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Comments of the National Energy & Fuels Institute

Docket: BIS-2026-0331

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Request for Public Comments on the Proposed Implementation of Duties on Additional Aluminum, Steel, and Copper Derivative Articles Under Section 232
91 Fed. Reg. 50,756 (August 6, 2026)

Submitted to the U.S. Department of Commerce, Office of Strategic Industries and Economic Security, via www.regulations.gov.

I. Introduction

The National Energy & Fuels Institute ("NEFI") respectfully submits these comments in response to the Bureau of Industry and Security's ("BIS") request for public comment on the proposed inclusion of fourteen additional derivative articles within the scope of Section 232 duties on aluminum, steel, and copper. NEFI opposes the inclusion of tanker trailers and tanker semi-trailers, classified under HTSUS 8716.31.00.

NEFI shares the Administration's commitment to American energy dominance, to a strong domestic industrial base, and to relieving the cost-of-living pressures that burden working families. President Trump has made energy affordability a defining priority of this Administration, from the declaration of a National Energy Emergency on his first day in office to his direction that Federal agencies deliver emergency price relief to American families struggling with the cost of fuel.[1]

We write because the proposal put forward by BIS would work against those goals in a specific and avoidable way. Extending Section 232 duties to tanker trailers would raise the cost of heating for the 11.3 million American households that depend on truck-delivered fuels, most of them in rural communities and in the coldest regions of the country, while doing little to advance the domestic metals production that the Section 232 program exists to protect.

II. Background: NEFI and the Delivered Fuels Industry

Since 1942, NEFI has been a leading voice for wholesale and retail delivered fuels businesses and home comfort providers. Our members are predominantly small, family-owned and family-operated companies that deliver warmth and comfort to millions of American homes and provide good-paying jobs that anchor the economies of the communities they serve.

[1] Exec. Order No. 14156, Declaring a National Energy Emergency (Jan. 20, 2025), continued in effect by Notice of Jan. 13, 2026; Memorandum on Delivering Emergency Price Relief for American Families and Defeating the Cost-of-Living Crisis (Jan. 20, 2025).

The delivered fuels sector comprises approximately 6,000 to 7,000 businesses employing more than 70,000 Americans directly under NAICS 457210 (Fuel Dealers) alone.[2]

That figure understates the industry's true footprint, because most delivered fuels companies also operate wholesale and home comfort service divisions classified under separate NAICS codes. These are overwhelmingly small businesses: the Small Business Administration size standard for NAICS 457210 is 100 employees,[3] and the great majority of NEFI's members employ fewer than forty. The jobs are drivers, service technicians, dispatchers, and customer service representatives, positions that cannot be offshored and that anchor payrolls in rural and small-town America.

Roughly 5.0 million of these households rely on heating oil, including blends of heating oil and renewable fuels often marketed as Bioheat® fuel,[4] most of which are concentrated in the Northeast and Mid-Atlantic regions with significant additional use in Alaska. Another 6.3 million rely on propane, distributed across every region of the country.[5] These households are disproportionately rural and located in the coldest parts of the nation. In Maine, more than half of all homes are heated with oil. For these households, delivered heating fuels are not a discretionary purchase. They are essential products that provide vital warmth and comfort through the coldest winter months.

III. How Delivered Fuels Reach American Homes

Unlike natural gas, which is transmitted through pipelines, heating oil and propane are delivered to the residential and commercial end user by truck. After delivery, these fuels are stored in an on-property tank that connects to a boiler or furnace. Trucks also play an essential role in moving heating oil and propane from refineries and terminals to the smaller midstream storage facilities used by local distributors. Aside from the fuel itself, one of the largest expenses faced by retail fuel distributors is the cost of the specialized vehicles used to move product from refineries and terminals to local storage, and from local storage to a customer's home or business.

Tanker trailers are the linchpin of our industry's vehicle-based distribution network. When attached to a truck tractor, these trailers offer the highest-capacity option for on-road fuel transportation. Accordingly, they are the preferred option for larger hauls, whether from terminals to local storage or on longer residential and commercial delivery routes.

