



UPLOADED VIA AFP

December 22, 2023

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California Air Resources Board
1001 I Street
Sacramento, CA 95814

Re: Biofuelwatch and CAC Public Comments - Tier 2 Pathway Application No. B0506

To Whom It May Concern,

Public comments were submitted during the 10-day public comment period for Martinez Renewables LLC (MRLLC) Tier 2 Pathway for Renewable Fuels for use as transportation fuel in vehicles in California., Pursuant to Section 95488.7(d)(5)(A): “Only comments related to potential factual or methodological errors will require responses from the fuel pathway applicant.” The comments received are not related to factual or methodological errors. As such, revisions to the fuel pathway application are not necessary or required. However, MRLLC desires to address the comments related to its pathway application as a participant in the Low Carbon Fuel Standard (LCFS) program.

MRLLC’s responses to the public comments received are included below, and MRLLC’s position is that no revisions to fuel pathway application B0506 are needed. We thank you for the opportunity to respond to comments on this fuel pathway application, and we respectfully request that CARB certify the pathway pursuant to Section 95488.7(d)(5)(B).

Climate Action California Comments Regarding Identify of the Third-Party Verifier

Climate Action California commented that the identity of the third-party verifier is unclear and that the Life Cycle Analysis Report appears to be completed by MRLLC itself. As disclosed in the “Staff Analysis and Recommendation” section of the “CARB Staff Summary” of the public pathway application package, Turner, Mason, and Company is the third-party verifier that MRLLC retained for the validation of the application data. Within the same section, CARB states that a positive validation statement was issued by Turner, Mason, and Company indicating that MRLLC has complied with all verification requirements, which includes the method and data within the Life Cycle Analysis Report. It is not required that the Life Cycle Analysis Report be completed by someone other than the applicant.

Climate Action California Comments Regarding ILUC

Climate Action California provided comments regarding the indirect land use change (ILUC) values for the various feedstocks identified in the pathway application. The applicable ILUC values for each

feedstock in this application are located in Table 6 of Section 95488.3(d). CARB designated that animal fats, used cooking oil, and distiller's corn oil feedstocks in this application have a zero ILUC.

Biofuelwatch Comments Regarding Confidential Business Information (CBI)

Biofuelwatch commented that significant information in the application was redacted as Confidential Business Information. The information referenced by the commenters is business confidential, was identified in accordance with section 95488.8(c) Designation of Confidential Business Information under the LCFS program and was reviewed by a third-party verifier and CARB staff.

Biofuelwatch Comments Regarding Feedstock Traceability

Biofuelwatch commented that the application lacks information to ensure that fraud is not occurring in the supply chain. MRLLC staff maintains a living monitoring plan that sets forth the processes for verifying the source and origin of the feedstocks, as reported in the pathway application pursuant to Section 95488.7(a)(2). A trained assurance team is responsible for ensuring feedstocks adhere to the monitoring plan. The monitoring plan requires the facility to obtain the feedstock origin location, name, volume from the origin, and modes of transportation for all feedstock. All feedstock pathways are vetted for regulatory compliance prior to supplying feedstock to the facility. Should potential fraud be suspected an internal investigation is initiated and if confirmed after the feedstock has been off-loaded and/or processed at the facility, notification will be made to CARB for further direction.

Biofuelwatch Comments Regarding LCFS Rulemaking

Biofuelwatch commented that the application should not be approved until after CARB completes its next round of rulemaking. This pathway application comports with the current requirements under the existing LCFS regulation located in sections 95480-95503. MRLLC will update the facility's pathway accordingly as future rulemaking is promulgated.

In summary, while MRLLC is thankful for the opportunity to address the commenters for their interest in this project, we further contend that no changes to the pending pathway application under CARB review are required and see no reason to deny or stay a certification decision on this pathway.

Sincerely,



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