AFPM President & CEO Chet Thompson issued the following statement today on the Supreme Court's review of the RFS small refinery relief program in the case of HollyFrontier Cheyenne Refining v. Renewable Fuels Association (20-472):

> "Refiners are encouraged that the Supreme Court sees the merit in this case. Since day one of the RFS, Congress made sure to provide small refineries with lifelines to seek relief from disproportionate, damaging RFS compliance costs. If the 10th Circuit's new re-interpretation stands, relief avenues for practically all small refineries would be eliminated. With RFS compliance costs already up 500% over the last year, that could mean the shuttering of more American energy plants.
>
> "We think this is an easy decision for the justices and we're confident textualism will win the day. A plain reading of the law makes clear that Congress intended for the small refinery hardship program to be a lasting safety net available to facilities for those times when RFS regulatory costs become a source of disproportionate economic harm. There is no "use it or lose it" provision in the statue. If Congress today wants a different law, it's their job to change it. The job of legislating shouldn't be punted to the courts."

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