



Written by [Rebecca Terrell](#) on December 21, 2010

Automakers Sue EPA Over E15 Fuel Blend

A coalition of automakers is suing President Obama's Environmental Protection Agency (EPA), hoping to overturn that agency's decision to allow the sale of E15, a blend of 15 percent ethanol added to gasoline, for cars and light trucks manufactured since 2007. The Engine Products Group (EPG) filed suit on Monday with the U.S. Court of Appeals for the District of Columbia Circuit.



The coalition is made up of four organizations — the [Alliance of Automobile Manufacturers](#), the Association of International Automobile Manufacturers, the [National Marine Manufacturers Association](#), and the [Outdoor Power Equipment Institute](#)— who collectively represent dozens of small-engine, automobile and boat manufacturers, including Detroit's "Big Three" and most major international auto makers

Current regulations cap ethanol blends at 10 percent. The petitioners argue that by allowing this partial waiver for E15, the EPA is violating the Clean Air Act and endangering vehicles older than 2007 by approving the sale of fuel that is unsafe for those engines. "E15 has been shown to adversely affect engines in non-road products and later model year vehicles, cause emission failures and increase air pollution due to misfueling," explains Kris Kiser, CEO of Outdoor Power Equipment Institute, [speaking](#) on behalf of the EPG. "Further, administrative records fail to demonstrate that even new model year motor vehicles... would not be damaged and result in failures when run on E15."

The EPG suit also argues that in 2007, Congress prohibited the EPA from approving a fuel waiver unless the agency could prove the fuel would not cause any failures to meet applicable emissions standards over the useful lives of on-road or non-road products. Yet when the EPA issued its E15 decision last October, it "recognized E15 blends can cause 'engine failures from over heating' as well as emission increases and 'emission (durability) impacts and material compatibility issues.' "

As a practical issue, EPG also points out there is no effective way to ensure consumers do not misfuel, especially considering the incentive to purchase a less expensive product. The EPA's [answer](#) is to introduce new pump labeling requirements, placing an additional burden on retailers.

And why should consumers be concerned? Forbes quotes an environmental consultant who explained, "Ethanol blends of over 10 percent can cause corrosion and degradation of products and their fuel and emission control systems that are not specifically designed for these higher levels of ethanol. You'll see problems like equipment that was supposed to run for 12 hours [will] last only five hours, engine parts will corrode, engines won't start or will stall often. There is \$2 trillion worth of vehicles and equipment in the U.S. that could become junk."



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The New American contributor Ed Hiserodt explained other problems with ethanol/gasoline blends in his March 5, 2007 article, "Going Bananas over Ethanol." He said, "The energy input in order to produce ethanol is high relative to the energy content of the fuel produced," making it inefficient when compared to its petroleum-based cousins. Moreover, ethanol "has a low vapor pressure and its evaporation from fueling, open containers, and leakage was believed by many to produce more smog than the incomplete combustion of pure gasoline."

Hiserodt also pointed out taxpayers support government subsidies to ethanol producers without which recipients claim ethanol would be too expensive to produce. Ever-increasing government Renewable Fuel Standards (RFS) that mandate the use of renewable fuel have also artificially bolstered ethanol's position in the market, making it appear as a viable contender. If left to free market forces, ethanol would crash and burn.

A group known as Growth Energy, together with 54 ethanol manufacturers, submitted the E15 petition in March 2009, and the EPA gathered 78,000 public comments on the petition before making its decision. EPG argues, "[T]he testing, upon which EPA made its decision, was put in the administrative record too late to permit meaningful comment or scrutiny from concerned groups and stakeholders." Growth Energy CEO Tom Buis believes EPG's fears are unfounded. "The scientific evidence demonstrates clearly that E15 is safe," he noted. "Concerns about misfueling are premature, as EPA is drafting a robust labeling rule and will conduct a vigorous public education campaign, and we are confident that the process will be successful." Buis made no comment regarding these additional costs of EPA's ethanol campaign to the American taxpayer.

Photo: Ethanol plant in Turner County, South Dakota



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