

February 17, 2026

National Agency of Petroleum, Oil and Natural Gas and Biofuels (ANP)

PS/RenovaCalc/02/RENOVABIO/2025: Proposal to update penalty factors in RenovaCalc

On behalf of the U.S. ethanol industry, we appreciate the opportunity to comment on ANP's Technical Note 298 2025, *Proposal to Update Penalty Factors in RenovaCalc*.

The U.S. Grains & Bioproducts Council (USGBC), Growth Energy, and the Renewable Fuels Association (RFA), representing the U.S. ethanol industry and collectively accounting for over 90% of national ethanol production capacity, respectfully submit these comments on the proposed regulation.

We appreciate the steps undertaken by ANP, Embrapa, and the RenovaBio Technical Group to update and refine the penalty factors in RenovaCalc. We were glad to see a reduction to the penalty factor for U.S. corn and new efforts to include U.S. sorghum in the RenovaCalc.

While we appreciate the significant interest in developing an improved regulatory framework of the program, we would like some additional clarification on the methodology, process, and decision factors. Specifically, we would like some clarification on how the national standard was derived for the United States, including what steps were taken to ensure consistency between GREET and Brazilian data and how this utilized data by the U.S. Department of Agriculture (USDA).

The proposal looks to apply regional values for Brazilian states however this is not done for imported ethanol, particularly from various production areas in the United States. We would also like additional clarification on why there is no regional/state-level data provided as an option for the United States, as available data exists from USDA.

Additionally, we are concerned about the fact that in the regional analysis for corn the penalty factor for Mato Grosso is considered safe even with 7% of the regional producers are above it. We kindly ask for clarification on this point.

As we have stated, the U.S. and Brazilian agricultural sectors, farmer management, feedstock production, ownership, and the relationship between the farmer and the biorefinery vary considerably between countries. We continue to seek a fair opportunity for U.S. ethanol to participate in RenovaBio, including further reductions to the penalty factors for U.S. ethanol using default values. We welcome an opportunity to work with you to explore the possibility of having similar regional, state-level values to be utilized for imported ethanol to more accurately adjust the penalty factor for U.S. ethanol.

We have appreciated the steps already undertaken by ANP to assist U.S. producer participation in RenovaBio, including mass balance and the protection of confidential business information. We await the review of the final Technical Report and results of the previous Technical Report comment periods from ANP. These will complement the Resolution, where we are hopeful ANP will accept the U.S. Environmental Protection Agency (EPA)'s use of "aggregate compliance" designation for foreign feedstock eligibility of U.S. ethanol.

Since the implementation of RenovaBio, the U.S. ethanol industry is eager to actively and meaningfully participate in the program. We look forward to building avenues with the Brazilian entities to contribute to the program and generate carbon reduction credits, or CBios.