Federal Legislation, Regulation, Litigation. Policy. Scroll down for exciting Advanced Biofuels USA News! View this email in your browser





### 2018 US Senate and House Elections

Some will be making biofuels an issue during this year's US Senate and House of Representatives elections. We'll follow developments <a href="here">here</a> and on our <a href="website">website</a> with category, <a href="mailto:2018 Election Activities">2018 Election Activities</a> and tag, <a href="mailto:2018 Election Activities">2018 US Senate and House</a> <a href="mailto:Campaigns">Campaigns</a>.

Happenings on Capitol Hill, at the White House and in Federal Agencies

### **Latest Federal Legislation Posts**

The Renewable Fuel Standard reform or revisions and tax incentives remain on the table along with carbon tax/price/cost discussions. And Farm Bill discussions are heating up.

Where to put articles about the Philadelphia, PA refinery that claims its bankruptcy stems not from mismanagement and corporate raiding, but from having to pay for RINs? They overlap with claims for legislative and regulatory reform. Look for some articles in each section.

For more legislative news (including Executive Orders), click here.

We also follow <u>policy developments</u> in the US, other countries and states. For more information on those topics, click on the name of the country or state that appears along the right margin of our website at www.AdvancedBiofuelsUSA.org.

#### U.S. Senator's Biofuel Overhaul Faces Resistance

February 17, 2018 – by Jarrett Renshaw (Reuters) Texas Senator John Cornyn's plan to overhaul U.S. biofuels policy faces resistance from the oil and ethanol sectors, reducing chances of a reboot to the controversial regulations, sources familiar with the matter said. The ...

#### Energy Programs Should Be Fully Funded and Enhanced in the 2018 Farm Bill

February 13, 2018 – by Jeremy Gilpin, Jordan Blanchard, and Cindy Thyfault (National Rural Lenders Association/Biofuels Digest) There has been a keen focus the last few weeks for President Trump and the USDA with the release of the Task Force on Agriculture ...

#### Trump Seeks to Cut Energy Department Loan, Research Programs

February 12, 2018 – by Timothy Cama (The Hill) The Trump administration

Monday proposed significantly slashing a handful of controversial loan and research programs at the Department of Energy (DOE).

The cuts to programs meant to help develop innovative energy technologies, ...

#### ABO Scores Historic Victory for Carbon Utilization

February 10, 2018 – (Algae Biomass Organization) In a historic victory for algae and other microbial technologies, Congress late last night approved a two-year budget agreement that establishes a \$35 per ton tax incentive for carbon captured and recycled from power plants ...

#### Alternative Fuel Tax Credits Extended

February 10, 2018 – (Wisconsin Clean Cities) The Bipartisan Budget Act of 2018, signed into law by President Trump today, included provisions to extend a host of Alternative Fuel Tax Credits. The incentives originally expired on December 31, 2016. ...

#### Biodiesel Tax Credit Back in US Budget Deal

February 9, 2018 – by Jim Lane (Biofuels Digest) In Washington, the US Congress passed its budget deal, and among the items in the deal was a retroactive restoration of the \$1 per gallon biodiesel tax credit for 2017. The ...

#### U.S. House Republicans to Scrutinize Narrow, 'Extender' Tax Breaks

February 7, 2018 –by David Morgan (Reuters) ... Just weeks after approving a sweeping tax code overhaul, the Republicans said they would examine as many as 35 "tax extender" measures to see if they should remain on the books.

#### Senate Ag Committee Chairman Expects Farm Bill Vote in March

February 2, 2018 – by P.J. Griekspoor (American Agriculturalist) Sen. Roberts

urged farmers to be ready to 'sound off' in support of farmer-friendly legislation. — March will be the month the 2018 Farm Bill comes to the Senate floor. At least that's ...

#### Marathon Looks for Spring Fuel Mandate Change

February 2, 2018 –(Argus Media) Marathon Petroleum said it expects US legislators to propose changes to federal fuel mandates this spring.

Senators and US Representatives would soon propose changes to the Renewable Fuel Standard (RFS), chief executive Gary Heminger said ...

# What's the Real Story behind Philadelphia Energy Solutions' Bankruptcy, Crude Oil, and the Renewable Fuel Standard?

February 2, 2018 – by Joelle Simonpietri (Biofuels Digest) On Jan 21st 2018, Carlyle-backed Philadelphia Energy Solutions(PES), the largest refinery complex on the U.S. east coast at 335,000 barrels per day, filed for Chapter 11 bankruptcy, blaming Renewable Fuel Standard (RFS) compliance costs. In the week ...

