

APRIL 28, 2026

RULES COMMITTEE PRINT 119–28

1 **SECTION 1. YEAR-ROUND E15 AND RFS REFORM.**

2 (a) ETHANOL WAIVER.—

3 (1) EXISTING WAIVERS.—Section 211(f)(4) of
4 the Clean Air Act (42 U.S.C. 7545(f)(4)) is amend-
5 ed—

6 (A) by striking “(4) The Administrator,
7 upon” and inserting the following:

8 “(4) WAIVERS.—

9 “(A) IN GENERAL.—The Administrator,
10 on”;

11 (B) in subparagraph (A) (as so des-
12 ignated)—

13 (i) in the first sentence—

14 (I) by striking “of this sub-
15 section” each place it appears; and

16 (II) by striking “if he deter-
17 mines” and inserting “if the Adminis-
18 trator determines”; and

19 (ii) in the second sentence, by striking
20 “The Administrator” and inserting the fol-
21 lowing:

1 “(B) FINAL ACTION.—The Adminis-
2 trator”; and

3 (C) by adding at the end the following:

4 “(C) REID VAPOR PRESSURE.—A fuel or
5 fuel additive may be introduced into commerce
6 if—

7 “(i)(I) the Administrator determines
8 that the fuel or fuel additive is substan-
9 tially similar to a fuel or fuel additive uti-
10 lized in the certification of any model year
11 vehicle pursuant to paragraph (1)(A); or

12 “(II) the fuel or fuel additive has been
13 granted a waiver under subparagraph (A)
14 and meets all of the conditions of that
15 waiver other than any limitation of the
16 waiver with respect to the Reid Vapor
17 Pressure of the fuel or fuel additive; and

18 “(ii) the fuel or fuel additive meets all
19 other applicable Reid Vapor Pressure re-
20 quirements under subsection (h).”.

21 (2) REID VAPOR PRESSURE LIMITATION.—Sec-
22 tion 211(h) of the Clean Air Act (42 U.S.C.
23 7545(h)) is amended—

1 (A) by striking “vapor pressure” each
2 place it appears and inserting “Vapor Pres-
3 sure”;

4 (B) in paragraph (4), in the matter pre-
5 ceding subparagraph (A), by striking “10 per-
6 cent” and inserting “10 to 15 percent”; and

7 (C) in paragraph (5)(A)—

8 (i) by striking “Upon notification, ac-
9 companied by” and inserting “On receipt
10 of a notification that is submitted after the
11 date of enactment of the Farm, Food, and
12 National Security Act of 2026, and is ac-
13 companied by appropriate”;

14 (ii) by striking “10 percent” and in-
15 serting “10 to 15 percent”; and

16 (iii) by adding at the end the fol-
17 lowing: “Upon the enactment of the Farm,
18 Food, and National Security Act of 2026,
19 any State for which the notification from
20 the Governor of a State was submitted
21 after January 1, 2022, and before the date
22 of enactment of the Farm, Food, and Na-
23 tional Security Act of 2026 and to which
24 the Administrator applied the Reid Vapor
25 Pressure limitation established by para-

1 graph (1) shall instead have the Reid
2 Vapor Pressure limitation established by
3 paragraph (4) apply to all fuel blends con-
4 taining gasoline and 10 to 15 percent de-
5 natured anhydrous ethanol that are sold,
6 offered for sale, dispensed, supplied, of-
7 fered for supply, transported, or introduced
8 into commerce in the area during the high
9 ozone season.”.

10 (b) DEFINITION OF SMALL REFINING COMPANY.—

11 Section 211(o)(1) of the Clean Air Act (42 U.S.C.
12 7545(o)(1)) is amended—

13 (1) by redesignating subparagraph (L) as sub-
14 paragraph (M); and

15 (2) by inserting after subparagraph (K) the fol-
16 lowing:

17 “(L) SMALL REFINING COMPANY.—The
18 term ‘small refining company’ means a com-
19 pany, entity, or group of affiliated entities, in-
20 cluding through subsidiaries, parent companies,
21 joint ventures, holding companies, spin-offs, or
22 other associated corporate or legal structures,
23 the daily average aggregate production of obli-
24 gated fuels of which for calendar year 2025 did
25 not exceed 75,000 barrels per day across all of

1 the facilities of the company, entity, or group of
2 affiliated entities that produced transportation
3 fuel subject to the requirements of paragraph
4 (2).”.

