

Fuel Line Newsletter

July 2021

Issue 19

Regulatory Alert

Court Scraps Summer E15

The U.S. Court of Appeals scrapped the Environmental Protection Agency's (EPA) rule authorizing the use of E15 during the summer driving season.

In a unanimous opinion issued July 2nd, the three-judge panel struck down the EPA's interpretation of Clean Air Act language relating to waivers from summertime RVP limits.

The EPA's original interpretation of the one-pound per square inch RVP waiver applied to E10 fuel only.

The Trump administration reinterpreted the language in a 2019 rule so that the one-pound waiver extended to E15 blends as well. However, the court found that the EPA misinterpreted the statutory language and ruled that the one-pound waiver cannot be extended to blends higher than E10.

The opinion effectively blocks the summertime sale of E15 fuel in non-RFG areas. The ruling deals a

blow to biofuel producers who hoped the 2019 rule would boost E15 market share and reopen shuttered ethanol processing facilities. Also, the U.S. Supreme Court recently upheld the EPA's authority to issue extensions of small refiner waivers from blending mandates under the Renewable Fuels Standard (RFS).

The two rulings will significantly slow the penetration of higher content ethanol blends into the retail market. In addition, the rulings mean fewer obligated parties will be participating in the RINs market. Fewer parties chasing fewer blending credits will result in significantly lower RIN prices. This in turn, this will calm current volatility in the RINs market where prices have soared since the summertime E15 rule was issued. The court, however, did not go beyond its analysis of the Clean Air Act waiver language and address small gasoline retailer arguments

that the E15 rule would force them to sell E15 and be saddled with undue and onerous compliance burdens.

It is not clear how the court ruling will affect E15 sales this year now that the summer driving season has arrived. There is typically a short period of legal limbo after such decisions by federal appeals courts to allow the losing parties time to file for a rehearing of a three-judge ruling before all active judges in the circuit. In this case, there are currently 11 active judges in the District Columbia Circuit. However, a rehearing is unlikely because such proceedings are generally disfavored by the court and require a majority of active judges within the circuit to approve.

For more information, please contact Mark Morgan, Regulatory Counsel, mmorgan@emamerica.org

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We are looking forward to seeing everyone at the beach for our 1st Annual Convention.

July 17-21



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2021 Sales Tax Holiday--One Month Away!



#SCTaxfree Weekend is set for **August 6-8, 2021**. For 72 hours, eligible items are exempt from the 6% Sales Tax as well as any applicable local taxes.

Here are some of the ways you can get ready for the big weekend:

Check out our Tax Free Weekend [homepage](#) to see a full list of exempt items, including school supplies, clothing & accessories, computers & technology, and bed & bath items.

If your business sells tax-free items, don't miss our [Retailer Toolkit](#). It's full of resources you can use to share your #SCTaxfree promotions, plus FAQs to help your business stay in compliance.

Got questions about what's tax-free and what's not?

Join our [Sales Tax Holiday Facebook event](#) to ask questions and share your favorite #SCTaxfree Weekend deals with fellow shoppers.

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Video Title	Duration	Views	Time Ago
How To: Ergonomic Assessment - 12 Tips to...	11:19	75 views	23 hours ago
3:12 - The HRP Podcast, Episode 3: Reporting Season	1:00:01	22 views	1 week ago
Technically Correct: What's a Tier II?	3:17	123 views	2 weeks ago
COVID Safe: UV Lamp Sterilizer + The Swiss Cheese Method	3:04	154 views	3 weeks ago
HRP Explains: OSHA Form 300, 300A, & 301	5:20	282 views	4 weeks ago
3:12 - The HRP Podcast, Episode 2: 2020		30 views	1 month
HAPPY HOLIDAYS!	2:23		
How To Use An Engineering Scale	3:54		
COVID-19 SAFE AIR TRAVEL	3:07	156 views	1 month ago
MO- VEMBER	6:29	139 views	2 months ago
3:12 - The HRP Podcast, Episode 1: EMDi and What's...	1:29:46	63 views	2 months ago
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Free Online Industry Seminar taught by SCDOR professionals



**Wed, August 18, 2021
(9:00 AM – 1:00 PM EDT)**

Are you a business manager, CFO, or business professional working in accounts payable, accounting, or with Sales and Use Taxes? Check out the *free* online Sales and Use Tax Seminar. This program is designed to provide information and updates based on legislative trends and taxpayer requests. To register for this online seminar, click [here](#).

