INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS®

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February 10, 2023

**Submitted via regulations.gov**

The Honorable Michael S. Regan
Administrator
Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20004

**Re: Proposed Renewable Fuel Standards for 2023, 2024, and 2025 (Docket ID No. EPA-HQ-OAR-2021-0427)**

Dear Honorable Regan:

On behalf of the International Brotherhood of Electrical Workers (IBEW), I write to express my serious concern regarding the proposed Renewable Volume Obligation (RVO) for the 2023, 2024 and 2025 Renewable Fuel Standard (RFS) and why the ethanol mandate should be lowered by over one billion gallons.

The refining industry works closely with IBEW members across the country and provides the unionized construction industry with thousands of high-paying, middle class-sustaining job opportunities. While the IBEW supports the Administration's efforts on transitioning the nation towards more renewable energy, a full transition is decades away. Therefore, an all-of-the-above energy strategy is critical for the nation's energy security, to keep prices affordable for consumers, and for millions of union members that work in the energy sector.

The RFS is currently not functioning as Congress envisioned, and independent refiners are seeking reasonable solutions to reform the broken program, starting with lowering the ethanol mandate to a level that the national fuel supply can support given engine and infrastructure constraints. By setting the ethanol mandate lower, it will help to bring down the extremely high costs of the Renewable Identification Number (RIN) credits, which refiners need in order to comply with the program. In the vast majority of cases, independent refiners do not have large-scale blending capabilities, which means they are required to purchase RINs for compliance no matter the price.

Unfortunately, in recent years, the price of RINs has continued to soar and today they are close to $1.60 per credit. In fact, RIN prices have been so expensive that many independent refiners are spending hundreds of millions of dollars annually just to be in compliance.

Evidence has shown that high RINs costs do not lead to higher blend rates of ethanol – but they do lead to refinery closures and higher prices at the pump for all Americans. Since 2019, the U.S. has lost 1.4 million barrels a day of refining

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capacity, resulting in the loss of 5,000 refinery jobs nationwide. In fact, one east coast refinery cited RINs prices when declaring bankruptcy in 2018.

Furthermore, experts have testified that the RFS is contributing approximately 20-30 cents per gallon at the pump. Meaning it has essentially become a hidden tax on U.S. independent refiners and American consumers alike, without doing anything to increase the amount of ethanol in the gasoline supply.

Independent refiners are critical partners in the IBEW's continued efforts to reduce carbon emissions in the transportation sector. They stand ready to invest significant financial capital into their facilities in order to allow for the production of the greener fuels of tomorrow. These capital investments will require the skill and expertise of thousands of members like the members of the IBEW, promising meaningful work and the life-changing opportunities that follow for many years to come.

However, without meaningful RFS reform, these facilities may not be able to make these sizable investments, potentially creating a scenario that will make the IBEW's ability to fight climate change with domestically-derived solutions even more difficult.

In closing, I want to reiterate that it is critical for the EPA to consider how the proposed RVO will impact the independent refiners that the nation depends on. These refiners not only provide vital transportation and home heating fuels, but they also support tens of thousands of family-sustaining jobs around the country.

For all of these reasons, IBEW urges EPA to set the final ethanol requirement below the blend wall, meaning a level below the 10 percent ethanol concentration in gasoline for which nearly all engines and the nation's fueling infrastructure were built to handle. Based on the Department of Energy's projections, this means an ethanol requirement of no more than 13.9 billion gallons for each of the three years in the proposed rule.

Sincerely yours,

Kenneth W. Cooper
International President

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