



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

January 20, 2023

OFFICE OF  
AIR AND RADIATION

Mr. Patrick Kelly  
Senior Director, Fuel & Vehicle Policy  
American Fuel & Petrochemical Manufacturers  
1800 M Street, N.W.  
Suite 900 North  
Washington, D.C. 20036

Re: Request for Additional Time to Comment on EPA's "Proposed Renewable Fuel Standards for 2023, 2024, and 2025," Docket ID No. EPA-HQ-OAR-2022-0427

Dear Mr. Kelly:

I am writing in response to your December 23, 2022, letter to U.S. Environmental Protection Agency ("EPA") Office of Transportation and Air Quality Deputy Director Benjamin Hengst requesting that EPA extend the February 10, 2023, deadline for comment on the Agency's Proposed Renewable Fuel Standards for 2023, 2024, and 2025.

Your letter requested an extension of 60 days to April 11, 2023. Your letter states that the current comment period is insufficient given the significance, scope, and complexity of issues to be addressed, and that this problem is exacerbated by winter holidays effectively interrupting the comment period. You note in particular the lack of statutory volumes for 2023 and beyond, and the proposed regulatory changes relating to eRINs, as issues requiring additional time to meaningfully prepare comments. Your letter also suggested that EPA could move its eRINs proposal into a separate rulemaking.

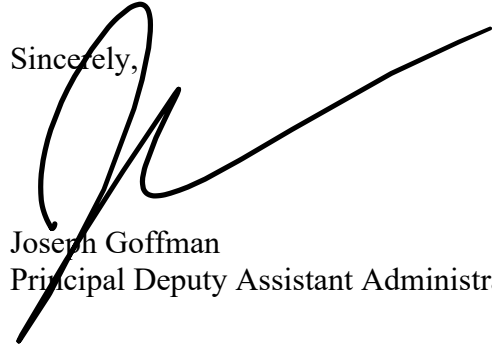
EPA is bound by a deadline for issuing a final rule, and that deadline is relevant to the question of the comment period deadline. Specifically, EPA is subject to a court-ordered deadline to finalize the 2023 standards by June 14, 2023.<sup>1</sup> Extending the current comment period deadline would not allow EPA sufficient time to review and respond to comments, draft a final rule, and complete the rulemaking process by EPA's deadline. Expediently finalizing the RFS standards, particularly for 2023 and 2024, is an important priority for EPA.

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<sup>1</sup> *Growth Energy v. Regan*, No. 22-cv-01191-RC (D.D.C.), Document No. 12.

After considering your letter, and for the reasons articulated in the preceding paragraphs, EPA denies your request to extend the comment period.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized initial 'J' followed by a long, sweeping horizontal line that extends to the right.

Joseph Goffman  
Principal Deputy Assistant Administrator