

Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 6/14/2018 11:28:25 PM  
**To:** Macy, Daniel [dmacy@opisnet.com]  
**CC:** Press [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b293283291dc44e0b5d1c36be9281d8a-Press]  
**Subject:** RE: Question on reallocation

Dan –

“Currently, our regulations only allow reallocation of an exempted refinery’s RIN obligations for a given year if the exemption is granted before we finalize the volumes for that year. Those regulations were passed as substantive rules that went through notice and public comment. Binding precedent holds that agencies can only impose retroactive obligations if Congress has given them the authority to do so. EPA will administer the RFS program within the legal constraints. Continued conversations with people affected by the program are vital to our work.” – EPA Spokesperson

Also, wanted to make sure you had the following statement from EPA’s Office of Air and Radiation Principal Deputy Assistant Administrator Mandy Gunasekara on Administrator Pruitt’s midwest trip:

“There are those who are willing to engage in solutions and those who want to promote a false sense of division between Administrator Pruitt and farmers across the country.”

“While tensions were high when we walked into the room with corn and sorghum farmers and other RFS stakeholders, at the end of those discussions there was a sincere appreciation reflected by all in the room of the willingness to engage on these important issues and the commitment to find meaningful solutions. The lingering impression of these visits is most represented by the standing ovation Administrator Pruitt received at the end of the discussion in South Dakota from a room full of farmers, association representatives, and other RFS interests.”

“Decision-making is a difficult process, but instead of playing it safe and staying in Washington, Administrator Pruitt has been and continues to go out to communities impacted by the Agency’s decisions – an approach embraced by those who care more about the policy versus the politics.”

---

**From:** Macy, Daniel [mailto:dmacy@opisnet.com]  
**Sent:** Thursday, June 14, 2018 5:35 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** RE: Question on reallocation

No problem, thanks for getting back to me, Molly.  
Dan

---

**From:** Block, Molly [mailto:block.molly@epa.gov]  
**Sent:** Thursday, June 14, 2018 5:33 PM  
**To:** Macy, Daniel <dmacy@opisnet.com>  
**Subject:** RE: Question on reallocation

I’m so sorry for the delayed response. I should have something for you shortly. Thanks for being patient!

Molly

---

**From:** Macy, Daniel [mailto:[dmacy@opisnet.com](mailto:dmacy@opisnet.com)]

**Sent:** Thursday, June 14, 2018 1:29 PM

**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** Question on reallocation

Hi Molly,

Yesterday after the South Dakota meeting with Administrator Pruitt, a participant, Keith Alverson, tweeted: "Finished hearing from @EPAScottPruitt a bit ago in South Dakota. He told us that EPA has no plans to reallocate the 1.7 billion RINs cut from the [Renewable Fuel Standard] RFS over the past 2 years."

I talked to Mr. Alverson on the phone and he elaborated that Administrator Pruitt said the reason for this position is that EPA concluded based on consultation with White House counsel, that the agency does not have the legal authority to reallocate volume obligations based on RFS hardship waivers given in the past.

Can you confirm that both the tweet and the follow-up statement accurately portray current EPA policy/stance?

Thank you very much.

Best regards,

Dan



Dan Macy  
Markets Editor, Renewables  
2099 Gaither Road, 5<sup>th</sup> Floor  
Rockville, Maryland 20850

**Ex. 6**

[dmacy@opisnet.com](mailto:dmacy@opisnet.com)

