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Open for Public Comment

EPA Extends Comment Period on RFS
Information Collection Request New DEADLINE:
December 13, 2018

by Erin Voegele (Ethanol Producer Magazine) The U.S. EPA is extending the comment period on a previously announced information collection request (ICR) that aims to consolidate and update recordkeeping and reporting burden and cost estimates related to the Renewable Fuel Standard program into a single, easy-to-understand format. The EPA said the

NIFA Listens – Stakeholder Guidance on Agriculture Priorities DEADLINE: November 30, 2018

The National Institute of Food and Agriculture (NIFA) is seeking stakeholder feedback to inform the research, extension and education priorities of NIFA. In short, NIFA is the extramural funding agency within USDA. NIFA are attempting to ensure that they reach a broad spectrum of organizations involved in food and agricultural

USDA Seeks to Revise, Extend Information Collection on BIP Grants COMMENT DEADLINE: December 11, 2018

by Erin Voegele (Ethanol Producer Magazine) USDA's Farm Service Agency has opened a public comment period on the revision and extension of a currently approved information collection associated with FSA Biofuel Infrastructure Partnership Grants to states. A notice published in the Federal Register indicates the information collection was originally needed for ...

MORE OPEN PUBLIC COMMENT REQUESTS

2018 US Senate and House Elections Are Done; News Continues

We follow developments <u>here</u> and on our <u>website</u> with category, <u>2018 Election</u> <u>Activities</u> and tag, <u>2018 US Senate and House Campaigns</u>. Watch for new category 2020 Election Activities coming soon.

Latest Federal Legislation Posts



Post-elections, Congress is getting organized and talking about potential legislative priorities for the new year. Also, ExxonMobil is keeping **carbon taxes** in the news. **Farm Bill is** still delayed. Legislation for **year-round E15** comes up with oil industry threats to sue over the proposed regulatory "fix."

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

We also follow policy developments 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 website.

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 ...

60 Organizations Sign Tax Extenders Letter to Congress

by Ron Kotrba (Biodiesel Magazine) A group of 60 organizations representing diverse business, energy, transportation, real estate and agriculture sectors has sent a letter to leaders in the U.S. House of Representatives and Senate on the "pressing need" to address the expired tax provisions, commonly referred to as the tax extenders. ...

2018 Midterm Elections—Implications for the Bioeconomy

by Jesse Stolark (Environmental and Energy Study Institute) And while the bioeconomy – biofuels, biobased products, chemicals, and more – enjoy bipartisan support, the new political landscape means that the biobased sector and stakeholders still need to be on their toes. With one of the largest freshmen classes ever, and

Who's Running Things? With Democrats Preparing to Run the House

by Kelsey Tamborrino (Politico's Morning Energy) With Democrats preparing to run the House, here's how the committee leadership shuffle is expected to work out. — Energy and Commerce Committee: New Jersey Democrat Frank Pallone will grab the gavel of this panel with broad EPA, DOE, FERC and other energy-related jurisdiction. Current ...

Ethanol Lobbying Is Up, and It Seems to Be Paying Off

Elvin Anawaguna (Roll Call/MSN) Biofuel groups upped their spending on lobbying this year as they pressured lawmakers and the Trump administration on issues related to the Renewable Fuel Standard, which sets minimum volumes of biofuels to be used to power cars and trucks. Some of those efforts appear to be paying ...

