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New Year!



Open for Public Comment

Rural Development Environmental Regulation for Rural Infrastructure Projects COMMENTS DUE

December 24, 2018

(U.S. Department of Agriculture/Federal Register) The United States Department of Agriculture (USDA) Rural Development (RD), comprised of the Rural Business-Cooperative Service (RBS), Rural Housing Service (RHS), and Rural Utilities Service (RUS), hereafter referred to as the Agency, is issuing a direct final rule to update the Agency's Environmental Policies and ...

MORE OPEN PUBLIC COMMENT REQUESTS

2018 US Senate and House Elections Are Done; 2020 Election Action Underway

We follow developments <u>here</u>, on our <u>website</u> with category, <u>2018 Election Activities</u> and tag, <u>2018 US Senate and House Campaigns</u>. We're moving to predictions for the coming Congress. Watch our new category <u>2020 Election Activities</u> for Presidential campaigning, as well as House and Senate.

Latest Federal Legislation Posts



Green New Deal. How to think of environment, climate and economic legislative priorities for the new Congress. Carbon taxes in the news. Farm Bill passed. Attacks on the Renewable Fuel Standard and ethanol, in general, continue. Bill that promotes octane not trusted to lead to increased use of cleanest,

cheapest octane from ethanol. <u>Tax extenders</u> still up in the air. Scroll down for details.

Find lists of related articles linked on the website posts.

For more legislative news (including Executive Orders), <u>click here</u>.

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 the <u>website</u>.

Algae Agriculture Triumphs in Farm Bill Compromise

(Algae Biomass Organization) In a historic day for the algae industry, the U.S. Senate Tuesday approved a Farm Bill compromise that dramatically expands federal support for algae agriculture. The bill sets U.S. farm policy through 2023. It is expected to pass the House of Representatives as soon as today and receive President Trump's ...

December 14, 2018 Read Full Article

Democrats Shift toward Impact on Jobs as Climate Change Moves to Front of 2020 Agenda

by Michael Sherer (Washington Post) ... Democrats preparing to run for president have been rushing to shift their plans for combating climate change, highlighting an

issue once considered a political liability, especially in Midwestern swing states won by President Trump. Aides to a half-dozen senators considering a 2020 campaign met with supporters ...

December 14, 2018 Read Full Article

The Oil Industry's Covert Campaign to Rewrite American Car Emissions Rules

by Hiroko Tabuchi (New York Times) When the Trump administration laid out a plan this year that would eventually allow cars to emit more pollution, automakers, the obvious winners from the proposal, balked. The changes, they said, went too far even for them. But it turns out that there was a hidden ...

December 14, 2018 Read Full Article

Farm Bill Energy Title Contains Climate Tweaks, Slimmer Funding

by Jessie Stolark (Environmental and Energy Study Institute) ... While the bill is largely viewed as a status-quo farm bill, the bill importantly reauthorizes the Energy Title (IX) and contains some new programs and tweaks aimed at helping producers become more resilient to climate change. ... While overall the Energy Title ... December 14, 2018 Read Full Article

House GOP Pushes Elimination of Ethanol Mandate

by James Osborne (Houston Chronicle) House Republicans are pushing to eliminate the federal mandate that ethanol be blended into the nation's fuel supply, to be replaced by a requirement cars built from 2023 on run only on gasoline with a

minimum octane level of 95. In legislation under debate at a ...

December 14, 2018 Read Full Article

Year of the Tree, CORSIA Fuels, Mabus' Remarks, a Breakthrough on Woody Biomass?: Heard on the Floor at the CAAFI General Meeting

by Jim Lane (Biofuels Digest) When the world's leaders for sustainable aviation fuels have a general meeting the week before the COP24 global climate sessions (this year in Poland), you can bet that the focus will be breaking the "You Can Have Two out of Three Conundrum" of aviation fuels. Which ...

