



May 10, 2024

Matt Botill, Division Chief
Industrial Strategies Division

Cheryl Laskowski, Branch Chief
Transportation Fuels Branch

California Air Resources Board
1001 I Street
Sacramento, CA 95814

Submitted electronically via: <https://ww2.arb.ca.gov/public-comments/low-carbon-fuel-standard-workshop-april-10-2024>

Re: California Association of Sanitation Agencies Comments on the Low Carbon Fuel Standard
Proposed Regulatory Revisions

Dear Mr. Botill and Ms. Laskowski:

The California Association of Sanitation Agencies (CASA) appreciates the opportunity to provide comments on the proposed revisions to the Low Carbon Fuel Standard (LCFS) as discussed during the April 10, 2024, public workshop. CASA continues to urge CARB to carve out the wastewater sector to preserve the use of and credit for our non-fossil renewable wastewater-derived biomethane (biogas) in the LCFS program indefinitely. The wastewater sector will continue to produce and capture biogas, as well as strive to beneficially use (not waste) it for as long as we are performing the essential public service of wastewater and solids treatment with anaerobic digesters. However, removal of the avoided methane credit will render co-digestion projects at WRRFs within California financially infeasible and inadvertently drive co-digestion projects out-of-state. We made similar arguments during the Scoping Plan Update and the more recent development of the Advanced Clean Fleet (ACF) regulations. In fact, the CARB Board included language in the last paragraph of the adopted [Resolution 23-13](#) accompanying the adoption of the ACF Regulations directing staff to work with sister regulatory agencies and CASA to ensure multiple long-term uses of wastewater-derived biomethane. We urge that collaborative process to begin as soon as possible.

CASA is an association of local California wastewater agencies, known as Water Resource Recovery Facilities (WRRFs), engaged in advancing the recycling of wastewater into usable water, as well as the generation and beneficial use of renewable energy, biosolids, fuel, and other valuable resources. Through these efforts we help create a clean and sustainable environment for Californians.

Our members are focused on helping the State achieve its climate change mitigation mandates and goals, which include:

- Reducing short-lived climate pollutant (SLCP) emissions by accepting and co-digesting diverted organic (food) waste from landfills pursuant to SB 1383
- Reducing carbon intensity of transportation fuel by using the biogas we generate
- Providing 100 percent of the state's energy needs from clean and renewable sources
- Increasing soil carbon and carbon sequestration by land applying biosolids and supporting the Healthy Soils Initiative, Climate Smart Strategy, and Wildfire and Forest Resilience Action Plan

As we have noted in previous discussions and comment letters for both the ACF and LCFS regulations, the wastewater sector represents an important in-state partner for meeting SB 1383 organic waste diversion requirements and for development of low-carbon fuels. As documented in the State Water Board's [Co-digestion Capacity Analysis](#) assessing co-digestion capacity at WRRFs, the estimated total available wastewater digester capacity is capable of receiving all food waste required to be diverted from landfills in California for co-digestion. This will exponentially increase the biogas produced and captured at WRRFs.

The wastewater sector is aligned with LCFS program goals, notably to diversify transportation fuels away from fossil fuel-based sources and achieve carbon neutrality. The biogas generated not only provides a reliable low carbon fuel, but its use safeguards our communities by fueling vehicles that service infrastructure critical to protecting public health and the environment in all geographical dispositions and in response to major events, including planned power outages. CASA continues to disagree with the proposed phase-out of avoided methane crediting for both biomethane and hydrogen pathways, as well as the eventual phase-out of credit for biomethane as a transportation fuel which currently supports and will continue to support wastewater sector fleets in maintaining essential public services of wastewater collection and treatment to protect public health and the environment in the absence of ZEV options and to meet the need for immediate reductions to meet SIP requirements in non-attainment zones for ozone (a priority in the South Coast).

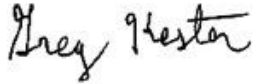
Without considering the full life cycle of biogas to renewable biomethane and hydrogen fuels and the support from the LCFS Program, these projects become financially infeasible, members will be forced to flare a renewable resource, we will not meet near-term SIP requirements in critical air basins, and members will no longer be able to accept diverted food waste in support of achieving SB 1383 mandates for methane reductions.

We strongly urge CARB to preserve the use of our biogas as a viable low carbon fuel in perpetuity since it will always be produced and successful SB 1383 implementation hinges on its beneficial use. Similarly, the proposed ACF Regulations will also inhibit SB 1383 implementation by limiting the use of medium- and heavy-duty trucks using WRRF biogas-derived compressed natural gas to only those in our fleets as of January 1, 2024 – we have proposed that be extended to follow the implementation of SB 1383 and provide WRRFs a pathway for use of the increased biogas. As CASA noted in our comments on the proposed ACF Regulations (and CARB staff acknowledged this in their December 12, 2022, presentation), medium- and heavy-duty electric trucks and vehicles unique to the needs of our sector are not commercially available and we do not expect them to be for many years. Likewise, biogas-to-hydrogen as a transportation fuel for these vehicles is not yet commercially available or demonstrated, both research and demonstrations are necessary to advance that technology and we have offered to work with CARB on those efforts. In the meantime, state regulations and policy should promote biogas deployment using proven technology that most efficiently reduces GHGs to mitigate climate change while also complying with the Omnibus regulations. RNG vehicles also greatly improve air quality in environmental justice communities. Not being able to use them will result in prolonged and increased use of diesel trucks which create 90% worse air quality.

We appreciate this opportunity to comment and your willingness to consider our recommendations. We look forward to continued collaboration to develop pragmatic solutions to these issues. Please let me know if we can set a time to meet for discussion of our recommendations. I can be contacted at

gkester@casaweb.org or at 916-844-5262 and Sarah Deslauriers can be reached at sdeslauriers@casaweb.org or at 925-705-6404.

Sincerely,

A handwritten signature in black ink that reads "Greg Kester". The signature is written in a cursive, slightly slanted style.

Greg Kester
Director of Renewable Resource Programs

cc: Adam Link, Executive Director, CASA
Sarah Deslauriers, Director of Air, Climate, & Energy Programs, CASA
Rajinder Sahota, CARB
Anil Prabhu, CARB
Charlotte Ely, SWRCB
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