

United States Senate

WASHINGTON, DC 20510

January 11, 2020

The Honorable Joseph R. Biden, Jr.
President-Elect
Office of the President Elect
1401 Constitution Ave., NW
Washington, DC 20230

Dear President-Elect Biden,

We write to respectfully request your administration take bold action to support our Nation's farmers and rural communities while acting to combat climate change. The outgoing administration undermined the Renewable Fuel Standard (RFS), which was designed to reduce greenhouse gas emissions from the transportation sector, diversify our fuels, strengthen our national security and drive economic opportunity in America's heartland. It is critical that the integrity of this policy be restored, and that biofuels be part of your efforts to combat climate change and reduce greenhouse gas emissions from the Nation's largest emitting sector.

In order to deliver on these goals, we urge you to swiftly act by taking these steps:

1. Direct EPA to adopt the Tenth Circuit decision nationwide and swiftly reject any pending and future petitions for small refinery exemptions (SREs) that do not meet the standards set forth by the court. Congress included SREs under the RFS with the intention of mitigating economic harm to small refinery operations. Under the last administration, the intent of SREs was grossly abused when multi-billion dollar companies, like ExxonMobil and Chevron, were provided these waivers.
2. Publish Renewable Volume Obligations (RVOs) swiftly: The outgoing administration failed to meet its statutory obligation by not publishing a set of 2021 RVOs. EPA must now publish them quickly and restore certainty in the fuel markets. The RVOs must facilitate substantial growth opportunity for advanced biofuels and include the court-ordered reallocation of 500 million gallons of blending obligations that were wrongfully waived in 2016.
3. Approve pending pathway applications for corn kernel fiber ethanol and update EPA's biofuels emissions modeling: EPA faces a backlog of applications from companies seeking to produce cellulosic biofuel from various feedstocks and have them qualify under the RFS. The Agency's failure to approve these applications is discouraging investment and impacting the ability of these fuels to be commercialized. Companies have waited, on average, more than two years for their applications to be approved. This has led some companies to abandon their plans. Furthermore, EPA's emissions modeling for the RFS is a decade old and inaccurate. It is critical their modeling be updated so that we fully recognize how biofuels are contributing to our greenhouse gas emission reduction goals. We urge EPA to adopt Argonne National Laboratory's Greenhouse gases, Regulated Emissions, and Energy use in Technologies (GREET) model.

4. When reaffirming our commitment to the Paris Climate Accord, include biofuels:
Transportation is responsible for approximately one-quarter of total global energy-related greenhouse gas emissions and the sector is rapidly growing. Biofuels are substantially lower in carbon intensity than fossil fuels and have the advantage that they can reduce the carbon emissions of gasoline vehicles in the short run. For example, in its January 12, 2017 report, the U.S. Department of Agriculture (USDA) found that corn ethanol reduces greenhouse gas emissions by 43 percent compared to conventional gasoline and has the potential to reduce emissions by as much as 76 percent. It is essential that biofuels are included in addressing carbon reduction in the transportation sector for our international climate goals to be met.

We strongly support your administration's goal of addressing the climate crisis and supporting our nation's farmers. Ending the policy abuses that were prevalent during the outgoing administration early on in your term will help to renew commitments to rural communities and drive economic resiliency in the heartland. In addition to the policy recommendations above, we urge your administration to begin consideration of the RFS "set" for RVO volumes for 2023 and beyond, guided by the important role that biofuels must play in meaningful and rapid climate action.

We look forward to working with you on this important effort.

Sincerely,

Tammy Duckworth
United States Senator

Amy Klobuchar
United States Senator

Tina Smith
United States Senator

Tammy Baldwin
United States Senator

Debbie Stabenow
United States Senator

Richard J. Durbin
United States Senator