



Re: Response to Comments on LCFS Fuel Pathway Application B0597

Imperial Western Products Inc. (IWP) appreciates the opportunity to provide a response to public comments on LCFS fuel pathway B0597 for biodiesel produced from waste oil. IWP understands the concerns raised in the public comments. In developing this pathway application IWP engaged with CARB staff, as well as CDFA and Cal-Recycle, to ensure that the diversion of the feedstock in question would qualify for landfill diversion credit and was additional to any legal requirements.

CARB regulation provides for methane avoidance credit for waste feedstock diverted from landfill provided certain criteria are met. As part of the pathway application, CARB staff developed Operating Conditions requiring IWP to provide, and continue to provide, additional documentation that the specific consumer-packaged food product feedstock sources, to be used under this pathway, meet this criterion. There are currently multiple certified fuel pathways for RNG that claim landfill diversion credit for food waste feedstock. The criteria for claiming landfill diversion credit are concerned only with the feedstock itself, not the type of fuel produced.¹

The conditions for claiming landfill diversion require the pathway holder to prove that any feedstock source claimed was in fact going to landfill prior to diversion for fuel use. IWP has provided documentation for each supplier of this material which included signed attestations and interviews with suppliers, and will provide landfill invoices. This documentation was reviewed by CARB staff and received a positive validation statement after review by an independent verification body. Any feedstock for which the supplier is unable to provide the additional required documentation will be ineligible for this pathway and removed from accounting.

This application is narrowly focused on food products received in consumer packaging. De-packaging of this material for beneficial reuse requires specialized equipment and processing methods which have severely curtailed diversion of this specific waste stream. IWP made significant investments to be able to de-package this material and recover the oil fraction from the food waste for biodiesel production.

In conclusion, IWP has satisfied all the requirements for this Tier 2 pathway application, and it should be certified. Broader questions raised in the comments over applicability of landfill diversion credit are up to CARB to determine in future rulemaking.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joseph Boyd', written in a cursive style.

Joseph Boyd, Director of Engineering
Imperial Western Products

1. LCFS Regulation section 95488.9(f)(2).