

November 25, 2019

Administrator Andrew Wheeler
Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460

RE: Docket ID EPA-HQ-OAR-2019-0136

Dear Administrator Wheeler:

The Kansas Corn Growers Association (KCGA) respectfully submits comments on the supplemental proposed rule for the 2020 volume standards under the Renewable Fuels Standards (RFS). KCGA represents more than 1,000 Kansas members on state and national levels on legislative and regulatory issues and actively works with the National Corn Growers Association and other organizations to maximize the voice of Kansas corn producers.

KCGA appreciates the implied volume of 15 billion gallons for conventional renewable fuel and an increase in total volumes for 2020. However, the 85 retroactive RFS exemptions granted by EPA totaling more than 4 billion gallons of ethanol from 2016-2018 has rendered these totals virtually useless. Hence, given this administration's tendency to grant nearly all waiver requests, KCGA has virtually no confidence that the volumes published for 2020 will be met.

We were pleased to learn that the administration had ordered your agency to ensure that the published volumes would be met by way of a supplemental rule. The most straightforward method to accomplish this would be to simply adjust volumes by the actual number of gallons waived through RFS exemptions. Per an October 4th announcement we were led to believe that this simple and transparent method would be utilized to ensure the volumes would be met. However, on October 20th we were dismayed to read this proposed rule and discover that the Department of Energy (DOE) recommendations for the number of SREs would be used to calculate the volume. Furthermore, no stop gap or certainty is placed in this rule to ensure that the RFS volume of 15 billion gallons would be met.

Utilizing the DOE recommendations COULD be a transparent method to ensure that 15 billions gallons would be met IF and only IF your agency committed to not issue SREs above the DOE recommendations. Alternatively, the minimum gallons could be explicitly stated in the rule. Unfortunately, as written, this supplemental rule does nothing to ensure that RVO will be met. We have appreciated comments from the administration that "15 billion gallons means 15 billion", however given the recent track record of ethanol demand destruction, the agricultural industry is wary of accepting this promise on face value without an implicit guarantee that the volume will be met.

We also concur with the detailed comments submitted by the National Corn Growers Association.

Thank you for the opportunity to provide comments on this very important issue to Kansas farmers and consumers.

Sincerely,



Steve Rome, President
Kansas Corn Growers Association

