

111TH CONGRESS
2^D SESSION

S. _____

To amend the Clean Air Act to allow States to opt out of the corn ethanol portions of the renewable fuel standard.

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Clean Air Act to allow States to opt out of the corn ethanol portions of the renewable fuel standard.

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. STATE OPT-OUT ELECTION FROM RENEWABLE**

4 **FUEL STANDARD.**

5 Section 211(o)(2)(B) of the Clean Air Act (42 U.S.C.
6 7545(o)(2)(B)) is amended by adding at the end the fol-
7 lowing:

8 “(vi) OPT-OUT BY STATE GOVERN-
9 MENT.—

1 “(I) IN GENERAL.—For purposes
2 of subparagraph (A), the applicable
3 volume of renewable fuel as deter-
4 mined under this subparagraph shall
5 be adjusted in accordance with this
6 clause.

7 “(II) REQUIREMENTS.—On pas-
8 sage by a State legislature and signa-
9 ture by the Governor of the State of
10 a law that elects to opt-out of the ap-
11 plicable volume of renewable fuel in
12 accordance with this clause, the Ad-
13 ministrator shall allow a State to opt-
14 out of the applicable volume of renew-
15 able fuel determined under subclause
16 (I) of clause (i), other than the appli-
17 cable volumes of renewable fuel re-
18 quired under subclauses (II), (III),
19 and (IV) of that clause.

20 “(III) REDUCTION.—On the elec-
21 tion of a State under subclause (II),
22 the Administrator shall reduce the ap-
23 plicable volume of renewable fuel de-
24 termined under clause (i)(I) by the
25 percentage that reflects the national

1 gasoline consumption that is attrib-
2 utable to the State.

3 “(IV) CREDITS TO HOLD FUEL
4 SALES HARMLESS.—On the election of
5 a State under subclause (II), the Ad-
6 ministrator shall provide for the gen-
7 eration of credits for all gasoline (re-
8 gardless of whether the gasoline is
9 blended) provided through a fuel ter-
10 minal in the State to be calculated as
11 though the gasoline were blended with
12 the maximum allowable ethanol con-
13 tent of gasoline to apply toward the
14 applicable volume of renewable fuel
15 determined under clause (i)(I).”