

RFS Power Coalition Launches to Secure Role for Electricity Producers in the Renewable Fuel Standard

Congress Included Electricity in 2007 RFS2 Law; EPA Has Not Yet Processed a Single Electricity Application Out of Dozens Submitted to the Agency

Washington, DC – February 8, 2019 – Three trade associations representing renewable electricity producers today announced the launch of the RFS Power Coalition. The coalition’s purpose is to get the EPA to implement a law passed by Congress in 2007 which mandates the inclusion of qualifying renewable electricity in the Renewable Fuel Standard (RFS).

“It’s been more than 11 years since President George W. Bush signed the RFS2, which included electricity as an RFS transportation fuel,” said Bob Cleaves, president and CEO of the Biomass Power Association. “The EPA has had more than enough time to implement the law as Congress intended, and they have failed to do so. Meanwhile, biomass power producers and other qualifying electricity producers are missing out on participation in the RFS program. It’s time for the EPA to act on this crucial part of the RFS.”

Biomass Power Association, American Biogas Council and Energy Recovery Council represent, respectively, domestic biomass power producers who use organic fuels like forest residues, biogas-to-electricity producers like dairy farmers and wastewater treatment facilities, and waste-to-energy producers. All three fuels – biomass, biogas and biogenic waste – qualify as renewable transportation fuels that should be included in the D3 cellulosic and D5 advanced fuel categories of the RFS. To get EPA to act, the three groups today filed a petition in the D.C. Circuit Court challenging the EPA’s 2019 Renewable Volume Obligation, which excluded electricity from its targets for renewable fuel production for this year.

“The EPA has received more than 40 applications from electricity producers to participate in the RFS,” said Patrick Serfass, executive director of the American Biogas Council. “That means 40 projects were developed, investors committed funding and partners lined up to build new infrastructure using waste biomass to produce renewable electricity. But these projects sit dormant due to EPA’s inaction to administer their own program. Biogas applicants include dairy farmers, food waste systems and wastewater facilities all of whom could be building valuable new infrastructure America needs to recycle organic material that would otherwise be wasted into renewable energy and soil products.”

The RFS Power Coalition estimates that the inclusion of electricity would result in about 200 million gasoline gallon equivalents added to the D3 cellulosic fuel category of the RFS, which represents less than 1% of the total volume of fuels for 2019. This category includes liquid and gaseous biogas fuels but omits electricity. For context, this year’s RVO called for 419 million gallons of fuel in this category. The total for all RVO categories is 27 billion gallons.

“There is currently much discussion in Washington about improving and reinvesting in infrastructure. Implementing a law already on the books is a logical step to provide local

governments the tools they need to support their resilient infrastructure across the country,” said Ted Michaels, president of the Energy Recovery Council.

The implementation of the eRIN program has received significant support on Capitol Hill. Last year, many Republican and Democratic members of Congress from across the country wrote EPA to ask them to start approving renewable electricity applications to the RFS. In addition, scores of facility owners and companies that want to do business and create jobs have also weighed in to the EPA about the impact of the agency’s continued failure to implement the program.

To learn more, visit the [RFS Power Coalition website](#).