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Peterson bill to strip 'indirect land use' from EPA biofuels rule

By Agri-Pulse Staff

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House Agriculture Committee Chair Collin Peterson (D-MN) and Ranking Member Frank Lucas (R-OK) along with a bipartisan group of 42 members of Congress introduced legislation Thursday to rewrite Renewable Fuel Standard (RFS) provisions that limit the potential for clean, home-grown renewable biofuels to meet U.S. energy needs. If passed into law, the bill would remove a cloud over soy-based biodiesel.

“The unreasonable restrictions placed on the biofuels industry in the 2007 Energy Bill were never debated by Congress, and I’ve spent the past two years trying to undo the damage that we’re seeing now that EPA has published the proposed regulations that will make it impossible to meet the RFS,” Peterson said. “In order to ensure that a clean, homegrown biofuels industry will succeed in the United States, we need to have federal energy policies are flexible, practical, and innovative.”

“Mr. Peterson’s bill is a legislative response to poorly crafted EPA regulation. The most important provision in the bill is the expansion of the acreage eligible to produce biomass feedstock. This will ease pressure on the current corn production system and it will open the way for more rapid development of next generation ethanol,” said Ranking Member Lucas.

The Renewable Fuel Standard Improvement Act (H.R. 2409) reverses language added at the last minute without debate to the Energy Independence and Security Act of 2007 (EISA, P.L. 110-140) that forces biofuels producers to meet a restrictive standard for lifecycle greenhouse gas emissions and limits the availability of new feedstocks for biofuels. The RFS was established to expand the use of clean, renewable biofuels that can be produced in the United States and to reduce U.S. dependence on foreign oil.

The bill eliminates the requirement that the EPA consider indirect land use when calculating the greenhouse gas emissions associated with advanced biofuels. Currently, there is no agreed method to predict accurately how biofuel production might affect land use in the United States or internationally.

The bill also strikes the restrictive definition of renewable biomass included in EISA and replaces it with the definition included in the 2008 Farm Bill. The Farm Bill definition of renewable biomass was developed in consultation with appropriate federal agencies and other congressional committees and was discussed and debated in a transparent manner, unlike the EISA provisions which were never openly discussed or debated in Congress.

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