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VIA ELECTRONIC FILING (www.regulations.gov)

Michael Regan
Administrator
U.S. Environmental Protection Agency
EPA Docket Center, Air Docket
Mail Code 28221T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

ATTN: EPA Docket ID EPA-HQ-OAR-2021-0324;FRL-8521;02-OAR

RE: Renewable Fuel Standard (RFS) Program: RFS Annual Rules
RVOs for 2020, 2021 and 2022; Biointermediates and other RFS related issues

Dear Administrator Regan:

The General Aviation Manufacturers Association (GAMA), Helicopter Association International (HAI), National Air Transportation Association (NATA), and National Business Aviation Association (NBAA), representing our diverse membership and on behalf of the Business Aviation Coalition for Sustainable Aviation Fuel, appreciate the opportunity to provide EPA with comments related to the RFS Annual Rules; RVOs for 2020, 2021 and 2022; Biointermediates; and other RFS related issues.

The business aviation community has long been dedicated to reducing greenhouse gas (GHG) emissions from aircraft, with a proven record of advances in carbon reduction. Key to reaching this goal has been the research, development, production, and use of sustainable aviation fuel (SAF). Our SAF initiative, developed by a coalition of international aviation organizations, was created, first, to address a "knowledge gap" on the availability and safety of SAF and, second, to advance the proliferation of alternative jet fuels at all the logical touchpoints: the manufacturers, the ground handlers, and the operators, at the regional, national, and international levels. Additional information on Business Aviation Coalition for Sustainable Aviation Fuel initiatives, members, and resources can be found at www.futureofsustainablefuel.com.

Commenting on this proposed rule is our first foray into the RFS conversation; however, we have long been advocates for and leaders in the development and adoption of SAF. In September 2021, GAMA, NATA, and NBAA participated in the virtual White House Roundtable SAF Summit where the Administration introduced its goal of 3 billion gallons of SAF per year in the United States market by 2030. We support that goal, and we believe the RFS is one of the many policy tools that can be used to achieve that goal.

In addition to working with EPA, we are working with the White House, U.S. Department of Transportation (DOT), U.S. Department of Energy (DOE), and Federal Aviation Administration (FAA) on

this “Grand Challenge” to develop SAF. Recently, we responded to DOE’s Request for Information (RFI) on the scale-up and demonstration of renewable fuels. The RFI, titled “Overcoming Barriers to Renewable Fuel Scale-Up and Demonstration,” seeks input from biofuels producers and technology developers about their readiness to scale process technologies to pilot- and demonstration-scale sustainable aviation fuel, renewable diesel, and renewable marine fuels.

Biointermediates, feedstocks and technologies: Initially, we believe the RFS provides a number of significant opportunities to facilitate rapid expansion of SAF. The three key issues are feedstocks, process technologies, and biointermediates. EPA has the opportunity and responsibility for approving updated feedstocks and technologies that, once approved, will provide new production opportunities for the development of SAF. The biointermediate rule is a critical piece of that process. The rule highlights three biointermediates: biocrude, free fatty acid (FFA) feedstock, and undenatured ethanol (including ethanol solutions containing less than 95% ethanol). EPA is seeking comment on a longer list of additional potential biointermediates that it may choose to include in the final rulemaking depending upon the comments received.

We urge EPA to be diligent about expanding the list of feedstocks and approving new process technologies and biointermediate opportunities. EPA has already received inquiries from a number of companies proposing the use of woody biomass or separated MSW to produce a biocrude (a pre-processed feedstock that could then be processed into renewable fuel at a crude oil refinery).

In response to these requests, EPA has stated that the existing RFS regulations are insufficient to generally allow RINs to be generated in situations where multiple facilities participate in the conversion of renewable biomass feedstocks into renewable fuel. The biointermediate rule, when finalized, will update the regulation, and create new opportunities. Our coalition supports finalizing biointermediates expeditiously as it will provide greater opportunities for the development of SAF.

