



RFS Power Coalition Applauds Sen. Shaheen and Sen. Collins for Again Urging “Swift” EPA Action on eRINs

Washington, DC – April 13, 2022 – The RFS Power Coalition today thanked Sen. Jeanne Shaheen (D-NH) and Sen. Susan Collins (R-ME) for again urging the Environmental Protection Agency (EPA) to approve applications and pathway petitions submitted by electricity producers to participate in the Renewable Fuel Standard.

In a [letter to EPA Administrator Michael Regan](#) sent on Friday, April 8, the two senators encouraged “swift action” to include electricity in the Agency’s 2023 volume obligations as a way to promote the use of “home-grown fuels” in the face of energy sector uncertainty caused by Russia’s invasion of Ukraine. The letter also points to greenhouse gas reduction and rural economic support as key reasons to include electricity in the RFS program.

“Sen. Shaheen and Sen. Collins for years have been steadfast champions of including electricity in the Renewable Fuel Standard, and we greatly appreciate their timely and full-throated support of eRINs once again,” said Carrie Annand, executive director of Biomass Power Association. “Despite meeting the criteria for generating RINs by using RFS-qualifying feedstocks to power transportation, our industry has been waiting more than 14 years for inclusion in the program. It’s past time for the EPA to include electricity in its RFS volumes and to establish pathways that rightfully enable biomass power producers to participate in the program.”

“Not only has Congress instructed the EPA to include biogas in the RFS, but the EPA itself created a pathway for biogas, which it has regrettably ignored for more than seven years,” said Patrick Serfass, executive director of the American Biogas Council. “While biogas power producers’ applications continue to languish, we remain grateful that Sen. Shaheen and Sen. Collins are advocating for the EPA to take the common-sense step of including electricity in the RFS. We are hopeful that we will see electricity included in the 2023 RFS volume obligations.”

Interior Appropriations bills for fiscal years 2022, 2021, 2020 and 2019 include report language directing the EPA to take action on electric RINs, with \$500,000 in funding attached in 2021. Since 2017, more than 50 members of Congress from both parties have urged the EPA to act on eRINs. Despite congressional attention to the issue – and despite its own 2014 rule enacting a pathway for biogas-to-electricity – the EPA has so far failed to process a single application from an electricity producer.

About the RFS Power Coalition

The RFS Power Coalition is a group of organizations dedicated to activating the renewable electricity pathway of the Renewable Fuel Standard (RFS). The Coalition is led by [Biomass](#)

[Power Association](#) and [American Biogas Council](#), the trade associations that represent, respectively, domestic biomass power producers who use organic fuels like forest residues and biogas-to-electricity producers like dairy farmers and wastewater treatment facilities. Biomass and biogas, along with waste-to-energy qualify as renewable transportation fuels that should be included in the D3 cellulosic and D5 advanced fuel categories of the RFS.

<https://rfspower.com>

United States Senate

WASHINGTON, DC 20510

April 8, 2022

The Honorable Michael Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Regan,

We are writing regarding the importance of diversifying our fuel supply by using tools like the Renewable Fuel Standard (RFS) to improve the United States' energy security and ease the burden of rising energy prices for our constituents. With Russia's invasion of Ukraine exacerbating volatility in international oil markets, we should look toward more fully utilizing the RFS to promote home-grown fuels.

Increased integration of advanced biofuels into the fuel stream can boost fuel supply and reduce reliance on foreign oil and fossil fuels more broadly. Accordingly, we request that you increase final volume requirements for advanced biofuels in 2022 and propose robust volume obligations for 2023 and subsequent years in a timely manner. Ambitious targets would provide the stability and certainty needed to drive investments in the types of advanced biofuels that will further our energy independence while lowering greenhouse gas emissions, supporting rural economies and benefiting consumers.

Approving languishing applications and pathways for electricity produced from biomass, waste-to-energy and other renewable feedstocks is one important step the Environmental Protection Agency (EPA) can immediately take to bolster the RFS. In 2020, Congress made clear its expectation that EPA address the backlog of advanced biofuel registrations so that more fuel producers can participate in the RFS. The explanatory statement accompanying the Consolidated Appropriations Act of 2021 (P.L. 116-260) provided direction and funding for the EPA to process existing applications under the Renewable Fuels Pathway II for the electric pathway. We urge EPA to take swift action on this directive, which will also help rural economies and local governments and reduce greenhouse gas emissions, and we request a briefing on the status of the Agency's efforts to carry out Congress' directions regarding the electric pathway. EPA must act with urgency to address obstacles limiting biomass power generation—and the forest-based industries it supports—so that we can ensure the transition toward more electric vehicles is fueled by low-carbon power sources and so that biomass power facilities are able to continue processing hazardous fuels cleared out of forests to reduce wildfire risk. It is crucial that pathways for biomass power be established in time for biomass power producers to participate in the electricity program as soon as it is instated.

Further, the RFS plays an important role in bringing advanced biofuels to the market that can have benefits beyond the transportation sector. The production of affordable and sustainable low-

carbon fuels will benefit consumers in the Northeast in particular, where nearly 20 percent of households continue to rely on heating oil to heat their homes. The cost of heating oil in New England began the winter season higher than recent years and has spiked to nearly \$5 per gallon in recent weeks, placing a significant burden on consumers. Biodiesel and other renewable fuels play an increasingly important role in offering families in New England affordable alternatives to heating oil that can be used without costly modifications to their home heating systems. We respectfully ask that you use the policy tools at your disposal to encourage advanced biofuels that insulate consumers from fluctuating energy costs.

As you work to finalize volume obligations for the current program and look ahead toward 2023 and beyond, we ask that you consider robust requirements that fully utilize the capacity of the biofuel industry. With an ambitious program for advanced biofuels, the RFS can ramp up incentives to develop and deploy the next generation of affordable low-carbon fuels in the transportation sector and for home heating.

We look forward to working with you to diversify our fuel supply and address the needs of our constituents.

Sincerely,



Jeanne Shaheen
United States Senator



Susan M. Collins
United States Senator