#### Refiner Bankruptcy Adds to Pressure to Overhaul Biofuel Program

February 1, 2018 – by Jennifer A Dlouhy and Mario Parker (Bloomberg) Biofuel mandate overhaul mulled by Congress after bankruptcy; Unions and Pennsylvania politicians seek immediate action — The bankruptcy of Philadelphia Energy Solutions LLC, the biggest refiner on the U.S. East Coast, has invigorated efforts

#### A Quiet Year for Biofuels M&A: 2017 Review and Outlook

February 1, 2018 – by Bruce Comer (Ocean Park Advisors/Biofuels Digest) More industry players chose to develop and build new capacity rather than buy

plants — The North American biofuels industry experienced the fewest merger and acquisition transactions in recent history ...

#### Congress Urged to Pass Biodiesel Tax Credit in Budget Negotiation

January 24, 2018 – by Ron Kotrba (Biodiesel Magazine) ... (B)iodiesel companies are pressing Congress to pass the \$1 per gallon biodiesel tax credit, which expired more than a year ago for the fifth time in its existence. On ...

#### The Fundamentals of Fly-Ins

January 24, 2018 – by Keith Loria (Ethanol Producer Magazine) The Washington, D.C., events provide opportunities for constituents to meet with lawmakers and help influence biofuels policy. — Getting the ear of members of Congress, state legislators or regulatory bodies is ...

#### Ag Secretary to Roll out Farm Bill & Legislative Principles in Pennsylvania

January 24, 2018 – (Wisconsin State Farmer) U.S. Secretary of Agriculture Sonny Perdue will be in Pennsylvania Wednesday, Jan. 24 to roll out the U.S. Department of Agriculture's Farm Bill and legislative principles for 2018. READ MORE

Agriculture Secretary Sonny Perdue pulls ...

#### RFA's 2018 Biofuel Priorities to Help 'Make America Great Again'

January 23, 2018 – by Bob Dinneen (Ethanol Producer Magazine) ... This new era of getting our country back on track has and will continue to extend into the biofuels industry, making sure we are providing the cleanest, lowest-cost and ...

#### Is There Life yet for an Energy Bill in Congress?

January 22, 2018 – by James Osborne (Houston Chronicle) Longstanding efforts

to rewrite U.S. energy policy to keep pace with market and technological changes are being revived in Congress once again.

In an interview with Politico, Sen. Lisa Murkowski, R-Alaska, chairman ...

### **Latest on Federal Regulation**



After ineffective White House meetings, discussions continued about RINs prices, the point of obligation and the underlying goal of the Renewable Fuel Standard.

With international pressure to "decarbonize" transport, the work in the US becomes more and more valuable; and regulations that encourage and facilitate thoughtful, sustainable progress toward finding replacements for fossil fuel continue. And, shouldn't we start calling it "defossilize?" Isn't that what we really mean? Aren't we really striving to keep carbon stored underground while recycling carbon from the air and carbon that is storing solar energy on the surface of the Earth?

Scroll down for information about regulations related to these topics and others among our <u>latest postings</u>. Others you'll find in the <u>Federal Regulations</u> category online.

#### Letter: Renewable Fuel Standard Supports Domestic Biofuels

February 20, 2018 – by Christiana Mayer (East Oregonian) We are continually bombarded with news about new oil drilling and fracking, but that's not the only solution for domestic fuel production or the only path toward loosening OPEC and Russia's ...

#### Refiner Goes Belly-up after Big Payouts to Carlyle Group

February 20, 2018 - by Jarrett Renshaw (Reuters) Throughout 2016 and 2017, a

rail terminal built to accept crude oil for the largest East Coast refinery often sat idle, with few trains showing up to unload.

Although little oil flowed, plenty of ...

#### Expected Drop in Farm Income Highlights Need for Biofuels, RFS

February 19, 2018 –by Erin Voegele (Ethanol Producer Magazine) The USDA's February 2018 Farm Income Forecast predicts net farm income will decline by or 6.7 percent this year. According to Growth Energy, the expected drop underscores the need for ...

#### The Wisdom of Thumper

February 19, 2018 –by Ron Lamberty (Ethanol Producer Magazine/American Coalition for Ethanol) ACE's Ron Lamberty reviews a letter the Petroleum Marketers of America recently sent to the Federal Trade Commission.

