

To: Executive Officer for Fuel Pathway CI Certification:

We at Climate Action California would like to express the following concerns regarding the Tier 2 renewable fuel pathway Application B0506 submitted by Martinez Renewables LLC:

1. Effective 1/1/20 third party verification of fuel pathway applications are required. The identity of this third party is unclear for Tier 2 Application B0506. The Life Cycle Analysis Report link in the application is to "CARB LCFS Pathway Report Renewable Diesel" which appears to have been prepared by Martinez Renewables LLC, the company applying for the pathway in question.

2. This pathway report includes a Summary Table 8-1 "Lifecycle GHG Emissions-MTZ Renewable Diesel" (page 13) which lists greenhouse gas emissions from indirect land use (ILUC) in gCO₂e/MJ for North American soybean oil of 29.10, for canola oil of 14.50 and for corn oil of 0. The indirect land use emissions for UCO (used cooking oil) and North American and global tallow are all listed as 0.

3. There is no separate attachment on Land Use Change Analysis as appears in some other applications. We suggest that this analysis be prepared by a third party and be available for public comment before the pathway can be approved.

4. The ILUC value of zero for corn oil is not appropriate. The feedstock distiller's corn oil, a coproduct of ethanol, is not waste. Its high energy content is valued for animal feed and it is also used to produce soaps, rust inhibitors, rubber and inks. Diverting corn oil from these uses will most likely require substituting other vegetable oils which require more land to grow the vegetables.

5. Similarly ILUC values of zero for UCO and tallow are not appropriate. Tallow is valued as a cooking fat in many areas of the world because of its high smoke point (420 degrees). It also is used as a skin salve or cleanser, an industrial lubricant, an animal feed and a base for various chemicals. Used cooking oil can be found in livestock and pet foods, soaps, lubricants, shampoo, moisturizers, etc. Substitutes for these uses will result in more crops being grown and hence more land cultivation.

6. The ILUC emissions for soybean oil and canola oil appear low when compared to results from the EU's Globiom model, yet there is no uncertainty analysis of the ILUC numbers used in Application B0506. We note that the EU and CARB agree on the carbon intensity values of fossil fuel transport fuels, but do not agree on the carbon intensity of crop-based biofuels made from oil seeds such as soybean oil and canola oil because they estimate ILUC effects differently. We suggest that an uncertainty analysis be prepared by a third party and be available for public comment before the pathway can be approved.

7. New feedstocks raise new safety questions that need to be investigated. Recent flaring and fires at the Martinez site are concerning. Are retrofitted bio-refineries more apt to resort to flaring? Are they more susceptible to fires.