

ONE HUNDRED FOURTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115
Majority (202) 225-2927
Minority (202) 225-3641

July 13, 2016

Ms. Janet McCabe
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Ms. McCabe:

Thank you for appearing before the Subcommittee on Energy and Power on Wednesday, June 22, 2016, to testify at the hearing entitled "The Renewable Fuel Standard – Implementation Issues."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on July 27, 2016. Your responses should be mailed to Will Batson, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to Will.Batson@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Ed Whitfield
Chairman
Subcommittee on Energy and Power

cc: The Honorable Bobby Rush, Ranking Member, Subcommittee on Energy and Power

Attachment

Additional Questions for the Record

The Honorable Pete Olson

1. The Energy Independence and Security Act of 2007 included labeling requirements for biodiesel (methyl ester)/petroleum diesel and biomass diesel (renewable diesel)/petroleum diesel at levels from 5% to 20% and separate labels for levels higher than 20%. While labeling of biodiesel (methyl ester) is appropriate for these percentages the labeling of biomass diesel constrains the commerce of this renewable fuel. With biomass based diesel as a direct substitute (“drop in”) for petroleum diesel (ASTM D-975), there should be no labeling required for this fuel. It is my understanding removing the labeling requirement would then allow the biomass diesel to become fungible in the fuel distribution system and thereby allow more renewable fuel to enter into commerce. Are you aware of this constraint, and if so, are there plans to modify this labeling rule to accommodate the entry of more renewable diesel into commerce?

The Honorable Mike Pompeo

1. Do you believe the EPA would have, in 2023, the statutory authority to restructure the RFS to mirror the California Low Carbon Fuel Standard Program? Could you do that, would you have the authority to do that?