

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 1947  
OFFERED BY MR. MEEHAN OF PENNSYLVANIA**

At the end of title IX, add the following new section:

1 **SEC. 9014. EXEMPTION FROM RENEWABLE FUEL OBLIGA-**  
 2 **TION FOR NONINTEGRATED MERCHANT RE-**  
 3 **FINERIES BASED ON ECONOMIC HARDSHIP.**

4           (a) PETITION.—At any time, a nonintegrated mer-  
 5 chant refinery subject to the requirements under section  
 6 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) may peti-  
 7 tion the Administrator of the Environmental Protection  
 8 Agency (in this section referred to as the “Adminis-  
 9 trator”) for an exemption from such requirements for the  
 10 reason of economic hardship.

11           (b) GRANT OF EXEMPTION.—The Administrator  
 12 shall grant an exemption pursuant to a petition under sub-  
 13 section (a) if the petitioner demonstrates that—

- 14                   (1) the refinery does not have sufficient renew-  
 15                   able fuel blending capacity to satisfy the refinery’s  
 16                   renewable fuel obligations;
- 17                   (2) the refinery relies on unaffiliated down-  
 18                   stream blenders to blend renewable fuel; and

1           (3) the cost of compliance would have a mod-  
2           erate or greater impact on the refinery's ability to  
3           remain competitive and profitable.

4           (c) ACTION ON PETITION.—The Administrator shall  
5           act on any petition submitted by a refinery under this sec-  
6           tion for a hardship exemption not later than 90 days after  
7           the date of receipt of the petition.

8           (d) JUDICIAL REVIEW.—The Administrator's denial  
9           of a petition submitted under this section shall be subject  
10          to judicial review.

11          (e) RENEWABLE BIOFUEL EXEMPTION CREDITS.—

12           (1) IN GENERAL.—Whenever the Administrator  
13           grants an exemption under this section, the Admin-  
14           istrator may, as a condition of granting the exemp-  
15           tion, provide and require the refinery to purchase  
16           from the Administrator renewable biofuel exemption  
17           credits for that compliance year.

18           (2) IMPACT OF CREDITS.—Notwithstanding  
19           paragraph (1), the Administrator may not require  
20           the refinery to purchase renewable biofuel exemption  
21           credits to the extent that the cost of such credits  
22           would have a moderate or greater impact on the re-  
23           finery's ability to remain competitive and profitable.

1           (3) AVAILABILITY OF CREDITS.—Exemption  
2 credits shall be available for each category of renew-  
3 able fuel.

4           (4) PRICE OF CREDITS.—The price of exemp-  
5 tion credits for each category of renewable fuel shall  
6 be the average market cost of renewable identifica-  
7 tion numbers for the corresponding category in cal-  
8 endar year 2012. The price shall be adjusted for in-  
9 flation by the Administrator for years after calendar  
10 year 2014.

