



Lisa Jackson, Administrator
Environmental Protection Agency
Air and Radiation Docket
Docket ID No: EPA-HQ-OAR-2009-0211
Mailcode: 6102T
1200 Pennsylvania Ave., NW
Washington, DC 20460

May 6, 2009

Dear Ms. Jackson:

Thank you for the opportunity to comment on Growth Energy's proposed waiver request for ethanol gasoline blends of up to 15% by volume. Tyson Foods, Inc. is one of the largest end users of grains and oilseed products (corn and soybean meal), and as such, we have a vested interest in the prices of these commodities and the regulations and policies that influence them. While we support the development and use of biofuels, we are opposed to the waiver request based on 1) the potential for increased corn costs, and 2) unknown impacts on motor vehicle and equipment engines.

First, the ethanol industry has benefited from a wide variety of subsidies and policies to support its business. These measures include a renewable fuels mandate for annual usage, a blender's tax credit, and a tariff on imports of the product. Due in part to the proliferation of corn-derived ethanol facilities and ethanol production in the US, the price of corn spiked in 2008 to an annual average of \$5.27/bushel, well above the average of \$2.26/bushel during the first part of the decade.¹ While corn prices have since receded, they are still well above historical norms. These higher input costs have and continue to put pressure on food manufacturers as more corn is diverted into the production of fuel. In the absence of significant contributions from next generation ethanol technologies that use alternative feedstocks, we believe that a move to a 15% blend will result in a further increase in corn prices that will ultimately have to be transferred to our customers in the form of increased prices for chicken, beef, and pork.

Second, the impacts of higher blends on motor vehicle engines and smaller equipment engines used by the company, its team members and associates have not been thoroughly investigated. The Department of Energy has embarked on early evaluations of higher blends and is sponsoring additional studies to determine higher blend level impacts on emissions, materials compatibility, etc.² General Motors has suggested that more durability tests be conducted on higher blend levels to adequately assess the longer term impacts on motor vehicles.³ The Outdoor Power Equipment Institute suggests potential damage and safety risks may result from using higher ethanol blends in existing equipment.⁴ The company's motor vehicles, generators, etc. rely on safe and efficient gasoline – we recognize the potential for damage and costly repairs and feel that further research is warranted.

Again, we strongly oppose the waiver request and appreciate the opportunity to provide comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Leland Tollett", written over a horizontal line.

Leland Tollett
President and CEO, Tyson Foods, Inc.

¹ Based on average of nearby corn futures prices from Chicago Board of Trade (CBOT).

² Knoll, K. et al. "Effects of Intermediate Ethanol Blends on Legacy Vehicles and Small Non-Road Engines, Report 1," Department of Energy, February 2009.

³ Jones, Coleman. "Seven Reasons Why Testing Mid-level Ethanol Blends Matters," GM Fast Lane Blog, April 20, 2009.

⁴ Outdoor Power Equipment Institute. "Premature Rush to E15 Fuel Could Injure Consumers, Their Products, and the Environment," March 6, 2009.