The Honorable Lisa Jackson  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460  

Dear Administrator Jackson,

As you determine the 2013 volumetric requirements for the Renewable Fuel Standard (RFS2) program, we urge you to take into consideration the impact of recent droughts, which are driving corn prices to record levels. More specifically, we are requesting that you issue a partial waiver to keep corn starch-based renewable fuel volumetric requirements for the RFS2 at the 2012 level in order to protect American families from a rising corn-to-fuel mandate that would lead to additional increases in food prices and potentially higher energy prices.

Current RFS2 requirements mandate that fuel marketers blend about 13 billion gallons of corn ethanol into the nation’s gasoline supplies this year. This requirement is scheduled to increase to 15 billion gallons by 2015. To meet this requirement, a substantial volume of our corn crop will have to be diverted into our fuel supplies, severely impacting food and feed prices. According to the USDA, 25 percent of America’s corn crop was diverted to produce ethanol in 2007, and today this figure has grown to about 40 percent. This sharp increase in the use of corn for fuel production has contributed to food costs outpacing the rate of inflation. A recent report by FarmEcon LLC confirmed this impact stating that “following the late 2007 increase in the RFS, food price inflation relative to all other goods and services accelerated sharply to twice its 2005-2007 rate.”

Two dozen U.S. Senators requested a waiver based on similar food versus fuel impacts in a May 2, 2008, letter to then-Administrator Stephen Johnson. This request was based on authority that Congress gave the Environmental Protection Agency (EPA) to waive all or portions of RFS2 through rulemaking if there was inadequate domestic supply to meet its requirements or if “implementation of the requirement would severely harm the economy or environment of a State, a region, or the United States.”

Today, more than ever, EPA needs to utilize its authority under the Clean Air Act to relieve pressure from the skyrocketing price of corn that is being caused by the drought conditions and could be exacerbated by the RFS2 mandate for corn ethanol. For all of these reasons, we hope you will grant a partial waiver and set the 2013 Renewable Volume Obligation (RVO) for corn starch-based renewable fuel at the current 2012 level. Additionally, we request that you provide us with a status report detailing your work to determine the 2013 volumetric requirements for the RFS2 as soon as possible.

We thank you for your consideration of this request and look forward to your response.
The Honorable Lisa Jackson
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Sincerely,

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