anew

anewclimate.com

Fangjun Kong
California Air Resources Board
P.O Box 2815
Sacramento, CA 95812

June 27, 2025

RE: Response to Public Comment - Application No. B0730, Tier 2 Pathway: Compressed Natural Gas (CNG) from Dairy Manure

Dear Fangjun,

Public comments were submitted during the 10-day public comment period for the Anew RNG, LLC ("Anew") Tier 2 Pathway for Compressed Natural Gas ("CNG") from Dairy Manure for use as transportation fuel in vehicles in California. According to §95488.7(d)(5)(A)(2), this letter provides a written response to the Executive Officer explaining why Anew, as fuel pathway holder, believes that revisions to the fuel pathway application are not necessary or required.

Anew desires to address the comments received as a participant in the Low Carbon Fuel Standard ("LCFS") program, because the comments incorrectly attribute adverse environmental damage to the renewable natural gas production project ("project"). To the contrary, the project provides long-term improvements to air quality and reductions in greenhouse gas emissions.

Anew's responses to all public comments submitted by the Animal Legal Defense Fund are included below and Anew's position is that no revisions to fuel pathway application B0730 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 §95488.7(d)(5)(B).

Sincerely,

Scott O'Neill (Jun 27, 2025 08:59 CDT)

Scott O'Neill
Head of Implementation &
Operations Anew RNG, LLC

Public Comment to the Application and Applicant Response

Comment No. 1

"…the application incorporates an unlawfully truncated system boundary that ignores feedstock production at the source…[and]…other emissions such as those from storage and disposal of digestate, resulting in artificially low Carbon Intensity (CI) values and inflated credit generation."

"[M]ore recent research indicates that emissions from factory farm gas production are significantly higher than currently appreciated, with especially high emissions from digestate storage…"

Applicant Response No. 1

The complete life cycle assessment ("LCA"), including the project system boundary, emissions associated with open-air storage and disposal of digestate, was conducted according to the existing LCFS program requirements. CARB staff verified compliance with requirements while the accredited third-party verification body verified accuracy of inputs. Anew utilized the CARB approved and publicly published CA-GREET3.0 ("GREET Model")[1] for Anaerobic Digestion of Dairy and Swine Manure life cycle analysis tool for this pathway application.

In the baseline, the wastewater treatment system at dairy farms included open air anaerobic digestion lagoons designed, permitted, and operated in accordance with established design parameters and applicable state regulations. The addition of closed-off anaerobic treatment digesters allows for the capture of biogas that would otherwise have been emitted to the atmosphere from the treatment of wastewater. Greenhouse gas ("GHG") emissions are decreased, and air quality is improved. Current operations at the farms are in compliance with all applicable laws and regulations.

Comment No. 2

"…CARB has failed to ensure that the additionality requirements of Health and Safety Code section 38562 are met. If CARB had done so, it would have concluded that the methane capture at issue is patently not additional, as the digesters at HVD and DJFF have existed since 2007 and 2022, respectively. Thus, these purported methane emission reductions would have occurred without the LCFS and are not additional."

Applicant Response No. 2

A portion of the commenter's response is addressed to CARB separately and is outside the scope of comments to this fuel pathway application. As required by sections §95488.7 and §95488.8 of the LCFS regulation[2], Anew provided all the documents and information necessary to certify a Tier2 pathway in conjunction with the approval of CARB staff. The same documents were provided to an approved third-party validator according to section §95500 of the LCFS regulation - a complete unredacted fuel pathway application and supporting material. As such, CARB issued a report ("Staff Summary") which provides an overview of the fuel pathway application, the renewable natural gas production operations, and ongoing operating

[1] Tier 1 Simplified CI Calculator for Biomethane from Anaerobic Digestion of Dairy and Swine Manure

[2] https://ww2.arb.ca.gov/sites/default/files/2020-07/2020_lcfs_fro_oal-approved_unofficial_06302020.pdf

conditions to which the fuel pathway will be subject.