5 (c) TERMINATION OF PETITIONS; ADJUSTED SMALL
6 REFINING COMPANY OBLIGATION.—

7 (1) IN GENERAL.—Section 211(o)(9) of the
8 Clean Air Act (42 U.S.C. 7545(o)(9)) is amended—

9 (A) in subparagraph (B)—

10 (i) in clause (i), by striking “A small”
11 and inserting “Subject to clause (iv), a
12 small”; and

13 (ii) by adding at the end the fol-
14 lowing:

15 “(iv) TERMINATION OF EXEMPTION
16 AND PETITIONS.—

17 “(I) IN GENERAL.—Beginning in
18 calendar year 2028, the Administrator
19 may not apply or enforce any exten-
20 sion of an exemption granted pursu-
21 ant to a petition under this subpara-
22 graph or otherwise continue to enforce
23 the exemption under subparagraph
24 (A) with respect to any small refinery.

1 “(II) LIMITATION ON PETI-
2 TIONS.—Notwithstanding any other
3 provision of law—

4 “(aa) no small refinery may
5 petition for an extension under
6 this subparagraph with respect to
7 any calendar year after calendar
8 year 2027;

9 “(bb) the Administrator may
10 not consider any petition for an
11 extension under this subpara-
12 graph, with respect to any cal-
13 endar year, that is submitted
14 after July 1, 2028; and

15 “(cc) to the maximum ex-
16 tent practicable, the Adminis-
17 trator shall, not later than Octo-
18 ber 1, 2028, act on all out-
19 standing petitions.”;

20 (B) by redesignating subparagraphs (C)
21 and (D) as subparagraphs (D) and (E), respec-
22 tively; and

23 (C) by inserting after subparagraph (B)
24 the following:

1 “(C) ADJUSTED COMPLIANCE REQUIRE-
2 MENTS FOR SMALL REFINING COMPANIES.—

3 “(i) IN GENERAL.—Beginning in cal-
4 endar year 2028, the Administrator shall,
5 subject to clause (ii), reduce the compli-
6 ance requirements of each small refining
7 company under paragraph (2) by 75 per-
8 cent.

9 “(ii) NO SUBSEQUENT REDESIGNA-
10 TION.—If the average aggregate daily pro-
11 duction of obligated fuels of a small refin-
12 ing company exceeds the limit described in
13 paragraph (1)(L) in calendar year 2026 or
14 any subsequent calendar year, the small
15 refining company shall no longer be eligible
16 for the adjusted compliance requirements
17 under clause (i) during that calendar year
18 or any subsequent calendar year, regard-
19 less of whether the average aggregate daily
20 production of obligated fuels of the small
21 refining company drops below that limit
22 again.”.

23 (2) SAVINGS PROVISION.—Nothing in this Act
24 or an amendment made by this Act affects any rem-
25 edy available to a small refinery (as defined in para-

1 graph (1) of section 211(o) of the Clean Air Act (42
2 U.S.C. 7545(o))) with respect to petitions for exten-
3 sions of exemptions under paragraph (9) of that sec-
4 tion and, for purposes of the application of such ex-
5 tensions and the review of the denial of such peti-
6 tions, section 211(o)(9) of the Clean Air Act (42
7 U.S.C. 7545(o)(9)) shall be applied as in effect on
8 the day before the date of enactment of this Act.

9 (d) GENERATION OF CREDITS BY SMALL REFIN-
10 ERIES UNDER THE RENEWABLE FUEL PROGRAM.—Sec-
11 tion 211(o)(9) of the Clean Air Act (42 U.S.C.
12 7545(o)(9)) is further amended by adding at the end the
13 following:

14 “(F) CREDITS GENERATED FOR 2016–2018
15 COMPLIANCE YEARS.—

16 “(i) RULE.—For any small refinery
17 described in clause (ii) or (iii), the credits
18 described in the respective clause shall
19 be—

20 “(I) returned to the small refin-
21 ery and, notwithstanding paragraph
22 (5)(C), deemed eligible for future
23 compliance years; or

1 “(II) applied as a credit in the
2 EPA Moderated Transaction System
3 (EMTS) account of the small refinery.

