

Congress of the United States
Washington, DC 20515

April 2, 2018

The Honorable E. Scott Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Pruitt:

We 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. We continue to believe it is appropriate to provide such relief for small refiners that: are without economies of scale to make the EPA's mandate cost capable; possess limited ability to blend biofuels with their petroleum products; or 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 threat of irreparable economic harm.

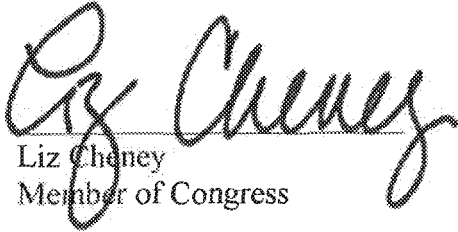
Additionally, we are aware that in conjunction with the 2018 Renewable Volume Obligation (RVO) rulemaking, EPA sought comment on whether or not to reallocate volumes associated with a small refiner exemption to other obligated parties. In the strongest of terms, we support EPA's past practice of not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

As you know, small independent refiners across the country have been severely burdened by increasing costs of Renewable Identification Numbers (RINs) that independent refiners are forced to purchase under the RFS. In fact, several refiners now cite RIN purchases as their largest expense outside purchasing crude oil, and are spending more money buying RINs than on payroll. The RFS was originally implemented to combat a reduced supply of oil as domestic production dipped, however we are currently experiencing a domestic energy renaissance and are not threatened by a lack of supply. We believe that this broader issue needs to be addressed, but understand this waiver is needed in the meantime to protect small refiners from this failing program.

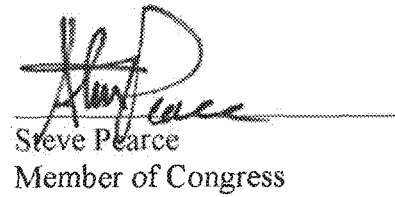
EPA's responsibility in administering the RFS is not to maximize at any cost the amount of biofuel mandated as transportation fuel. Additionally, the goal of the RFS is not to establish relative competitive advantages or disadvantages based on refinery scale or market dynamics. Rather, EPA's responsibility is to dutifully apply the law, including discretion where appropriate, in consultation with other relevant agencies. We 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 let our offices know if we may be of assistance.

Sincerely,



Liz Cheney
Member of Congress



Steve Pearce
Member of Congress



Chris Stewart
Member of Congress