EPA Acting Administrator Wheeler, USDA Secretary Perdue, and DOE Secretary Perry Send Letter to Congress on Biomass Carbon Neutrality — Managed Forests Can Bolster Domestic Energy Production

(U.S. Environmental Protection Agency) Today, U.S. Environmental Protection Agency (EPA) Acting Administrator Andrew Wheeler, along with U.S. Department of Agriculture (USDA) Secretary Sonny Perdue and U.S. Department of Energy (DOE) Secretary Rick Perry, sent a letter to the House and Senate Committee on Appropriations. The letter describes the agencies' work to

Say What about a Carbon Tax?

by Kelsey Tamborrino (Politico's Morning Energy) Transportation Secretary Elaine Chao was also at the White House Tuesday, where she suggested that Democrats in the House want to link a carbon tax to an infrastructure bill being developed, Pro Transportation's Sam Mintz reports. When it comes to infrastructure, "there are

ExxonMobil Gives \$1 Million to Promote a Carbon Tax-and-Dividend Plan

by Steven Mufson (Washington Post) The tax would boost prices of the oil giant's fossil fuels to fight climate change — ExxonMobil will give \$1 million over two years to a group promoting a plan that would tax the carbon content of fuels, including the oil giant's products, and return the proceeds

Latest on Federal Regulation

Year-round E15, small refinery exemptions and RINs adjustment got lots of attention this month.

And, finally, answers to the FOIA request from Boyden Gray's firm about EPA's collusion with Big

Oil on ethanol blend tests. Read <u>#Gasolinegate</u> for details.

Comments on the SAFE/CAFE proposed regulations are in, including comments on **high octane/high ethanol** blends for increased mileage and decreased emissions and continuing the conversation on interaction of California **LCFS/RFS/SAFE/CAA/GHG**.

And, although we see a more sophisticated understanding of biofuels in many places, there's also renewed fanning of the old embers of **food vs. fuel, land**

use issues. Although finally, we see some recognition of land use issues related to conversion for <u>urban sprawl</u> being brought into the picture.

See also articles in Litigation below for overlapping topics, especially regarding litigation threats related to SAFE/CAFE.

More RFS Exemption Requests Monroe Energy, Pennsylvania Gov. Wolf Want Full RFS Waiver

by Todd Neeley (DTN The Progressive Farmer) Pennsylvania's governor and state refining interests are putting pressure on EPA to grant waivers to the Renewable Fuel Standard program, just ahead of the agency's Nov. 30 deadline to finalize new biofuels volumes for the upcoming year. Monroe Energy, LLC, requested a waiver on ...

Weaker RINs Lure Gasoline Shipping into US East Coast Ports: Sources

(Hellenic Shipping News) A decline in the US obligation for biofuels has prompted an increase in imports from Canada and Europe into the Atlantic Coast, according to market sources and federal government data. The renewable fuels obligation for a gallon of imported gasoline has fallen from 2.29 cents/gal October 3 to ...

American Biofuels Deserve Certainty

by Dan Kleiss (Morning Consult) ... By all rights, that anti-biofuel campaign should have wrapped up in December 2016, when regulators dialed up conventional — typically corn-based — ethanol targets to 15 billion gallons, the

legal maximum. Since then, gasoline consumption has continued to rise, while the ethanol requirement remains more or

Iowa Senator Says Expect Fewer Biofuel Waivers from Wheeler's EPA

by Humeyra Pamuk (Reuters) The U.S. Environmental Protection Agency (EPA) may issue fewer biofuel waivers to small refineries under Acting Administrator Andrew Wheeler than it did under its previous leadership, Republican Senator Chuck Grassley of Iowa said on Tuesday. "I sense that Wheeler has a feeling that (former Administrator Scott ...

#Gasolinegate: EPA's Role in Fair Gasoline Emissions Testing Draws Fire

by Jim Lane (Biofuels Digest) In Washington, researchers for a report published by the Urban Air Initiative contend that "technical data that shows the nation has been exposed to decades of flawed test fuels and flawed driving tests, which in turn means flawed emissions results and mileage claims". The complete Beyond a ...

Heard on the Floor: Reflections and the Buzz from ABLC Global 2018

by Jim Lane (Biofuels Digest) It was, at times, not unlike the old trading floor of the Chicago Board of Trade and that was no coincidence, for there was optimism abounding and the deal-talk that flows from a general feeling that the advanced bioeconomy is, to use Amyris' Joel Cherry's characterization, ...

