**RFS Biogas-Electricity Pathway**

**Issue:** A major driver to economic growth in the U.S. awaits activation. The biogas-to-electricity pathway of the Renewable Fuel Standard (RFS) program has been dormant since 2014. This RFS pathway was established five years ago and remains unused although it has the power to stimulate significant growth in multiple sectors of the economy: rural, urban, agriculture, infrastructure, waste management, transportation and manufacturing.

**Request:** Urge President Trump and EPA to take the administrative and procedural steps necessary to activate the biogas-to-electricity pathway. This has strong bipartisan support from Congress and could motivate at least $33 billion in new capital deployment, creating 17,000 quality permanent jobs.[[1]](#footnote-1)

**Background:** Biogas-based electricity is the only approved biofuel under the RFS that is available for use by electric vehicles.

The Energy Independence and Security Act of 2007 directed the EPA to determine the feasibility of using renewable energy as a biofuel for electric vehicles under the RFS. In 2014, the EPA published a final rule recognizing biogas-derived renewable electricity used in electric vehicles as a qualified transportation fuel, thus creating the electric pathway.

In response, biogas to electricity for transportation projects filed applications for RFS registration with EPA. All of those projects wait, in economic and regulatory limbo, for EPA to activate the pathway and act on their applications.

In 2016, the EPA identified, via Federal Register notice, a number of issues raised in different registration applications and took public comment on those issues. The EPA has now taken public input on this pathway through three separate regulatory actions and needs to approve applications immediately.

In 2019, due to the EPA not including biogas-derived renewable electricity in the 2019 RVOs, the ABC in conjunction with the Biomass Power Association and the Energy Recovery Council have sued the EPA in Federal Court. This on-going litigation contends that the 2019 RVO is incorrect as it does not contain a volume for eRINs.

**Impact of Activation:**

* **Rural Economy Sector:** 9,000 agricultural sites in the US could produce biogas for electric vehicle use catalyzing $30 billion in capital deployment and creating 15,000 high quality permanent jobs in rural communities. These biogas systems will also manage the manure from 17.2 million dairy cows and 45 million hogs.
* **Waste Management Sector:** 1,000 municipal organic waste treatment facilities in the US could produce biogas for electric vehicle use, catalyzing $3 billion in capital investment and creating 25,000 construction jobs and 2,000 high quality permanent jobs, most in low-income communities. These biogas systems would recycle 18 million tons of food waste per year and allow the nutrients to improve soil health.
* **Transportation:** 10,000 farm-based and food waste biogas systems could produce enough energy to power/fuel at least 2.8 million light duty vehicles.

1. 2017 House Letter (NY, VT, WI, CT, CA, PA, WA); 2018 House Letter (OH, NY, ME); 2014 Interagency Biogas Opportunities Roadmap (EPA, USDA, EPA) [↑](#footnote-ref-1)