July 17, 2025

U.S. Environmental Protection Agency
EPA Docket Center, Office of Air and Radiation Docket
1200 Pennsylvania Avenue NW
Mail Code 28221T
Washington, DC 20460

Federal e-Rulemaking Portal: *http://www.regulations.gov*

Re: Docket No. EPA-HQ-OAR-2024-0505. Comment on Proposed Renewable Fuel Standards for 2026 and 2027 (90 FR 25784).

The Honorable Administrator Lee Zeldin,

Section 211(o)(2)(B)(ii) of the Clean Air Act (CAA) directs EPA to determine the applicable volume targets for each of the four categories of renewable fuel in coordination with the Secretary of Energy and the Secretary of Agriculture based on a review of the implementation of the RFS program for prior years and an analysis of specified statutory factors.

On June 17, 2025, U.S. Environmental Protection Agency (EPA) published a proposal to establish renewable volume obligations (RVO) and percentage standards for 2026 and 2027 for cellulosic biofuel, biomass-based diesel, advanced biofuel, and total renewable fuel under the Renewable Fuel Standard (RFS) program. EPA additionally proposed several regulatory changes to the RFS program, including reducing the number of Renewable Identification Numbers (RINs) generated for imported renewable fuel and renewable fuel produced from foreign feedstocks.

Renew Kansas Biofuels Association (Renew Kansas) is a voluntary trade association with membership encompassing the biofuel processing, storage, and transportation industry in the state of Kansas. Renew Kansas' mission is to serve as a representative voice for the Kansas biofuel industry to its members, the public, and government, and to promote the viability of biofuels and demonstrate the positive impact biofuels have on the Kansas and national economies.

Renew Kansas works to ensure our nation remains on a steady path toward the goals Congress prescribed in the renewable fuels standard program. Renew Kansas supports the public policy and economic benefits to every American that flow from renewable fuels, and advocates for the continued growth of renewable fuels into our national vehicle fuel portfolio to reduce lifecycle greenhouse gas (GHG) emissions of transportation fuels. Renew Kansas submits these comments for EPA's consideration in response to the proposed rule.

Proposed RVOs for 2026 and 2027

EPA proposes to set 2026 RVOs for total renewable fuel at 24.02 billion gallons, including 9.02 billion gallons of advanced biofuel, 7.12 billion gallons of biomass-based diesel, and 1.30 billion gallons of cellulosic biofuel. For 2027, EPA proposes total renewable fuel of 24.46 billion gallons, including 9.46 billion gallons of advanced biofuel, 7.50 billion gallons of biomass-based diesel, and 1.36 billion gallons of cellulosic biofuel. In the proposal, EPA indicates that these volumes "reflect the significant growth potential for renewable fuel production in the United States using domestic feedstocks."

Renew Kansas supports this proposal as progress toward achieving the intent of the RFS program, including reduction of GHG emissions, bolstering national energy security through a reduction of dependence on foreign oil, and strengthening rural economies by increasing demand for agricultural inputs.

Through its proposal, EPA has recognized the continued expansion of the advanced biofuel and biomass-based diesel markets and has reflected that expansion in the proposed RVOs. These target volumes will provide the ethanol and biofuels industries with room for further domestic expansion as E15 and B10 fuels marketplace continues to grow.

Imported Renewable Fuel and Domestic Supply of Feedstocks

In its proposed rule, EPA proposes to reduce the number of RINs generated for imported renewable fuel and renewable fuel produced from foreign feedstocks due to the "dramatic" increase in imported biofuels and feedstocks used to produce biofuels domestically in recent years, which is in contrast to the "statutory goals of bolstering national energy independence."

Renew Kansas agrees that imported renewable fuel and renewable fuel produced from foreign feedstocks do not further energy independence and do harm to rural economic development.

EPA states that its proposed reduction in the number of RINs generated for renewable fuel produced from foreign feedstocks "reflect(s) the projected growth in the domestic supply of feedstocks, primarily soybean oil, with smaller projected increases in other feedstocks including used cooking oil and animal fats."

The proposed rule further states that the proposed RINs for renewable fuel produced from foreign feedstocks is due, in part, to the uncertainty in the quantity of imported fuels and feedstocks that will be available to U.S. markets for various reasons, all of which we agree are based on sound and principled reasoning. We both appreciate, and agree with, EPA in this provision of the proposed rule.

Small Refinery Exemptions

The Clean Air Act allows qualifying small refineries to petition EPA for a temporary small refinery exemption (SRE) from the RFS program, upon a showing of having suffered a "disproportionate economic hardship" from the program.

EPA indicates it is considering how to best dispense with existing small refinery exemption (SRE) petitions for 2026 and 2027. EPA projects that there are as many as 34 qualifying and operational small refineries, which together produce approximately 18 billion gallons of gasoline and diesel each year - or about 10 percent of the total reported volume of obligated gasoline and diesel. The existence of these petitions infuses uncertainty in the 2026 and 2027 volumes and renewable markets.

EPA indicates that it is determining how to best evaluate the SRE petitions and understands that a higher projection of exempt volumes would increase the individual RVOs for non-exempt obligated parties.

Regardless of the number of SRE's approved, EPA indicates it does not intend to revise the percentage standards, once finalized, to account for any subsequent changes concerning exempt volumes.

EPA's enforcement of the RVO on obligated parties is critical to achieving the goals of the RFS program. Renew Kansas appreciates EPA's stated retention of the full percentage standards regardless of any exempt volumes approved. Such actions will ensure full compliance with the RFS program.

Environmental Benefits of Biofuels

In 2006, Congress, through the Clean Air Act, developed the renewable fuels standard program with the fundamental objective to increase the use of total renewable fuels in the United States transportation system. The program was an effort to reduce GHG emissions, expand the renewable fuels sector, and increase national energy security.

From its beginning, the RFS has been a tremendously successful energy, carbon reduction, and economic development policy. Use of biofuels has resulted in the avoidance of nearly 1 billion metric tons of greenhouse gas emissions from the transportation sector.

Ethanol and other biofuels have helped cut U.S. greenhouse gas emissions by 43 percent, according to the U.S. Department of Agriculture. In addition, Energy Department studies demonstrate that ethanol is the leading fuel additive to achieve high-end efficiency and clean air goals of the U.S. transportation system.

Effects of Biofuels on Family Farms and Rural Economies

Consumers across the country rely on renewable fuels produced with U.S. grown corn, sorghum, soybeans and biomass resources. Production of renewable fuels stimulates rural and farm economies, supports job creation, increases tax revenue, and heightens household incomes.

Renewable fuel processing plants provide high-paying jobs and reinvestment into local economies. With around 40% of the Kansas corn crop being directed to our state's biofuels industry, the RFS program has stabilized regional commodity markets and net farm income.

The renewable fuels industry also provides high-protein distillers grains which have become an essential, and cost-effective, feed source for the livestock industry. The biofuel industry has become vital to price stability in our commodity market and the health of rural economies.

Summary

Renew Kansas appreciates EPA's historic support of renewable fuels in carrying out the requirements of the Clean Air Act and the Renewable Fuel Standard program. Adequate renewable volume obligations and full enforcement of those obligations are required to achieve the full intent Congress through the RFS.

We appreciate EPA's proposed volumes for 2026 and 2027, the proposed reduction in RINs generated for imported renewable fuel and renewable fuel produced from foreign feedstocks, and the proposed full enforcement of the standard notwithstanding the existing SRE petitions filed with the agency.

Renew Kansas continues to commit to working with EPA and industry partners toward achieving Congress' goals through the Renewable Fuel Standard program.

Thank you for considering these comments.

Respectfully,

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