnecessary and uneconomic requirement to secure a specially-tailored sub-RVP reformulated gasoline blendstock -- allowing plant expansion to resume in this important domestic energy sector.

-- The agricultural community would realize tremendous economic stimulus resulting from the increased and stable demand for grain.

-- Environmentalists could be assured that overall air quality would be improved, particularly if the 7.8 RVP standard is retained, and by assuring the successful implementation of the RFG program without further delay.

-- Consumers would benefit from the reduced cost of RFG inherently derived by the creation of a competitive oxygenate market.

-- Gasoline Marketers would be afforded greater flexibility in choosing which oxygenate to utilize.

Congress of the United States
House of Representatives
Washington, DC 20515

June 10, 1993

The Honorable Carol Browner
Administrator
U.S. Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

Dear Madam Administrator:

We are writing to express our continuing concern that EPA's reformulated gasoline regulations for ozone nonattainment areas be finalized in a form that ensures that ethanol blends can compete in those markets.

It is our understanding that a variety of participants in EPA's public hearings on the proposed rulemaking agreed that the proposed Renewable Oxygenate Program appears to be far too complicated to work effectively in the marketplace. These participants, including representatives of oil companies, environmental groups, agricultural organizations, state air quality personnel, and the ethanol industry, appear to have reached the common conclusion that the proposal as it now stands will not lead to the expected levels of ethanol use in those areas.

Congress has sought to ensure that our nation's clean air programs utilize ethanol's proven ability to reduce carbon monoxide pollution, replace the use of harmful aromatics as sources of octane, reduce greenhouse gases, reduce our trade deficit, increase energy security, reduce the cost of the federal farm program, and create jobs and economic stimulus in rural America, all without damaging our nation's effort to reduce ozone pollution.

While the proposed regulations first issued last Spring threatened to thwart these goals, the plan announced last October offered hope that EPA would finally resolve this issue and assure marketplace opportunities for ethanol blends in ozone nonattainment areas. However, the proposed rulemaking published on February 26 of this year failed to live up to the goals of the October agreement, calling into question once again the commitment to include ethanol in this program.

If the proposed rulemaking can be simplified, making it possible for refiners and blenders to utilize ethanol blends in this program, we strongly urge you to make the needed corrections to the proposed regulations.

If the necessary simplification cannot be achieved, and the regulations cannot be brought in line with marketing realities to provide competitive opportunities for ethanol blends, then we strongly urge you to develop an alternative approach that recognizes the scientific evidence in favor of ethanol use and the overwhelming Congressional intent that ethanol blends be allowed to compete in a reformulated gasoline program that reduces ozone levels.

The Honorable Carol Browner
June 10, 1993

A growing body of scientific evidence indicates that ethanol blends do not pose a threat of increased ozone pollution. As Illinois Environmental Protection Agency Director Mary Gade noted in her testimony on the proposed rulemaking:

> [A]ll of the air quality studies that have been conducted to date show that when comparing the emissions from ethanol-blended gasoline to those from gasoline with MTBE, the impact on ozone air quality is negligible....
>
> We believe that if actual vehicular speeds were used in the model and fuel enrichment were taken into consideration, there would be little or no difference in the impact on air quality between the two fuels, and indeed, ethanol-blended gasoline may form less ozone.

Concern has been raised about the use of ethanol blends in this program because of the increased mass volatile organic compound (VOC) emissions which result from the increased volatility of ethanol blends. We believe the primary consideration in the promulgation of this rule should not be mass VOC accounting, but pollution control, energy security, and economic growth. The Clean Air Act states that EPA's regulations shall require the greatest reduction in emissions of ozone forming volatile organic compounds. Congress's concern was ozone pollution, not the mere counting of VOCs.

Again, as noted by Ms. Gade:

> USEPA has expressed concerns in the past which focused on tabulating the reduction in total hydrocarbon emissions through the artificial calculation of mass emissions. Because calculating these mass emissions does not take into account the differing ozone-forming potential of various hydrocarbons, they are not an accurate indicator of air quality.

For these reasons, the proposed rulemaking must be revised. There is simply no reasonable justification for the kinds of barriers to the use of ethanol blends that have been incorporated into the proposed rulemaking.

In light of Congressional intent that ethanol blends be able to compete effectively in the marketplace for reformulated gasoline and the scientific evidence indicating that barriers to ethanol blend use cannot be justified, we strongly urge you to produce a final rule for reformulated gasoline that provides a viable competitive opportunity for ethanol blends.

