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January 21, 2011

The Honorable Steven Chu
Secretary
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585

Dear Secretary Chu:

Today, the Environmental Protection Agency (EPA) expanded its initial waiver for gasoline produced with a 15% ethanol blend (E-15) to cars manufactured from 2001-present. This decision has the potential for a plethora of unintended consequences.

Last fall, EPA Assistant Administrator Gina McCarthy briefed members of the House Energy & Commerce Committee regarding the EPA's decision to move forward with this waiver. During that closed hearing, she testified that the EPA had done none of its own testing, and relied entirely on studies done by researchers at the Department of Energy (DOE).

Many members of Congress have expressed concerns over both this waiver and the process used to grant the waiver. Numerous questions have remained unanswered, both by DOE and EPA regarding the decision-making process:

1. What were the full results of the tests done by DOE on engines ranging from car model years 2001 to the present? Did DOE researchers express any concerns that E15 would adversely affect these engines? What tests were done on engines prior to model year 2001, with what results?
2. Were all tests performed by DOE employees, or was any testing contracted out to other agencies and/or private contractors? What were the results of any such testing done by outside researchers?
3. Did DOE consult with any other federal agencies during the testing process? Were there any discussions between DOE and the Department of Transportation regarding E15's impact on surface transportation?

Because of the seriousness of this matter, and the speed at which EPA is moving to approve E15 and introduce it into the gasoline market, I would appreciate any insight you may have into this matter by February 18, 2011. As this matter is reviewed by the Energy & Commerce Committee, having a full account of how this decision was made will be vital to protecting the health and safety of the American people.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael C. Burgess".

Michael C. Burgess, M.D.