

**Statement of Ann Brewster Weeks on EPA Deferral of CO<sub>2</sub> emissions from Bioenergy and Other Biogenic Sources From Clean Air Act Permitting Requirements.**

EPA's back-to-back announcements that it will both defer the permitting program for CO<sub>2</sub> generated by burning biomass fuels, and allow biomass fuels to qualify as categorical BACT for greenhouse gas emissions from stationary sources sets a course that is based entirely in politics, not in science or the law, and will make the climate situation worse in the name of improving it. Our nation faces significant economic costs and choices in order to *reduce* the greenhouse gas emissions from the electricity generating sector. Today's decision will make the situation worse.

The science EPA *already has in hand* simply does not support a complete exclusion for all biomass fuels from the permitting process, whether on an interim basis or permanently. It shows that burning some forms of biomass has significantly worse consequences for the climate than does burning coal, oil, or natural gas. It will be difficult, if not impossible for those plants developed during the proposed hiatus from permitting *ever* to be brought back under the permitting requirements and made subject to BACT.

We are already seeing massive shifts to burning whole trees at coal-fired power plants, in the name of switching to so-called "renewable fuels," to meet state policies that already need to be reworked in many cases. An EPA policy that further encourages a switch from fossil fuels to indiscriminate biomass burning – as do the proposed rule and guidance announced today – will create a new generation of power plants that will be worse for the climate than those they replace.

Finally, there is nothing in the Clean Air Act that supports either a categorical off-ramp from permitting or a categorical BACT determination for biomass fuels. Treating a ton of carbon pollution emissions generated by burning trees differently than a ton of carbon pollution emissions generated by burning any other fuel, either on a temporary basis or permanently, is just not justified in the law. Because NAFO and others in the forest products industry had the opportunity to comment extensively on this issue when it was presented by EPA's PSD and Title V Tailoring Rule in 2010, EPA agreement to reconsider the policy now is not lawful.

The consequence of EPA's biomass deferral will be unprecedented pressure on valuable and important woody biomass/forestry resources. Forests are important carbon sinks, and the significant deforestation that will result from whole tree burning in power plants will not only release the carbon stored in forests, but also diminish their ability to store and sequester carbon now and into the future.

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