



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. Biomass Power Association
2. American Biogas Council
3. Energy Recovery Council
4. Business Council for Sustainable Energy
5. EESI
6. Covanta
7. Diamond Scientific
8. Regenisis
9. Ag Methane Advisors, LLC
10. Des Moines Metro WRA
11. Brightmark Energy
12. Biogas Researchers, Inc.
13. Organic Waste Systems, Inc.
14. Montrose Environmental
15. SCORE, LLC
16. Bioresource Development, LLC
17. BioGas Corp.
18. AB Energy USA, LLC
19. Paques, Inc.
20. Energy Systems Group
21. HV Consulting Company
22. MTU America dba MTU Onsite Energy / Rolls-Royce Power Systems
23. Agrilectric Power Partners
24. IHI Power Services Corp.
25. Rio Bravo Fresno
26. Rio Bravo Rocklin
27. Pacific Ultrapower Chinese Station
28. Evergreen Biopower LLC
29. EWP Renewable Corp.
30. Lokey Carbon Concepts, LLC
31. BioWorks Energy, LLC
32. Aurora Ridge Dairy
33. Re4ormed Organics
34. StormFisher
35. Wadham Energy LP
36. Sievers Family Farms
37. AgriReNew
38. Michigan Biomass
39. Planet Found Energy Development
40. Biomass One
41. NovoPower
42. ES Engineering

43. QED Environmental
44. PlanET Biogas USA, Inc.
45. Greenleaf Power
46. Chaput Family Farms
47. ReEnergy Holdings Inc.
48. Waste Management
49. Vanguard Renewables
50. SCS Energy
51. Beckley Sanitary Board
52. Kent County Department of Public Works
53. York County Solid Waste and Refuse Authority
54. Engie
55. Gainesville Regional Utilities
56. Mulch Master
57. Enpower Corp.
58. Koda Energy LLC
59. CH4 Biogas
60. Power & Energy Systems
61. OHR Energy
62. Biomass One, LP
63. National Public Energy, Inc.
64. White City Holdings, LLC
65. Snowden Electric Company
66. Unison Solutions, Inc.
67. BTR Energy, Benefit LLC
68. Biomass Magazine
69. Green Valley Recycling
70. Keystone Engineering Solutions, Inc.
71. Energy Resources Group, Inc.
72. Green Era Sustainability
73. Loyalton Cogen LLC
74. Cortus Energy North America Inc.
75. Eisenmann Corporation
76. Richt-a-Way Ag Services
77. Richt-A-Way Construction Inc.
78. National Milk Producers Federation
79. 2G Energy Inc.
80. Ameresco
81. Atlantic Power
82. The Stella Group
83. Newtrient LLC
84. DVO, Inc.
85. Outagamie Clean Energy Project LLC
86. First Environment, Inc.
87. Force Energy Systems, Inc.
88. Montrose Environmental Group
89. Ortega Equestrian Center
90. I+A Ingeniería Aplicada
91. RENEW Wisconsin

- 92. Generate Capital
- 93. Phase 3 Renewables
- 94. Veolia North America
- 95. EVENSOL LLC
- 96. Hydrus USA, Inc.
- 97. Dairy Farmers of America
- 98. Westec Industries LLC
- 99. Granite Shore Power
- 100. ReCon Associates, LLC
- 101. U.S. EcoGen, LLC
- 102. California Rice Commission
- 103. GHG Engineering LLC
- 104. Desert View Power
- 105. HL Power
- 106. Plainfield Renewable Energy
- 107. Bluebridge Cooperative
- 108. Lancaster County Solid Waste Management Authority
- 109. Genesis Industrial Group
- 110. Deerhaven Renewable
- 111. California Biomass Energy Alliance