U.S. Ethanol Producers Feeling the Pinch from Trump Trade War

by Jarrett Renshaw, Michael Hirtzer (Reuters) U.S. ethanol producers drew a bleak picture of their industry in quarterly filings and analyst calls this week, detailing how the critical farm belt business has been devastated by President Donald Trump's trade war with China and biofuels management policies that they say have tilted toward oil ...

2018 Midterm Elections—Implications for the Bioeconomy

by Jesse Stolark (Environmental and Energy Study Institute) And while the bioeconomy – biofuels, biobased products, chemicals, and more – enjoy bipartisan support, the new political landscape means that the biobased sector and stakeholders still need to be on their toes. With one of the largest freshmen classes ever, and ...

White House, California to Discuss Vehicle Emissions Rules Next Week

by David Shepardson (Reuters) California clean air regulators will hold talks next Tuesday with their federal counterparts and the White House over Trump administration efforts to stop Sacramento from adopting tighter vehicle emissions rules than Washington, a spokesman for the state confirmed on Thursday. The video conference meeting will be the ...

Results Are In: Clariant's Sunliquid Delivers 6X Lower Carbon Intensity than Fossil Gasoline

by Paolo Corvo (Clariant/Biofuels Digest) Clariant sunliquid technology delivers low carbon intensity score of 15 gCO2/MJ for the cellulosic ethanol produced using sunliquid technology from agricultural residues feedstock such as corn

stover and wheat straw which is more than 6 times lower than the carbon intensity of gasoline(1). The carbon intensity score also ...

Ethanol Lobbying Is Up, and It Seems to Be Paying Off

Elvin Anawaguna (Roll Call/MSN) Biofuel groups upped their spending on lobbying this year as they pressured lawmakers and the Trump administration on issues related to the Renewable Fuel Standard, which sets minimum volumes of biofuels to be used to power cars and trucks. Some of those efforts appear to be paying

Another Year of Uncertainty for Biofuels

by Michael McAdams (Biomass Magazine/Advanced Biofuels Association) As we approach the end of 2018, we reflect on a year that was full of surprises for the biofuels industry. What stands out the most was former U.S. EPA Administrator Scott Pruitt's application of small refinery exemptions (SREs) under the Renewable Fuels Standard to

The Trump Administration Flunked Its Math Homework

by Robinson Meyer (The Atlantic) The administration's clean-cars rollback is riddled with errors. In one case, it forgot to divide by four. In another, it accidentally deleted 700 billion miles of driving. ... The mistakes range in scope from the comical to the bizarre, from the obviously accidental to the

E15 Faces More Speed Bumps EPA'S Rule for Year-Round E15 Sales Is Still Not in Federal Register.

by Dan Looker (Success Farming) When President Donald Trump told a campaign rally in Council Bluffs, Iowa, last month that his administration will approve year-round sales of E15, farmers and the ethanol industry were pleased. They looked forward to more sales of the gasoline blend with 15% ethanol as early as ...

The Complex Dynamics of Coprocessing

by Ron Kotrba (Biodiesel Magazine) While oil refiners adding a small percentage of renewable feedstock to their operations sounds simple, the political, economic, technical, societal and market consequences are anything but. In 2007, at the height of the biodiesel boom, ConocoPhillips and Tyson Foods announced a partnership to coprocess animal fats ...

Ethanol Blog: Agriculture Cooperative to Offer Pre-Blended E15 at Terminals

by Todd Neeley (DTN The Progressive Farmer) With the EPA anticipated to release a proposed rule to allow year-round E15 sales, agricultural cooperative company GROWMARK Energy has started offering pre-blended E15 at its terminals to serve gasoline retailers across the Midwest. The company has started offering E15 at terminals in Amboy, ...

