



Regulatory Advisory



Low Carbon Fuel Standard (LCFS) Advisory 20-01

NOTICE OF EXTENSION OF DEEMED COMPLETE DATE FOR QUARTER 1 2020 TIER 1 FUEL PATHWAY APPLICATIONS

March 2020

The California Air Resources Board (CARB) has granted a 45-day extension, from March 31 to May 15, 2020, for pending Tier 1 fuel pathway applications to be deemed complete and thereby eligible for reporting fuel transactions that occurred during Quarter 1 (Q1) 2020 under the Low Carbon Fuel Standard (LCFS) Regulation.¹ This one-time extension is designed to facilitate the implementation of the phase in of third party validation requirements, by providing additional time for fuel pathway applicants to work with recently CARB-accredited third-party verification bodies to obtain a validation statement. The extension applies only to Tier 1 fuel pathway applications that were submitted in, or prior to, Q1 2020, which are subject to third-party validation requirements.

BACKGROUND

Amendments to the LCFS Regulation became effective in January 2019. Pursuant to section 95488(c)(2) of the LCFS regulation, Tier 1 fuel pathway applicants must obtain a third-party validation statement for all fuel pathway applications pending or submitted on or after January 1, 2020.

Pursuant to section 95488.6(b)(1) of the LCFS regulation, a positive or qualified positive validation statement must be received by the Executive Officer from the verification body in order for CARB's completeness review, evaluation, and certification of the pathway application to proceed. The third-party validation statement must be obtained within six months from the date of fuel pathway application submission. If this requirement is not met, the submitted fuel pathway application will be denied without prejudice.

Pursuant to section 95488.6(b)(3)(B) of the LCFS regulation, a certified fuel pathway is available for reporting for the quarter in which it was deemed complete, if applicable, provided that the reporting deadline for that quarter has not passed. This means that a pathway which is deemed complete in Q1 (by March 31, 2020) can report fuel transactions that occurred during Q1, provided that the pathway is certified and available for reporting prior to the Q1 reporting deadline (June 30, 2020).

¹ All citations to the LCFS Regulation are title 17 to the California Code of Regulation (CCR), sections 95480-95503.

CONTACT

If you have questions regarding the above information, please contact Anil Prabhu, Manager Fuels Evaluation Section, at Anil.Prabhu@arb.ca.gov.