It's reasonable to want to tear the letter apart and ...

#### Catalysts, Cleaning and Cook

February 19, 2018 –by Tom Bryan (Ethanol Producer Magazine) It's not every day that scientists stumble upon novel ways to make biofuel, but that's exactly what Oak Ridge National Laboratory researchers have done by discovering that a simple catalyst ...

#### Analysis: RIN Prices of 'Just a Few Cents' are Coming—Without Changes to RFS

February 16, 2018 – by Emily Druckman (Renewable Fuels Association) A new analysis from the University of Illinois shows that the conditions that caused

high conventional biofuel (D6) RIN prices are changing rapidly and that "...it is not out of the realm ...

## EPA RIN Market Data Poor: CFTC Can't Draw Conclusion on RIN Market Based on EPA Data Provided

February 16, 2018 – by Chris Clayton (DTN The Progressive Farmer) The chairman of the Commodity Futures Trading Commission told senators Thursday the Environmental Protection Agency hasn't been able to provide the CFTC with enough quality data on the biofuels ...

#### QUOTE OF THE WEEK

February 16, 2018 – In his article suggesting scrapping Corporate Average Fuel Economy standards in favor of a Clean Air Act life cycle analysis-based methodology for CO2 transportation emission reduction, Bob Kozak advised, "(I)f anyone asks what will be ...

# Let's Regulate CO2 Emissions, and Forget the 55.4 MPG 2025 Corporate Annual Fuel Economy Standard: The Inexpensive Way to Quickly Reduce Green House Gases

February 15, 2018 –by Robert Kozak\* (Advanced Biofuels USA) The 2025 Corporate Average Fuel Economy (CAFE) standard of 54.5 miles/gallon has become a significant issue since the election of Donald Trump as president of the United States. Besides the ...

#### API Urges EPA Not to Exempt Small Refiners from US Biofuel Mandate

February 15, 2018 – by Meghan Gordon (Platts) The American Petroleum Institute has come out against a campaign by small refineries to avoid their obligations under the US biofuel mandate, according to a letter released Tuesday.

More than two dozen refineries ...

#### Pruitt Commits to Creating Regulatory Certainty for Biomass

February 14, 2018 – by Erin Voegele (Biomass Magazine) On Feb. 13, U.S. EPA Administrator Scott Pruitt met with members of the forest products industry and New Hampshire Gov. Chris Sununu to discuss a range of environmental issues. Pruitt also ...

#### American Energy Dominance Won't Come from Turning Back the Clock

February 8, 2018 – by Mike Carr (The Hill/New Energy America) President Trump has pledged a theme of "energy dominance." It's not the first time Washington has had this thought. During the years I worked at the Senate Energy and Natural ...

#### Grassley: RFS Has Minimal Impact on Success of Refineries

February 6, 2018 –by Erin Voegele (Ethanol Producer Magazine) Sen. Chuck Grassley, R-Iowa, has released a memo produced by his energy policy staff that finds that Renewable Fuel Standard blending requirements and the cost of renewable identification numbers (RINs) ...

### Ethanol Blog Harvard Professor: Year-Round E15 Sales Would Reduce Biofuel Credits Costs

February 6, 2018 – by Todd Neeley (DTN The Progressive Farmer) As debate rages on about whether the price of biofuels credits in the Renewable Fuel Standard are putting small refiners out of business, a little-known analysis by a Harvard ...

#### 10 Years After: Advanced Biofuels' Status, Opportunities and Challenges

February 6, 2018 – by Lorenz Bauer (Lee Enterprises Consulting/Biofuels Digest) In 2007 the US government established a national strategy for the development of advanced biofuels made using non-edible biomass. After 10 years we are still short of achieving ...

#### Over 30 States Broke Blend Wall in 2016

February 5, 2018 –by Cindy Zimmerman (Energy.AgWired.com) The latest data from the U.S. Department of Energy (DOE) shows that gasoline consumed in 30 states and the District of Columbia in 2016 contained more than 10 percent ethanol on average, breaking ...

#### Bankrupt Refiner Made Missteps

February 5, 2018 –by Bob Dinneen (Renewable Fuels Association/Washington Times) The oil industry's campaign to undermine the growth of domestically produced renewable fuels such as ethanol has certainly been ramped up lately. Today they're callously capitalizing on the financial ...

