

Final Assembly Bill 32 Environmental Justice Advisory Committee Resolution: Opposition to Carbon Capture, Utilization, and Storage (CCUS) and Direct Air Capture (DAC) in California

For EJAC Motion and Action in the August 16, 2024, EJAC Public Meeting

Note: *Highlighted* text indicates language EJAC added after the 7/18/2024 EJAC Public Meeting

Whereas, the Environmental Justice Advisory Committee (EJAC) of the California Air Resources Board (CARB) is dedicated to advocating for equitable and sustainable solutions to climate injustices and environmental degradation,

Whereas, carbon dioxide removal consists of both natural and engineered processes for removing carbon dioxide from the atmosphere and storing it,

Whereas, EJAC's resolution specifically focuses on engineered Carbon Capture, Use, and Storage and Direct Air Capture while uplifting the need for a better understanding of and investment in natural forms of carbon sequestration,

Whereas, engineered technologies should only be applied to essential processes that cannot otherwise be decarbonized or to address legacy emissions that are already in the atmosphere,

Whereas, the adoption of Engineered Carbon Capture, Utilization, and Storage (CCUS) strategies is counterproductive to meaningful climate action, and CCUS investments increase reliance on fossil fuel infrastructure, hindering the transition to truly zero-emission energy sources,

Whereas, CCUS projects perpetuate fossil fuel dominance, exacerbate harm to frontline communities, and present risks to public health and safety,

Whereas, the Intergovernmental Panel on Climate Change considers engineered CCUS a very expensive technology of last resort,

Whereas, the cost of engineered CCUS and DAC will not go down over time given the long term inputs required for such projects,

Whereas, imposing dangerous and experimental projects that perpetuates business as usual and delays a fair and just transition off fossil fuels presents a serious moral hazard and risks public trust; injudicious deployment of carbon removal technologies in sectors that are not the hardest to decarbonize and without appropriate health and safety protections poses the significant risk of damaging or destroying public trust in technologies and wasting public investments, limiting the ability to use the technology on the processes and in the sectors that are the hardest to abate.

Whereas, it is recognized that while efforts are made to oppose CCUS strategies altogether and advocate for bolder, justice-oriented emissions reductions, there is a simultaneous need to mitigate the potential harms and risks associated with CCUS projects if they persist,

Whereas, if Direct Air Capture is deemed technically necessary to address legacy carbon emissions, projects must not perpetuate harm or forego potential emissions reductions in environmental justice communities,

Therefore, Be It Resolved, that the Environmental Justice Advisory Committee (EJAC) of the California Air Resources Board (CARB) formally opposes the deployment of Carbon Capture, Utilization, and Storage (CCUS) technology within the state of California,

Be It Further Resolved, that EJAC urges all state agencies overseeing CCUS and DAC deployment in California to exercise discretion and reject project applications outright, given the clear evidence of CCUS's track record of failure as a greenhouse gas reduction strategy and its potential risks to the health and safety of Californians, especially those residing in already pollution-burdened communities,

Be It Further Resolved, CARB must pursue immediate implementation of the provisions in SB 905 pertaining to community protections.

Be It Further Resolved, that EJAC advocates for the adoption of common-sense policy protections, to limit the harms and risks of CCUS and DAC to communities in California, including but not limited to:

- Ensuring no net increase in air pollution.
- Ensuring that CCUS projects cannot proceed if they threaten groundwater, surface water, and drinking water supplies or increase water, soil, or air pollution within designated community radii.

- Prohibiting the siting of CCUS and DAC infrastructure in or near overburdened Environmental Justice (EJ) communities and implementing a minimum buffer distance of 10 miles from all capture, storage, and pipeline facilities.
- Requiring CCUS and DAC projects to be powered solely by excess clean, renewable energy.
- Mandating notification and community engagement processes for residents and **sensitive sites such as** schools within buffer distances of planned project sites, including workshops or community meetings to address concerns and discuss community benefits.
- Requiring a full Environmental Impact Report (EIR) for all proposed CCUS and DAC projects, informed by local and statewide adverse impact research and worst-case scenario modeling.
- Implementing financial assurances that do not rely on the long-term fiscal health of companies, such as bonds and strong third-party insurance.
- Not allowing projects to generate credits for carbon markets or other systems, as this undermines the goal of getting to net-zero emissions, perpetuates business as usual, and opens up the possibility of double counting reductions and dangerously delaying progress.

Be It Further Resolved, that EJAC emphasizes the need for CARB to confine CCUS deployment, if allowed at all, to truly hard-to-decarbonize sectors and prohibit CCUS in sectors such as refineries, natural gas power plants, bioenergy facilities, hydrogen facilities, waste incinerators, chemical recycling facilities, and ethanol production facilities, to reduce harm to the climate and communities.

Be It Further Resolved, that EJAC calls for further research and regulatory improvements regarding the transportation, use, and storage of carbon, and other related aspects, including:

- Maintaining the ban on the use of carbon capture for Enhanced Oil Recovery (EOR).
- Maintaining the carbon pipeline moratorium until updated federal regulations are in place and ensuring safety measures such as defined safe distances, odorant addition for leak detection, and consideration of community burdens during site exploration.

- Prohibiting the conversion of existing transmission pipelines to CO2 service and ensuring that regulations require pure carbon dioxide streams.

Be It Further Resolved, that EJAC calls for any carbon removal or Direct Air Capture projects to be subject to the same standards and protections as CCUS projects.

Be It Further Resolved, that EJAC commits to working with stakeholders and advocating for policies, regulations, and direct emissions reductions that prioritize environmental justice, community health, and sustainability in California's climate and energy initiatives.