4 “(ii) COMPLIANCE YEARS 2016 AND
5 2017.—Clause (i) applies with respect to
6 any small refinery that—

7 “(I) retired credits generated for
8 compliance years 2016 or 2017; and

9 “(II) submitted a petition under
10 subparagraph (B)(i) for that compli-
11 ance year that remained outstanding
12 as of December 1, 2022.

13 “(iii) COMPLIANCE YEAR 2018.—In
14 addition to small refineries described in
15 clause (ii), clause (i) applies with respect
16 to any small refinery—

17 “(I) that submitted a petition
18 under subparagraph (B)(i) for compli-
19 ance year 2018 by September 1,
20 2019;

21 “(II) that retired credits gen-
22 erated for compliance year 2018 as
23 part of the compliance demonstration
24 of the small refinery for compliance
25 year 2018 by March 31, 2019; and

1 “(III) for which—

2 “(aa) the petition remained
3 outstanding as of December 1,
4 2022; or

5 “(bb) the Administrator de-
6 nied the petition as of July 1,
7 2022, and has not returned the
8 retired credits as of December 1,
9 2022.”.

10 (e) PROHIBITION ON REALLOCATION OF OBLIGATED
11 VOLUMES.—Section 211(o)(9) of the Clean Air Act (42
12 U.S.C. 7545(o)(9)) is further amended by adding at the
13 end the following:

14 “(G) PROHIBITION ON REALLOCATION.—
15 For the purpose of making the determinations
16 in paragraph (2)(B)(ii), for calendar year 2028
17 and each calendar year thereafter, the Adminis-
18 trator may not reallocate to other persons any
19 renewable fuel obligation applicable to a small
20 refining company the compliance requirements
21 of which were reduced pursuant to subpara-
22 graph (C).”.

23 (f) FUEL INFRASTRUCTURE RULEMAKING.—

24 (1) IN GENERAL.—Not later than 18 months
25 after the date of enactment of this Act, the Adminis-

1 trator of the Environmental Protection Agency shall,
2 after a period of notice and public comment, finalize
3 a rule modifying the regulations of the Environ-
4 mental Protection Agency under the Clean Air Act
5 (42 U.S.C. 7401 et seq.) and the Solid Waste Dis-
6 posal Act (42 U.S.C. 6901 et seq.) (commonly
7 known as the “Resource Conservation and Recovery
8 Act of 1976”) relating to the sale and distribution
9 of gasoline-ethanol blends that contain greater than
10 10 volume percent ethanol and less than or equal to
11 15 volume percent ethanol.

12 (2) REQUIREMENT.—In finalizing the rule re-
13 quired under paragraph (1), the Administrator of
14 the Environmental Protection Agency shall modify
15 the E15 fuel dispenser labeling requirements and the
16 underground storage tank regulations of the Envi-
17 ronmental Protection Agency with respect to com-
18 patibility with gasoline-ethanol blends.

19 (g) EXEMPTION FOR AT-RISK QUALIFYING SMALL
20 REFINERIES.—Section 211(o)(9) of the Clean Air Act (42
21 U.S.C. 7545(o)(9)) is further amended by adding at the
22 end the following:

23 “(H) EXEMPTION FOR AT-RISK QUALI-
24 FYING SMALL REFINERIES.—

1 “(i) IN GENERAL.—Beginning in cal-
2 endar year 2028, not later than December
3 31 of a calendar year, a qualifying small
4 refinery may petition the Administrator for
5 an exemption from compliance with the re-
6 quirements of paragraph (2) for such cal-
7 endar year for the reason of the imminent
8 risk of closure, permanent idling, or con-
9 version to a renewable fuel production fa-
10 cility.

11 “(ii) MATTERS INCLUDED IN PETI-
12 TIONS.—In submitting a petition for an ex-
13 emption under clause (i), a qualifying
14 small refinery shall include in such petition
15 the following:

16 “(I) Information demonstrating
17 that—

18 “(aa) the qualifying small
19 refinery is at imminent risk of
20 closure, permanent idling, or con-
21 version to a renewable fuel pro-
22 duction facility;

23 “(bb) such risk is solely
24 caused by the cost of compliance

1 with the requirements of para-
2 graph (2); and

3 “(cc) the ownership of the
4 qualifying small refinery has not
5 changed after the date of enact-
6 ment of this paragraph.