Every gallon of heating oil and propane sold in the United States moves by tanker trailer at least once, on the leg from refinery or terminal to local bulk storage, before transfer to a delivery truck for the final run to the customer. Tanker trailers therefore carry the entire delivered fuels supply at some point in its journey to the consumer.

[2] U.S. Census Bureau, County Business Patterns, NAICS 457210 (Fuel Dealers), available at https://www.census.gov/programs-surveys/cbp.html.
[3] 13 C.F.R. § 121.201, NAICS Code 457210
[4] Bioheat® is a registered trademark of Clean Fuels Alliance America (formerly the National Biodiesel Board). Use of the mark is administered under a trademark license agreement developed cooperatively with the National Oilheat Research Alliance.
[5] U.S. Census Bureau, American Community Survey, 2020–2024 5-Year Estimates, Table B25040 (House Heating Fuel), categories "Fuel oil, kerosene, etc." and "Bottled, tank, or LP gas."

IV. Economic Impact on Small Businesses and Consumers

Even small changes in fuel costs have significant consequences for consumers. In cold climates, it can take hundreds of gallons of heating oil to heat a house over the course of winter. The U.S. Energy Information Administration estimates that households heating primarily with oil consume roughly 400 to 500 gallons per winter.[6] That national figure reflects space heating alone and is weighted by consumption outside the coldest states. Usage in the Northeast, where deliveries also supply domestic hot water, runs considerably higher. Industry data show an average of 204 gallons per delivery,[7] and NEFI members report that a typical Northeast customer receives three to four deliveries over a heating season, implying annual consumption in the range of 600 to 800 gallons. At that level, an increase of fifty cents per gallon would add $300 to $400 to a household's annual heating cost.

New tanker trailers can cost $200,000 or more. A 25 percent tariff therefore represents a substantial increase in the cost of doing business. Our industry is highly competitive, and members generally sell at the lowest price their market will sustain. A cost increase of any kind, including an unexpected cost resulting from tariffs, risks being passed on to the consumer.

The industry has no cushion with which to absorb new costs. Average residential fuel oil margins were $1.07 per gallon during the 2024-2025 heating season, and average commercial margins $0.70.[8] Margin is not profit. It must still cover drivers, insurance, fuel, maintenance, and facilities. Ninety-three percent of dealers report that they are already taking steps to increase per-gallon margins, and sixty-five percent are consolidating deliveries to reduce fleet costs. Labor costs continue to climb: sixty-two percent of dealers raised wages in 2025 to retain staff, and average delivery driver wages rose from $27.69 per hour in 2023 to $29.08 in 2025. Employee recruitment and retention are the largest challenges that fuel dealers identify, ahead of all other concerns.

A $50,000 duty on a single tanker trailer is equivalent to the entire annual gross margin on roughly seventy residential heating customers. For a dealer replacing three trailers, the duty alone approaches $150,000 in new capital cost. These are not sums that a business operating on cents per gallon can absorb. They are passed through to households, deferred at the expense of fleet renewal, or both.

Deferred fleet renewal carries its own public cost. DOT-406 cargo tanks operate under a mandatory Federal inspection and pressure-test regime precisely because aging tanks present corrosion and release risks. A tariff that pushes replacement decisions out by several years leaves older equipment on residential streets longer.

These costs would arrive at a difficult moment. The year 2026 has already seen significant increases in the price of most petroleum-based products, and home heating oil is no exception. Prices are well above historical norms. According to Federal Reserve Economic Data, drawing on information from the U.S. Energy Information Administration, spot prices for No. 2 heating oil, the

[6] U.S. Energy Information Administration, *Short-Term Energy Outlook: Winter Fuels Outlook*, available at https://www.eia.gov/outlooks/steo/report/WinterFuels.php.

