



NEW JERSEY STATE LEGISLATURE

LATHAM TIVER
SENATOR

MICHAEL TORRISSI, JR.
ASSEMBLYMAN

Re: Renewable Fuel Standard (RFS) Program: Standards for 2026 and 2027, Partial Waiver of 2025 Cellulosic Biofuel Volume Requirement, and Other Changes

Docket ID - EPA-HQ-OAR-2024-0505

July 17, 2025

Mr. Lee Zeldin, Administrator
U.S. Environmental Protection Agency
Office of Administrator 1101A
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Dear Administrator Zeldin:

We would like to add our voice to the growing list of those concerned about the need for fundamental reforms to the federal Renewable Fuel Standard ("RFS"). This matter has reached a critical stage in recent years, and I implore you to act before it's too late for our regional and South Jersey refiners.

The RFS was a well-intended program when it was established, but the reality is that it isn't working as Congress envisioned. As a result, our region's last few independent refiners are suffering severe economic hardship. The blending requirement has been particularly harmful to independent refineries, who generally do not have large-scale blending operations and are thus left with no alternative but to purchase Renewable Identification Numbers ("RIN") credits. RIN prices have been unpredictable and at times skyrocketed in cost for a combination of reasons, including high demand, decreasing supply, speculation in the market by non-refiners, and a flawed program design. The costs have risen to such an extent that in many years, independent refiners devote more financial resources to RINs than to all other expenses combined, including wages, benefits, and maintenance costs.

Our region's independent refiners are critical to our energy and national security, as they provide much-needed diversity for our national fuel production capabilities. Not that long ago, there were a dozen regional refineries; today, just four remain. To put this into perspective with respect to regional fuel supply, the Northeast has lost 1.5 million barrels per day – or roughly 70% – of its refining capacity, making states like New Jersey more dependent than we should be on imported fuel from foreign countries. We cannot afford to continue to jeopardize the survival of our region's refineries, especially at a time when we are seeking to unleash America's affordable and reliable energy and natural resources.

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Without sensible reforms, we risk making our nation even more dependent on foreign energy sources which, in a cruel twist of irony is the very thing the RFS was intended to steer us away from. Therefore, it's critical for the Trump administration to implement common-sense reforms beginning with amending the proposed RFS volumes, which will help correct the course of the RFS program, while ensuring that biofuel blending will still continue in earnest, but without driving independent refiners out of business.

In the short term, the EPA should reduce the overall 2026 and 2027 volumes to 14.2 billion gallons for ethanol. This is the highest level likely to be consumed, according to the U.S. Energy Information Administration. While EPA recognizes that the supply of conventional biofuel (D6 corn-based ethanol) in 2026 and 2027 will likely fall short of the implied 15 billion gallon volumes that were proposed, total volumes are still achievable through the use of additional volumes of "advanced biofuels" beyond the volume requirements for that category. This rule would essentially allow for overcompliance with "advanced biofuels" – to comply with the ethanol portion of the mandate, but not vice versa. The outcome of reducing volumes would be increased RIN availability, with a resulting drop in the price of RIN credits into a range that would provide at least temporary relief to independent refiners. At that point, EPA should look to permanently fix the RFS, once and for all.

We applaud the efforts of this administration to ensure America takes a leading role in being a net total energy exporter, but we must take fair steps to protect our domestic refineries, the thousands of union jobs they create, and our energy independence from foreign countries. It is absolutely imperative that the Trump administration, with your support, implements common-sense reforms to the well-known problems of the RFS program. A good first step is making the above changes to the proposed RFS volumes. Thank you for considering these views and for working to protect and improve our country's environment.

Sincerely,

Senator Latham Tiver and Assemblyman Michael Torrisi

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