Fifteen Senators and 24 House members have signed letters to EPA Administrator Andrew Wheeler urging him to heed and quickly respond to the petitions of six state governors seeking relief from 2020 Renewable Fuel Standard (RFS) regulatory compliance burdens. As the Senators make pointedly clear, “If there ever was a time to use your authority, it is now.”

EPA has always had the authority to waive all or part of annual RFS compliance burdens when those costs are a source of severe economic harm to states, regions or the nation. According to the Governors of Pennsylvania, Texas, Louisiana, Utah, Oklahoma and Wyoming, if EPA does not exercise its general waiver authority, their states and regions will be in the exact position of economic pain due to refining industry declines that Congress instructed EPA to shield them from.

Senators Barrasso and Enzi of Wyoming, Toomey of Pennsylvania, Cornyn and Cruz of Texas, Cassidy and Kennedy of Louisiana, Daines of Montana, Lee of Utah, Risch and Crapo of Idaho, Inhofe and Lankford of Oklahoma, Moore Capito of West Virginia and Wicker of Mississippi cautioned Administrator Wheeler that, “A failure to grant, in part or in whole, the governors’ petitions would render [the general waiver] provision within the Clean Air Act utterly meaningless. It would be a gross example of a federal agency nullifying an act of Congress.”

Members of the House urged action from the Administrator as well, “This is not time for the agency to sit idly by as refineries face economic duress that can cost the nation hundreds of thousands of jobs and undermine the very energy security that the RFS was established to protect.”

The House letter was signed by Texas Representatives Arrington, Brady, Babin, Burgess, Crenshaw, Cloud, Gohmert, Gooden, Hurd, McCaul, Olson, Roy, Taylor, Weber, Wright and R. Williams; Oklahoma Representatives Cole, Mullin and Hern; Louisiana Representatives Higgins and Graves; Utah Representatives Bishop and Curtis; and Wyoming Representative Cheney.

AFPM appreciates the efforts of these nearly 40 leaders to protect U.S. refiners, states, and regions from the economic damage of the broken RFS mandate.

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The American Fuel & Petrochemical Manufacturers (AFPM) is the leading trade association representing the makers of the fuels that keep us moving, the petrochemicals that are the essential building blocks for modern life, and the midstream companies that get our feedstocks and products where they need to go. We make the products that make life better, safer and more sustainable — we make progress.

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