



# NEWS RELEASE

Attorney General Mike Hilgers

FOR IMMEDIATE RELEASE

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## Attorney General Hilgers Sues EPA for Failure to Implement Sale of Year-Round E15 Gasoline

LINCOLN— Today, Nebraska Attorney General Hilgers joined Iowa in suing the Biden Administration’s Environmental Protection Agency (“EPA”) for failing to timely fulfill the request by Iowa and Nebraska Governors to allow the sale of year-round E15 gasoline.

On April 28, 2022, a bipartisan coalition of eight governors asked the EPA to allow the sale of E15 gasoline through the summer. Despite the Clean Air Act requiring the EPA to comply within 90 days, the EPA has remained silent. It has now been over 376 days since the expiration of that 90-day deadline.

The Attorneys General filed the lawsuit to ensure the EPA promulgates regulations that give consumers in their states access to low-emissions E15 during the summer driving season. Allowing year-round sale of E15 will reduce the cost of gasoline for consumers and avoid supply shortages. The move would also benefit Nebraska’s corn farmers, ensuring they have another stable and consistent outlet for their product. Many states and consumers prefer access to E15 as it produces fewer dangerous emissions and is often sold at a lower price.

“The Biden Administration knows that increasing access to E15 will help consumers obtain some relief from the rising cost of gasoline, provide support for our farmers, and strengthen US energy security during a turbulent time,” said Attorney General Hilgers. “Earlier this year the administration recognized as much when it issued a temporary waiver. There is no reason that waiver shouldn’t be made permanent.”

The suit demonstrates that a respectful approach to federalism empowers the states to act in a manner to best protect their states’ air quality, consistent not only with the Act’s plain text but with the Clean Air Act’s intent.

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*Court Filing Attached*

Suzanne Gage  
Director of Communications  
Nebraska Attorney General's Office  
Office: 402-471-2656  
Mobile: 402-560-3518  
[Suzanne.gage@nebraska.gov](mailto:Suzanne.gage@nebraska.gov)

