

119TH CONGRESS
2D SESSION

H. R. 8536

To amend the Clean Air Act to reform the Renewable Fuel Standard, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2026

Mr. ARRINGTON (for himself and Mr. MORAN) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To amend the Clean Air Act to reform the Renewable Fuel
Standard, 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 “Fuel and Strengthen
5 the American Refinery Act of 2026” or the “Fuel STAR
6 Act of 2026”.

7 **SEC. 2. RENEWABLE FUEL STANDARD REFORMS.**

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

(1) in paragraph (2)(B), by adding at the end the following:

“(vi) MAXIMUM CHANGES IN APPLICABLE VOLUMES.—Notwithstanding clauses (iii) through (v) and the analyses required under subclauses (I) through (VI) of clause (ii), for the purpose of making the determinations in clause (ii), the Administrator shall ensure that, for the first calendar year that begins after the date of enactment of this clause and for each calendar year thereafter, the applicable volume for renewable fuel that is not advanced biofuel does not exceed the projected annual domestic consumption of ethanol blended fuel projected in the most recent Annual Energy Outlook report of the Energy Information Administration for the applicable year.”;

(2) in paragraph (5)—

(A) in subparagraph (C), by striking “A credit” and inserting “Except as provided in subparagraph (F), a credit”; and

(B) by adding at the end the following:

“(F) EXTENDED DURATION OF CERTAIN CREDITS.—A credit generated under this paragraph in calendar year 2020 through 2022 may be used to show compliance for any of the 5 calendar years following the date of the enactment of this subparagraph, except that not more than 20 percent of the credits used by a person to demonstrate compliance with paragraph (2) in a calendar year may be credits that were generated in calendar year 2020 through 2022.

“(G) PROHIBITION.—In promulgating regulations under paragraph (2)(A) to carry out this paragraph, the Administrator may not impose a requirement to use an electric credit (commonly referred to as an ‘e-RIN’).”; and (3) in paragraph (9)—

(A) in subparagraph (A), by adding at the end the following:

“(iii) APPLICABILITY TO CERTAIN SMALL REFINERIES.—

“(I) IN GENERAL.—A small refinery described in subclause (III) is eligible to receive an exemption from compliance with the requirements of

1 paragraph (2) with respect to a cal-
2 endar year for the reason of dis-
3 proportionate economic hardship.

4 “(II) TREATMENT.—The Admin-
5 istrator shall deem any exemption
6 under this clause as an extension of
7 an exemption under subparagraph
8 (A), and the requirements of subpara-
9 graphs (B), (C), and (D) shall apply
10 in the same manner and to the same
11 extent with respect to such exemp-
12 tions as to such extensions of exemp-
13 tions.

14 “(III) SMALL REFINERIES DE-
15 SCRIBED.—A small refinery described
16 in this subclause is a small refinery—

17 “(aa) for which the average
18 aggregate daily crude oil
19 throughput for a calendar year
20 (as determined by dividing the
21 aggregate throughput for the cal-
22 endar year by the number of
23 days in the calendar year) does
24 not exceed 10,000 barrels; and

1 “(bb) that began production
2 on or after January 1, 2007.”;

3 (B) in subparagraph (B)—

4 (i) in clause (i), by striking “the ex-
5 emption” and inserting “an exemption”;

6 (ii) in clause (ii), by inserting after
7 “and other economic factors.” “Beginning
8 on date that is 1 year after the date of en-
9 actment of the Farm, Food, and National
10 Security Act of 2026, such economic fac-
11 tors shall be the following:

12 “(I) As applicable to small refin-
13 eries under the control of a holding
14 company, the cost of credits pur-
15 chased by such holding company to
16 demonstrate compliance with para-
17 graph (2) calendar year divided by the
18 revenue of such holding company over
19 the calendar year.

