

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TERRY  
OF NEBRASKA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

*Terry*

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**AMENDMENT TO**  
**RULES COMMITTEE PRINT 112-24**  
**OFFERED BY MR. TERRY OF NEBRASKA**

On page 14, after line 9, insert the following new section:

1 **SEC. 207. FUEL REQUIREMENTS WAIVER AND STUDY.**

2 (a) **WAIVER OF FUEL REQUIREMENTS.**—Section  
 3 211(c)(4)(C) of the Clean Air Act (42 U.S.C.  
 4 7545(c)(4)(C)) is amended—

5 (1) in clause (ii)(II), by inserting “a problem  
 6 with distribution or delivery equipment necessary for  
 7 the transportation or delivery of fuel or fuel addi-  
 8 tives,” after “equipment failure,”;

9 (2) in clause (iii)(II), by inserting before the  
 10 semicolon at the end the following: “(except that the  
 11 Administrator may extend the effectiveness of a  
 12 waiver for more than 20 days if the Administrator  
 13 determines that the conditions under clause (ii) sup-  
 14 porting a waiver determination will exist for more  
 15 than 20 days)”;

16 (3) by redesignating the second clause (v) (re-  
 17 lating to the authority of the Administrator to ap-

1       prove certain State implementation plans) as clause  
2       (vi); and

3               (4) by adding at the end the following:

4       “(vii) PRESUMPTIVE APPROVAL.—Notwithstanding  
5 any other provision of this subparagraph, if the Adminis-  
6 trator does not approve or deny a request for a waiver  
7 under this subparagraph within 3 days after receipt of the  
8 request, the request shall be deemed to be approved as  
9 received by the Administrator and the applicable fuel  
10 standards shall be deemed to be waived for the period of  
11 time requested.”.

12       (b) FUEL SYSTEM REQUIREMENTS HARMONIZATION  
13 STUDY.—Section 1509 of the Energy Policy Act of 2005  
14 (Public Law 109–58; 119 Stat. 1083) is amended—

15               (1) in subsection (a)—

16                       (A) in paragraph (1)(A), by inserting  
17               “biofuels,” after “oxygenated fuel,”;

18                       (B) in paragraph (2)—

19                               (i) in subparagraph (B)—

20                                       (I) by redesignating clause (ii) as  
21                               clause (iii);

22                                       (II) in clause (i), by striking  
23                               “and” after the semicolon; and

24                                       (III) by inserting after clause (i)  
25                               the following:

1                   “(i) the renewable fuel standard;  
2                   and”; and

3                   (IV) in subparagraph (G), by in-  
4                   serting “or Tier III” after “Tier II”;  
5                   and

6                   (2) in subsection (b)(1), by striking “2008”  
7                   and inserting “2014”.

