

RD AN No. 4867 (4279-C)
March 5, 2019

To: State Directors, Rural Development

Attention: Business Programs Directors and State Energy Coordinators

Subject: Agricultural Improvement Act of 2018 Updates for the Biorefinery, Renewable Chemical, and Biobased Product Manufacturing Assistance Program

PURPOSE/INTENDED OUTCOME:

The purpose of this Administrative Notice (AN) is to clarify the definition of the terms ‘biorefinery’ and ‘eligible technology’ in RD Instruction 4279-C, Biorefinery, Renewable Chemical, and Biobased Product Manufacturing Assistance Program (9003 Program) to be in accordance with the Agricultural Act of 2018 (2018 Farm Bill).

COMPARISON WITH PREVIOUS AN:

There are no previous ANs on this topic.

IMPLEMENTATION RESPONSIBILITIES:

The 2018 Farm Bill was signed into law on December 20, 2018. Title IX of the 2018 Farm Bill, reauthorizes the 9003 Program, amends the definition of the terms ‘biorefinery’ and ‘eligible technology’ for the 9003 Program. The updated definitions found in RD Instruction §4279.202 are as follows:

Biorefinery. A facility including equipment and processes that converts renewable biomass or an intermediate ingredient or feedstock of renewable biomass into any 1 or more, or a combination, of biofuels, renewable chemicals, or biobased products.”

Eligible Technology. The term “Eligible Technology” means as determined by the Secretary:

- (1) A technology that is being adopted in a viable Commercial-Scale operation of a Biorefinery that produces any 1 or more, or a combination of advanced biofuel; a renewable chemical; or a biobased product; or

EXPIRATION DATE:
September 30, 2019

FILING INSTRUCTIONS:
Preceding RD Instructions 4279-C

- (2) A technology not described in paragraph (1) of this definition that has been demonstrated to have Technical and Economic Potential for commercial application in a Biorefinery that produces any 1 or more, or a combination of advanced biofuel; a renewable chemical; or a biobased product.

These definitions shall be implemented immediately upon the publishing of this AN as a part of RD Instruction 4279-C and shall apply to all applicants, including applicants currently in the 9003 Program's pipeline in which a loan note guarantee has not been issued. 7 CFR 4279, Subpart C, will be updated in a future final rule in the Federal Register.

If you have any questions regarding this AN, please contact Kevin Scully at (202) 619-1753, or via e-mail at kevin.scully@wdc.usda.gov.

/s/ Bette B. Brand

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