December 13, 2018 Read Full Article

Biofuels and Environmental Groups Commend New Pilot Environmental Quality and Incentive Program in 2018 Farm Bill Report

(Grain Net) The American Coalition for Ethanol (ACE), Environmental Entrepreneurs(E2), the National Corn Growers Association (NCGA), and the Natural Resources Defense Council (NRDC) thank the Farm Bill conferees for including a new pilot Environmental Quality Incentive Program (EQIP) in the 2018 Farm Bill Conference Report to promote and document the benefits of farming practices which improve soil health. ...

December 13, 2018 Read Full Article

I'm Just a Bill: Incoming House Transportation and Infrastructure Chairman Peter DeFazio

Signaled He Was on Board with Nancy Pelosi's Plan to Establish a Select Committee

(Politico's Morning Energy) Incoming House Transportation and Infrastructure Chairman Peter DeFazio signaled he was on board with Nancy Pelosi's plan to establish a select committee tasked with working on solutions to combat climate change, Pro's Anthony Adragna reports . "I have no concerns about it," the Oregon Democrat said. "This ...

December 13, 2018 Read Full Article

NFU Urges House Subcommittee to Expand Use of High-Octane, American Grown Biofuels

(The Fence Post/National Farmers Union) As Congress looks to revamp and coordinate federal-level policies that govern the transportation fuels and vehicles sectors, National Farmers Union is urging legislators to expand use of high-octane, mid-level blends of ethanol in the transportation fuel supply. In doing so, policymakers have the opportunity to create ...

December 13, 2018 Read Full Article

2018 Farm Bill Helps Rural America Become More Resilient: Rural Economies Crucial to Combating Climate Change

(Environmental and Energy Study Institute) The Environmental and Energy Study Institute (EESI) commends the Farm Bill conferees and the House and Senate Agriculture Committees for their tireless commitment to produce a Farm Bill, the Agriculture Improvement Act of 2018, this year. In a year when farmers, ranchers, and rural communities are struggling, and the agricultural ... December 12, 2018 Read Full Article

Here's How to Win on Climate-Change Policy

by Ted Halstead (Washington Post/Climate Leadership Council) ... The real lesson to learn from these setbacks is that the political prospects of carbon taxation depend on how the revenue is used. As long as the public perceives a carbon tax as an increase in its energy costs and, therefore, a ...

December 11, 2018 Read Full Article

Congress Should End Electric Car Subsidies, Not Expand Them

by Liam Sigaud (American Consumer Institute) ... These subsidies overwhelmingly benefit the wealthy. Tesla buyers, for example, had an average household income of \$293,200 in 2013. A study in 2015 found that electric Ford Focus buyers had an average household income of \$199,000. By contrast, the median household income in the U.S. in 2015 ...

December 11, 2018 Read Full Article

RFA CEO Cooper Testifies on the Future Role of High Octane Fuels

(Renewable Fuels Association) While draft legislation recently released by Reps. John Shimkus (R-III.) and Bill Flores (R-Texas) represents "an important first step in the debate about future fuels policy and the role of high octane fuels," the Renewable Fuels Association (RFA) cannot support the proposal because it "does not provide the ...

December 11, 2018 Read Full Article

Meet the Scholar Crafting the 'Green New Deal'

by Hannah Northey (E&E News) Think of it as the policy muscle behind the promised "Green New Deal." A policy group is being formed to support an energized progressive movement that's taken Capitol Hill by storm under the leadership of Rep.-elect Alexandria Ocasio-Cortez (D-N.Y.). It's called the New Consensus. The 501c(3) nonprofit is in ...

December 7, 2018 Read Full Article

NBB Appreciates Proposal for Long-Term Extension of the Biodiesel Tax Incentive

(National Biodiesel Board) Ways & Means Chairman Kevin Brady's (R-TX) tax proposal includes a multi-year extension and phaseout of the biodiesel incentive — ... Rep. Kevin Brady (R-Texas), chairman of the House Ways & Means Committee, released a proposal to make technical corrections to the Tax Cuts and Jobs Act (PL 115-97) ...

