



Legislative Principles for Protecting Drinking Water Supplies, Preserving Clean Air Benefits, and Promoting Renewable Fuels

The Federal Reformulated Gasoline Program (RFG) established in the Clean Air Act Amendments of 1990 has provided substantial reductions in the emissions of a number of air pollutants from motor vehicles, most notably volatile organic compounds and nitrogen oxides (precursors of ozone), carbon monoxide, and air toxics (benzene, 1,3-butadiene, and others). In most cases these reductions have exceeded those required by law.

However, the use of methyl tertiary butyl ether (MTBE) in our nation's fuel supply has created a significant and unacceptable risk to drinking water and ground water resources. As a result of these concerns, last year EPA commissioned a Blue Ribbon Panel on MTBE and Oxygenates in Gasoline (the "Panel"). On July 27, 1999, the Panel issued recommendations on ways to maintain air quality while protecting water quality from the risks associated with MTBE. Significantly, the Panel called for a substantial reduction in the use of MTBE as well as action by Congress to remove the current 2 percent oxygenate requirement from the Clean Air Act. EPA endorsed the Panel's recommendations and committed to work with Congress to make targeted amendments to the Clean Air Act.

In the months since the Panel issued its recommendations, detections of MTBE in water supplies have grown and Congress has not yet acted to address this issue. It is of increasing importance to enact legislation that addresses this problem in an environmentally sound and cost-effective way. Such legislation should provide authority to phase out MTBE while avoiding gasoline supply shortages and ensuring price stability.

The following legislative principles, taken together as a single package, are designed to maintain air quality and enhance water quality protection while preserving the significant role of renewable fuels, most importantly ethanol. In addition, it is the Administration's intention that the resulting legislation provide sufficient flexibility with respect to both time and range of technological choices so as to allow for continued adequate supplies of gasoline at reasonable prices for consumers.

Recommendation #1: Amend the Clean Air Act to provide the authority to significantly reduce or eliminate the use of MTBE.

The rising number of MTBE detections in ground and surface water in some areas of the nation have increased the urgency for preventing further MTBE contamination. In some cases, communities have been forced to abandon their drinking water supply. To effectively address this growing problem, the Administration recommends that Congress amend the Clean Air Act to provide the authority to significantly reduce or eliminate the use of MTBE.

Recommendation #2: As MTBE use is reduced or eliminated, ensure that air quality gains are not diminished.

The clean burning Reformulated Gasoline Program has helped bring clean air to cities across the nation. In many cases, Americans have enjoyed air quality improvements that have exceeded expectations. The Administration recommends that as Congress significantly reduces or eliminates MTBE, it institute measures that maintain our air quality gains.

Recommendation #3: Replace the existing oxygen requirement contained in the Clean Air Act with a renewable fuel standard for all gasoline.

Reducing or eliminating MTBE in no way diminishes the continued need for other oxygenates, such as ethanol, to control mobile source emissions. In addition, a significant role for renewable fuels is important to our nation's energy supply (see, EO 13134 in which President Clinton sets a goal of tripling the use of renewable bio-energy by 2010). Thus, the Administration recommends that Congress replace the 2 percent oxygenate requirement in the Clean Air Act with a renewable fuel annual average content for all gasoline at a level that maintains the current level of renewable fuel (1.2 percent of the gasoline supply) and allows for sustained growth over the next decade.

Congressional action on these recommendations is essential if we are to continue to achieve the clean air public health benefits of cleaner burning gasoline while avoiding unacceptable risks to our nation's water supplies. The Administration urges Congress to address this request for legislation as quickly as possible. We remain committed to working with Congress to provide a targeted legislative solution to this matter.

For More Information

You can access documents on MTBE electronically on the Office of Transportation and Air Quality Web site at:

<http://www.epa.gov/otaq/consumer/fuels/mtbe/mtbe.htm>

You can also contact the NVFEL library for document information at:

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