

[DISCUSSION DRAFT]

FEBRUARY 15, 2013

113TH CONGRESS
1ST SESSION

H. R. _____

To provide for 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

Mr. SENSENBRENNER introduced the following bill; which was referred to the Committee on _____

A BILL

To provide for 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. DEFINITIONS.**

4 In this Act:

5 (1) ADMINISTRATOR.—The term “Adminis-
6 trator” means the Administrator of the Environ-
7 mental Protection Agency.

1 (2) MID-LEVEL ETHANOL BLEND.—The term
2 “mid-level ethanol blend” means an ethanol-gasoline
3 blend containing greater than 10 and up to and in-
4 cluding 20 percent ethanol by volume that is in-
5 tended to be used in any conventional gasoline-pow-
6 ered motor vehicle or nonroad vehicle or engine.

7 **SEC. 2. EVALUATION.**

8 (a) IN GENERAL.—The Administrator, acting
9 through the Assistant Administrator of the Office of Re-
10 search and Development at the Environmental Protection
11 Agency, shall—

12 (1) not later than 45 days after the date of en-
13 actment of this Act, enter into an agreement with
14 the National Academy of Sciences to provide, within
15 18 months after the date of enactment of this Act,
16 a comprehensive assessment of the scientific and
17 technical research on the implications of the use of
18 mid-level ethanol blends, comparing mid-level eth-
19 anol blends to gasoline blends containing 10 percent
20 or zero percent ethanol; and

21 (2) not later than 30 days after receiving the
22 results of the assessment under paragraph (1), sub-
23 mit a report to the Committee on Science, Space,
24 and Technology of the House of Representatives and
25 the Committee on Environment and Public Works of

1 the Senate on the findings of the assessment, to-
2 gether with the agreement or disagreement of the
3 Administrator with each of its findings.

4 (b) WAIVERS.—Prior to the submission of the report
5 under subsection (a)(2), any waiver granted under section
6 211(f)(4) of the Clean Air Act (42 U.S.C. 7545 (f)(4))
7 before the date of enactment of this Act that allows the
8 introduction into commerce of mid-level ethanol blends for
9 use in motor vehicles shall have no force or effect. The
10 Administrator shall grant no new waivers under such sec-
11 tion 211(f)(4) until after the submission of the report de-
12 scribed under subsection (a)(2).

13 (c) CONTENTS.—The assessment performed under
14 subsection (a)(1) shall include the following:

15 (1) An evaluation of the short-term and long-
16 term environmental, safety, durability, and perform-
17 ance effects of the introduction of mid-level ethanol
18 blends on onroad, nonroad, and marine engines,
19 onroad and nonroad vehicles, and related equipment.
20 Such evaluation shall consider the impacts of quali-
21 fying mid-level ethanol blends or blends with higher
22 ethanol concentrations as a certification fuel. Such
23 evaluation shall include a review of all available sci-
24 entific evidence, including all relevant government
25 and industry data and testing, including that relied

1 upon by the Administrator and published at 75 Fed.
2 Reg. 68094 et seq. (November 4, 2010), 76 Fed.
3 Reg. 4662 et seq. (January 26, 2011), and 76 Fed.
4 Reg. 44406 et seq. (July 25, 2011), and identify
5 gaps in understanding and research needs related
6 to—

- 7 (A) tailpipe emissions;
- 8 (B) evaporative emissions;
- 9 (C) engine and fuel system durability;
- 10 (D) onboard diagnostics;
- 11 (E) emissions inventory and other mod-
12 eling effects;
- 13 (F) materials compatibility;
- 14 (G) operability and drivability;
- 15 (H) fuel efficiency;
- 16 (I) fuel economy;
- 17 (J) consumer education and satisfaction;
- 18 (K) cost-effectiveness for the consumer;
- 19 (L) catalyst durability; and
- 20 (M) durability of storage tanks, piping,
21 and dispensers for retail.

22 (2) An identification of areas of research, devel-
23 opment, and testing necessary to—

- 24 (A) ensure that existing motor fuel infra-
25 structure is not adversely impacted by mid-level

1 ethanol blends, including an examination of po-
2 tential impacts of mid-level ethanol blends on
3 metal, plastic, rubber, or any other materials
4 used in pipes or storage tanks; and

5 (B) reduce the risk of misfueling by users
6 at various points in the distribution and supply
7 chain, including at bulk storage, retail storage,
8 and distribution configurations by—

9 (i) assessing the best methods and
10 practices to prevent misfueling;

11 (ii) examining misfueling mitigation
12 strategies for blender pumps, including vol-
13 umetric purchase requirements and label-
14 ing requirements;

15 (iii) assessing the adequacy of and
16 ability for misfueling mitigation plans ap-
17 proved by the Environmental Protection
18 Agency; and

19 (ii) examining the technical standards
20 and recommendations of the National In-
21 stitute of Standards and Technology, the
22 American National Standards Institute,
23 and the International Organization for
24 Standardization regarding fuel pump label-
25 ing.

1 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

2 In order to carry out this Act, the Administrator shall
3 utilize up to \$900,000 from the funds made available for
4 science and technology, including research and develop-
5 ment activities, at the Environmental Protection Agency.