December 7, 2018 Read Full Article

First Committee Chair Backs Green New Deal

by Kelsey Tamborrino (Politico's Morning Energy) Rep. Nydia Velázquez, the presumptive incoming chairwoman of the Small Business Committee, became the latest House Democrat to back the Green New Deal on Tuesday. "We cannot delay when it comes to addressing this existential threat to our planet," she tweeted. "Water-adjacent cities, especially ...

December 5, 2018 Read Full Article

Hearing Scheduled on Bill to Sunset RFS, Enact Octane Standard

by Erin Voegele (Ethanol Producer Magazine) A house subcommittee is scheduled to hold a hearing Dec. 11 on the recently released discussion draft of the 21st Century Transportation Fuels Act. The bill aims to sunset the Renewable Fuels Standard and enact a national octane specification. The 34-page discussion draft of the bill was ...

December 5, 2018 Read Full Article

Here's Where Incoming Republicans Stand on Climate

by Mark K. Matthews (E&E News) If they stay true to their campaign rhetoric, the class of freshman House Republicans won't be leading any revolutions next year on the issue of climate change. ... In a few cases, there are reasons for climate activists to be cautiously optimistic. Wisconsin voters picked Republican ... December 5, 2018 Read Full Article

Bernie Sanders Rallies the Climate Faithful

by Kelsey Tamborrino (Politico's Morning Energy) 'THE TIME IS LATE': Sen. Bernie Sanders, a likely 2020 presidential candidate, and a group of climate activists held a town hall Monday evening with a simple message: The world is running out of time to get serious about climate action to limit the worst impacts from ...

December 4, 2018 Read Full Article

A Carbon Tax Wave? 7 States Considering Carbon Pricing to Fight Climate Change

by Marianne Lavelle (Inside Climate News) Democratic election victories raised the odds of climate change policies succeeding, activists and analysts say. A national plan was also just floated in Congress. — At least seven state governments are poised at the brink of putting a price on climate-warming carbon emissions within the next ...

December 3, 2018 Read Full Article

Study Shows Biodiesel Benefits in the Billions

by Cindy Zimmerman (Energy.AgWired.com) A new study shows that the Biodiesel Tax Credit helped the industry support \$21.6 billion in economy-wide sales, employment for over 60,000 workers with wages and benefits totaling \$3.8 billion, and nearly \$2 billion in state and federal tax revenues combined in 2017. The analysis by FTI Consulting ...

December 3, 2018 Read Full Article

Bipartisan Climate Fee Backers to Plant Flag During Lame Duck

by Dean Scott (Bloomberg Environment) Rep. Ted Deutch (D-Fla.), two Republicans to introduce carbon fee bill that would return money to consumers; With virtually no chance of passage, measure seen as effort to start discussions for next Congress — A small group of Democratic and Republican House members plans to introduce a carbon tax ...

November 27, 2018 Read Full Article

In Sioux City, Steve King Talks Farm Bill, Temporary Migrant Workers

by Katie Peikes (Iowa Public Radio) ... The Republican congressman says he'd like to see his legislation in the farm bill that would keep states from regulating production standards for agricultural products sold in interstate commerce by other states. King drafted that legislation nearly a decade ago. He says California was ... November 27, 2018 Read Full Article

RFS Expiration a Common Misnomer

November 27, 2018 Read Full Article

by Mark Dorenkamp (Brownfield Ag News) The CEO of the Renewable Fuels Association says it's a common misnomer that the Renewable Fuel Standard ends in four years. Geoff Cooper tells Brownfield the RFS doesn't stop in 2022. "What stops in 2022 is the specific volumes being laid out in the law." ...

