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March 10, 2022

Richard L. Revesz, Esq. Administrator Office of Information and Regulatory Affairs White House Office of Management and Budget Executive Office of the President Washington, DC 20500

Via email to: OIRA_submission@omb.eob.gov

Re: EO 12866 Meeting Request for RIN 2060-AV50

Dear Mr. Revesz:

We are writing to request a meeting with members of the OIRA staff to discuss the pending EO 12866 Regulatory Review of the upcoming proposed Environmental Protection Agency rule, "Greenhouse Gas Emissions Standards for Heavy-Duty Engines and Vehicles – Phase 3" (the "Phase 3 Proposal"). The Phase 3 Proposal was delivered to your office on February 21, 2023, and has been assigned RIN 2060-AV-50.

Our organizations represent a wide range of stakeholders that are very interested to see how the Phase 3 Proposal will integrate ethanol and other Sustainable Liquid Fuels, as defined in the Biden Administration's January 2023 <u>U.S. National Blueprint for Transportation Decarbonization</u> (the "Blueprint"). <u>ClearFlame Engine Technologies</u> is a startup company that has developed technology to operate diesel trucks on ethanol, with early demonstration projects already showing lifecycle greenhouse gas emissions that are 22 percent lower than a comparable battery-electric Class 8 truck that is charged using average U.S. grid electricity. <u>Growth Energy</u> is the leading biofuel trade association in the country, representing producers and supporters of ethanol who are working to bring consumers better choices at the fuel pump, grow America's economy, and improve the environment for future generations. The <u>Iowa Corn Growers Association</u> works to unlock the potential of corn in a sustainable manner to meet the global need for food and energy. The <u>National Corn Growers Association</u> works to protect and advance corn growers' interests, and represents nearly 40,000 dues-paying corn growers and the interests of more than 300,000 farmers who contribute through their state corn grower associations. The <u>Renewable Fuels Association</u> is the leading trade association for America's ethanol industry, working to drive expanded demand for American-made renewable fuels and bioproducts

worldwide, as well as help Americans have more affordable, efficient, and environmentally friendly fuel for vehicles of all kinds.

Released in January 2023, the Blueprint identified Sustainable Liquid Fuels (SLFs) as a "large, long-term opportunity" in the trucking sector. We agree. Because many of the nation's 4 million Class 8 trucks travel distances that are too long or carry loads that are too heavy for near-term electrification, SLFs are the only realistic strategy for near-term decarbonization of these vehicles at scale in the coming decade.

We believe that the upcoming Phase 3 Proposal provides an opportunity for EPA and the Biden administration to send a strong market signal that will encourage further investment in new engine technologies that will use a dedicated SLF like ethanol to decarbonize the hard-to-electrify segments of the truck industry. Doing so will enable emissions reductions at scale this decade, which is critical to meeting our near-term and long-term climate goals. In addition, ClearFlame trucks will reduce emissions of particulate matter and smog-forming gases, compared to today's diesel trucks. This will disproportionately benefit the many low-income communities and communities of color that are located near our highways, distribution centers, ports, and railyards.

We believe that the Phase 3 Proposal should seek comment on provisions that will maximize the decarbonization opportunities presented by ethanol, the most common SLF. Omitting such provisions will miss the opportunity to deploy our nation's 17 billion gallons of ethanol to decarbonize the nation's hard-to-electrify long haul trucks. In addition, it would chill investment in the development of new technologies that can bring ethanol and other SLFs to these vehicles and other heavy-duty or offroad applications in the agricultural sector and elsewhere.

We have asked EPA to include language that would seek comment on ways that the Phase 3 Proposal could integrate ethanol in the certification process, thereby encouraging the use of this low-carbon, renewable SLF in the trucking sector. When we meet, we would like to discuss the importance of including such a provision in the Phase 3 Proposal.

Our specific request entails creating a fuel-specific mechanism, such as a conversion factor, in the modeling component of the certification process. The current engine certification process assumes that most heavy-duty engines will be certified while using diesel fuel, and that these engines will operate on diesel fuel throughout their useful life. In recognition that some trucks will certify on, and then operate exclusively on, gasoline or natural gas, EPA's Greenhouse gas Emission Model (GEM) includes a mechanism that enables engines to be certified using these fuels.

We strongly urge EPA and the Biden administration to include a conversion factor or other comparable mechanism that would be used when engines are certified to operate on ethanol. Providing such a mechanism would enable engine makers to get credit for the real-world greenhouse gas and other emissions benefits of those non-diesel fuels. There is no conversion factor or other comparable mechanism for ethanol currently.

Our request to include a conversion factor or other comparable mechanism for ethanol in the GEM model is straightforward—and mission-critical to the ability of ethanol to help decarbonize the hard-to-

electrify heavy-duty, long-haul truck market. When we meet, we will outline how such a mechanism for ethanol would work, and how it would enable a truck that operates exclusively on ethanol to be certified in a manner that recognizes the lower greenhouse gas emissions of such a fuel/truck system.

Including an ethanol conversion factor or other mechanism into the GEM model would enable EPA to correctly estimate the actual, real-world environmental benefits of using ethanol as part of the decarbonization toolkit for the nation's long-haul trucks. Based on the current science, a truck operating solely on E98 ethanol (i.e., 98% ethanol) would receive a 32% conversion factor, which would account for the two greenhouse gas advantages of ethanol, i.e., its lower heating value and its significantly lower carbon intensity.

We applaud the administration's leadership on climate issues, including the adoption of last year's Infrastructure Investment and Jobs Act and the Inflation Reduction Act, in addition to this year's Blueprint. We believe that ethanol and other SLFs can play an important role in decarbonizing the hard-to-electrify segments of the trucking world, and stand ready to work with EPA, your office, and the administration towards a final Phase 3 program that does so. We look forward to further discussing our suggestions on how to do so when we meet.

Thank you for considering this meeting request. If you have questions or to coordinate scheduling, please contact Rich Kassel, Partner at AJW, Inc., at (917) 838-0865 or rkassel@ajw-inc.com.

Very truly yours,

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