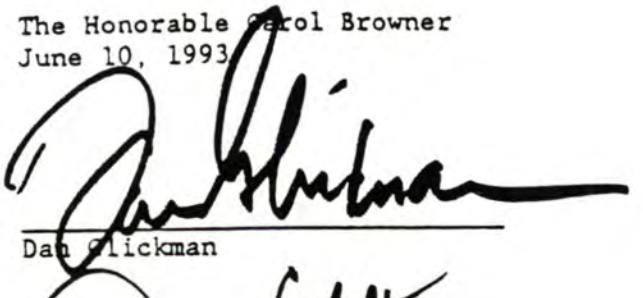
Thank you for your attention to our views on this important issue.

Sincerely yours,

Richard Durbin

Jim Leach

The Honorable Carol Browner
June 10, 1993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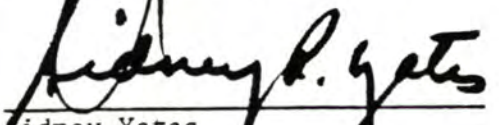
Glenn Poshard


Jerry Costello


David Bonior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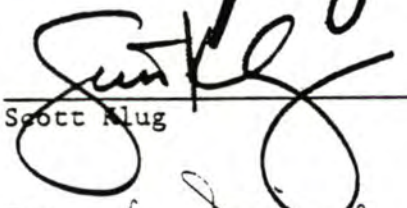
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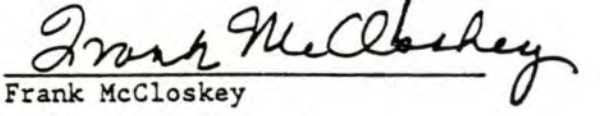
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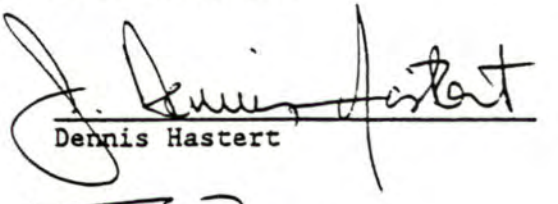
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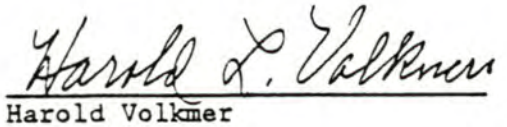
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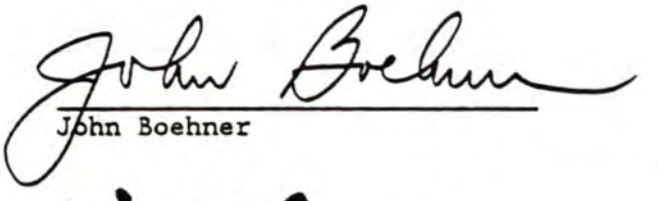
Thomas Barlow III


Fred Upton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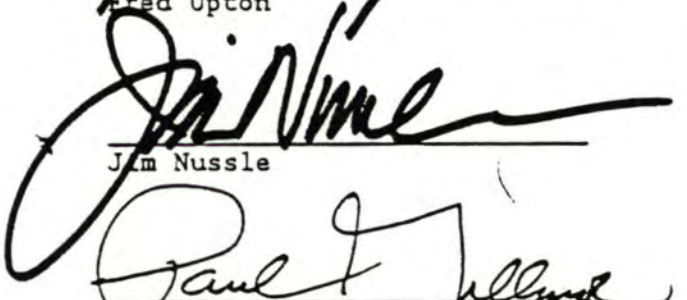
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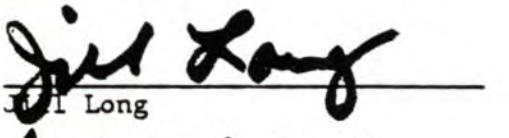

