



## **STATEMENT BY THE FUELING AMERICAN JOBS COALITION**

**October 15, 2019**—*The Fueling American Jobs Coalition released the following statement regarding today's publication in the Federal Register of a Supplemental Proposal for Renewable Fuels Volumes:*

“Today, EPA released a notice of supplemental rulemaking dealing with the manner in which EPA would set future renewable volume obligations (RVOs), the ethanol mandates required under the Renewable Fuel Standard (RFS). The supplemental describes a potential program that runs counter to the law, regulations, and legal precedents of the Clean Air Act. It is based on a false premise that fair treatment of smaller refineries hurts ethanol demand. And it will have the unintended consequence of diminishing energy security and industrial jobs from Pennsylvania to Texas.

The supplemental rule calls for comment both on the EPA's potential to grant only partial small refinery exemptions (SREs) and an attempt to prospectively estimate SRE volumes, adding them to the RVO required of refineries that do not qualify for SREs. Both of these concepts - partial SREs and reallocation of volumes - run contrary to law and intent of the Clean Air Act and the RFS regulatory structure.

### **Broken Promises to Industrial Workers**

With today's announcement, the President has broken his promise to the manufacturing workers he promised to protect in Pennsylvania, Ohio, Texas and across the nation to benefit Senators and trade associations in the pocket of the foreign biofuel lobby.

### **False Premise of Demand Destruction**

The entire concept of prospectively recovering SRE volumes is based on a false premise. The overwhelming consensus of data—confirmed by this EPA—shows that SREs do not suppress U.S. ethanol production, demand or exports. Domestic ethanol consumption is already robust—blending levels are high.

### **Stimulates Imports**

There is no evidence that arbitrary expansions in mandated ethanol use will come from domestic production. If history is any guide, additional volume almost certainly will be satisfied by imports, not American ethanol production.

### **Calls for Illegal Action**

EPA's own Air Office itself recently stated that granting partial exemptions is illegal. In October, EPA's Ann Idsall wrote that, “It is evident that the original exemption... was a full

exemption, and therefore I conclude that when Congress authorized the Administrator to provide an 'extension' of that exemption... Congress intended that extension to be a full, and not partial, exemption." Also, predicting SRE volumes prospectively is virtually arbitrary, as the Heritage Foundation recently [found](#). Reallocation to non-qualifying refineries amounts to imposition of penalties without due process of law.

The FAJC looks forward to participating in the rulemaking process contemplated by the supplemental. Our member companies will advance our legal interests to the maximum extent possible, including potential legal action."

*The Fueling American Jobs Coalition is a coalition of union workers, mom & pop gas station owners, small retailers, and independent American oil refiners fighting for a commonsense fix to the Environmental Protection Agency's (EPA's) flawed Renewable Fuel Standard (RFS). The need for significant reform has only grown over the past few years as the cost of purchasing Renewable Identification Numbers (RINs) to comply with the RFS has grown increasingly volatile, threatening some refiners' survival.*

For additional information, visit [www.fuelingusjobs.com](http://www.fuelingusjobs.com).