The chief legal officers of seven states — Louisiana, Texas, Oklahoma, Utah, Arkansas, Oklahoma and Wyoming — added their names and states to the list of those urging EPA to issue a waiver of 2020 Renewable Fuel Standard (RFS) compliance burdens.

As the Attorneys General (AGs) note, EPA is empowered with authority under the Clean Air Act to waive all or part of RFS annual compliance burdens when the fulfillment of such obligations would cause severe economic harm to a state, region or the country as a whole. The AGs write, “Congress intended the renewable fuels program to be transformative, not destructive. If the program threatens the very economies it intends to modify, the Administrator is empowered to take necessary steps to protect the regulated markets by waiving the program’s requirements.”

This year, the AGs note EPA and other agencies have exercised authority to provide industries relief from regulatory policies in order to “maximize and sustain capacity” and help keep the U.S. economy afloat. It is only fitting that EPA use the tools provided by Congress to prevent states and regions from facing any more severe economic harm because of surging compliance costs in the RFS regulatory market.

The refining industry is critical to the economy and energy security of the United States. The sector’s health and capacity — which is an economic anchor for entire states and regions — is threatened by growing RFS mandates and compliance costs that have hit two-year highs in the midst of an historic economic downturn.

The time for EPA to invoke its general waiver authority and reduce RFS regulatory costs is now.

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About AFPM:

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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