Jill Long

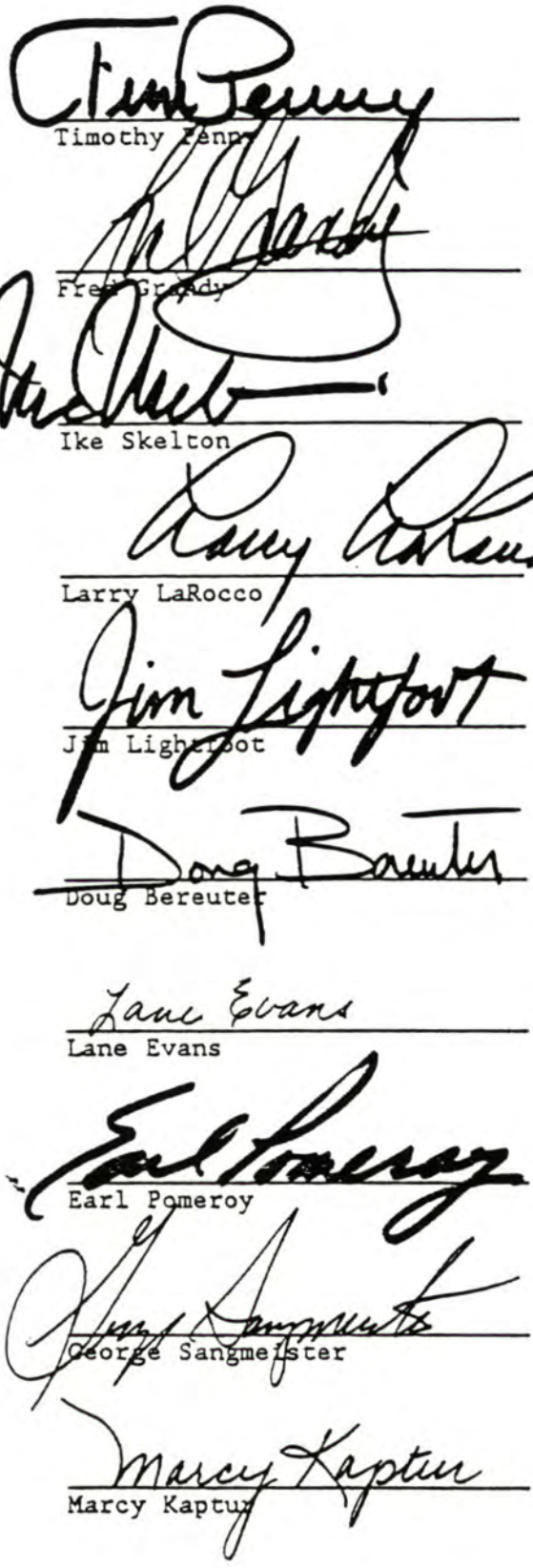
Paul Gillmor


Collin Peterson


Bill Barrett


Tim Johnson

The Honorable Carol Browner
June 10, 1993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Ike Skelton

Larry LaRocco

Jim Lightfoot

Doug Bereuter

Lane Evans

Earl Pomeroy

George Sangmeister

Marcy Kaptur


Austin Murphy

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James Traficant, Jr.

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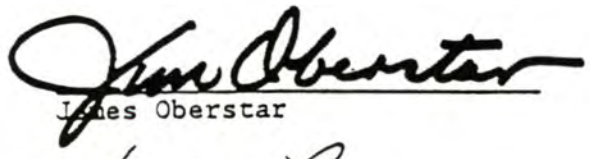
The Honorable Carol Browner
June 10, 1993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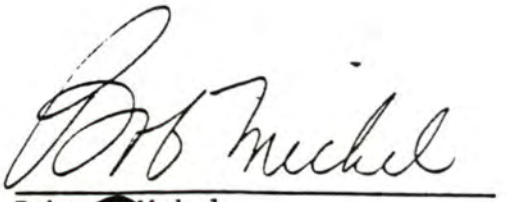
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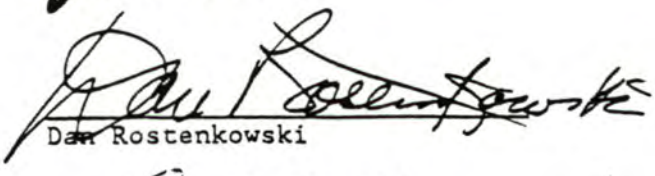
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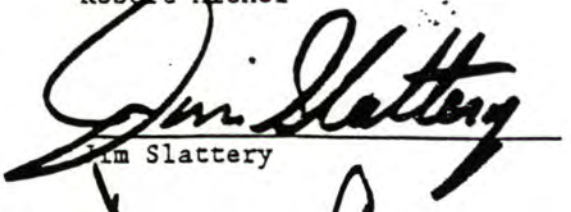
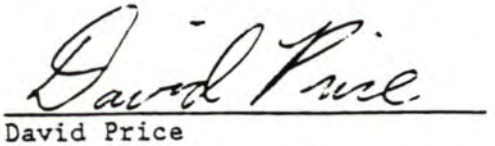