Grow the RFS Volumes to encourage and reflect SAF production: If the biointermediate section of the rule is finalized in a way that allows currently unused feedstock and technologies to participate in the RFS program, then the second part of the proposal is to ensure that the volumes for cellulosic, non-cellulosic advanced and biomass-based diesel are set at levels that will increase the volumes of each of these fuels from an SAF perspective.

The ongoing development of SAF will create new volumes of new fuels in new and historical RFS categories (D3, D7, D5, D4). Each of the categories should be analyzed specifically from a SAF perspective and the respective categories should be increased responsibly as new SAF volumes are created.

Looking forward to 2023 and beyond, EPA has a unique opportunity to grow SAF volumes through the RFS program. Our coalition looks forward to collaborating with you as the companies we work with develop new opportunities for production. Historically, EPA has done an excellent job of tracking renewable fuels in the U.S. market. Our coalition will work with you to ensure that you have a forward-looking view of SAF as follows:

1. Actual production
2. Production under construction
3. Facilities under substantial development

The ongoing development of biointermediates, feedstocks and process technologies will determine how quickly the volume of actual production will increase.

SET opportunities (RFS Opportunities after 2022): Evolution of the RFS under the SET process is critical to achieving this Administration's domestic carbon neutrality goals for the SAF industry. The RFS has been extremely successful in expanding the capacity, feedstock, and processes to produce renewable fuels. As we look forward to 2023 and beyond, the RFS must evolve to include updated modeling data that recognizes all opportunities for carbon reduction and sequestration through the full life cycle: from field to fuel tank. We encourage EPA to incentivize new growth from gallons that meet significant GHG reductions and update its lifecycle modeling to capture the latest data available in DOE's Argonne GREET and updated iLUC modeling. It is essential that EPA's model reflects the best science available: one that is not subject to politics, provides the most up-to-date data, and is able to evaluate the broadest potential of carbon reduction. The updated model should incorporate Climate Smart Ag practices and energy sourced from biomass, wind, and solar.

Lower carbon is the objective, and the SET process and statutory language allows EPA the flexibility to grow new volumes based on Carbon Intensity (CI) reductions, with higher Renewable Identification Numbers (RINs) values. Updating the program to incentivize and reward companies that produce lower CI fuels through innovations throughout the supply chain supports and evolves the overall goals of the program. These changes are about the long-term vision of the program to continue as part of the solution for SAF and carbon reduction.

The RFS can become an SAF success story and the main driver of new volumes. There are few reasons, if any, not to increase volumes to accommodate 3 billion gallons of new SAF by 2030, certainly not from the perspective of SAF usage as a replacement to petroleum usage, or the feasibility of biofuels production.

Congress intended that the RFS create and grow advanced biofuel markets like sustainable aviation fuel in the United States. In expanding the RFS program, just 12 years ago under the Energy Independence and Security Act of 2007 (EISA) (RFS2), Congress intended to continue to diversify this country's energy supply and move this country toward advanced biofuels. The sustainable aviation fuel sector is a shining example of the growth sought by Congress.

The RFS has been driving growth from biofuels and accomplishing what creators of the program aimed for – deployment of domestic, ultra-clean renewable fuel. For this success to continue, certainty must be provided to the market. Congress sought to provide this certainty through the RFS program and EPA should provide that certainty through the regulatory process.

Renewable fuels have made great strides in producing domestic energy and in diversifying our nation's fuel supply. Moving forward, with the help of EPA, we plan to do the same in our quest to dramatically decrease carbon in aviation fuel.

In its brief history, the renewable fuels program has proven to be a remarkably effective tool in helping to achieve the desired goal of increasing domestic production and the use of renewable fuels. This, in turn, is enabling the U.S. to realize the energy security, economic and environmental benefits associated with displacing petroleum with clean, domestically produced renewable fuels.

We hope EPA and this Administration recognize the opportunity for SAF moving forward as part of the RFS program. The growth in SAF will not happen if EPA does not responsibly improve the regulatory structure of the RFS by finalizing biointermediates, by updating the opportunities for both feedstocks and technologies, and by increasing the RVO volumes accordingly.

Thank you for your consideration.

Sincerely,



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