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April 17, 2018

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20004-2403

Dear Administrator Pruitt:

I write to encourage your consideration and support for providing relief for small refineries suffering hardship due in considerable part to the Renewable Fuel Standard (RFS).

Congress rightly provided discretion to the EPA Administrator to intervene and provide exemptions for small refiners from the RFS program on an annual basis. I continue to believe it is appropriate to provide such relief for small refiners that: are without economies of scale to utilize in meeting EPA's mandate; possess limited ability to blend biofuels with their petroleum products; may produce a greater percentage of diesel fuel as compared to the national average. Each of these factors individually contributes to disproportionate hardship for small refiners and collectively poses the threat of irreparable economic harm.

Additionally, I am aware that in conjunction with the 2018 Renewable Volume Obligation (RVO) rulemaking, the EPA sought comment on whether to reallocate volumes associated with a small refiner exemption to other obligated parties. In the strongest of terms, I support EPA's past practice of not reallocating those RVOs.

EPA's responsibility in administering the RFS is not to maximize, at any cost, the amount of biofuel mandated as transportation fuel. Additionally, the goal of the RFS is not to establish relative competitive advantages or disadvantages based on refinery scale or market dynamics. Rather, EPA's responsibility is to dutifully apply the law, including discretion where appropriate, in consultation with other relevant agencies. I ask you to continue to fulfill this responsibility in a timely manner.

Thank you for your consideration of the applications for small refinery exemptions. Please do not hesitate to reach out if I can be of any assistance on this issue.

Sincerely,

Pete Sessions
Member of Congress