



February 12, 2025

The Honorable Lee Zeldin
Administrator
U.S. Environmental Protection Agency
Mail Code 1101A
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Zeldin:

On behalf of the Energy Marketers of America (EMA) and our 49 state association members, congratulations on your confirmation to lead the U.S. Environmental Protection Agency (EPA). EMA represents the family-owned, small business energy marketers that operate approximately 60,000 retail motor fuel outlets, supply motor fuels to 40,000 gas stations, and provide heating fuel to more than five million homes and businesses. We appreciate your and President Trump's recognition of the important contribution our industry makes to America's long-term prosperity.

We applaud President Trump's leadership to ensure that liquid fuels — gasoline, diesel fuel, and biofuels — continue as a vital energy source that will propel America's success. Specifically, on day one, President Trump directed the EPA and U.S. Department of Energy (DOE) to “consider issuing emergency fuel waivers to allow the year-round sales of E15 gasoline to meet any projected temporary shortfalls in the supply of gasoline across the nation.”¹

To promote the success of the liquid fuels industry across the country, we encourage the EPA to work with Congress to advance a market-friendly solution for the year-round, nationwide sale of E15 gasoline. In the interim, EMA urges the EPA to use its authority under the Clean Air Act² to immediately delay the effective date for the granted waiver requested from eight Midwestern states to remove the 1-psi Reid vapor pressure (RVP) for E10 gasoline. By extending the current effective date of April 28, 2025, to April 2026 or later, the EPA and Congress will have sufficient time to put in place policies that support renewable liquid fuels for generations.

As you know, the EPA's February 2024³ rule places E10 gasoline on the same footing as E15 gasoline blends in those eight jurisdictions while allowing both ethanol-blended fuels to use the same gasoline blendstocks.⁴ The underlying factors that prompted the Biden administration's EPA “insufficient gasoline supply” determination in setting the initial April 2025 effective date remain in place and justify the additional delay.

¹ Executive Order, Declaring a National Energy Emergency, Section 2(b) (Jan. 20, 2025).

² 42 U.S.C. § 7545(h)(5)(C)(ii)(I)(bb).

³ Request From States for Removal of Gasoline Volatile Waiver, 89 Fed. Reg. 14760 (Feb. 29, 2024).

⁴ Illinois, Iowa, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin

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EMA and other stakeholders repeatedly have expressed serious concerns to the EPA regarding the effects of a “boutique fuels” market in these jurisdictions and neighboring states. The EPA acknowledged these serious concerns in its final rule, recognizing that removing the 1-psi RVP waiver for E10 gasoline would lead to an insufficient gasoline supply in Midwestern states in 2024. The EPA also recognized the critical role energy marketers play in the motor fuels supply chain.⁵ The underlying market dynamics have not changed and thus warrant another extension.

EMA does not oppose legislation to exempt E15 gasoline from the RVP volatility requirements that effectively block sales during the summertime driving season. We believe that an extension of the opt-out deadline into 2026 provides the necessary time for Congress, industry, and the Trump administration to develop an effective biofuels policy that balances environmental, energy, cost, and infrastructure realities. In doing so, the Trump Administration can support small business energy marketers’ competitiveness by providing additional funding for the U.S. Department of Agriculture’s Higher Blend Infrastructure Incentive Program (HBIIP), which will allow small business energy marketers can legally and safely sell E10 gasoline and B20 plus biodiesel blends.

EMA looks forward to continuing our work with the EPA and requests a meeting with your office at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Underwood". The signature is fluid and cursive, with a long horizontal stroke at the end.

Rob Underwood
President
Energy Marketers of America

⁵ 89 Fed. Reg. at 14769 (“CAA section 211(h)(5) extends to include market actors downstream from refiners, importers, and blenders, as the gasoline distribution system is a key component to the availability of gasoline in the State[s].”).