

April 18, 2012

The Honorable John Shimkus
Chairman
House Subcommittee on
Environment and the Economy
2125 Rayburn House Office Building
Washington, DC 20515

The Honorable Gene Green
Ranking Member
House Subcommittee on
Environment and the Economy
H2-564 Ford House Office Building
Washington, DC 20515

Dear Chairman Shimkus and Ranking Member Green:

The undersigned organizations oppose H.R. 4345, the Domestic Fuels Protection Act of 2012, which provides broad liability exemptions to fuel producers, engine manufacturers and retailers of virtually all transportation fuels and fuel additives such as methyl tertiary-butyl ether (MTBE) and 15 percent ethanol (E15) blend. The bill grossly undermines state consumer protection laws, gives immunity to makers of defective fuel products, and shields owners and operators of leaking underground storage tanks from legal action. Furthermore, it passes associated risks onto consumers, who are left exposed to billions of dollars in potential damages with no means of recourse.

These exemptions will likely endanger public health and consumer safety. Twenty-five states have banned MTBE, a gasoline additive notorious for leaking from underground storage tanks, yet its handlers would qualify for liability protection. Ethanol producers and distributors would also be exempt from liability for E15, a fuel which has been found to cause engine failure in boats, non-road vehicles and equipment, void auto warranties and contribute to lower gas mileage.

As the Subcommittee prepares for its legislative hearing on April 19th we ask that you consider these concerns.

Sincerely,

Alliance for Justice
Center for Auto Safety
Center for Justice & Democracy
National Consumers League
Public Citizen
U.S. PIRG