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## United States Senate

WASHINGTON, DC 20510

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January 28, 2015

The Honorable Gina McCarthy  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave. N.W.  
Washington, D.C. 20460

Dear Administrator McCarthy,

I write to express my serious concerns and objection to the Environmental Protection Agency's (EPA) announcement today it is approving the imports of biodiesel from Argentina's *Camara Argentina de Biocombustibles* (CARBIO) to qualify under the Renewable Fuels Standard (RFS). To allow for an increase in imports while not providing certainty for domestic biodiesel producers under the RFS is simply outrageous.

I understand EPA is following a statutory process that began in 2012 to certify CARBIO meets the recordkeeping requirements of the RFS. However, EPA also has statutory obligation to set renewable volume obligations (RVOs) for biodiesel—something the agency has failed to do for over a year. In fact, under the Energy Independence and Security Act, the EPA should have announced 2016 levels for biodiesel in November of 2014. Under no circumstance should EPA be approving imports under the RFS, which in this case could amount to as many as a billion, before setting RVOs for our domestic producers.

Our biodiesel industry is already suffering from the EPA's failure to fulfill its responsibilities under the RFS, and this action exacerbates the uncertainty they currently face. It is imperative EPA finalize biodiesel RVOs immediately for 2014, 2015 and 2016, and these volumes must account for the likely increase in biodiesel imports allowed under today's action. It is anticipated the volumes from Argentina will displace up to one billion gallons biodiesel in the U.S. marketplace if the RVO is not increased to account for these imports.

Sincerely,



Heidi Heitkamp  
United States Senate

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