For the Times They Are a Changin' – Conversions Abound from Diesel to Renewable Diesel

by Helena Tavares Kennedy (Biofuels Digest) ... Phillips 66 and REG's announcement about a new renewable diesel plant on the U.S. West Coast

planned for 2021 comes after a notable increase in refineries that are being converted and changed over to renewable diesel. Change is good, especially in this case. ... While it was

EESI Joins Comments on Health, Environmental & Economic Benefits of High-Octane Biofuels +

by Jessie Stolark (Environmental and Energy Study Institute) ... Automotive manufacturers are expressing interest in raising the minimum octane level of the U.S. gasoline pool as a low-cost compliance option for increasing fuel efficiency. Until now, all MPG gains in the passenger vehicle fleet have been accomplished through engine and vehicle

BioFry 2018 Draws Hundreds for French Fries, Biodiesel Facts

(National Biodiesel Board/Biodiesel Magazine) The National Biodiesel Board hosted its annual Capitol Hill BioFry Sept. 25 to educate congressional staff about biodiesel and the U.S. companies that produce it. Hundreds enjoyed a free French fry snack while learning about biodiesel. — Hundreds of congressional staff members enjoyed a complimentary French fry snack ...

The Energy 202: California Says Trump's Fuel Standards Plan Will 'Forfeit Our Best Chance to Fight Climate Change'

by Dino Grandoni (Washington Post) California is coming out swinging in its official response to one of the Trump administration's most consequential attempts at rolling back regulations to date — to freeze fuel-efficiency standards

for cars and trucks through 2026. In a 400-page comment on the proposed rule that will be filed ...

NFU Urges Administration to Honor Commitment to Biofuels

(National Farmers Union) Throughout his campaign for and tenure as president, Donald Trump has consistently pledged to support American-grown biofuels. However, his administration has too often failed to follow through on those promises in a timely fashion. In the most recent of such instances, President Trump announced his intentions to allow ...

Environmental Groups File Petition with EPA Accusing It of Illegally Allowing Wildlife Habitat Conversion for Biofuels

by Meghan Sapp (Biofuels Digest) In Washington, following on the heels of an Environmental Protection Agency report to Congress documenting wide-spread habitat loss following enactment of U.S. biofuels policy in 2007, environmental and conservation groups filed a petition with EPA, asserting the agency has illegally allowed millions of acres of wildlife habitat

Clean Octane Alliance Sees Open Road for Higher Blends

(Urban Air Initiative) ... South Dakota Farmers Union President Doug Sombke and Urban Air Initiative President Dave VanderGriend said an update to the master list of future federal regulatory actions called the Unified Agenda does not include a previously proposed rule that would make any blends above E15 illegal to use in

RFA Urges EPA and NHTSA to Use SAFE Vehicles Rule to Advance High-Octane, Low Carbon Fuels

(Renewable Fuels Association) Ethanol-based high-octane, low-carbon (HOLC) fuel blends would enable cost-effective gains in fuel economy and significant carbon dioxide reductions, the Renewable Fuels Association (RFA) outlined in comments submitted Friday to the Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA). "The agencies should support this transition by developing

EPA: Additional Small Refinery Petitions Filed for 2017, 2018

by Erin Voegele (Ethanol Producer Magazine) The U.S. EPA has released updated data on small refinery waivers filed under the Renewable Fuel Standard. The new data shows that additional petitions were filed for 2017 and 2018 compliance years over the past month. As of Oct. 10, EPA data shows the agency

Sen. Donnelly Backs E15 in Terre Haute Stop

by Mark Fitton (Tribune-Star) U.S. Sen. Joe Donnelly stopped Saturday in Terre Haute to tout the use of E15, a gasoline blend containing 15 percent alcohol. ... Donnelly, a Democrat and member of the Senate's agriculture committee, said he's been a champion of the fuel because it expands the market for Indiana