7 “(II) An attestation, executed by
8 a senior corporate officer (or any
9 equivalent position) with direct re-
10 sponsibility for the applicable oper-
11 ations of the qualifying small refinery,
12 certifying that the information in-
13 cluded under subclause (I) is correct.

14 “(iii) PUBLIC DISCLOSURE.—Any pe-
15 tition submitted under this subparagraph,
16 including any information, attestation, or
17 other supporting documentation included
18 in such a petition—

19 “(I) shall not be eligible for
20 treatment as confidential business in-
21 formation for purposes of section
22 114(c) or any other provision of law;
23 and

24 “(II) shall be made publicly
25 available by the Administrator not

1 later than 30 days after the date of
2 such submission.

3 “(iv) DEADLINE FOR ACTION ON PE-
4 TITIONS.—The Administrator shall act on
5 any petition submitted by a qualifying
6 small refinery for an exemption under this
7 subparagraph not later than 90 days after
8 the date of receipt of the petition.

9 “(v) ADMINISTRATOR DETERMINA-
10 TION.—The Administrator may grant an
11 exemption under this subparagraph only
12 upon a determination by the Administrator
13 that the petition submitted for the exemp-
14 tion adequately demonstrates the matters
15 specified in items (aa) through (cc) of
16 clause (ii)(I) and includes the attestation
17 described in clause (ii)(II).

18 “(vi) SCOPE AND DURATION.—An ex-
19 emption granted for a qualifying small re-
20 finery under this subparagraph—

21 “(I) may exempt the qualifying
22 small refinery from compliance with
23 the requirements of paragraph (2) in
24 whole or in part;

1 “(II) may only exempt the quali-
2 fying small refinery from compliance
3 with the requirements of paragraph
4 (2) to the extent necessary to prevent
5 the closure, permanent idling, or con-
6 version described in clause (i); and

7 “(III) shall only apply with re-
8 spect to the calendar year for which
9 the petition for the exemption is sub-
10 mitted.

11 “(vii) EXEMPTED VOLUMES.—

12 “(I) IN GENERAL.—In acting on
13 petitions submitted by qualifying
14 small refineries for exemptions under
15 this subparagraph, the Administrator
16 may not exempt, in total, renewable
17 fuel obligations for qualifying small
18 refineries such that the total volume
19 of renewable fuel so exempted exceeds
20 the relevant volume cap for the appli-
21 cable calendar year described in sub-
22 clause (II).

23 “(II) VOLUME CAP.—The volume
24 cap described in this subclause is—

1 “(aa) for calendar year
2 2028, the volume of all renewable
3 fuel, including advanced biofuel,
4 cellulosic biofuel, biomass-based
5 diesel, and conventional biofuel,
6 that the Administrator deter-
7 mines has, in total, an energy
8 content equal to the energy con-
9 tent of 150 million gallons of
10 conventional biofuel; and

11 “(bb) for each calendar year
12 after calendar year 2028, the vol-
13 ume of renewable fuel determined
14 under item (aa), as adjusted by
15 the Administrator in direct pro-
16 portion to any changes to the ap-
17 plicable volume of renewable fuel
18 established for the calendar year
19 under paragraph (2)(B)(ii) as
20 compared to the applicable vol-
21 ume of renewable fuel established
22 for calendar year 2028.

23 “(viii) QUALIFYING SMALL REFINERY
24 DEFINED.—In this subparagraph, the term

1 ‘qualifying small refinery’ means a small
2 refinery—

3 “(I) that received an extension of
4 an exemption under paragraph (9); or

5 “(II)(aa) for which the average
6 aggregate daily crude oil throughput
7 for a calendar year (as determined by
8 dividing the aggregate throughput for
9 the calendar year by the number of
10 days in the calendar year) does not
11 exceed 10,000 barrels; and

12 “(bb) that began production on
13 or after January 1, 2007, and before
14 January 1, 2026.”.

