



February 19, 2009

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

Dear Administrator Jackson:

On behalf of the American Soybean Association, I am writing to express our significant concerns with the approach that EPA is considering regarding the inclusion of international indirect land use as part of the life cycle analysis for biodiesel under the rulemaking for the new Renewable Fuel Standard (RFS-2). Rather than include numbers that could prove inaccurate, we recommend that EPA publish the assumptions and methodology it proposes to utilize in making indirect land use assumptions, and use the rulemaking process to further refine and improve the lifecycle analysis that will ultimately be used to implement the RFS program.

Soybeans are the primary feedstock used in the U.S. production of biodiesel. We are very proud of the contribution that soybean farmers are making to the national effort of energy independence. We are also very proud of the many environmental benefits that soy biodiesel provides. Biodiesel reduces engine emissions, is nontoxic, biodegradable, and essentially free of sulfur and aromatics. It significantly reduces emissions of carbon monoxide, particulate matter, unburned hydrocarbons, and sulfates. Under the GREET model, the standard used to this point, soy biodiesel was credited with achieving a 78% reduction in GHG emissions compared to petroleum diesel.

As you know, the Energy Independence and Security Act established a RFS for biomass based diesel while requiring that it meet a 50% GHG emission reduction threshold. When calculating the life cycle GHG impact of biofuels, the statute directs EPA to consider direct and indirect emissions (such as indirect land use) of all stages of the fuel and feedstock production.

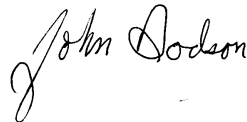
While EPA is required to consider indirect emissions, we believe the assumptions and methodologies being used by EPA to calculate the effects of international indirect land use are significantly flawed and would do unnecessary and irreversible harm to the competitive position of the U.S. soy biodiesel industry and ultimately U.S. soybean farmers. Such an approach is also contrary to the intent of the RFS, and is detrimental to the overall goals of U.S. energy and environmental policy. Our concerns and questions regarding EPA's approach to using international indirect land use are numerous, and we are not alone in this regard, with many in the scientific community expressing reservations about the current analysis of indirect land use.

There are significant questions existing around the complicated issue of international indirect emissions. There are no generally accepted scientific methods for determining indirect land use change. Many factors, such as urbanization, dietary changes, market economics, hardwood prices, and other issues contribute to land use changes, therefore, U.S. biofuels should not be singled out for responsibility for all land use changes. It also appears that the indirect emissions of diesel fuel (the baseline against which biodiesel is being measured) are not factored into the baseline, creating an inaccurate comparison.

Again, EPA should not include, in the proposed rule, numbers on the life-cycle greenhouse gas emissions of vegetable oil biodiesel that is derived from its current limited and flawed analyses. We recommend that EPA publish the assumptions and methodology it proposes to utilize in making indirect land use assumptions, and use the rulemaking process to further refine and improve the lifecycle analysis that will ultimately be used to implement the RFS program.

Thank you for your consideration and please let us know if we can be of assistance in any way.

Sincerely,

A handwritten signature in black ink that reads "Johnny Dodson". The signature is written in a cursive, flowing style.

Johnny Dodson

President

Cc:

The Honorable Peter Orszag
Director
Office of Management & Budget

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture

The Honorable Steven Chu
Secretary
U.S. Department of Energy

