



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

AUG 29 2013

OFFICE OF  
ENVIRONMENTAL INFORMATION

Mr. Sam Kazman, General Counsel  
Competitive Enterprise Institute  
1899 L St. NW, 12<sup>th</sup> Floor  
Washington, D.C. 20036

RE: Request for Reconsideration of Request for Correction (RFC #12001) regarding analyses associated with the impact of biofuels

Dear Mr. Kazman:

This letter is in response to the Competitive Enterprise Institute's (CEI) and ActionAid USA's (AA) Request for Reconsideration (RFR) 12001A<sup>1</sup>, dated March 11, 2013, and received by the United States Environmental Protection Agency (EPA), pursuant to the *Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the Environmental Protection Agency* (EPA IQG). Your RFR requests that EPA reconsider its response, dated December 12, 2012 to your Request for Correction (RFC) 12001<sup>2</sup>

Your RFR challenges EPA's decision on the RFC, arguing in particular that EPA wrongly focused on the incremental effects of U.S. biofuel mandates viewed in isolation, and that EPA wrongly characterized the impacts of biofuel policies on food prices and world hunger. Your letter reiterates your original request for correction regarding EPA's information on "biofuel mandates on global hunger and mortality."

Consistent with EPA's IQG, EPA convened an executive panel to determine EPA's response to this RFR. The members of this executive panel consisted of the EPA Science Advisor, the Assistant Administrator of the Office of Chemical Safety and Pollution Prevention, and me, the EPA Acting Chief Information Officer. The panel reviewed your RFC, EPA's Response, and the RFR and have concluded that EPA's RFC response was appropriate.

The RFC requested that EPA correct information relevant to various actions regarding the Renewable Fuel Standard (RFS), including the RFS final rule promulgated in March 2010. The RFC took issue with the scope of the analysis as well as the conclusions EPA drew based on the analytical results. In the RFC, you pointed to analyses to support your request, including a study

<sup>1</sup> CEI/AA RFR 12001A (March 2013) <http://epa.gov/quality/informationguidelines/documents/12001A.pdf>

<sup>2</sup> CEI/AA RFC 12001 (October 2011) <http://epa.gov/quality/informationguidelines/documents/12001.pdf>

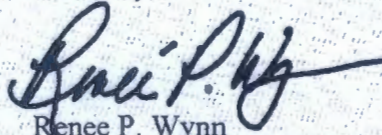


by Goklany<sup>3</sup> which was published after the March 2010 final rule had been completed. The executive panel found that the analysis EPA conducted to support the final Renewable Fuel Standard (RFS2) rulemaking<sup>4</sup> was of an appropriate scope and was based on the best available science at the time the rule was finalized. With respect to the study published after the March 2010 final rule, we note that the Guidelines are not intended as a vehicle to contest or require revisions to prior rulemaking decisions or rulemaking records that have closed.

The executive panel also concluded that EPA's website acknowledges potential impacts of biofuels policy on food prices and nutrition in a level of detail consistent with the site's discussion of other possible effects of biofuel production. The website is not intended to be an exhaustive catalog of studies on the topic. Rather, it is intended as a high-level overview of key issues, and it treats the issues raised in your RFC at a level consistent with how it treats other topics. Separately, EPA plans to update its website with additional references within sixty days.

If you have any questions about this response, please contact Monica D. Jones, Director, Quality Staff, at (202) 564-6830.

Sincerely,



Renee P. Wynn  
Acting Assistant Administrator  
and Acting Chief Information Officer

cc: Glenn Paulson, Ph.D, EPA Science Advisor, OSA  
James J. Jones, Assistant Administrator, OCSPP  
Janet McCabe, Acting Assistant Administrator, OAR  
Monica D. Jones, Director, Quality Staff  
Kristin Sundell, ActionAid USA

<sup>3</sup> Goklany, Indur M., "Could Biofuel Policies Increase Death and Disease in Developing Countries?". *Journal of American Physicians and Surgeons*, Volume 16, Number 1, pp. 9-13 (Spring 2011).

<sup>4</sup> Regulation of fuels and Fuel Additives: Changes to Renewable Fuel Standard Program, 40 CFR Part 80, 75 Fed. Reg. 14670 (March 26, 2010) (final rule).