

113TH CONGRESS
2D 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.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2014

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

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 Elimini-
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

paragraph (2)(B), as determined by the Administrator based on the estimate provided under paragraph (3)(A), not later than November 30 of the preceding calendar year, the Administrator shall reduce the applicable volume of biomass-based diesel production required under paragraph (2)(B) to the projected volume available during that calendar year.”.

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

SEC. 3. ELIMINATION OF CORN ETHANOL MANDATE FOR RENEWABLE FUEL.

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

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

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

(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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