

112TH CONGRESS
1ST SESSION

H. R. 3199

To provide a comprehensive assessment of the scientific and technical research on the implications of the use of mid-level ethanol blends, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 13, 2011

Mr. SENSENBRENNER (for himself and Mr. BENISHEK) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

A BILL

To provide a comprehensive assessment of the scientific and technical research on the implications of the use of mid-level ethanol blends, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress finds that—

5 (1) while blends of up to 10 percent ethanol are
6 currently required in the American motor fuels mar-
7 ket as the result of renewable fuels mandates and in-
8 centives for ethanol production and use, significant
9 environmental and energy research, development,

1 and demonstration is needed on the effects of higher
2 percentage ethanol blends before permitting wide-
3 spread use in the United States;

4 (2) government and industry testing suggests
5 significant negative environmental, safety, durability,
6 health, and performance effects for onroad and
7 nonroad vehicles and infrastructure resulting from
8 use of mid-level ethanol blends containing up to 15
9 percent ethanol; and

10 (3) the decision by the Environmental Protec-
11 tion Agency to allow the use of mid-level ethanol
12 blends in model year 2001 and newer motor vehi-
13 cles—

14 (A) failed to consider the full spectrum of
15 available government and industry scientific
16 and technical research on such effects; and

17 (B) relied on the results of a single study
18 thereby violating the Environmental Protection
19 Agency’s scientific integrity principles.

20 **SEC. 2. DEFINITIONS.**

21 In this Act:

22 (1) ADMINISTRATOR.—The term “Adminis-
23 trator” means the Administrator of the Environ-
24 mental Protection Agency.

1 (2) MID-LEVEL ETHANOL BLEND.—The term
2 “mid-level ethanol blend” means an ethanol-gasoline
3 blend containing 15 or 20 percent ethanol by volume
4 that is intended to be used in any conventional gaso-
5 line-powered motor vehicle or nonroad vehicle or en-
6 gine.

7 **SEC. 3. EVALUATION.**

8 (a) IN GENERAL.—Prior to the implementation of
9 any waiver, partial waiver, or decision pursuant to current
10 law and not later than 45 days after enactment of this
11 Act, the Administrator, acting through the Assistant Ad-
12 ministrators of the Office of Research and Development at
13 the Environmental Protection Agency, shall enter into an
14 agreement with the National Academies to provide a com-
15 prehensive assessment of the scientific and technical re-
16 search on the implications of the use of mid-level ethanol
17 blends. This assessment should compare mid-level ethanol
18 blends to gasoline blends containing 10 and zero percent
19 ethanol.

20 (b) CONTENTS.—The assessment performed under
21 subsection (a) shall—

22 (1) evaluate the short-term and long-term envi-
23 ronmental, safety, durability, and performance ef-
24 fects of the introduction of mid-level ethanol blends
25 on onroad, nonroad and marine engines, onroad and

1 nonroad vehicles, and related equipment. Such eval-
2 uation shall include a review of all available scientific
3 evidence, including all relevant government and in-
4 dustry data and testing, including that relied upon
5 by the Administrator and published at 75 Fed. Reg.
6 68094 (November 4, 2010) and 76 Fed. Reg. 4662
7 (January 26, 2011), gaps in understanding, and re-
8 search needs related to—

9 (A) tailpipe emissions;

10 (B) evaporative emissions;

11 (C) engine and fuel system durability;

12 (D) on-board diagnostics;

13 (E) emissions inventory and other mod-
14 eling effects;

15 (F) materials compatibility;

16 (G) operability and drivability;

17 (H) fuel efficiency;

18 (I) catalyst durability; and

19 (J) durability of storage tanks, piping and
20 dispensers for retail; and

21 (2) identify research and development, including
22 testing, necessary to permit existing motor fuels
23 (distribution and supply) infrastructure to handle
24 mid-level ethanol blends while preventing or miti-
25 gating against adverse impacts such as corrosion of

1 metal, plastic, rubber, or any other materials used in
2 pipes or storage tanks, ensuring fuel fungibility, and
3 protecting against intentional and unintentional
4 misfueling by users at various points in the distribu-
5 tion and supply chain, including—

6 (A) bulk storage;

7 (B) retail storage and distribution configura-
8 tions; and

9 (C) standardization of a label consistent
10 with applicable technical standards and rec-
11 ommendations of the National Institute of
12 Standards and Technology, the American Na-
13 tional Standards Institute, and the Inter-
14 national Organization for Standardization.

15 (c) REPORT.—Not later than 18 months after the en-
16 actment of this Act, the National Academies shall submit
17 to the Committee on Science, Space, and Technology a
18 report on the results of such assessment, including nec-
19 essary research and development.

20 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

21 In order to carry out this Act, the Administrator shall
22 utilize up to \$900,000 from the funds made available for
23 research and development under Public Law 96–569.

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