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## American Energy Association Petitions EPA to Block State Fuel Mandates That Raise Gas Prices for American Families

*Petition urges EPA Administrator Zeldin to use Clean Air Act authority to preempt costly state low-carbon fuel standards spreading across the country*

WASHINGTON, D.C. — The American Energy Association today filed a formal petition for rulemaking with the U.S. Environmental Protection Agency (EPA), urging Administrator Lee Zeldin to exercise existing federal authority to preempt state low-carbon fuel standards (LCFS) that are driving up the cost of gasoline and diesel for families across the country. The petition is filed pursuant to the Administrative Procedure Act and section 211(c)(4)(A)(i) of the Clean Air Act.

Low-carbon fuel standards — currently in force in California, New Mexico, Oregon, and Washington — function as a hidden regulatory tax on gasoline and diesel. By requiring fuel producers and importers to offset the “carbon intensity” of conventional fuels, these mandates force refiners to purchase credits generated by alternative fuel producers, a cost that is ultimately passed on to consumers at the pump. The California program alone has transferred an estimated **\$22 billion** from petroleum products to alternative fuel subsidies — including electric vehicles — a burden borne largely by everyday Americans who rely on gasoline and diesel to get to work and move goods across the country.

“These state fuel mandates are a backdoor tax on American families,” said Jason Isaac, President, American Energy Association. “They do nothing to improve local air quality, but they do make it more expensive to fill up your tank, heat your home, and transport the goods we consume on a daily basis across the country. President Trump has made energy affordability a national priority, and the EPA has the clear legal authority to stop this state overreach now.”

The petition argues that state LCFS programs exceed their proper scope. Rather than targeting local air quality — the purpose of the Clean Air Act — these regulations attempt to regulate greenhouse gas emissions from fuel production and transportation happening *all over the world*, effectively exporting state regulatory policy beyond state borders and burdening refiners in other states and countries. The Ninth Circuit has already recognized that state LCFS programs, outside of California, fall within the scope of the Clean Air Act’s federal preemption provision.

The petition warns of a growing threat to consumers nationwide. In addition to the four states with existing programs, Hawaii, Illinois, Massachusetts, Michigan, Minnesota, New



Jersey, New York, and Vermont are all actively considering similar mandates. Meanwhile, California has moved to dramatically tighten its LCFS program — effectively mandating a shift to electric vehicles through the back door — following its loss of the authority to directly ban new gasoline-powered cars.

Under section 211(c)(4) of the Clean Air Act, the EPA Administrator has the authority to find that state fuel controls are not “necessary” to meet national ambient air quality standards, a finding that would legally preempt those programs in all states except California, which has a separate carveout under federal law. The American Energy Association is calling on Administrator Zeldin to make such a finding and publish it in the Federal Register, stopping the spread of these costly mandates before they take hold in more states.

“The Trump Administration has the tools and the legal authority to protect American consumers from these inflationary state fuel mandates,” Isaac added. “We are urging the EPA to act swiftly.”

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### **About the American Energy Association**

The American Energy Association is a leading advocacy organization committed to advancing affordable, reliable, and abundant American energy. We represent the interests of energy producers, consumers, and businesses across the country.

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