Congress of the United States

Washington, DC 20515

December 2, 2010

Lisa Jackson
Administrator
Environmental Protection Agency
1200 Pennsylvania Ave., NW, Room 3426 ARN
Washington, DC 20460

Administrator Jackson:

Since June 2010, we have been working with the Environmental Protection Agency (EPA) to resolve a critical issue regarding the treatment of biomass under the agency's Prevention of Significant Deterioration of Title V Greenhouse Gas Tailoring Rule (the Tailoring Rule). As we approach the implementation date of the Tailoring Rule in January 2011 the status of renewable biomass remains unresolved. Immediate action is needed by EPA to change the treatment of biomass under the rule to avoid harmful impacts on the biomass energy sector.

The final Tailoring Rule issued on May 13, 2010 did not recognize the carbon cycle of biogenic sources despite long standing national and international policy to the opposite. Sixty four Members of the House of Representatives wrote to you in June 2010 expressing deep disappointment and concern over the treatment of renewable biomass in the final Tailoring Rule and requested a stay of the application of the rule to biomass combustion facilities pending your review.

In July 2010 EPA responded to the June letter by stating the agency was "mindful of the role biomass or biogenic fuels and feedstocks could play in reducing anthropogenic GHG emissions" and that although the agency had not crafted a definitive policy, EPA was "committed to working with stakeholders to examine appropriate ways to treat biomass combustion." EPA followed through on this commitment on July 9, when the agency announced a Call for Information asking for stakeholder input on approaches to addressing GHG emission from biogenic sources in the Tailoring Rule.

It is our understanding that as a result of the Call for Information, meetings with stakeholders and scientific experts, and internal deliberations, EPA is now considering a supplemental rulemaking to recognize the carbon benefits of biomass and to clarify the treatment of biogenic sources under the Tailoring Rule. **We fully support this action and urge the agency to propose the supplement before the implementation of the Tailoring Rule on January 2, 2011.**

The implementation of the Tailoring Rule without recognizing the carbon benefits of renewable biomass threatens future investment in biomass energy, job creation in rural communities, and our collective renewable energy goals. To prevent significant and ongoing harm to the biomass sector, **we believe the application of the Tailoring Rule to**

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biomass combustion facilities should be stayed until such a supplemental rulemaking process is complete.

We appreciate your attention to this matter and thank you in advance for your prompt and substantive response to this critically important issue.

Sincerely,

s/Peter DeFazio
Member of Congress

s/Greg Walden
Member of Congress

s/Kurt Schrader
Member of Congress

s/Cathy McMorris Rodgers
Member of Congress

DeFazio, Schrader, Walden, McMorris Rodgers, Simpson, Wu, Sanford Bishop, Michaud, Rick Larsen, Butterfield, Hastings, Bonner, Kind, and G.T. Thompson, Herger, Sullivan, Broun, Boren, Emerson, Walter Jones, Lamborn, Rehberg, Capito, Dicks, Mike Rogers, Adam Smith, Myrick