

VERBAL COMMENTS ON NEW YORK'S MANDATORY GHG REPORTING PROPOSAL

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Good evening. My name is Dallas Gerber with Growth Energy, the world's largest association of biofuels producers. Our members are working to bring better and more affordable choices at the fuel pump to consumers, improve air quality, and protect the environment for future generations. We remain committed to helping our country diversify its energy portfolio to grow more green energy jobs, decarbonize the nation's energy mix, sustain family farms, and drive down the costs of transportation fuels for consumers.

Growth Energy has a number of concerns regarding the proposed rule for mandatory GHG reporting. Primarily, we believe the required data for liquid fuels extends well beyond what can be considered reasonable. In other cap-and-invest jurisdictions such as California, while biofuels are exempt from the cap, they are required to report emissions. In this program, biofuels producers are required to only report the "mass of emissions" of the transportation of the fuel. The proposed rule here in New York requires data at a level of granularity that far exceeds the requirements in other jurisdictions.

Nor can this data be collected without significant, unnecessarily burdensome, time and cost to biofuels producers. Collecting data such as a rail transport's "energy intensity in MMBTu per ton-

mile and average speed in meters per second” relies on cooperation from supply chain factors largely outside of a biofuels producer’s control. This raises the question of noncompliance due to circumstances beyond a biofuels producer’s control. If, despite all good faith efforts to identify, for instance, an ocean tanker’s “average speed, power in horsepower, and load factor” is not disclosed by the vessel owner or operator, is a biofuels producer penalized for a third party’s noncompliance?

Finally, we request DEC provide a statement of reasoning detailing the necessity of such data and what the state intends to do with said data. We believe it would benefit the integrity of future cap-and-invest regulations were DEC to outline the value and intended use of the data they’re requiring before reporting entities must begin collecting it.

Thank you for your time.