GOP Chairman Releases Year-End Tax Package

by Naomi Jagoda (The Hill) ... The bill would ... phase out tax breaks for biodiesel and renewable diesel, and extend a number of other expired tax provisions through the end of 2018 — including tax breaks that benefit the renewable energy, horse racing and motorsports industries. READ MORE Tax ...

November 27, 2018 Read Full Article

ITC Action Needed:

by Kelsey Tamborrino (Politico's Morning Energy) Energy trade and advocacy groups, including the Solar Energy Industries Association, ClearPath Action and Citizens for Responsible Energy Solutions, want Congress to modify the tax code to include energy storage as an eligible technology for the investment tax credit. In a letter Monday, the groups ...

November 27, 2018 Read Full Article

Republicans Say They Want Free-Market Innovation. Then They Should Want a Carbon Tax.

by Catherine Rampell (Washington Post) ... Alternatively, some Republicans suggest that, yes, the planet may be warming and, yes, humans may be the reason, but it's too darn expensive to do much more than we are. ... As Sen. Joni Ernst (R-Iowa) equivocated on CNN's "State of the Union," after plugging her state's use ...

November 27, 2018 Read Full Article

What Exactly Is the 'Green New Deal'?

by Hannah Northey (E&E News Climatewire) The proposal, drawing inspiration from President Franklin Roosevelt's Depression-era New Deal, is one that progressives — led by Rep.-elect Alexandria Ocasio-Cortez (D-N.Y.), a rising star on the left — want Democratic leaders to embrace. The thinking is that a newly revived Select Committee on Energy Independence ...

November 26, 2018 Read Full Article

Shimkus, Flores Release Draft 21st Century Transportation Fuels Act

(Office of Congressman John Shimkus (R-IL 15) Congressman John Shimkus (Illinois-15) and Congressman Bill Flores (Texas-17) today released a discussion draft of the 21st Century Transportation Fuels Act. "I've been engaged in the biofuel debate my entire career in Congress," said Shimkus, whose district includes significant corn and soybean producers ...

November 23, 2018 Read Full Article

Dems to Hold Two Days of Hearings on Climate

by Timothy Cama (The Hill) House Democrats are planning to hold two days' worth of hearings on the impacts of climate change and potential solutions to it when they take the House majority next year. The likely chairmen of the Energy and Commerce, Natural Resources and Science committees said in a joint statement ...

November 15, 2018 Read Full Article

Latest on Federal Regulation



Lots of overlap with Legislative articles. **Small refinery exemptions** still causing heart burn. Studies on high octane/high ethanol blends for increased mileage and decreased emissions published. More on

policy/regulatory barriers to investment. Clarification of the **RFS "reset"** and the non-expiration of the Renewable Fuel Standard.

See also articles in Litigation below for overlapping topics.

Study: 'No Scientific Basis' For Challenges To EPA Endangerment Finding

by Barbara Moran (WBUR News) There's more proof that greenhouse gases are dangerous to human health. That's the conclusion of a study published Thursday in the journal Science, for which researchers reviewed hundreds of scientific papers on climate change published since 2009. The study supports the U.S. Environmental Protection Agency's 2009 "endangerment finding," which labeled six greenhouse gases ...

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The Oil Industry's Covert Campaign to Rewrite American Car Emissions Rules

by Hiroko Tabuchi (New York Times) When the Trump administration laid out a plan this year that would eventually allow cars to emit more pollution, automakers, the obvious winners from the proposal, balked. The changes, they said, went too far even for them. But it turns out that there was a hidden ...

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New Report Finds EPA Could Be Doing Much More to Unlock Growth of Low-Carbon Biofuels

by Jesse Stolark (Environmental and Energy Study Institute) ... The industry has been unable to produce the volumes called for under the advanced and cellulosic categories due to a variety of reasons – including the pace of technology, falling

petroleum prices, and regulatory uncertainty, to name a few. Since the ... December 7, 2018 Read Full Article

Increasing the Role of Advanced Biofuels in the US

by Leticia Phillips (UNICA/Ethanol Producer Magazine) ...But EPA could still strengthen the RFS in ways that would encourage advanced biofuels to play a greater role greening the U.S. transportation sector. Here are our top two suggestions. • Expect more from advanced biofuels We think the volume requirements should be even higher. ...

