

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 8
OFFERED BY MR. WELCH OF VERMONT**

At the end of the bill, add the following new title:

1 **TITLE VII—RFS REFORM**

2 **SEC. 7001. SHORT TITLE.**

3 This title may be cited as the “RFS Reform Act of
4 2015”.

5 **Subtitle A—Renewable Fuel**
6 **Standard Amendments**

7 **SEC. 7101. AMENDMENTS TO THE CLEAN AIR ACT.**

8 (a) REVISED DEFINITION OF RENEWABLE FUEL.—

9 (1) IN GENERAL.—Section 211(o)(1)(J) of the
10 Clean Air Act (42 U.S.C. 7545(o)(1)(J)) is amended
11 to read as follows:

12 “(J) RENEWABLE FUEL.—The term ‘re-
13 newable fuel’ means fuel that—

14 “(i) is produced from renewable bio-
15 mass;

16 “(ii) is used to replace or reduce the
17 quantity of fossil fuel present in a trans-
18 portation fuel; and

1 “(iii) beginning on January 1, 2015,
2 is advanced biofuel.”.

3 (2) CONFORMING AMENDMENT.—Section
4 211(o)(1)(B)(i) of the Clean Air Act (42 U.S.C.
5 7545(o)(1)(B)(i)) is amended by striking “renewable
6 fuel” and inserting “fuel described in clauses (i) and
7 (ii) of subparagraph (J)”.

8 (b) APPLICABLE VOLUMES.—Section 211(o)(2)(B)(i)
9 of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)(i)) is
10 amended—

11 (1) in the table in subclause (I)—

12 (A) by striking “20.5” and inserting
13 “5.5”;

14 (B) by striking “22.25” and inserting
15 “7.25”;

16 (C) by striking “24.0” and inserting
17 “9.0”;

18 (D) by striking “26.0” and inserting
19 “11.0”;

20 (E) by striking “28.0” and inserting
21 “13.0”;

22 (F) by striking “30.0” and inserting
23 “15.0”;

24 (G) by striking “33.0” and inserting
25 “18.0”; and

1 (H) by striking “36.0” and inserting
2 “21.0”;

3 (2) in subclause (II)—

4 (A) in the matter preceding the table, by
5 striking “2022” and inserting “2014”; and

6 (B) in the table, by striking the items re-
7 lating to calendars years 2015 through 2022;

8 (3) in subclause (III), by striking “of the vol-
9 ume of advanced biofuel required under subclause
10 (II)” and inserting “of the volume of advanced
11 biofuel required for calendar years 2010 through
12 2014 under subclause (II), as in effect on the day
13 before the date of enactment of the Renewable Fuel
14 Standard Amendments Act, and of the volume of re-
15 newable fuel required for calendar years 2015
16 through 2022 under the subclause (I)”; and

17 (4) in subclause (IV), by inserting “, as in ef-
18 fect on the day before the date of enactment of the
19 Renewable Fuel Standard Amendments Act” after
20 “of the volume of advanced biofuel required under
21 subclause (II)”.

22 (c) CONFORMING AMENDMENTS.—

23 (1) OTHER CALENDAR YEARS.—Section
24 211(o)(2)(B) of the Clean Air Act (42 U.S.C.
25 7545(o)(2)(B)) is amended—

1 (A) in clause (ii)(III), by striking “ad-
2 vanced biofuels in each category (cellulosic
3 biofuel and biomass-based diesel)” and insert-
4 ing “cellulosic biofuel and biomass-based die-
5 sel”;

6 (B) by striking clause (iii); and

7 (C) by redesignating clauses (iv) and (v) as
8 clauses (iii) and (iv), respectively.

9 (2) APPLICABLE PERCENT REDUCTION
10 LEVEL.—Section 211(o)(4) of the Clean Air Act (42
11 U.S.C. 7545(o)(4)) is amended—

12 (A) in subparagraph (E), by striking “20,
13 50, or 60 percent reduction levels” and insert-
14 ing “applicable percent reduction level”; and

15 (B) in subparagraph (F), by inserting “(if
16 applicable)” after “(2)(A)(i)”.

17 (3) WAIVERS.—Section 211(o)(7) of the Clean
18 Air Act (42 U.S.C. 7545(o)(7)) is amended—

19 (A) in subparagraph (D)(i), by inserting “,
20 if such year is before 2015,” before “advanced
21 biofuels”; and

22 (B) in subparagraph (E)(ii), by inserting
23 “, if such year is before 2015,” before “ad-
24 vanced biofuels”.

