

**Environmental Working Group • Friends of the Earth • Greenpeace  
Natural Resources Defense Council • Our Children's Earth Foundation**

April 18, 2012

The Honorable John Shimkus  
Chairman  
House Subcommittee on  
Environment and the Economy  
2125 Rayburn House Office Building  
Washington, DC 20515

The Honorable Gene Green  
Ranking Member  
House Subcommittee on  
Environment and the Economy  
H2-564 Ford House Office Building  
Washington, DC 20515

Dear Chairman Shimkus and Ranking Member Green:

We, the undersigned organizations, strongly oppose H.R. 4345, the Domestic Fuels Protection Act of 2012, which would grant liability exemptions for makers and retailers of transportation fuels and fuel additives such as methyl tertiary-butyl ether (MTBE) and 15 percent ethanol (E15) blend that have been found to endanger public health and the environment. Twenty-five states have banned the gasoline additive MTBE, a groundwater contaminant leaked from storage tanks, yet the bill would exempt owners and operators of leaking underground storage tanks from civil suits. Meanwhile, communities would be left paying billions in cleanup costs and other damages.

Additionally, ethanol producers and distributors would also be exempt from liability for E15, a fuel whose production is linked to water and air pollution, agricultural runoff, and soil erosion, and whose use will likely harm engines, void warranties and cause safety problems. Using E15 in older cars or other vehicles not compatible with the new fuel also risks increasing dangerous tailpipe emissions. The Environmental Protection Agency's labeling requirements for fuel pumps dispensing E15 are insufficient to prevent driver misfueling and shifts liability squarely onto consumers.

Providing broad immunity from E15-related lawsuits puts all the environmental risks and hazards of this product on the American people, not the industry. We urge the Subcommittee to oppose this bill.

Thank you for your consideration.

Sincerely,

Jason Rano  
Director of Government Affairs  
Environmental Working Group

Kyle Ash  
Senior Legislative Representative  
Greenpeace USA

Michelle Chan  
Economic Policy Project Director  
Friends of the Earth

Nathanael Greene  
Director of Renewable Energy Policy  
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Tiffany Schauer  
Executive Director  
Our Children's Earth Foundation