



# Building Trades Council

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## Kern, Inyo, & Mono Counties of California AFL-CIO

June 18, 2015

Clerk of the Board  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

Subject: Comments of the 15 Day Regulatory Package for the LCFS Regulation

The Kern, Inyo and Mono Counties Building and Construction Trades Council strongly supports the Low Carbon Fuel Standard's (LCFS or regulation) provisions for Low Complexity – Low Energy Use Refiners (LCLE Refiners). These provisions recognize that not all refineries are the same. We believe that there are solid policy and technical justifications for this distinction to be codified in the LCFS. The Air Resources Board (CARB or Board), as well as, the U.S. Environmental Protection Agency have traditionally recognized in their regulatory programs the unique value small refiners (LCLE) occupy in both the oil and finished fuel markets, as well as, their unique configurations and operating constraints. Recognizing that difference is a very positive step.

However, we are disappointed that the proposed final regulatory provisions for the re-adoption of California's Low Carbon Fuel Standard (15-day changes) fails to recognize Alon's Bakersfield Refinery as a low carbon fuel producer (LCLE). The facility is configured and engineered to produce low CI base fuels. It is for this reason that we are saddened that staff was unable to agree on a solution that would include all of California's truly LCLE refineries. The staff had an opportunity to make the LCF's LCLE provisions work for all low carbon intensity refineries in California, but decided against various compromise proposals presented, including proposals to limit the benefit and single LCLE refiner could receive in an attempt to deal with staff's concerns for "regulatory creep" and "breaking the bank".

**We strongly urge the Board to direct staff to revisit this issue at the earliest opportunity.**

Respectfully submitted,

  
John Spaulding  
Executive Secretary