Ethanol Rule Change Likely to Take Months, Even Years

by Charles Dunlap (The Mexico Ledger) ... "The question is whether there will be a restraining order prohibiting the rules to go forward or not," Murphy (Steve

Murphy, POET general manager at the Laddonia refinery) said, adding the EPA is trying to apply the rule governing E10 to E15. "It has to

E15 Rewards For Fridley and Richfield Drivers

(Minnesota Bio-Fuels Association) The Minnesota Bio-Fuels Association (MN Biofuels) and KS95 FM rewarded drivers who fueled up with Unleaded Plus (E15) during an hour-long promotion at Bona Brothers Minnoco in Fridley today. From 11:30 am to 12:30 pm, MN Biofuels and KS95 rewarded 20 drivers who made the switch to E15. ...

Op-Ed: Ethanol Needs to Win the Octane Race- Our Health Depends on It

(Urban Air Initiative/Governors' Biofuels Coalition) ... Octane is a necessary component of our fuel, and more of it is needed as car engines become more advanced and efficient. So competition is on the rise for where this octane will come from in order to keep up with new engine designs. There are

Behind the Scenes with E15 as We Peel back the Layers

by Helena Tavares Kennedy (Biofuels Digest) ... More recently in 2011, E15 was approved by the EPA for all vehicles 2001 and newer – nearly 9 out of 10 cars on the road today, or about 92 percent of all registered cars and trucks. In fact, according to Growth Energy, "E15 is the most

Marathon Weighs Selling High-Ethanol Gas in Minnesota

by Mario Parker and Jennifer A Dlouhy (Bloomberg) Company acquired Andeavor this month to become largest refiner; Trump promised to allow year-round sales of E15 gasoline — Marathon Petroleum Corp., the largest U.S. oil refiner following its \$23.3 billion acquisition of rival Andeavor this month, is weighing a plan to start sales of high-ethanol

Forbes Reviving Old Food vs Fuel Debate in Light of E15

by Meghan Sapp (Biofuels Digest) In Washington, Forbes magazine is reviving the food vs. fuel debate by sourcing a 2015 publication by controversial researcher Timothy Searchinger from the World Resources Institute's website. The paper is quoted several times identifying the use of corn in ethanol as a misguided notion, such its diversion

OMB Releases Estimated Timelines for EPA's E15 Rule, 2 RFS Rules

by Erin Voegele (Biomass Magazine) The Trump Administration has released estimated timelines for the development of three U.S. EPA rulemakings that pertain to the Renewable Fuel Standard and year-round E15 sales, including one that includes a "reset" of statutory blending targets. The administration released a summary of its Fall 2018 Unified

RFA Analysis: Automakers Explicitly Approve E15 for More than 93% of New 2019 Vehicles

(Renewable Fuels Association) More than 93 percent of 2019 model year (MY) vehicles are explicitly approved by the manufacturer to use 15 percent ethanol blends (E15), according to the results of an annual analysis of warranty

statements and owner's manuals conducted by the Renewable Fuels Association (RFA). That is up from last year,

Improving Ethanol's Outlook: Fuel Economy Standards Help Make the Case for Midlevel Ethanol Blends.

by Chris Bliley (Growth Energy/Ethanol Producer Magazine) ... Automakers are responding by making smaller, higher-compression engines that demand higher octane. Improved engines are the first step toward achieving mid-level ethanol blends such as E25 and E30. ... E30 would improve fuel economy standards, reduce emissions of greenhouse gases (GHGs) and other harmful

Saudi Arabia Shows Need to End Addiction to Middle Eastern Oil

by Jim Talent (The Hill/Americans for Energy Security and Innovation) Following the mysterious death of columnist Jamal Khashoggi, Washington was hit with a stark reminder that America remains glaringly vulnerable to economic threats from the oil oligarchs of the world. Saudi Arabia quickly issued a warning that any sanctions will be met with