Jim Slattery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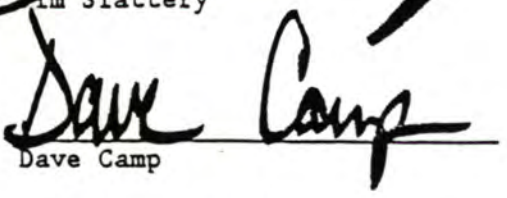
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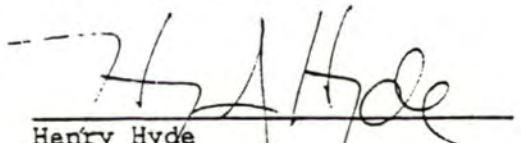
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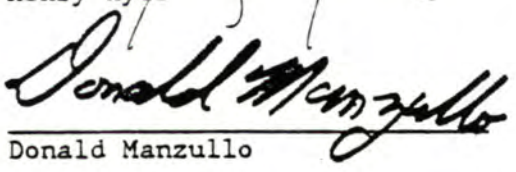
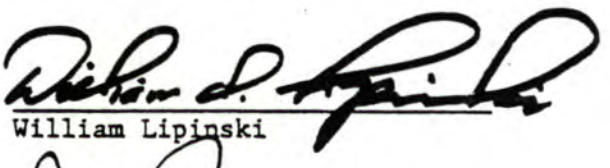
Tim Roemer


Donald Manzullo

W. G. (Bill) Hefner


Mel Reynolds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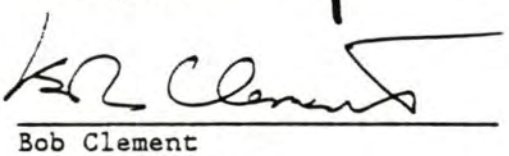
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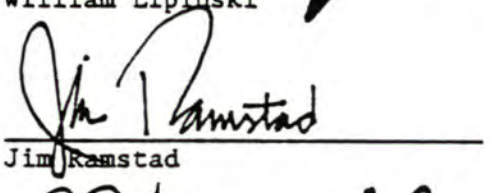
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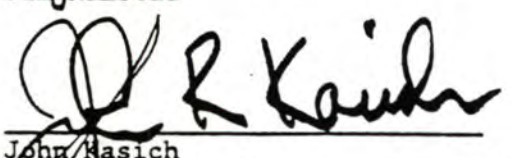
Eric Fingerhut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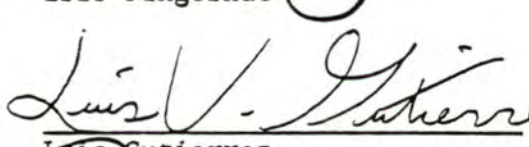
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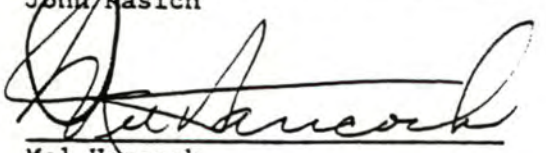
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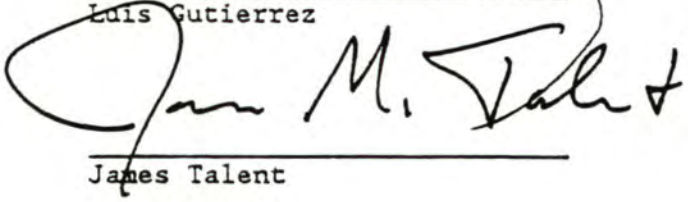
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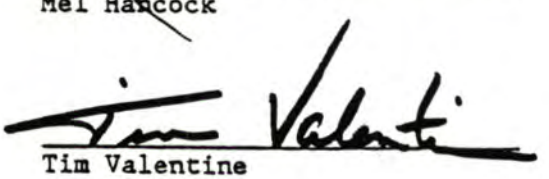
Tim Valentine

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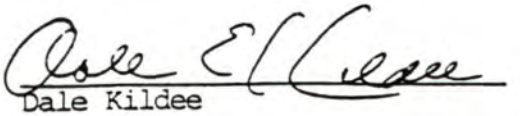
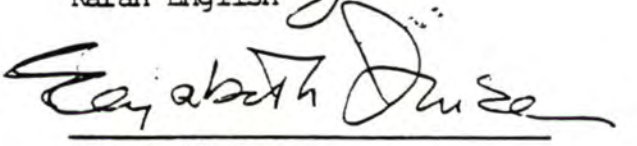
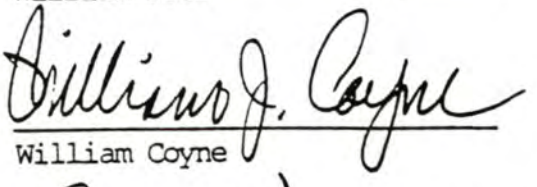
June 10, 1993


