

## California Wastewater Climate Change Group

---

April 8, 2010

Mr. Gary Collord  
Energy Section  
California Air Resources Board  
gcollord@arb.ca.gov

RE: Comments on RES Preliminary Draft Regulation

Dear Mr. Collord:

The California Wastewater Climate Change Group's (CWCCG) mission is to address climate change policies, initiatives, and challenges through a unified voice representing California wastewater community perspectives. Together, CWCCG's members provide an essential public service by treating over 90% of the municipal wastewater in California. In addition, our members are active in developing renewable energy opportunities at our facilities, including combustion of digester and landfill gas, conversion of biosolids to energy, as well as solar applications. We attended the March 18 and April 5 workshops on the Renewable Electricity Standard (RES) and appreciate this opportunity to comment on the Preliminary Draft Regulation.

### §97002. Definitions and Acronyms (5) "Eligible renewable energy resources"

The CWCCG supports the proposal that a generating facility that meets the criteria of the California RPS be considered eligible under the RES.

Specifically, we are engaged in projects relating to biodiesel, biomass, digester gas, landfill gas, solar thermal, conduit hydro, and fuel cells using renewable fuel, and we would like to ensure that these projects are eligible under the RES. We note that the RES provides California with a unique opportunity to productively use *all* of the waste products generated by our society, irrespective of the resources specifically being mentioned in state law, a regulation, or a guidance document.

### §97002. Definitions and Acronyms (13) "Renewable Energy Credit or REC"

As we've discussed with you, we note that the new definition of "Renewable Energy Credit or REC" specifies that "A REC does not include ... any credits or payments associated with the reduction of solid waste and treatment benefits created by the utilization of biomass or biogas fuels." While we understand that this language may have come from a previous CPUC decision, we are concerned that the language may be confusing and result in diminished opportunities for wastewater-initiated projects using biomass or biogas to be eligible for RECs. We believe there is significant benefit to utilizing biomass and biogas fuels at wastewater facilities in California to produce distributed renewable energy, and we therefore request that this language be stricken or clarified.

We are happy to work with CARB staff to refine this definition and would invite the opportunity to schedule a conference call to discuss.

### §97004. Renewable Electricity Standard Requirements

The CWCCG endorses Option 2, allowing the use of "tradable" RECs consistent with the approach identified by the CPUC, as the preferred approach for achieving the 33% target. Establishment of a viable compliance-based REC market would help the State meet its RPS goals by allowing existing distributed generation to be counted, and would stimulate the development of future renewable projects by providing a clear financial incentives that could tip the balance between building or not building a renewable project. Use of tradable RECs creates the broadest market and therefore the greatest incentives for distributed generation.

## **Conclusion**

Thank you again for your interest in working with stakeholders and for this opportunity to comment. We would welcome the opportunity to meet with you and other staff to discuss our perspective in more detail. Please feel free to contact me at (510) 206-3820 or [jkepke@ch2m.com](mailto:jkepke@ch2m.com).

Sincerely,

A handwritten signature in blue ink that reads "Jacquelin Kepke". The signature is written in a cursive style.

Jackie Kepke, P.E.

Program Manager  
California Wastewater Climate Change Group