

United States Senate

WASHINGTON, DC 20510

August 7, 2014

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

Dear Administrator McCarthy,

We write to convey our concerns as the Environmental Protection Agency (EPA) works to finalize an Accounting Framework for treating biogenic carbon emissions from stationary sources. EPA's rule-making, if not very carefully designed, could easily discourage, even halt development and commercialization of advanced biofuels, biopower, renewable chemicals and other industrial biotechnologies that are vital to our nation's economic, environmental, and national security. For example, EPA's formulation of its Tailoring Rule, which was designed to limit the number of facilities obligated to acquire New Source Review and Title V operating permits based on their greenhouse gas (GHG) emissions, did not distinguish biogenic emissions from those of fossil fuels. That approach was a highly significant departure from the traditional exclusion of biogenic emissions from tallies of GHG emissions. In particular, biogenic emissions have not been included in the EPA's inventories of GHG emissions, nor does the Department of Energy include biogenic emissions in its guidelines for voluntary reporting of GHG emissions.

Treating biogenic carbon emissions in the same way as fossil-fuel-based emissions would have a clear and negative impact on this emerging bioeconomy sector. Several of the nation's leading cellulosic biofuel developers have already indicated that such an approach, if applied to them, would likely derail projects currently in the planning process. In addition, some of the renewable chemicals companies hoping to expand manufacturing in the United States have indicated similar concerns.

Thus, as EPA works to finalize its treatment of biogenic carbon emissions, we urge you to act in a manner that supports the continued development and production of conventional and advanced biofuels, biopower, and bioproducts, as well as the next generation of bioenergy crops, such as annual and perennial grasses, short rotation woody crops, and algae. In particular, EPA's regulation of biogenic carbon emissions needs to recognize that carbon emissions resulting from the utilization of sustainably-sourced, renewable biomass feedstocks do not result in lasting increases in atmospheric carbon dioxide, and therefore should not be subject to greenhouse gas regulations. Not only are these new technologies and crops environmentally beneficial, they also

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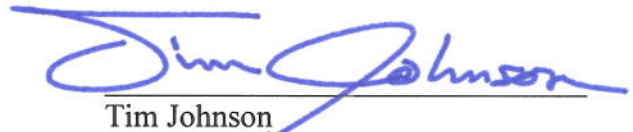
have the potential to significantly reduce greenhouse gas emissions associated with the utilization of fossil fuels. In addition, these bioenergy technologies and crops offer broad economic development opportunities, including thousands of domestic jobs in rural America.

We appreciate your full consideration of the importance of supporting these emerging bioeconomy opportunities as you finalize your framework.

Sincerely,



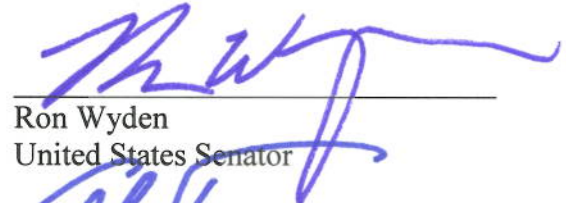
Tom Harkin
United States Senator



Tim Johnson
United States Senator



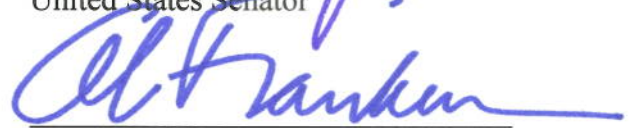
Heidi Heitkamp
United States Senator



Ron Wyden
United States Senator



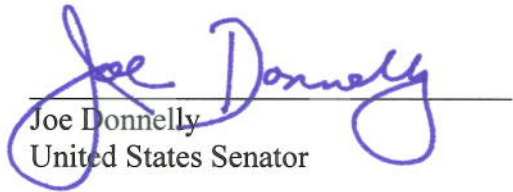
Maria Cantwell
United States Senator



Al Franken
United States Senator



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Joe Donnelly
United States Senator



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United States Senator