Comment No. 3

"…this application is a good example of how CARB's flawed approach is rewarding the biggest factory farm polluters and incentivizing further expansion and herd consolidation, which does more climate harm than good. The source factory farms are not sustainable family farms—they are large industrial operations that confine a total of 10,650 cows. CARB should not allow these factory farms—or the applicant—to profit from the LCFS."

Applicant Response No. 3

A portion of the commenter's response is addressed to CARB separately and is outside of the scope of this fuel pathway application. However, we agree with the mission and objective of the LCFS program to incentivize the reduction of methane and support a project's ongoing operations by rewarding project owners that mitigate methane venting, reduce flaring, or improve manure management practices and reduce the overall energy demand of the project. The pathway application was vetted by both CARB and a third-party verification body and was found to comply with regulatory requirements.

The dairy farms pertaining to this application manage their livestock supply and consumer dairy products in response to economic demand. Furthermore, the LCFS program incentivizes farm owners to make environmentally conscious investments to collect, clean and repurpose biogas generated from a preexisting by-product of the farms.

Comment No. 4

"…this application is so opaque that it is impossible for Commenters or other stakeholders to meaningfully evaluate it. The lifecycle analysis redacts information critical to understanding the CI calculation."

Applicant Response No. 4

As required by sections §95488.7 and §95488.8 of the LCFS regulation, Anew provided all documents and information necessary to certify a Tier 2 pathway in conjunction with the approval of CARB staff. The same documents were provided to an approved third-party validator according to section §95500 of the LCFS regulation. The documents include comprehensive baseline and project information, including, but not limited to, the number of livestock, manure management practices and parameters, local environmental conditions, and metered project operational records.

The third-party validator reviewed the entirety of the baseline and project data Anew used in the GREET Model and issued a positive validation statement. Furthermore, CARB also performed their independent review of the prior to being posted for the 10-day public comment period.

The CARB Staff Summary posted for public review ensures that all pathway information required for public comment is unredacted. For example, an LCA report discloses a summary of historic and current manure management practices, average number of dairy livestock and other details regarding the fuel pathway application and farm operations.

All redacted information in the documents posted for public comment constitutes "Confidential Business Information" exempt from public disclosure under the California Public Records Act (see Section 7924.510 of the California Government Code , redacted in accordance with CARB guidance document 20-05)[3]. In addition, any modifications to the default equations or assumptions of the GREET Model were also included with the applicant's public posting.

Comment No. 5

"…the inflated CI values CARB proposes here work an additional environmental injustice on California citizens who will be exposed to higher levels of pollution from fossil transportation fuel and dirty vehicles made possible by excessive credit generation…"

Applicant Response No. 5

The commenter offers no evidence that communities will be further harmed through this pathway, specifically from higher levels of pollution from fossil transportation fuel and dirty vehicles. This project will reduce methane and other GHG emissions with the capture of biogas produced from uncovered lagoons and supports CARB's objective to reduce greenhouse gas emissions and decrease petroleum dependence in the transportation sector. Methane is a short- lived climate pollutant that is 25 times more harmful and potent than carbon dioxide as indicated by CARB's default value in the submitted GREET Model.

[3] Low Carbon Fuel Standard (LCFS) Guidance 20-05

B0730-response

Final Audit Report 2025-06-27

Created:	2025-06-27
By:	Fanni Kákóczki (fkakoczki@anewclimate.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAHRaIRRDUz1OhDqsd-aMKSlBF4G0Om6ZR

"B0730-response" History

Document created by Fanni Kákóczki (fkakoczki@anewclimate.com)
2025-06-27 - 9:56:15 AM GMT

Document emailed to soneill@anewclimate.com for signature
2025-06-27 - 9:56:19 AM GMT

Email viewed by soneill@anewclimate.com
2025-06-27 - 9:59:39 AM GMT

Signer soneill@anewclimate.com entered name at signing as Scott O'Neill
2025-06-27 - 1:59:47 PM GMT

Document e-signed by Scott O'Neill (soneill@anewclimate.com)
Signature Date: 2025-06-27 - 1:59:49 PM GMT - Time Source: server

Agreement completed.
2025-06-27 - 1:59:49 PM GMT