Sign Up for this year's PAC Golf Tournament

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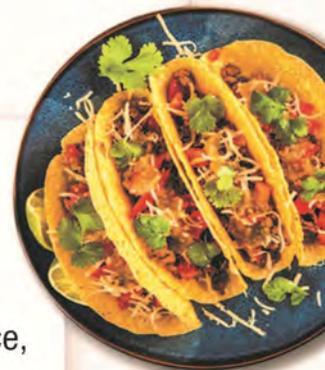
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Who Should Attend? Any person involved in the transportation or storage of hazardous materials including those who prepare paperwork; New employees as they must be certified within 90 days of hire date and then every three (3) years; and Managers responsible for hazmat model security plans at bulk plants and for transport tank wagons.

Click [here](#) to Register.

(Registration fee includes all class materials & breakfast.)

August 17 @ 8:30 am - 12:30 pm

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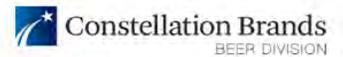
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Scholarship Program



The cost of higher education in this country can be staggering.

If you are someone who is currently paying those costs, just go ahead and replace “can be” with “is”. Well, SCCPMA wants to help.

We’ve extended the deadline to apply for a SCCPMA scholarship. The new deadline to submit a completed application with all of the required documentation is now **5 p.m. on July 22, 2021**

Our scholarship program is designed to help our members and their immediate families reach their higher education goals.

The scholarship program guidelines, the application process and the application can be found on our website under the Scholarships tab or you can access it by click [here](#).

We encourage you to forward this information to your staff, team members and employees.



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Fishing Tournament

Tuesday, November 9, 2021



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[Business License Tax Training](#)

In response to years of concerns raised by the business community over the administration of municipal business license taxes, the General Assembly passed the Business License Tax Standardization Act in September 2020. Cities are required to implement the law on [January 1, 2022](#).

In anticipation of the new requirements, the South Carolina Chamber of Commerce is hosting a training session for businesses that will be offered by the Municipal Association of South Carolina (MASC) on [July 21st at 9 am](#). The MASC will provide training on the new Business License Tax Portal and an overview of the new Business License Standardization Act.

Registration is free and open to the public.

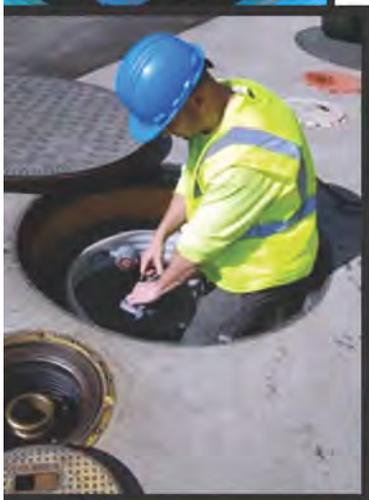
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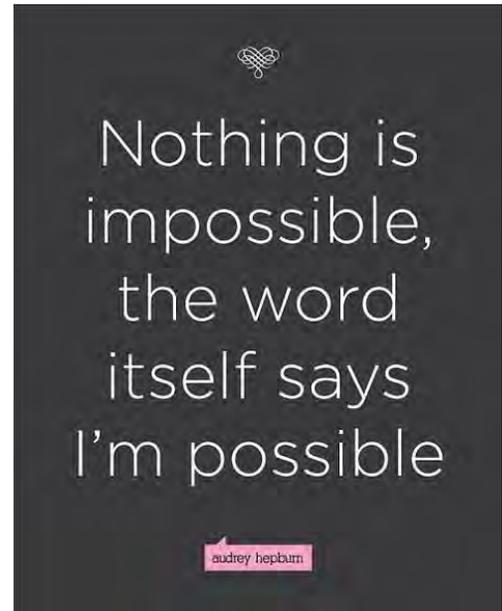


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