



August 2, 2019

The Honorable Andrew Wheeler  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

Dear Administrator Wheeler,

We respectfully request that you prioritize regulatory reform clarifying that biogenic CO<sub>2</sub> emissions from processing and use of agricultural feedstocks (such as corn, soybeans, oilseeds and farm residues) are not pollutants subject to regulation under the federal Clean Air Act. Removal of this regulatory barrier is key to unlocking investment in the 21<sup>st</sup> century bioeconomy in rural areas across America.

The U.S. agricultural system feeds the world and provides modern day solutions in food products, bioenergy, and bioproducts like pharmaceuticals, personal care products, green chemicals, and plastics made from corn, soy, oilseeds, and other agricultural feedstocks. The agricultural sector in our states is poised to invest billions of dollars to develop the potential of the bioeconomy, if only EPA would remove the threat of unwarranted regulatory burdens.

Following its 2009 Endangerment Finding regulating fossil fuel greenhouse gases, EPA asserted that it would claim regulatory jurisdiction over CO<sub>2</sub> emissions from agricultural crops, which triggered permitting requirements and litigation risk that has added years to project development, rendered many promising bioeconomy projects unviable, and similar to the troublesome WOTUS rule allowed EPA to claim jurisdiction over “sustainable” farming practices on the farm field – an alarming expansion of federal intrusion into traditional state sovereignty. Moreover, EPA’s regulation of biogenic CO<sub>2</sub> was never supported by a proper science-based review prior to EPA announcing this expansive regulation, and EPA flatly ignored comments from the U.S. Department of Agriculture which cautioned that biogenic CO<sub>2</sub> was carbon neutral and could not properly be regulated as a matter of sound science.

We appreciate that you are working diligently to address regulatory barriers to economic development where certain EPA rules are unnecessary for protection of the environment. For the benefit of the citizens of our states and the bioeconomy in general, please make resolution

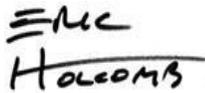
of the biogenic CO2 controversy a top priority. A resolution that would provide potential developers of the bioeconomy a stable regulatory framework for years to come would provide an environmentally appropriate boost to America's economy

Thank you for your consideration.

Sincerely,



Kim Reynolds  
Governor of Iowa



Eric Holcomb  
Governor of Indiana



Matt Bevin  
Governor fo Kentucky



Pete Ricketts  
Governor of Nebraska



Doug Burgum  
Governor of North Dakota