[7] Gray, Gray & Gray LLP, *34th Annual Energy Industry Survey* (2025), reporting operational and financial data for the heating season of April 2024 through March 2025. Delivery frequency reflects NEFI member experience.

[8] Gray, Gray & Gray LLP, *34th Annual Energy Industry Survey* (2025).

grade commonly used for residential heating, averaged approximately eighty percent higher in July 2026 than in December 2025.[9]

Many household budgets are already strained by inflation affecting utility bills, gasoline, food, and other costs of living. Delivered fuels dealers play a direct role in energy affordability. Because heating oil and propane are not piped utilities, dealers serve as the vendors for the Low-Income Home Energy Assistance Program, fronting fuel and carrying receivables until state or local agencies reimburse them. Nearly all dealers offer budget and price protection plans designed to make winter heating costs manageable for working families. Policies that raise dealers' costs erode the capacity that sustains these forms of assistance.

V. Energy Choice, Grid Reliability, and Rural Communities

For most households that heat with oil or propane, switching to another fuel is not a practical option. As noted above, these homes are disproportionately rural, and many are not served by a natural gas main at all, so connection is not merely a question of cost but of availability. Where a main does run nearby, the expense of extending service, running a line to the house, and replacing both the space heating and water heating systems places conversion well beyond the reach of a household already managing a rising cost of living.

Converting to electric heat is likewise not a realistic option for most of these families. It requires the purchase and installation of new equipment, and in many cases an upgrade to the home's electrical service. Homes built before central air conditioning became common, which describes much of the older housing stock in the Northeast states and Alaska, have no ductwork to carry conditioned air, and installing ductwork in a finished house is a major renovation. Systems that do not require ducts avoid that expense but call for multiple indoor units to heat a whole home, and most households that install them keep their existing oil or propane appliance as backup for the coldest stretches of the winter. The result in that case is not a lower heating bill. It is a significant capital outlay layered on top of the fuel costs the household was already paying.

Where higher delivered fuel prices do push households toward electric heat, two consequences follow, and neither serves the public interest. The first is that Federal trade policy would be doing indirectly what this Administration has consistently opposed, which is driving American families off the heating fuel of their choice by making it more expensive. That result is difficult to reconcile with the Administration's stated commitment to energy affordability and consumer choice. The second is that every household that shifts from delivered fuels to electric heat adds load to the winter peak. That load falls on an electric grid that is already most fragile in the cold, rural regions where oil and propane heat are concentrated, and where restoration after a winter storm takes the longest. Delivered fuels supply those households reliably, are supplied increasingly by homegrown American energy, and give the grid relief during extreme cold. A tariff that raises their cost weakens both consumer choice and winter reliability.

We note as well that because BIS does not believe the Administrative Procedure Act applies to the proposed tariff action, no Final Regulatory Flexibility Analysis (RFA) has been prepared. NEFI

[9] U.S. Energy Information Administration, No. 2 Heating Oil Prices: New York Harbor [MHOILNYH], retrieved from FRED, Federal Reserve Bank of St. Louis, https://fred.stlouisfed.org/series/MHOILNYH (Dec. 2025: $2.112 per gallon; July 2026: $3.803 per gallon).

respectfully observes that the downstream users most directly affected by this proposal are overwhelmingly small businesses and urges BIS to weigh that impact under its fourth stated criterion ("effect on the economy, including domestic industry") notwithstanding the absence of an RFA.

VI. Conclusion

Extending Section 232 tariffs to tanker trailers would raise heating costs for millions of American households that rely on delivered fuels for heat and hot water and would burden the main-street distributors that provide essential products and services to these households. It would do so without meaningfully advancing domestic metals production, and at a moment when the Administration is working to bring energy costs down for American families.

NEFI respectfully urges BIS to keep tanker trailers and tanker semi-trailers outside the scope of the Section 232 tariffs. Thank you again for the opportunity to comment on this matter. We stand ready to provide additional information as requested.

NEFI does not request confidential treatment of any portion of these comments.

Respectfully submitted,

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