December 6, 2018 Read Full Article

Relieving the Pressure: There's movement at last to obtain an RVP waiver for E15 ...

by Susanne Retka Schill (Ethanol Producer Magazine) ... "There's a very tight window between today and June 1," says Brian Jennings, CEO of the American Coalition for Ethanol. "The big-picture goal is for the proposed rule to be out for public comment and for EPA to wrap up a final rule prior ...

December 6, 2018 Read Full Article

Demand Destruction from Small Refinery Exemptions is Clear and Continuing

(Renewable Fuels Association) There has been a media blitz lately by the oil industry saying that ethanol demand has been unaffected by the Environmental Protection Agency's (EPA) rampant grants of Renewable Fuel Standard (RFS) exemptions to small refineries. Recently, even some in the agriculture community

have bought into these claims. Don't ... December 6, 2018 Read Full Article

To Fulfill Biofuels' Promise, Scientists Boost Plant Oils with Gene Editing

by Cici Zhang (Chemical and Engineering News) Increasing the fatty acids in crops' seeds, leaves, and stems could make biofuels more economically viable — ... Plant scientist Heike Sederoff of North Carolina State University, however, is very familiar with the oils that camelina offers. The highly concentrated fatty acids produced by ...

December 5, 2018 Read Full Article

A Summary of Federal Programs: The Digest's 2018 Multi-Slide Guide to Alternative Fuel and Advanced Vehicle Technology Incentives

by Jim Lane (Biofuels Digest) A wide array of federal incentives supports the development and deployment of alternatives to conventional fuels and engines in transportation. These incentives include tax deductions and credits for vehicle purchases and the installation of refueling systems, federal grants for conversion of older vehicles to newer technologies, ... December 5, 2018 Read Full Article

The Laws of Biofuels Deployment, and TACs that Whack: Heard on the Floor at the CAAFI Annual Meeting

by Jim Lane (Biofuels Digest) ... This year, the TAC (Technical Advisory Committee of the Biomass R&D Board) did something about as audacious and rare as shouting loud praise of open markets and democratic values on the streets

of Pyongyang. The TAC actually decided to write a document about the barriers ... December 5, 2018 Read Full Article

Throttled and Greens Sue for Auto Proposal Docs

by Kelsey Tamborrino (Politico's Morning Energy) THROTTLED: An administration official told Pro's Zack Colman that EPA and NHTSA would reduce its projection for saved lives in its forthcoming finalized fuel economy rule. The reason: The agencies are revising estimates for how quickly motorists would ditch their cars and how many ...

December 4, 2018 Read Full Article

EIA Study: Refiners Could Meet 95 RON Standard Without More Ethanol

(Renewable Fuels Association) A new Energy Information Administration (EIA) study concludes that U.S. petroleum refineries would have "no problem" meeting a requirement to produce gasoline with a higher minimum octane rating (95 Research Octane Number, or "RON") beginning in 2022, and assumes that refiners would not use more ethanol beyond current levels to ...

November 30, 2018 Read Full Article

Exclusive: EPA Lifts Advanced Biofuel Mandate for 2019 – Document

by Humeyra Pamuk (Reuters) The U.S. Environmental Protection Agency lifted its annual blending mandate for advanced biofuels by 15 percent for 2019, while keeping steady the requirement for conventional biofuels like corn-based ethanol, according to an agency document seen by Reuters on Thursday. The mandate

includes 4.92 billion gallons for advanced biofuels ... November 30, 2018 Read Full Article

Big Oil's E15 Hypocrisy: Hello Pot, Meet Kettle

by Geoff Cooper (Renewable Fuels Association/Ethanol Producer Magazine) While President Donald Trump's October announcement calling for the year-round availability of E15 was enthusiastically cheered by biofuel producers, farmers and consumers, it drew predictable jeers and indignation from the oil industry and its allies. And hell hath no fury like Big Oil ...

