

Message

From: Jack Barrow [jack.barrow@btr.energy]
Sent: 8/21/2017 10:12:54 PM
To: Kelly, Albert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08576e43795149e5a3f9669726dd044c-Kelly, Albe]
CC: Frank.Keating@hklaw.com
Subject: Re: FW: BTR Energy

Mr. Kelly -- thanks for sharing. I have met with Ben Hengst once before and had reached out to him many weeks ago asking for a status update after bumping in to him at an EPA hearing (before I contacted you via Governor Keating). I only just heard back from him today (my guess is that was prompted by your outreach to Mr. Grundler), and he offered to meet for coffee on Wednesday.

As an aside, Mr. Grundler's response is essentially what we've heard for the last three years. The "significant policy questions" are what we aimed to address in the draft Guidance document I sent you, though again, the statute gives EPA broad flexibility to move forward even without guidance. Essentially, these policy questions *have been addressed by industry* -- there are clear right answers that Mr. Grundler and his team likely understand and just need to agree to adopt -- and so implementing this program/ making it happen should not be a heavy lift for his team. It should not, in other words, compete significantly for time spent on other priorities.

Just my initial thoughts and opinion. I'll get an update from Ben and then I'm sure you and I will discuss this more on Friday.

Hopefully we've started the ball rolling.

Thanks again,
Jack

On Mon, Aug 21, 2017 at 5:27 PM, Kelly, Albert <kelly.albert@epa.gov> wrote:

Thought I would share with you. What is the status of the meeting he refers to as being this Wednesday?

Albert Kelly

Senior Advisor to the Administrator

1200 Pennsylvania Avenue, NW

Washington, DC 20460

202 306 8830

From: Grundler, Christopher
Sent: Monday, August 21, 2017 5:09 PM
To: Kelly, Albert <kelly.albert@epa.gov>

Cc: Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>
Subject: Re: BTR Energy

Hi Mr. Kelly—

Thanks for your note, I appreciate your reaching out. As it turns out, my deputy in DC (Ben Hengst) is meeting with Mr. Barrow this Wednesday, and I understand they've met once before.

The pathway you are referring to would allow firms to generate credit under the Renewable Fuel Standard for electricity used in transportation, where the electricity is generated from biogas. We discussed the potential for such an "e-RIN" pathway in a proposed rulemaking last year.

It has been a busy stretch of time for the RFS program – annual volume rules, point of obligation, etc. – and we have not had a chance yet to brief this issue up to the senior leadership team (Mandy, Samantha, Brittany and others). There are a handful of significant policy questions related to e-RINs that we'd need to address before putting in place a system where stakeholders would be able to generate credits. We are more than happy to start working these issues up the chain, but we simply have been working on other program priorities that the Administrator and his team have laid out for our office.

Please let me know if you need more on this.

Chris

Christopher Grundler, Director

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

202.564.1682 (DC)

734.214.4297 (Ann Arbor/NVFEL)

Sent from my iPhone

On Aug 21, 2017, at 2:22 PM, Kelly, Albert <kelly.albert@epa.gov> wrote:

Hello Mr. Grundler. I have not had the pleasure of meeting you but have the occasion to reach out to you regarding the above. The Administrator's office was contacted by Mr. Jack Barrow and asked to check with you as to possible procedure forward.

As I understand it, in 2014 under a law approved by congress, EPA granted itself the authority to consider and approve applications under part of the Renewable Fuels Standard called the "electric pathway". If I understand the nature of this, it would provide production procedures for generation of Renewable Identification Numbers by way of electricity using animal and food waste. It is represented to me that if this were approved and put in place, more farms and farmers could benefit by being incented to make electricity in this way.

So, my question is that if Congress mandated this program, what is the status of this and how do companies like BTR get access to it? Any further enlightenment that you could give me would be appreciated.

Albert Kelly

Senior Advisor to the Administrator

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Jack Barrow
Co-Founder | BTR Energy

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