



July 15, 2013

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Air and Radiation Docket  
Docket No. EPA-HQ-OAR-2012-0401  
Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460

Via email to: [a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov)

Re: Regulation of Fuels and Fuel Additives: RFS Pathways II and Technical Amendments to the RFS 2 Standards; Proposed Rule (Docket No. EPA-HQ-OAR-2012-0401)

To Whom It May Concern,

Thank you for inviting comment on the US EPA's proposal to expand the renewable fuel pathways for landfill biogas-to-electricity to qualify as a renewable fuel, and for welcoming comment on the methodology and assumptions underlying the EPA analysis.

The US composting industry is an industry sector potentially adversely affected by the proposed regulation. Our industry does not produce fuels but relies on some of the same biogenic feedstocks, specifically separated food waste and separated yard waste. We have concerns with EPA's proposal to allow landfill biogas-to-electricity or liquefied biogas to qualify as a renewable or cellulosic biofuel fuel under the Renewable Fuel Standard (RFS) (Docket No. EPA-HQ-OAR-2012-0401).

First, we are opposed to EPA's decision (in the March 2010 RFS final rule) that landfill biogas should be considered as produced from separated yard and food waste for purposes of the Energy Independence and Security Act, and do not think this decision should be further perpetuated in the new regulations.

Second, we urge EPA not to further incentivize landfill gas production over production of fuels and products made from source-separated yard waste and food waste. Our industry – which is growing – relies on source-separated materials and increasingly competes with disposal options such as landfills. By creating new fuel pathways for landfill biogas to qualify as renewable, EPA is establishing incentives to dispose of these valuable materials, which is counter to its own solid waste management hierarchy that places recycling and composting above landfill disposal (with or without landfill gas recovery).

Establishing additional financial incentives for landfill biogas will encourage the disposal of yard and food waste, hindering EPA's goal to reduce, reuse, and recycle yard and food waste. Compost is valued for its ability to improve soil health, protect against water pollution and droughts, reduce waste, reduce landfill methane emissions and increase storage of carbon in soils. Commercial-scale compost production has been growing over the past two decades as part of the movement to reduce landfilling and protect the climate.

The US Composting Council (USCC), a 501(c)6 Trade and Professional Association, is the only national organization in the United States dedicated to the development, expansion and promotion of the composting industry. The USCC has over 800 member companies, including private and municipal compost producers, equipment manufacturers, product suppliers, academic institutions, public agencies, nonprofit groups and consulting/engineering firms. The USCC achieves this mission by encouraging, supporting and performing compost related research, promoting best management practices, establishing standards, educating professionals and the public about the benefits of composting and compost utilization, enhancing compost product quality, and developing training materials for composters and markets for compost products.

Sincerely,  
Lorrie Loder, President  
Lori Scozzafava, Executive Director