

California Environmental Protection Agency



Air Resources Board

*LCFS Sustainability
Workgroup Meeting*

October 20, 2011

Agenda

- Welcome and Introductions
- Recap Draft Provisions – Human and Labor Rights
- Speaker Presentation:
 - International Labor Organization
- Recap Draft Provisions – Legality and Land Rights
- Speaker Presentation:
 - California Rural Legal Assistance
- Discuss Draft Provisions: Technology and Transparency
- Next Steps

Principles

1. Legality
2. Planning, monitoring, and continuous improvement
3. GHG emissions
4. Conservation and biodiversity
5. Soil
6. Water
7. Air
8. Technology and Transparency
9. Human and labor rights
10. Rural and social development
11. Local food security
12. Land rights



Human and Labor Rights

Principle 9: Human and Labor Rights

Biofuel operations do not violate human rights or labor rights.

Responsible Operators: Feedstock Producer, Feedstock Processor, Biofuel Producer

9.1 Biofuel operations do not adversely affect workers' rights and working relationships.

9.1.1 Employees must be allowed the freedom to organize and negotiate working conditions without discrimination, fear of termination, or any other reprisal.

Human and Labor Rights (cont'd)

- 9.1.2 There will be no forced or slave labor. The responsible operator will not engage in or support forced or slave labor.
- 9.1.3 There will no child labor except on family farms if it's not interfering with the child's education. The age limit is 14 unless national legislation defines it otherwise.
- 9.1.4 The employer shall not require employees to work more than ___ hours per 24-hour period and shall be allowed a 24-hour rest every six consecutive days worked.

Human and Labor Rights (cont'd)

- 9.1.5 Wages are fair, negotiated annually, meeting at least legal or industry minimum levels, paid in a form convenient to employee and paid regularly.
- 9.1.6 The employer provides the employees with written contracts detailing wage, working hours, breaks, rest days, to include seasonal and subcontractor workers that are signed by both the employer and employee.

Human and Labor Rights (cont'd)

- 9.1.7 The employer provides documentation that employees receive training on health and safety, equipment use and handling, hazardous materials, emergency procedures.

- 9.1.8 Access to potable drinking water, clean toilets, clean place to eat, access to adequate medical care (physically and financially). On-site living quarters are clean, safe, have basic services and facilities (running water, toilets, sound roof).



Presentation

Emily Sims

International Labor Organization

Recap of Draft Provisions – Legality and Land Rights

- Comments received
- Revised draft provisions posted to website
- Continue to accept comments

Presentation

Cynthia Rice

California Rural Legal Assistance

Discuss Draft Provisions – Technology and Transparency

Principle 8: Technology and Transparency

The use of technologies in biofuel operations shall seek to maximize production efficiency and social and environmental performance, and minimize the risk of damages to the environment and people. (RSB)
Production of certified biomass shall be transparent (CSBP-P8)
Biomass producers and fuel developers will continuously improve practices and outcomes based on the best available science (CSBP-P9)

Responsible Operators: Feedstock Producer, Feedstock Processor, Biofuel Producer

Technology and Transparency (cont'd)

- 8.1 Make certification and general information on biofuel production available to the general public unless the information is protected by national intellectual property laws or is proprietary. (RSB, CSBP)
 - 8.1.1 Responsible operator provides documented evidence demonstrating that information on the use of technologies in biomass/biofuel operations is publicly available except when the information is protected by national law or international agreements on intellectual property.

Technology and Transparency (cont'd)

- 8.2 The technologies used in biofuel operations including genetically modified: plants, microorganisms, and algae minimize the risk of damages to environment and people, and improve environmental and/or social performance over the long term (RSB)
 - 8.2.1 The use of genetically modified organisms follow relevant national or international laws and agreements and local and community agreements or understandings.

Technology and Transparency (cont'd)

- 8.2.2 Responsible operator identifies any risks from technologies used to the community, industries, and the environment. The responsible operator demonstrates that any negative impacts identified from the technologies are avoided and/or mitigated.
- 8.2.3 Responsible operator demonstrates social and environmental benefits from the technologies used for biofuel operations.

Technology and Transparency (cont'd)

- 8.3 Microorganisms used in biofuel operations which may represent a risk to the environment or people are adequately contained to prevent release into the environment. (RSB)
 - 8.3.1 Avoid introduction or production of any microorganisms that are potentially invasive or pose a risk (pathogenic, mutagenic, contaminant, etc.) to human health or the environment to be released outside the processing/production unit.

Technology and Transparency (cont'd)

- 8.3.2 Responsible operator that uses genetically modified organisms or other microorganisms that pose a risk includes in their management plan the adoption of practices that limit the spread of the microorganism, a monitoring program and that emergency procedures are in place in case of accidental spread or exposure to the environment. (RSB, CSBP)
- 8.4 Residues, wastes, and byproducts from feedstock processing and biofuel production units are managed such that soil, water, and air physical, chemical, and biological conditions are not damaged. (RSB)

Next Steps

- Next LCFS Sustainability Workgroup Meeting - November 22, 2011
 - Revisit Principles 4 and 8
 - Speaker Presentations

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Thank You!