



September 6, 2018

The Honorable Andrew Wheeler
Acting Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Acting Administrator Wheeler:

The undersigned companies and organizations, together with the thousands of hardworking men and women and the communities that comprise the renewable biomass and biogas energy sector, ask for your support in resolving regulatory gridlock on an issue that has been pending before the EPA since passage of the amendments to the Renewable Fuel Standard in 2007. Some of us generate power using methane from landfills, digesters and waste treatment plants; others utilize forest residues and other biogenic fuels, including the biogenic portion of municipal solid waste (MSW), that are combusted to make renewable electricity. By whatever mechanism biomass and biogas electricity is produced, when our energy is used as transportation fuel, it qualifies as an RFS fuel, and we are entitled, by law, to participate in the RFS program.

EPA now faces a four-year backlog of applications from power producers seeking registration as RIN producers for biogas-based electricity, with more requests on the way following positive findings by the Agency that power produced using certain solid forms of biomass now qualifies under the RFS. We have been informed that, until the Agency resolves a number of policy issues regarding how the RFS "electric pathway" program will function, these applications will not be acted upon. This has completely blocked participation in the RFS electric pathway by any existing or future applicants.

We urge that all outstanding registration requests be addressed in the short term and that the EPA come to a final conclusion on regulatory structure for the electric RIN pathway. Regulatory inaction regarding eRINs has had the de facto effect of picking "winners and losers." The biomass, municipal solid waste, and biogas electricity sectors represented by the signatories of this letter deliver important baseload power, providing grid reliability while promoting well-paying jobs in rural areas and in other communities. Our facilities are largely based in or owned by communities left behind by federal policies favoring other technologies at our expense. We resolutely request your assistance in resolving these outstanding issues, which will enable us to participate in the very benefits that Congress extended almost eleven years ago.

We look forward to working with you to address this matter. If you have any questions, please contact Bob Cleaves at Biomass Power Association at bob@usabiomass.org, Patrick Serfass at American Biogas Council at pserfass@ttcorp.com or Ted Michaels at Energy Recovery Council at tmichaels@energyrecoverycouncil.org.

Sincerely,

1. 25 x 25
2. 2G Energy Inc.
3. AB Energy USA, LLC
4. Ag Methane Advisors, LLC
5. Agrilectric Power Partners
6. AgriReNew
7. Ameresco
8. American Biogas Council
9. Atlantic Power
10. Aurora Ridge Dairy
11. Beckley Sanitary Board
12. Benefit LLC
13. BioGas Corp.
14. Biogas Researchers, Inc.
15. Biomass Magazine
16. Biomass One, LP
17. Biomass Power Association
18. Bioresource Development, LLC
19. BioWorks Energy, LLC
20. Bluebridge Cooperative
21. Brightmark Energy
22. BTR Energy
23. Business Council for Sustainable Energy
24. California Biomass Energy Alliance
25. California Rice Commission
26. CH4 Biogas
27. Chaput Family Farms
28. Cortus Energy North America Inc.
29. Covanta
30. Dairy Farmers of America
31. Deerhaven Renewable
32. Des Moines Metro WRA
33. Desert View Power
34. Diamond Scientific
35. DVO, Inc.
36. EESI
37. Eisenmann Corporation
38. Energy Recovery Council
39. Energy Resources Group, Inc.
40. Energy Systems Group
41. Engie
42. Enpower Corp.

43. ES Engineering
44. EVENSOL LLC
45. Evergreen Biopower LLC
46. EWP Renewable Corp.
47. First Environment, Inc.
48. Force Energy Systems, Inc.
49. Gainesville Regional Utilities
50. Generate Capital
51. Genesis Industrial Group
52. GHG Engineering LLC
53. Granite Shore Power
54. Green Era Sustainability
55. Green Valley Recycling
56. Greenleaf Power
57. HL Power
58. HV Consulting Company
59. Hydrus USA, Inc.
60. I+A Ingeniería Aplicada
61. IHI Power Services Corp.
62. Kent County Department of Public Works
63. Keystone Engineering Solutions, Inc.
64. Koda Energy LLC
65. Lancaster County Solid Waste Management Authority
66. Lokey Carbon Concepts, LLC
67. Loyaltan Cogen LLC
68. Michigan Biomass
69. Montrose Environmental
70. Montrose Environmental Group
71. MTU America dba MTU Onsite Energy / Rolls-Royce Power Systems
72. Mulch Master
73. National Milk Producers Federation
74. National Public Energy, Inc.
75. Newtrient LLC
76. NovoPower
77. OHR Energy
78. Organic Waste Systems, Inc.
79. Ortega Equestrian Center
80. Outagamie Clean Energy Project LLC
81. Pacific Ultrapower Chinese Station
82. Paques, Inc.
83. Phase 3 Renewables
84. Plainfield Renewable Energy
85. PlanET Biogas USA, Inc.
86. Planet Found Energy Development
87. Power & Energy Systems
88. QED Environmental
89. Re4ormed Organics
90. ReCon Associates, LLC
91. ReEnergy Holdings Inc.

92. Regenis
93. RENEW Wisconsin
94. Richt-a-Way Ag Services
95. Richt-A-Way Construction Inc.
96. Rio Bravo Fresno
97. Rio Bravo Rocklin
98. SCORE, LLC
99. SCS Energy
100. Sievers Family Farms
101. Snowden Electric Company
102. StormFisher
103. The Stella Group
104. U.S. EcoGen, LLC
105. Unison Solutions, Inc.
106. Vanguard Renewables
107. Veolia North America
108. Wadham Energy LP
109. Waste Management
110. Westec Industries LLC
111. White City Holdings, LLC
112. York County Solid Waste and Refuse Authority