#### Marathon Looks for Spring Fuel Mandate Change

February 2, 2018 – (Argus Media) Marathon Petroleum said it expects US legislators to propose changes to federal fuel mandates this spring.

Senators and US Representatives would soon propose changes to the Renewable Fuel Standard (RFS), chief executive Gary Heminger said ...

#### Broin Brings E15 Message to Pence Summit at Trump Hotel

February 2, 2018 – (The Fence Post/Hagstrom Report) Jeff Broin, founder and CEO of POET, the South Dakota company that builds and manages ethanol

plants, brought his view that the government needs to authorize the sale of E15 blend year-round ...

# What's the Real Story behind Philadelphia Energy Solutions' Bankruptcy, Crude Oil, and the Renewable Fuel Standard?

February 2, 2018 – by Joelle Simonpietri (Biofuels Digest) On Jan 21st 2018, Carlyle-backed Philadelphia Energy Solutions(PES), the largest refinery complex on the U.S. east coast at 335,000 barrels per day, filed for Chapter 11 bankruptcy, blaming Renewable Fuel Standard (RFS) compliance costs. In the week ...

#### Refiner Bankruptcy Adds to Pressure to Overhaul Biofuel Program

February 1, 2018 – by Jennifer A Dlouhy and Mario Parker (Bloomberg) Biofuel mandate overhaul mulled by Congress after bankruptcy; Unions and Pennsylvania politicians seek immediate action — The bankruptcy of Philadelphia Energy Solutions LLC, the biggest refiner on the U.S. East Coast, has invigorated efforts ...

# <u>Letter to the Editor: Renewable Fuel Standard Threatens New Jersey Wildlife & Worsens Climate Change</u>

January 31, 2018 – by Kelly M0oij (Audubon Society/Tap Into New Brunswick) ... A decade removed from RFS beginnings has given ample time for evaluation and it's time to reform the program. As a start, Congress must work to promote ...

#### U.S. EPA Hopes to Decide Soon on Ethanol Waiver: Administrator

January 31, 2018 – by Timothy Gardner (Reuters) U.S. Environmental Protection Agency Administrator Scott Pruitt said on Tuesday that his agency hopes to decide soon whether it has the legal authority to issue national waiver on selling of motor fuel ...

# Extraction of Valuable Oils from Algae and other Green Plants: Challenges, Opportunities and Commercial Landscape

January 31, 2018 – by Brian Goodall (First Garden City Consulting/Lee Enterprises Consulting/Biofuels Digest) ... (I)n the case of microalgae the oil has to coaxed out of the whole plant (typically single cells) using chemical or physical means to

#### ACE Presents on Ethanol Markets at MN Ag Expo

January 30, 2018 – (American Coalition for Ethanol/Ethanol Producer Magazine) Ron Lamberty, senior vice president of the American Coalition for Ethanol, updated attendees at the MN Ag EXPO in Mankato, Minnesota, on the changing landscape that allows retailers to offer ethanol-blended ...

#### EPA Pushes Unified National Fuel Emissions Standard

January 26, 2018 – by Miranda Green (The Hill) The Environmental Protection Agency (EPA) is pushing for a unified national fuel emissions standard for automobiles, a move that could significantly impact California's stringent car emissions standards.

EPA air and radiation head Bill Wehrum, ...

#### Ethanol Group Urges US EPA to Limit RFS Waivers to Small Refineries

January 26, 2018 – by Meghan Gordon (Platts) A major US ethanol trade group is urging the Environmental Protection Agency to be more transparent in weighing requests from small refineries to get out of their obligations under the US biofuel mandate.

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#### Exclusive: U.S. Small Refiners Make Surge of Biofuel Waiver Requests – Sources

January 25, 2018 – by Jarrett Renshaw (Reuters) More than two dozen small U.S. refineries are seeking waivers from the nation's biofuels law, an unusually high number that reflects growing oil industry resistance to the program, according to sources familiar ...

#### Big Oil, Biodiesel Join Forces to Combat Electrification

January 24, 2018 –by Ron Kotrba (Biodiesel Magazine) Even though the petroleum and biodiesel industries rarely see eye to eye on U.S. energy policy, the two factions find common ground in a new threat to all liquid fuels—electric vehicles. ...

#### QUOTE OF THE WEEK

January 24, 2018 – In an Ethanol Producer Magazine article, Urban Air Initiative's David Hallberg explains how, with proper adherence to Clean Air Act regulations, ethanol can substitute for carcinogens in our fuel. "(I)t is increasingly clear that gasoline ...

