

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.

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## 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

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## 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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