

# BIOGENIC CO<sub>2</sub> COALITION

March 23, 2016

Dear Member of Congress:

Thank you for your continued support of American agriculture. As you know, the U.S. agricultural system not only feeds the world, but provides 21st century solutions in the form of bioenergy, biofuels and bioproducts like nutraceuticals and plastics made from corn, oilseeds and other agricultural feedstocks.<sup>1</sup> The benefits of agriculture as a renewable and sustainable resource are widely recognized around the globe, and the carbon neutrality of agricultural crop-based biomass and associated biogenic emissions from the use or processing of biomass has been accepted universally as carbon neutral by policymakers and scientists.<sup>2</sup>

However, one federal agency, the U.S. Environmental Protection Agency (EPA), has refused to recognize that agricultural feedstocks are carbon neutral, and intends to penalize American farmers by counting carbon emissions from processing and energy uses of agricultural feedstocks as if they were fossil fuels. EPA's position is misguided and puts up roadblocks to American bioenergy and bioproducts markets.

Far from being a "problem" causing climate change, crop-based feedstocks have already done the hard work of uptaking carbon from the atmosphere during the growth cycle, and should be rewarded for this benefit, not penalized. When agricultural feedstocks are used for energy, turned into bioproducts, or processed for food, fiber and fuel, the "biogenic" emissions from these processes are simply returning carbon to the atmosphere that farmers have already removed from the carbon cycle as part of the natural carbon flow.<sup>3</sup>

The existing science shows that agriculture is not harmful, and is often a net benefit, particularly with respect to feedstocks from annual crops with short carbon cycles. However, EPA's current regulations ignore agriculture's natural benefits and treat agricultural products like fossil fuels.

Perhaps even worse, EPA is now attempting to regulate "sustainability" on the farm field. EPA's Clean Air Act regulations penalize biogenic emissions unless the food processor (think bakeries, brewers and grain processors) or energy generator (for example, corn stover or seed hulls used for electricity) can prove that it used "sustainably-derived agricultural and forest biomass

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<sup>1</sup> See, e.g., Biomass Research and Development Board (Biomass Research and Development Act of 2000), Federal Activities Report on the Bioeconomy at 1 (Feb. 2016) ("the bioeconomy currently contributes approximately \$50 billion and over a quarter million jobs to the U.S. economy").

<sup>2</sup> *Id.* at 7 ("Biobased products . . . recycle carbon (CO<sub>2</sub>) from the atmosphere, resulting in air quality improvements when compared to fossil fuel-based products").

<sup>3</sup> See, e.g., Seungdo Kim, Ph.D and Bruce E. Dale, Ph.D, *The Biogenic Carbon Cycle in Annual Crop-Based Products*, Michigan State University (Nov. 22, 2013) (copies available upon request).

feedstocks.”<sup>4</sup> The Clean Air Act does not give EPA authority to define sustainability on the farm field. This unprecedented intrusion into regulating farming practices would force food processors to prove where each pound of corn, wheat, soy or cottonseed came from, which is a practical impossibility in the U.S. food system, and more to the point, unnecessary since science shows that agricultural biomass is “by nature” carbon neutral.

We respectfully ask that you write to EPA Administrator McCarthy to express your support for agricultural products as a sustainable, responsible, renewable, and economically significant commodities, whether processed for food, or used as a source of bioenergy, biofuels, bio-based products, or green chemistry, that are destined to play a key role in our 21<sup>st</sup> century American economy.

We look forward to your response and to continuing to work with you. For further information please contact Dan Chartier, Chair at [dchartier@corn.org](mailto:dchartier@corn.org) or (202) 534-3498.

Sincerely,

Biogenic CO2 Coalition



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<sup>4</sup> Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units, 80 Fed. Reg. 64,662, 64,886-87 (October 23, 2015); *see also* Janet McCabe, Assistant Administrator, Addressing Biogenic Carbon Dioxide Emissions from Stationary Sources (Nov. 19, 2014) (biogenic emissions counted as fossil fuel emissions unless “the applicant can demonstrate that these feedstocks in fact come from sustainably managed lands”), *posted at* <http://www.epa.gov/climatechange/downloads/Biogenic-CO2-Emissions-Memo-111914.pdf>.