

Congress of the United States

Washington, DC 20510

October 28, 2019

The Honorable Andrew Wheeler
Administrator
Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20004

Dear Administrator Wheeler:

We write to urge you once more to include electricity in the Renewable Fuel Standard (RFS) program in time for electricity producers to participate in the 2020 market.

More must be done to ensure that biofuels producers have access to the markets. Congress intended electricity to be part of the program when it passed RFS2 in 2007 as part of the Energy Independence and Security Act. Congress mandated a renewable volume obligation of 8.5 billion gallons for 2019 for the cellulosic fuel category, where most electricity would qualify. However EPA has achieved only 418 million gallons for this year. It is well past time for the EPA to include electricity in the renewable volume obligations.

Failing to include electricity has had, and will continue to have, dire consequences for electricity producers who cannot participate in the program and the supply chains that rely on them. Biomass, biogas and waste-to-energy producers are making biofuels available for transportation but are receiving no credit under the RFS for doing so. This puts rural jobs and local government infrastructure at risk in vital sectors of our economy, including farming, forestry, logging and waste-to-energy.

As the Administration considers changes to the 2020 Renewable Volume Obligation, including electricity should be a top priority.

Sincerely,




Jeanne Shaheen
United States Senator



Margaret Wood Hassan
United States Senator



Ann McLane Kuster
Member of Congress



Chris Pappas
Member of Congress

Cc: Sonny Perdue, Secretary, U.S. Department of Agriculture
Stephen Censky, Deputy Secretary, U.S. Department of Agriculture
Francis Brooke, Special Assistant to the President for Economic Policy
Joe Grogan, Assistant to the President, Director of the Domestic Policy Council
Anne Idsal, Acting Assistant Administrator for the Office of Air and Radiation