

California Environmental Protection Agency



Air Resources Board

*LCFS Sustainability
Workgroup Meeting*

August 11, 2011

Agenda

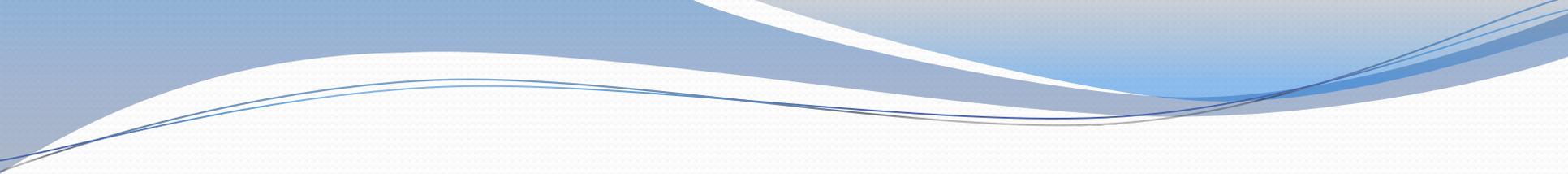
- Welcome and Introductions
- Broad Discussion of Comments Received
- Principle 7 (Air)
- Draft Principles 1, 9, and 12
- Presentation and Discussion –
 - Meredith Dorneker, University of Missouri
- Next Steps

Principles

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

Revised Draft LCFS Sustainability Principles 4 to 7

- Incorporating edits
- Revised draft to be posted to website
- Remain open to new comments



Comments Discussion

Comments on Principles 4-7

- Thank you for comments
- Text compels responses
- Will not discuss in detail Principles 4-6 today
- Would like an initial broad discussion on comments received

Comments on Principles 4-7 (Cont.)

- Duplication of existing laws and regulations
- Too detailed and prescriptive
- Ambiguous
- Needs to be site-specific

Comments on Principles 4-7 (Cont.)

- Potentially burdensome
- Impossible to implement at farm level
- Need to consider other alt fuels (natural gas, electricity, hydrogen)
- Need to consider petroleum-based fuels

Principle 7: Air

Air pollution from biofuel production shall be minimized.

Responsible Operators: Feedstock Producer, Feedstock Processor, Biofuel Producer

Air (continued)

- 7.1 A good practices environmental management plan (part of Principle 2) is implemented that includes minimization of air pollution emissions.
 - 7.1.1 The responsible operator shows that air pollutants released from the biomass/biofuel operations are identified and a mitigation plan is in place.

Air (continued)

- 7.2 The responsible operator shows that open-air burning as part of land clearing or waste disposal is avoided.
 - 7.2.1 National interpretation should identify any specific situations where such use of fire may be acceptable, for example through reference to 'Guidelines for the implementation of the ASEAN policy on zero burning', or comparable guidelines in other locations.
- 7.3 Pursuant to Principle 1 (Legality), responsible operator shall obtain and comply with applicable air pollution permits from local, regional, state, and/or federal agencies.

Principles

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



Legality

Principle 1: Legality

Biofuel operations will comply with all applicable local, national, and international laws and regulations. (RSB, RTFO, ISCC, CSBP)

Responsible Operators: Feedstock Producer, Feedstock Processor, Biofuel Producer

Legality cont'd

- 1.1 Biomass/biofuel operations shall comply with all applicable federal, state, and local laws, statutes and regulations.
 - 1.1.1 Responsible operators shall show that they are familiar with and in compliance with all relevant federal, state and local legislations. (RSB, RTFO, CSBP)
 - 1.1.2 Responsible operators show that a program is in place to keep permits from all relevant federal, state, and local entities in compliance. (RSB, CSBP)



Human and Labor Rights

Principle 9: Human and Labor Rights

Biofuel operations do not violate human rights or labor rights.
ILO Conventions 29, 105, 138, 182, 87, 98, 100, 111

9.1 Biofuel operations do not adversely affect workers' rights and working relationships (RTFO)

9.1.1 Employees must be allowed the freedom to organize and negotiate working conditions without discrimination, fear of termination, or any other reprisal. (ILO 87, 98, 111) (RTFO, CSBP, RSB)

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. (ILO 29, 105) (RTFO, RSB)

- 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. (RTFO)

Human and Labor Rights cont'd

- 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. (CSBP, RTFO)

- 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. (ISCC, RTFO)

Human and Labor Rights cont'd

- 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. (RTFO, CSBP)

- 9.1.7 The employer provides documentation that employees receive training on health and safety, equipment use and handling, hazardous materials, emergency procedures. (CSBP, ISCC, RSB, RTFO)

Human and Labor Rights cont'd

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) (RFTO, ISCC)



Land Rights

Principle 12: Land Rights

Biofuel operations shall respect existing land rights.

Responsible Operators: Feedstock Producer, Feedstock Processor, Biofuel Producer

- 12.1 The right to use the land can be demonstrated and is not legitimately contested by local communities with demonstrable rights and respects important areas for local people. (Bonsucro, RTFO)

Land Rights cont'd

- 12.2 Procedures are in place to consult and communicate with local populations and interest groups on plans and activities that may negatively affect the legal or customary rights, property, resources, or livelihoods of local peoples. (RTFO)

Next Steps

- Next LCFS Sustainability Workgroup Meeting
- Schedule

Contacts

**Mike Waugh, Chief
Transportation Fuels
Branch**

916.322.6020

mwaugh@arb.ca.gov

Carmen Spranger

916.322.2778

csprange@arb.ca.gov

Michelle Buffington

916.324.0368

mbuffing@arb.ca.gov

Aubrey Sideco

916.324.3334

asideco@arb.ca.gov

Website: <http://www.arb.ca.gov/fuels/lcfs/workgroups/lcfssustain/lcfssustain.htm>



Thank You!