Dale Kildee


Karan English


William Ford


Elizabeth Furse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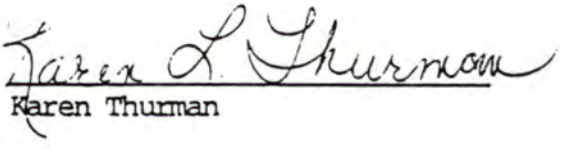
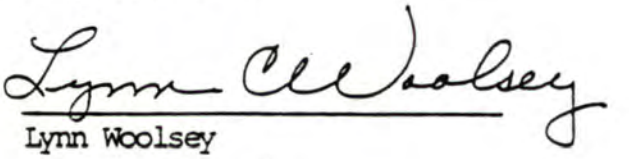
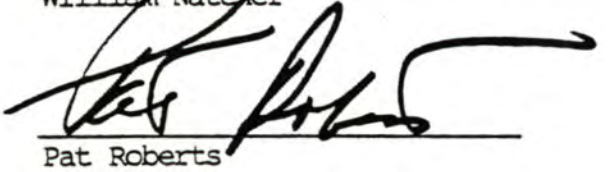

Karen Thurman


Bruce Vento

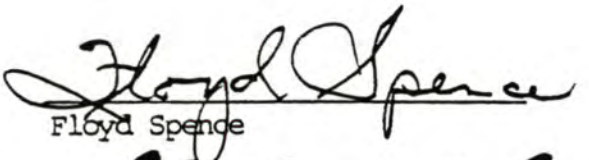

Gary Condit


William Natcher


Lynn Woolsey


Pat Roberts


Leslie Byrne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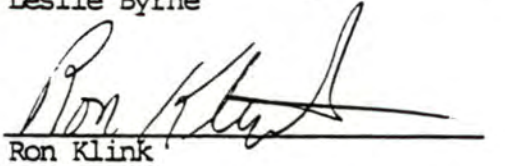
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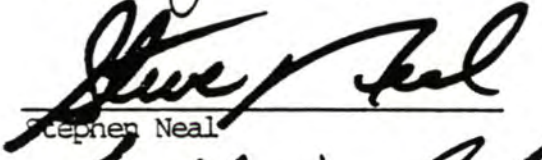
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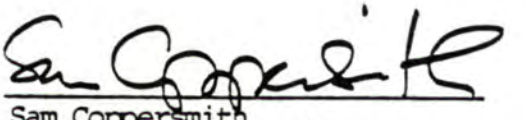
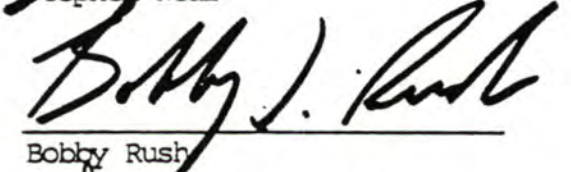
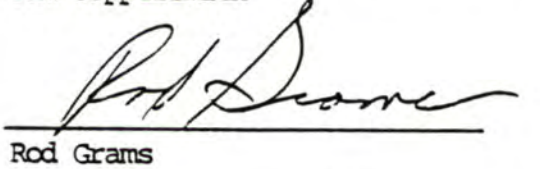
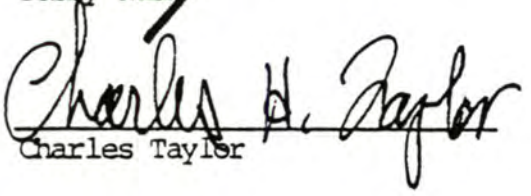

Sam Coppersmith


Bobby Rush


Rod Grams


Charles Taylor


Melvin Watt

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Alan Mollohan

Harold Volkmer (duplicate)

Tim Holden

Ron Klink (duplicate)

Robert Borski

Pat Williams

Paul Kanjorski

Ray Thornton

William Clinger, Jr.

Robert Wise, Jr.

George (Buddy) Darden

Lucien Blackwell

Nick Rahall II

Thomas Foglietta

Richard Gephardt

Curt Weldon

Douglas Applegate

Dan Burton

James Traficant, Jr. (duplicate)

Matthew Martinez

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Eva Clayton

Ted Strickland

Cass Ballenger

Alan Wheat