1 **SEC. 7102. CELLULOSIC BIOFUEL REQUIREMENT BASED ON**
2 **ACTUAL PRODUCTION.**

3 (a) PROVISION OF ESTIMATE OF VOLUMES OF CEL-
4 LULOSIC BIOFUEL.—Section 211(o)(3)(A) of the Clean
5 Air Act (42 U.S.C. 7545(o)(3)(A)) is amended—

6 (1) by inserting “(i)” before “Not later than”;

7 and

8 (2) by adding at the end the following new
9 clause:

10 “(ii)(I) In determining any estimate under
11 clause (i), with respect to the following calendar
12 year, of the projected volume of cellulosic
13 biofuel production (as described in paragraph
14 (7)(D)(i)), the Administrator of the Energy In-
15 formation Administration shall—

16 “(aa) for each cellulosic biofuel
17 production facility that is producing
18 (and continues to produce) cellulosic
19 biofuel during the period of January 1
20 through October 31 of the calendar
21 year in which the estimate is made (in
22 this clause referred to as the ‘current
23 calendar year’)—

24 “(AA) determine the average
25 monthly volume of cellulosic
26 biofuel produced by such facility,

1 based on the actual volume pro-
2 duced by such facility during
3 such period; and

4 “(BB) based on such aver-
5 age monthly volume of produc-
6 tion, determine the estimated
7 annualized volume of cellulosic
8 biofuel production for such facil-
9 ity for the current calendar year;
10 and

11 “(bb) for each cellulosic biofuel
12 production facility that begins initial
13 production of (and continues to
14 produce) cellulosic biofuel after Janu-
15 ary 1 of the current calendar year—

16 “(AA) determine the average
17 monthly volume of cellulosic
18 biofuel produced by such facility,
19 based on the actual volume pro-
20 duced by such facility during the
21 period beginning on the date of
22 initial production of cellulosic
23 biofuel by the facility and ending
24 on October 31 of the current cal-
25 endar year; and

1 “(BB) based on such aver-
2 age monthly volume of produc-
3 tion, determine the estimated
4 annualized volume of cellulosic
5 biofuel production for such facil-
6 ity for the current calendar year.

7 “(II) An estimate under clause (i)
8 with respect to the following calendar year
9 of the projected volume of cellulosic biofuel
10 production (as described in paragraph
11 (7)(D)(i)), shall be equal to the total of the
12 estimated annual volumes of cellulosic
13 biofuel production for all cellulosic biofuel
14 production facilities described in subclause
15 (I) for the current calendar year.”.

16 (b) REDUCTION IN APPLICABLE VOLUME.—Section
17 211(o)(7)(D)(i) of the Clean Air Act (42 U.S.C.
18 7545(o)(7)(D)(i)), as amended by section 7101(c)(3)(A),
19 is further amended by—

20 (1) striking “based on the” and inserting
21 “using the exact”;

22 (2) striking “may also reduce” and inserting
23 “shall also reduce”; and

24 (3) striking “by the same or a lesser volume”
25 and inserting “by the same volume”.

1 **SEC. 7103. APPLICABILITY AND REGULATIONS.**

2 The amendments made by this subtitle to section
3 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) shall
4 apply only with respect to calendar years 2015 and after,
5 except that the Administrator of the Environmental Pro-
6 tection Agency shall promulgate regulations to carry out
7 such amendments not later than 1 year after the date of
8 enactment of this Act, and take any steps necessary to
9 ensure such amendments may be carried out for calendar
10 years 2015 and after.

11 **Subtitle B—Gasoline Containing**
12 **Greater Than 10-volume-percent**
13 **Ethanol**

14 **SEC. 7201. PROHIBITION OF GASOLINE BLENDS WITH**
15 **GREATER THAN 10-VOLUME-PERCENT ETH-**
16 **ANOL.**

17 Notwithstanding any other provision of law, the Ad-
18 ministrator of the Environmental Protection Agency may
19 not, including by granting a waiver under section
20 211(f)(4) of the Clean Air Act (42 U.S.C. 7545(f)(4)), au-
21 thorize or otherwise allow the introduction into commerce
22 of gasoline containing greater than 10-volume-percent eth-
23 anol.

24 **SEC. 7202. PROHIBITION OF WAIVERS.**

25 (a) IN GENERAL.—Any waiver granted under section
26 211(f)(4) of the Clean Air Act (42 U.S.C. 7545(f)(4)) be-

1 fore the date of enactment of this Act that allows the in-
2 troduction into commerce of gasoline containing greater
3 than 10-volume-percent ethanol for use in motor vehicles
4 shall have no force or effect.

5 (b) CERTAIN WAIVERS.—The waivers described in
6 subsection (a) include the following:

7 (1) The waiver entitled, “Partial Grant and
8 Partial Denial of Clean Air Act Waiver Application
9 Submitted by Growth Energy To Increase the Allow-
10 able Ethanol Content of Gasoline to 15 Percent; De-
11 cision of the Administrator”, 75 Fed. Reg. 68094
12 (November 4, 2010).

13 (2) The waiver entitled, “Partial Grant of
14 Clean Air Act Waiver Application Submitted by
15 Growth Energy To Increase the Allowable Ethanol
16 Content of Gasoline to 15 Percent; Decision of the
17 Administrator”, 76 Fed. Reg. 4662 (January 26,
18 2011).

19 **SEC. 7203. MISFUELING RULE.**

20 The portions of the rule entitled, “Regulation to Miti-
21 gate the Misfueling of Vehicles and Engines with Gasoline
22 Containing Greater Than Ten Volume Percent Ethanol
23 and Modifications to the Reformulated and Conventional
24 Gasoline Programs”, 76 Fed. Reg. 44406 (July 25, 2011)

1 to mitigate misfueling shall have no force and effect 60
2 days after the date of enactment of this Act.

