

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4849

To amend the Clean Air Act to allow advanced biofuel, biomass-based diesel, and cellulosic biofuel to satisfy the mandates of the renewable fuel program only if domestically produced, to eliminate the corn ethanol mandate under such program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2014

Mr. LANKFORD introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Clean Air Act to allow advanced biofuel, biomass-based diesel, and cellulosic biofuel to satisfy the mandates of the renewable fuel program only if domestically produced, to eliminate the corn ethanol mandate under such program, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Phantom Fuels Elimi-  
5       nation Act of 2014”.

1 **SEC. 2. ADVANCED BIOFUEL, BIOMASS-BASED DIESEL, AND**  
2 **CELLULOSIC BIOFUEL REQUIRED TO BE PRO-**  
3 **DUCED IN THE UNITED STATES TO SATISFY**  
4 **RENEWABLE FUEL PROGRAM MANDATES.**

5 (a) **ADVANCED BIOFUEL.**—Section 211(o)(1)(B)(i)  
6 of the Clean Air Act (42 U.S.C. 7545(o)(1)(B)(i)) is  
7 amended by striking “that has lifecycle” and inserting  
8 “that is produced in the United States and has lifecycle”.

9 (b) **BIOMASS-BASED DIESEL.**—Section 211(o)(1)(D)  
10 of the Clean Air Act (42 U.S.C. 7545(o)(1)(D)) is amend-  
11 ed—

12 (1) in the first sentence, by striking “that is  
13 biodiesel” and inserting “that is produced in the  
14 United States and is biodiesel”; and

15 (2) in the second sentence, by striking “renew-  
16 able fuel derived from” and inserting “renewable  
17 fuel that is produced in the United States and de-  
18 rived from”.

19 (c) **CELLULOSIC BIOFUEL.**—Section 211(o)(1)(E) of  
20 the Clean Air Act (42 U.S.C. 7545(o)(1)(E)) is amend-  
21 ed—

22 (1) by striking “renewable fuel derived from”  
23 and inserting “renewable fuel that is produced in the  
24 United States, that is derived from”; and

25 (2) by inserting a comma after “from renewable  
26 biomass”.

1 (d) WAIVERS FOR REDUCTION OF APPLICABLE VOL-  
2 UME IN CASE OF INADEQUATE SUPPLY.—

3 (1) ADVANCED BIOFUEL.—Section 211(o)(7) of  
4 the Clean Air Act (42 U.S.C. 7545(o)(7)) is amend-  
5 ed by adding at the end the following:

6 “(G) ADVANCED BIOFUEL.—For any cal-  
7 endar year for which the projected volume of  
8 advanced biofuel production is less than the  
9 minimum applicable volume established under  
10 paragraph (2)(B), as determined by the Admin-  
11 istrator based on the estimate provided under  
12 paragraph (3)(A), not later than November 30  
13 of the preceding calendar year, the Adminis-  
14 trator shall reduce the applicable volume of ad-  
15 vanced biofuel required under paragraph (2)(B)  
16 to the projected volume available during that  
17 calendar year.”.

18 (2) BIOMASS-BASED DIESEL.—Section  
19 211(o)(7)(E) of the Clean Air Act (42 U.S.C.  
20 7545(o)(7)(E)) is amended by adding at the end the  
21 following:

22 “(iv) INADEQUATE SUPPLY.—For any cal-  
23 endar year for which the projected volume of  
24 biomass-based diesel production is less than the  
25 minimum applicable volume established under

1 paragraph (2)(B), as determined by the Admin-  
2 istrator based on the estimate provided under  
3 paragraph (3)(A), not later than November 30  
4 of the preceding calendar year, the Adminis-  
5 trator shall reduce the applicable volume of bio-  
6 mass-based diesel production required under  
7 paragraph (2)(B) to the projected volume avail-  
8 able during that calendar year.”.

9 (3) ESTIMATE OF VOLUMES.—Section  
10 211(o)(3)(A) of the Clean Air Act (42 U.S.C.  
11 7545(o)(3)(A)) is amended by inserting “advanced  
12 biofuel,” before “biomass-based diesel”.

13 **SEC. 3. ELIMINATION OF CORN ETHANOL MANDATE FOR**  
14 **RENEWABLE FUEL.**

15 (a) IN GENERAL.—Section 211(o)(2)(A)(i) of the  
16 Clean Air Act (42 U.S.C. 7545(o)(2)(A)(i)) is amended  
17 by striking “renewable fuel,” after “contains at least the  
18 applicable volume of”.

19 (b) REMOVAL OF TABLE.—Section 211(o)(2)(B)(i) of  
20 the Clean Air Act (42 U.S.C. 7545(o)(2)(B)(i)) is amend-  
21 ed by striking subclause (I).

22 (c) CONFORMING AMENDMENTS.—Section  
23 211(o)(2)(B) of the Clean Air Act (42 U.S.C.  
24 7545(o)(2)(B)) is amended—

25 (1) in clause (i)—

1 (A) by redesignating subclauses (II)  
2 through (IV) as subclauses (I) through (III),  
3 respectively;

4 (B) in subclause (I) (as so redesignated),  
5 by striking “of the volume of renewable fuel re-  
6 quired under subclause (I),”; and

7 (C) in subclauses (II) and (III) (as so re-  
8 designated), by striking “subclause (II)” each  
9 place it appears and inserting “subclause (I)”;

10 (2) by striking clause (iii) and redesignating  
11 clauses (iv) and (v) as clauses (iii) and (iv), respec-  
12 tively; and

13 (3) in clause (iv), as so redesignated, by strik-  
14 ing “clause (i)(IV)” and inserting “clause (i)(III)”.

15 (d) ADMINISTRATION.—Nothing in this section or the  
16 amendments made by this section affects the volumes of  
17 advanced biofuel, cellulosic biofuel, or biomass-based diesel  
18 that are required under section 211(o) of the Clean Air  
19 Act (42 U.S.C. 7545(o)) (as in effect on the day before  
20 the date of enactment of this Act).

21 (e) REGULATIONS.—Not later than 180 days after  
22 the date of enactment of this Act, the Administrator of  
23 the Environmental Protection Agency shall promulgate  
24 such regulations as are necessary to carry out the amend-  
25 ments made by this section.

1       (f) EFFECTIVE DATE.—The amendments made by  
2 this section shall take effect on the date that is 180 days  
3 after the date of enactment of this Act.

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