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July 23, 2015

The Honorable Gina McCarthy  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, D.C. 20460

Dear Administrator McCarthy:

Thank you for appearing before the House Science Committee on July 9 and the EPA's reply to my letter on July 2. I appreciate your willingness to listen to my concerns and address them.

Acting Assistant Administrator McCabe's response to my letter regarding Reid Vapor Pressure (RVP) and the Clean Air Act (CAA) left some questions unanswered and raised new ones.

I would like you to address the following questions.

- Is it legal to relabel E-15 as flex fuel?
- Is it legal to sell E-15 as flex fuel?
- If it is illegal to sell or label E-15 as flex fuel, how and when will the EPA inform retailers that it is illegal?
- How will the EPA enforce the E-15 Misfueling Mitigation Rule, RVP violations and related CAA provisions?

I would also like more information regarding the "industry-funded surveys conducted by an independent party to monitor compliance with EPA E-15 labeling requirements."

- Have industry-funded surveys found retailers relabeling E-15 as flex fuel?
- How long has EPA used industry-funded surveys to monitor compliance the E-15 Misfueling Mitigation Rule and pump labeling requirements?
  - Please provide all survey results to me with your reply to this letter.
- Which independent party, or parties, monitored compliance with the EPA E-15 labeling requirements for each year the EPA used the industry-funded surveys?

I request that you respond to this letter and document request by August 19, 2015. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "F. James Sensenbrenner, Jr.", written over a blue circular stamp.

F. JAMES SENSENBRENNER, JR.  
Member of Congress