November 26, 2018 Read Full Article

Octane Enhancement Cannot Come from the Oil Barrel

by Dave VanderGriend (Ethanol Producer Magazine/ICM/Urban Air Initiative) ... Today, at 10 percent of the motor fuel pool, ethanol is displacing the most lethal components in gasoline—toxic, carcinogenic aromatics. When lead was phased out of gasoline, refiners replaced it with an equally dangerous mix of toxic chemicals representing the worst part ...

November 21, 2018 Read Full Article

EPA Plans Biofuel 'Reset' as Program Misses Congress' Targets

by Jarrett Renshaw (Reuters) The U.S. Environmental Protection Agency will propose new targets for the final three years of the nation's renewable fuel program in January, replacing ambitious decade-old goals set by Congress with volumes closer to the industry's current output, two people familiar with the matter

said. The planned reset ...

November 21, 2018 Read Full Article

Exclusive: Chevron Granted Waiver from U.S. Biofuel Laws at Utah Plant – Source

by Jarrett Renshaw (Reuters) The U.S. Environmental Protection Agency granted oil major Chevron Corp a 2017 hardship waiver from U.S. biofuel laws for its Utah refinery earlier this year, according to a source familiar with the company's operations. Chevron, which reported a net income of \$9.2 billion in 2017, becomes the ...

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Latest in Federal Litigation



Litigation threats related to **SAFE/CAFE** changes and EPA's <u>"small" refinery exemptions</u> often overlap and may be included in Regulations news above.

For more on federal litigation, click here.

Throttled and Greens Sue for Auto Proposal Docs

by Kelsey Tamborrino (Politico's Morning Energy) THROTTLED: An administration official told Pro's Zack Colman that EPA and NHTSA would reduce its projection for saved lives in its forthcoming finalized fuel economy rule. The reason: The agencies are revising estimates for how quickly motorists would ditch

their cars and how many ...

December 4, 2018 Read Full Article

Court Won't Dismiss Challenge to Part of Trump's Car Efficiency Rollback

by Timothy Cama (The Hill) A federal court won't dismiss a challenge by Democratic states and green groups to a key part of the Trump administration's plan to roll back car fuel efficiency and emissions standards. At issue is the Environmental Protection Agency's (EPA) April determination that the Obama administration's plan to make ...

November 26, 2018 Read Full Article

Biofuel Groups Ask Federal Judge to Freeze U.S. Refinery Waiver Program

by Jarrett Renshaw (Reuters) A group representing biofuel companies asked a federal judge on Tuesday to force the U.S. Environmental Protection Agency to stop exempting small refineries from renewable fuel laws until a lawsuit challenging the agency's actions is resolved. Producers United argued, among other things, the EPA violated the law ...

November 15, 2018 Read Full Article

Hiring an Expert Witness in Bioeconomy Litigation

by Wayne Lee (Lee Enterprises Consulting/Biofuels Digest) In August 2017, I published an articlewhich focused on important things that attorneys involved in biofuels or biochemical litigation should look for when choosing an expert witness. This article explores the subject of expert witnesses in a bit more depth, including

where to find ...

November 12, 2018 Read Full Article

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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>
For example, a suggestion for taxing the non-renewable part of transportation fuels is <u>here</u>.

Joanne: If you read some of these articles and say to yourself, "That's really important!", you understand the need for biofuels education. Biofuels is not an easy topic to understand.

Reporters (and folks who read their articles and make purchasing and investing decisions based on them) may not have much background in renewable energy or transportation fuels and engines, let alone the intricacies and nuances of the places where the rubber of policy meets the road of legislation, regulations and litigation. Heck, even the people working on those laws and regulations could use a refresher.

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