Innovations in Biomass-Based Diesel

by Susanne Retka Schill (Ethanol Producer Magazine) Two ethanol producers are adopting quite different innovative technologies to add value to their corn oil—one making biodiesel with supercritical methods, the other making renewable diesel. East Kansas Agri-Energy's renewable diesel plant has been operational for about a year, after taking months to work

Senators to Trump Administration: Don't Challenge California's Clean Car Standards

(Office of Senator Dianne Feinstein) Senator Dianne Feinstein (D-Calif.) today was joined by 22 senators in calling on the Trump administration to end its challenge of California's authority to set vehicle emission standards. The senators represent states that follow California's standards. "The changes you have proposed to this carefully negotiated program are

RFA President Says February Not Soon Enough for E15 Rulemaking

(WNAX) This week, the Environmental Protection Agency published its rule making agenda for 2019 and in it said they"ll start the rulemaking process for year-round use of E15 in February of next year. Renewable Fuels Association President and CEO Geoff Cooper says they wanted to see the rulemaking start sooner than

Colorado Bioenergy Producer Asks EPA to Process eRIN Applications

by Erin Voegele (Biomass Magazine) The owner of a biomass power plant in Colorado is the latest representative of the bioenergy industry to urge the U.S. EPA to take action to allow biomass power facilities to participate in the Renewable Fuel Standard program. On Oct. 11, Dean Rostrom, owner of

Dems Ask Trump Administration to Honor Renewable Fuel Standard Commitments

(Office of Congressman Ruben Gallego D-AZ))... Reps. Ruben Gallego (D-AZ) and Danny Davis (D-IL) led a letter signed by 17 of their colleagues to the

Environmental Protection Agency (EPA) expressing concern over the Trump Administration's widespread issuance of waivers to the Renewable Fuel Standard (RFS). With transportation emissions representing the

NBB Letter to EPA: Small Refinery Exemptions Destroy Demand for Biodiesel

(National Biodiesel Board) New EPA dashboard confirms more than 300 million gallons of lost demand for biodiesel — National Biodiesel Board (NBB) delivered a letter to Environmental Protection Agency Acting Administrator Andrew Wheeler asking that the agency fully account for small refinery exemptions in the annual Renewable Fuel Standard rules and "end

US Environmental Protection Agency Aims to Adopt New Fuel Economy Rule by March, E15 Rule by May

by Meghan Gordon (S&P Global Platts) The US Environmental Protection Agency aims to adopt final rules for fuel economy standards by March and year-round sales of higher ethanol blends by May, according to a fall regulatory agenda released Wednesday by the Trump administration. The fuel economy rule is expected to increase

Latest in Federal Litigation



Litigation threats related to proposed **year-round E15** regulations and **SAFE/CAFE** changes are included in Regulations news above.

For more on federal litigation, click here.

Biofuel Groups Ask Federal Judge to Freeze U.S. Refinery Waiver <u>Program</u>

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

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

Automakers Fight Trump's Auto Emissions Rollback

by Timothy Cama (The Hill) Major automakers are pushing the Trump administration to abandon its plan to roll back climate change rules for cars.

Companies had emphatically encouraged the Environmental Protection Agency

(EPA) and Department of Transportation (DOT) to undo the Obama administration's plans to ratchet up greenhouse gas emissions and

D.C. Circuit Will Be All Ears for RFS Arguments

by Kelsey Tamborrino (Politico's Morning Energy) A panel of D.C. Circuit appellate judges today will hear yet another iteration of arguments over the Renewable Fuel Standard. The court has allowed an hour and 40 minutes to delve into the issues at stake, and if ME's experience is any guide, they ...

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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 Just Wrong!" then you understand the need for biofuels education. We don't write the stuff in this newsletter. We just report it. 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.

We are doing something about that every day.

If you would like to help, please give me a call at 301-644-1395 or send an email to info@AdvancedBiofuelsUSA.org.

Thanks,

Joanne Ivancic, Executive Director

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