

March 18, 2014

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Gina McCarthy
Administrator
United States Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460

Re: Notice of Violation Pursuant to 42 U.S.C. § 7604(b)(2)

Dear Administrator McCarthy :

I represent Monroe Energy LLC ("Monroe"), and I write concerning two filings made by Monroe with EPA on October 15, 2013: (1) a Petition for Reconsideration of EPA's "Regulation of Fuels and Fuel Additives: 2013 Renewable Fuel Standards," published at 78 Fed. Reg. 49794 (Aug. 15, 2013), and (2) a Petition for Partial Waiver of the 2013 Renewable Fuel Standard Volume Requirements established in EPA's "Regulation of Fuels and Fuel Additives: 2013 Renewable Fuel Standards," published at 78 Fed. Reg. 49794 (Aug. 15, 2013).

It has been five months since those petitions were filed, and EPA still has not acted on them – despite its statutory obligation to rule on any waiver petition within 90 days, 42 U.S.C. § 75445(o)(7)(B); despite its duty under 42 U.S.C. § 7607(d)(7)(B) to convene a proceeding for reconsideration when the petitioner has raised an objection that was impracticable to raise during the public comment period and that is of central relevance to the outcome of the rule; and despite an upcoming June 30, 2014 compliance deadline that will moot both petitions.

Accordingly, pursuant to 42 U.S.C. § 7604(b)(2), Monroe hereby gives notice to EPA of the agency's failure to perform the nondiscretionary duty of adjudicating Monroe's waiver and reconsideration petitions, and of Monroe's intent to bring suit to compel EPA's action 60 days after the date of this letter.

For your convenience, we have attached the Petition for Reconsideration (Exhibit A); the Petition for Partial Waiver (Exhibit B); proof of email submission on October 15, 2014, to you and other EPA staff (Exhibit C); and proof of submission and receipt by certified mail (Exhibit D). We have not attached to this submission a Confidential Business Information filing submitted as an exhibit to both petitions, which, pursuant to 40 C.F.R. Part 2, Monroe has asserted contains information that is company confidential, subject to protection under that Part, and any other applicable law, rule, or regulation. Nor have we

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attached an errata to the Confidential Business Information filing, which was filed with EPA on October 25, 2014. We are happy to provide you with additional copies of these CBI filings upon your request.

Sincerely,

A handwritten signature in blue ink that reads "David W. DeBruin" followed by a horizontal line and a small flourish.

David W. DeBruin