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Re: Science Advisory Board's draft review of EPA's 2014 Framework for Assessing Biogenic CO₂ Emissions from Stationary Sources (nominal draft date: June 2, 2017; public release date: August 22, 2017).

The Clean Air Task Force (CATF) appreciates this opportunity to comment on the Science Advisory Board's (SAB's) draft review of EPA's *2014 Framework for Assessing Biogenic CO₂ Emissions from Stationary Sources*—although we would have appreciated more time to examine the draft. CATF and other public interest groups have followed this issue closely and have constructively engaged with the Panel and EPA throughout the process.¹ Providing the public with less than one week to analyze the Panel's new recommendations undermines public engagement and implicitly depreciates the time and effort that CATF and other organizations have committed to this important issue.

The newest version of the draft report continues to make several essential points. Most notably, it explains that useful and effective biogenic CO₂ accounting requires a direct comparison between a policy scenario and an "anticipated baseline" scenario.² The draft report also prods EPA to improve its assessment of greenhouse gas emissions associated with waste-derived feedstocks.³

We also note that in response to feedback from the Chartered SAB and the public, the new draft report attempts a fuller discussion of how net biogenic emissions differ within different timeframes. However, the timeframe discussion—as it is conveyed in the new draft report—remains problematic, in that it is still disconnected from the relevant legal, regulatory, and physical realities that shape EPA's authority.

Some of the confusion and controversy surrounding the timeframe issue can be traced back to Panel's charge from EPA. The Agency first asked the Panel for help assessing

¹ See, e.g., CATF Comments on Science Advisory Board (SAB) Draft Report (2-8-16) on the SAB Review of *Framework for Assessing Biogenic CO₂ Emissions from Stationary Sources (2014)* (comment date: March 23, 2016) (http://www.catf.us/resources/filings/biomass/CATF%20Comments%20on%20SAB%20Biogenic%20CO2%20Report_032316.pdf).

² SAB Review of *Framework for Assessing Biogenic CO₂ Emissions from Stationary Sources (2014)* (nominal draft date: June 2, 2017), at 13.

³ *Id.* at 17.

biogenic CO₂ from stationary sources in the context of a specific Clean Air Act program. EPA later changed its approach and requested general guidance on biogenic emissions accounting in “a policy-neutral context.” The Panel chose to respond to EPA’s revised charge by focusing on an “emissions horizon” that encompasses “a period of time over which nearly all (e.g., >95%) terrestrial effects on carbon stocks occur in response to an increase in biomass demand.”⁴

Regardless of whatever confusion was caused by EPA’s shifting charge, there is neither precedent nor any reasonable basis for pursuing an environmental policy where the success or failure of the policy hinges on events that will take a century to unfold. The draft report’s 100-year “emissions horizon” approach—used as *is*—would exacerbate the large degree of uncertainty that already clouds biomass policy-related outcomes. Pointedly, neither EPA nor state agencies possess the legal authority or the technical capability to enforce—or even track—some of the assumptions around regrowth and fossil fuel displacement that are central to the validity and the utility of a long-term cumulative emissions analysis.

The fact remains that this review was commissioned by a policy-making agency that needs help fulfilling its statutory obligation to regulate CO₂ emissions from stationary sources, including facilities that emit biogenic CO₂. We are concerned that the current draft report does not achieve that purpose. There is a significant risk that regulators will interpret the Panel’s support for determining cumulative BAF at the end of the “emissions horizon” as a recommendation that the 95%-equilibrium value should be used in short- and medium-term policy contexts. Such a recommendation is functionally incompatible with the legal and practical realities of implementing the Clean Air Act and other policies designed to reduce air pollution.

The report should be fundamentally revised so that it more clearly conveys the idea that the BAF is *not* a single number, but rather a dynamic, time-dependent function based on projecting carbon re-sequestration and avoided emissions into the future. In graphical form, BAF should appear as a curve over time, not a point on a graph.

Second, the report should better clarify the difference between *calculating* the full BAF curve and *evaluating* BAF for a particular policy context. The full BAF curve is calculated over a long-term period to equilibrium; in contrast, BAF is a quantity that is evaluated at a chosen time along that curve, based on the policy context in which the BAF is being considered.

⁴ *Id.* at 5.

In the new draft report, the Panel outlines “an alternative approach for calculating a cumulative BAF that is based on the accumulation of annual differences in carbon stocks on the land over the time horizon.”⁵ According to the draft report, the alternative approach would provide a running evaluation of the changes in carbon stocks “for any time horizon of interest.”⁶ CATF is still assessing the alternative approach, but it appears it would give effect to some of our suggested revisions.

Thank you for your time.

⁵ *Id.* at 26.

⁶ *Id.* at 27.