

EPA Issues Minor Amendments to the Cellulosic Waiver Credit Provisions and Other Renewable Fuel Standard Regulations

This Direct Final Rulemaking (DFRM) would clarify the data sources and methodology used to calculate the Cellulosic Waiver Credit (CWC) price. It would also amend the regulations to remove the CWC prices from the code of federal regulations. Instead, they would be announced in a more timely fashion on EPA's website. Finally, the DFRM will reinsert language in the renewable fuels program regulations inadvertently overwritten by the Quality Assurance Program final rule. This action would not result in any significant costs or emission impacts. The amendments apply in the following areas:

Amendments

Clarification of the Data Sources Used in the CWC Price Calculation: The price of CWCs are determined using a formula specified in the Clean Air Act (CAA). The cellulosic waiver credit price is the greater of \$0.25 or \$3.00 minus the wholesale price of gasoline, where both the \$0.25 and \$3.00 are adjusted for inflation. In this action we are clarifying that we will adjust for inflation by comparing the Consumer Price Index from June of the year preceding the compliance period to the Consumer Price Index from January 2009. In this calculation we will use the "Consumer Price Index for All Urban Consumers (CPI-U): U.S. City Average, Unadjusted Index for All Items" expenditure category as provided by the Bureau of Labor and Statistics.

Modification of the Method for Announcing CWC Prices: In previous years EPA has established the CWC price by rulemaking and published these prices in the Code of Federal Regulations. This process has resulted in a delay of the announcement of the CWC price for 2014 and 2015. To allow more expeditious publication of the CWC prices EPA will announce the CWC price on our "Renewable Fuels: Regulations & Standards" website (<http://www.epa.gov/otaq/fuels/renewablefuels/regulations.htm>). EPA will issue an EnviroFlash notice when the CWC prices are posted.

To subscribe to receive EnviroFlash notices visit our website at: <https://enviroflash.epa.gov/enviroflashOTAQPublic/Subscriber.do?method=start>. We will also remove the CWC prices from our regulations.

Calculation of CWC Prices: EPA has calculated the CWC prices for 2014 and 2015 using the data sources and methodology specified in this rule, as described above. The CWC price for 2014 will be \$0.49 and the CWC price for 2015 will be \$0.64. We will publish these prices, along with the 2013 CWC price (\$0.42), on our website following the effective date of this rule

Reinsertion of Inadvertently Overwritten Text: A previous EPA rulemaking action inadvertently overwrote a section of the regulations regarding renewable fuel produced from giant reed (*Arundo donax*) and napier grass (*Pennisetum purpureum*). In this rule we are reinserting this text. In conjunction with the addition of this text, we are also re-numbering several existing sections of our regulations to align them with regulatory references elsewhere.

What are the Economic and Environmental Impacts?

This rulemaking action is not expected to result in any significant changes in regulatory burdens or costs.

Public Participation Opportunities

This rule is being released as a Direct Final Rule because we view it as a non-controversial action and anticipate no adverse comment. However, comments can be submitted under a parallel Notice of Proposed Rulemaking (NPRM). Comments will be accepted for 30 days beginning when the NPRM is published in the Federal Register. All comments should be identified by Docket ID No. EPA-HQ-OAR-2015-0049 and submitted by one of the following methods:

- Internet: www.regulations.gov
- E-mail: A-and-R-Docket@epa.gov
- Mail:
Environmental Protection Agency
Air and Radiation Docket and Information Center (6102T)
1200 Pennsylvania Avenue NW
Washington, DC 20460
- Hand Delivery:
EPA West Building
EPA Docket Center (Room 3340)
1301 Constitution Avenue NW
Washington, DC

For More Information

You can access the rule and related documents on EPA's Office of Transportation and Air Quality (OTAQ) website at:

www.epa.gov/otaq/fuels/renewablefuels/regulations.htm

You can access documents on the Renewable Fuels Standards Program on the website given above, or by contacting the OTAQ library at:

U.S. Environmental Protection Agency
Office of Transportation and Air Quality Library
2000 Traverwood Drive
Ann Arbor, MI 48105
(734) 214-4311 & 214-4434
E-mail: Group_AALibrary@epa.gov