Attachment A-1

Errata to the Proposed Regulation Order

[Note: Below is an excerpt from Attachment A-1 of the Second 15-Day Notice posted on October 1, 2024. The only change being made with this Errata is the correction of the below equation being shown in strikeout (in the middle of page 183). The changes below show the entirety of proposed amendments to section 95489(a) of title 17, California Code of Regulations as of the Second 15-Day Notice with additions shown in underline and deletions shown in strikeout. Subsections for which no changes are proposed in this document are indicated with "*   *   *   *."]

$$CI_{BaselineCrudeAve} = \frac{[11.78 \times V_{2022} + 12.61 \times V_{2023} + 12.61 \times V_{2024}]}{[V_{2022} + V_{2023} + V_{2024}]}$$

Title 17, California Code of Regulations

Amend section 95489(a) of title 17, California Code of Regulations

§ 95489. Provisions for Petroleum-Based Fuels.

(a) *Deficit Calculation for CARBOB or Diesel Fuel.* A fuel reporting entity for CARBOB or diesel fuel must calculate separately the base deficit and incremental deficit for each fuel or blendstock derived from petroleum feedstock as specified in this provision.

Base Deficit Calculation

$$Deficits_{Base}^{XD}(MT) = (CI_{Standard}^{XD} - CI_{BaselineAve}^{XD}) \times E^{XD} \times C$$

Incremental Deficit Calculation to Mitigate Increases in the Carbon Intensity of Crude Oil

If $CI_{20XXCrudeAve} > CI_{BaselineCrudeAve} + 0.10$ *then:*

$$Deficits_{Incremental20XX}^{XD} = (CI_{BaselineCrudeAve} - CI_{20XXCrudeAve}) \times E^{XD} \times C$$

If $CI_{20XXCrudeAve} \leq CI_{BaselineCrudeAve} + 0.10$ *then:*

$$Deficits_{Incremental20XX}^{XD} = 0$$

where:

$Deficits_{Base}^{XD}(MT)$ and $Deficits_{Incremental20XX}^{XD}$ mean the amount of LCFS deficits incurred (a negative value), in metric tons, by the volume of CARBOB (XD = "CARBOB") and diesel fuel (XD = "diesel") that is derived from petroleum feedstock and is either produced in or imported into California during a specific calendar year;

$CI_{Standard}^{XD}$ has the same meaning as specified in section 95486.1(a);

$CI_{BaselineAve}^{XD}$ is the average carbon intensity value of CARBOB or diesel in gCO₂e/MJ, that is derived from petroleum feedstock and is either produced in or

imported into California during the baseline calendar year, 2010. For purposes of this provision, $\cancel{CI^{XD}_{BaselineAve}}CI^{XD}_{aselineAve}$ for CARBOB (XD = "CARBOB") and diesel fuel (XD = "diesel") are the Baseline Average carbon intensity values for CARBOB and diesel (ULSD) set forth in Table 7-1. The Baseline Average carbon intensity values for CARBOB and diesel (ULSD) are calculated using data for crude oil supplied to California refineries during the baseline calendar year, 2010.

$CI_{BaselineCrudeAve}$ is the California Baseline Crude Average carbon intensity value, in gCO₂e/MJ, attributed to the production and transport of the crude oil supplied as petroleum feedstock to California refineries during the baseline calendar year, 2010. For comparison to $CI_{2024CrudeAve}$, the baseline is:

$$\cancel{CI_{BaselineCrudeAve}} = \frac{\cancel{[11.78 \times V_{2021} + 11.78 \times V_{2022} + 12.61 \times V_{2023}]}}{\cancel{[V_{2021} + V_{2022} + V_{2023}]}}$$

$$CI_{BaselineCrudeAve} = \frac{[11.78 \times V_{2022} + 11.78 \times V_{2023} + 12.61 \times V_{2024}]}{[V_{2022} + V_{2023} + V_{2024}]}$$

For comparison to $CI_{2025CrudeAve}$, the baseline is:

$$\cancel{CI_{BaselineCrudeAve}} = \frac{\cancel{[11.78 \times V_{2022} + 12.61 \times V_{2023} + 12.61 \times V_{2024}]}}{\cancel{[V_{2022} + V_{2023} + V_{2024}]}}$$

$$CI_{BaselineCrudeAve} = \frac{[11.78 \times V_{2023} + 12.61 \times V_{2024} + 12.61 \times V_{2025}]}{[V_{2023} + V_{2024} + V_{2025}]}$$

For comparison to $CI_{2026CrudeAve}$ and subsequent years, the baseline is

$$CI_{BaselineCrudeAve} = 12.61$$

$CI_{20XXCrudeAve}$ is the Three-year California Crude Average carbon intensity value, in gCO₂e/MJ, attributed to the production and transport of the crude oil supplied as petroleum feedstock to California refineries during the most recent three calendar years. For example, the Three-year California Crude Average carbon intensity value for 2024 is:

$$\cancel{CI_{2018CrudeAve}} = \frac{\cancel{[CI_{2021} \times V_{2021} + CI_{2022} \times V_{2022} + CI_{2023} \times V_{2023}]}}{\cancel{[V_{2021} + V_{2022} + V_{2023}]}}$$

$$CI_{2024CrudeAve} = \frac{[CI_{2022} \times V_{2022} + CI_{2023} \times V_{2023} + CI_{2024} \times V_{2024}]}{[V_{2022} + V_{2023} + V_{2024}]}$$

V_{20XX} is the total volume of crude supplied to California refineries during the specified year 20XX.

CI_{20XX} is the Annual Crude Average carbon intensity value, calculated annually as described in section 95489(b). The Annual Crude Average carbon intensity value for 2022 is specified in Table 9.

E^{XD} is the amount of fuel energy, in MJ, determined from the energy density conversion factors in Table 4. For CARBOB (XD = "CARBOB") or diesel (XD = "diesel"), E^{XD} is either produced in California or imported into California during a specific calendar year and sold, supplied, or offered for sale in California.

$$C = 1.0 \times 10^{-6} \frac{MT}{gCO_2e}$$

* * * *

NOTE: Authority cited: Sections 38510, 38530, 38560, 38560.5, 38571, 38580, 39600, 39601, 41510, 41511 and 43018, Health and Safety Code; 42 U.S.C. section 7545; and *Western Oil and Gas Ass'n v. Orange County Air Pollution Control District*, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975). Reference: Sections 38501, 38510, 39515, 39516, 38571, 38580, 39000, 39001, 39002, 39003, 39515, 39516, 41510, 41511 and 43000, Health and Safety Code; Section 25000.5, Public Resources Code; and *Western Oil and Gas Ass'n v. Orange County Air Pollution Control District*, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).