#### Respecting the Law

January 24, 2018 – by David Hallberg (Ethanol Producer Magazine) (T)he U.S. Department of Energy's adherence to laws, and a proposal from the Urban Air Initiative to escape the aromatics dilemma. — ... Hopefully Pruitt has established a precedent that ...

#### Unexpected Incentive

January 24, 2018 – by Lisa Gibson (Ethanol Producer Magazine) RIN values do affect fuel prices, but Ron Lamberty, senior vice president of the American Coalition for Ethanol, says it's not the effect many assume. — ... A higher RIN, they ...

#### US Biodiesel Producers Have Capacity to Meet RFS Mandates: NBB CEO

January 24, 2018 – by Wes Swift (Platts) The US biodiesel industry has enough capacity to meet the 2018 and 2019 blending mandates from the federal government, the head of the industry's trade group told attendees at its annual conference ...

#### The Greenhouse Gas Pruitt Worries about

January 24, 2018 – by Scott Waldman (E&E News) Scott Pruitt is one of the Trump administration's most aggressive critics of climate change science, but lately he's been talking about the dangers of greenhouse gas.

Well, one greenhouse gas in particular: ...

## A Straighter, Shorter Pathway: Confidence Builds in Overcoming the Hurdles Slowing Corn Kernel Fiber-to-Ethanol Approvals.

January 23, 2018 – by Susanne Retka Schill (Ethanol Producer Magazine) Seven years after the U.S. EPA published the final rule for administering the Renewable Fuel Standard, the path to getting corn kernel fiber-to-ethanol approvals appears to be getting much shorter. ...

#### Soaring SUV Sales Drive Record-Low Carbon Emissions, EPA Says

January 22, 2018 – by John Siciliano (Washington Examiner) ... "Sport utility vehicles reached record-high market share, while also achieving record-low CO2 emissions and record high fuel economy," according to the Environmental Protection Agency's report on model-year 2016 vehicles' ...

### **Latest in Federal Litigation**



International trade, RFS issues and concerns that biofuels are harming endangered species top litigation news this month.

Federal litigation news sometimes overlaps with Federal regulation or legislation items, so check all sections.

Find more items about federal litigation on our website, click <u>here</u>.

#### Environmentalists Sue The EPA Over Pollution From Biofuels

February 11, 2018 – by Tim Pearce (Daily Caller) Two environmental groups sued the Trump administration Friday over the threat that the 2018 renewable fuel volume standards pose to endangered species.

The Sierra Club and the Gulf Restoration Network are targeting ...

#### Indonesia to File Case against U.S. Anti-Subsidy Duty on Biodiesel

February 6, 2018 – by Bernadette Christina Munthe, Maximiliano Rizzi and Fransiska Nangoy (Reuters) Indonesia plans to file a case against the U.S. Department of Commerce at the U.S. Court of International Trade over antisubsidy duties imposed on Indonesian ...

## RFS Lawsuit Advances — Refiners: EPA Required to Review Point of Obligation Annually

January 25, 2018 – by Todd Neeley (DTN The Progressive Farmer) The biofuel and petroleum industries are back in court as both sides argue the Environmental Protection Agency should have implemented the Renewable Fuel Standard differently in 2017.

Attorneys for biofuels ...

#### Refiners Slam EPA Renewable Fuel Mandates In DC Circ.

January 24, 2018 – by Adam Lidgett (Law 360) Refiners and a biodiesel trade group have taken aim at a U.S. Environmental Protection Agency rule that set the levels of renewable fuel that must be blended into the nation's fuel supply, ...

### **Advanced Biofuels USA News**

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# Advanced Biofuels USA Current Policy Analyses and Suggestions

Links to policy papers, statements and handouts can be found on the Advanced Biofuels USA home page. Or, <u>READ MORE</u>

See this proposal, by Advanced Biofuels USA's Bob Kozak, to scrap the Corporate Average Economy Standards in favor of a Clean Air Act-based method to achieve real, immediate decreases in life cycle greenhouse gas emissions. It builds on recent Department of Energy studies and reflects thoughts published in an EU student's thesis.

Let's Regulate CO2 Emissions, and Forget the 55.4 MPG 2025 Corporate

Annual Fuel Economy Standard: The Inexpensive Way to Quickly Reduce

Green House Gases

De-coding the West's Addiction to Fossil Fuels: Fostering a Sustainable

#### Transportation Fuel Market in the US & EU

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