20 “(II) Whether the costs to a
21 small refinery of complying with the
22 requirements of paragraph (2) would
23 eliminate efficiency gains, as described
24 in the study of the Department of En-
25 ergy titled ‘Small Refinery Exemption

1 Study An Investigation into Dis-
2 proportionate Economic Hardship’
3 and dated March 2011.

4 “(III) Whether the costs to a
5 small refinery of complying with such
6 requirements are likely to lead to the
7 refinery ceasing to operate.

8 “(IV) Exceptional State regu-
9 latory environment, as determined by
10 the Administrator.

11 “(V) Whether a small refinery is
12 actively building infrastructure to
13 blend biofuels, as demonstrated by the
14 submission of a plan to the Adminis-
15 trator.”;

16 (iii) in clause (iii)—

17 (I) by striking “The Adminis-
18 trator” and inserting the following:

19 “(I) IN GENERAL.—The Admin-
20 istrator”; and

21 (II) by adding at the end the fol-
22 lowing:

23 “(II) FAILURE TO RESPOND.—If
24 the Administrator does not, during
25 the 90-day period described in sub-

1 clause (I), provide to the petitioner a
2 description of the legal basis pursuant
3 to which the Administrator has deter-
4 mined that the small refinery that is
5 the subject of the petition under
6 clause (i) does not qualify for an ex-
7 tension of an exemption under sub-
8 paragraph (A), the petition shall be
9 considered granted.”; and
10 (iv) by adding at the end the fol-
11 lowing:

12 “(iv) APPROVAL OF CERTAIN PETI-
13 TIONS.—Notwithstanding clause (ii) and
14 subject to clause (v), the Administrator
15 shall grant a petition submitted under
16 clause (i) by a small refinery for an exten-
17 sion of an exemption under subparagraph
18 (A) if the Secretary of Energy determines
19 that, with respect to the small refinery—

20 “(I) the disproportionate impacts
21 index, as described in the report of
22 the Office of Policy and International
23 Affairs of the Department of Energy
24 entitled ‘Small Refinery Exemption
25 Study: An Investigation into Dis-

proportionate Economic Hardship’
and dated March 2011, is greater
than or equal to 1; or

“(II) the viability index, as de-
scribed in the report described in sub-
clause (I), is greater than or equal to
1.

“(v) LIMITATION.—The Administrator
may not approve a petition submitted
under clause (i) by a small refinery under
the control of a holding company if such
approval would result in a total exempted
volume that—

“(I) taken together with any
other refinery under the control of the
holding company, exceeds 75,000 bar-
rels of oil produced per day or 50 per-
cent of the total amount of barrels of
oil produced per day by such refin-
eries, whichever is greater; or

“(II) exceeds the combined total
capacity for barrels of oil produced
per day by any small refinery under
such control.”; and

(C) in subparagraph (C)—

1 (i) by striking “If a small” and insert-
2 ing the following:

3 “(i) EFFECT OF WAIVER.—If a
4 small”; and

5 (ii) by adding at the end the fol-
6 lowing:

7 “(ii) EFFECT OF EXEMPTION.—If the
8 Administrator grants a petition for an ex-
9 tension of an exemption under subpara-
10 graph (A) submitted by a small refinery,
11 the Administrator may not reallocate the
12 renewable fuel obligation of that small re-
13 finery to other refineries.”.

14 (b) YEAR-ROUND SALE OF E15.—Section 211 of the
15 Clean Air Act (42 U.S.C. 7545) is further amended—

16 (1) in subsection (f), by adding at the end the
17 following:

18 “(6) The Reid vapor pressure limitation applicable
19 under this subsection to fuel blends containing gasoline
20 and a percent of denatured anhydrous ethanol that ex-
21 ceeds 10 percent and is not more than 15 percent shall
22 be the same as any such limitation applicable under this
23 subsection to fuel blends containing gasoline and 10 per-
24 cent denatured anhydrous ethanol.”; and

25 (2) in subsection (h)—

1 (A) in paragraph (4), by striking “10 per-
2 cent” and inserting “10 to 15 percent”; and

3 (B) in paragraph (5)(A), by striking “10
4 percent” and inserting “10 to 15 percent”.

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