



MARK PESTRELLA, CHAIR
MARGARET CLARK, VICE - CHAIR

LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
900 SOUTH FREMONT AVENUE, ALHAMBRA, CALIFORNIA 91803-1331
P.O. BOX 1460, ALHAMBRA, CALIFORNIA 91802-1460
www.lacountyiswmtf.org

August 28, 2018

Ms. Mary Nichols, Chair
California Air Resources Board (CARB)
1001 I Street
Sacramento, CA 95814

Dear Ms. Nichols:

COMMENTS ON THE PROPOSED AMENDMENTS TO THE LOW CARBON FUEL STANDARD REGULATION AND TO THE REGULATION ON COMMERCIALIZATION OF ALTERNATIVE DIESEL FUELS – AUGUST 13, 2018

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) appreciates the opportunity to offer comments on California Air Resources Board (CARB) Second Notice of Public Availability of Modified Text and Availability of Additional Documents and Information on the Proposed 2018 Amendments to the Low Carbon Fuel Standard Regulation (LCFS) and to the Regulation on Commercialization of Alternative Diesel Fuels:

<https://www.arb.ca.gov/regact/2018/lcfs18/15dayatta2.pdf>

The Task Force has reviewed the modified text for the proposed amendments and offers the following, a copy of which is being submitted electronically to:

https://www.arb.ca.gov/lispub/comm/bcsubform.php?listname=lcfs18&comm_period=1

The Task Force previously commented on the CARB Staff Report: Initial Statement of Reasons (Staff Report), dated March 6, 2018, and the CARB Staff's Modifications to the Proposed 2018 Amendments, dated June 20, 2018. For reference, copies of the previous comments are enclosed.

- Page 9: The current modifications to the amendments propose to expand the definition of “biomethane,” also referred to as “renewable natural gas,” in Section 95481 of the Health and Safety Code to include synthetic natural gas derived from renewable resources, including the organic portion of municipal solid waste, which has been upgraded to meet standards for injection into a natural gas common carrier pipeline, or for use in natural gas vehicles, natural gas equipment, or production of renewable hydrogen. The previous version of the amendments limited the definition of “biomethane” to meeting pipeline quality natural gas

standards online. The Task Force thanks CARB for expanding the definition of “biomethane.” However, the Task Force continues to believe that the definition of “biomethane” should not be limited by end use and should include any natural gas derived from renewable resources regardless of its end use.

- Page 32: Section 95482 exempts non-biomass-based fuels that are “supplied in California at an aggregated quantity of less than 420 million MJ (3.6 million gasoline gallon equivalent) per year” from LCFS requirements. The exemption should apply to all fuels including biomass-based fuels so as not to discourage the production and use of biomass-based fuels in the state.
- Page 33: Page II-6 of the Staff Report proposed to remove the opt-in status of fossil compressed natural gas (CNG). In the previous version of the modified text released in June 2018, Section 95482 of the Health and Safety Code was previously modified to exempt small fossil compressed natural gas (CNG) fueling stations with a total throughput of 50,000 gasoline-gallons equivalent or less per year from LCFS requirements until the respective fuels become deficit generating to allow small station operators to participate in the LCFS. The current version of the modified text increases the throughput limit to 150,000 gasoline-gallons equivalent or less per year.

The biogas market has significant potential to expand over the next few years due to the organic waste disposal reduction mandated by Senate Bill 1383 (Chapter 395 of the 2016 State Statutes) and its implementing regulation, which focuses on anaerobic digestion (AD) technologies and processes to generate biogas and biomethane. Additionally, as monetary incentives for biomethane pipeline infrastructure projects become available pursuant to Assembly Bill 2313 (Chapter 571 of the 2016 State Statutes), it is important that the existing infrastructure for natural gas be properly maintained to provide short-term storage for biomethane and increase access to biomethane for transportation fleets and other end users.

The Task Force thanks CARB for increasing the throughput limit for small fossil CNG fueling stations. However, the Task Force strongly believes that CARB needs to extend the phase-out of all fossil CNG, not limited to small fueling stations, to allow the biogas market to expand to make use of the existing infrastructure and avoid discouraging investments in gas pipeline infrastructure until additional in-state infrastructure is developed to provide for the state’s needed renewable CNG.

As indicated in our previous communications, the Task Force strongly believes that the State and/or CARB should implement measures incentivizing funding (grants, low interest loans, tax reductions, etc.) to develop infrastructure, such as waste

processing facilities and biomethane pipelines, that is needed to produce low-carbon intensity (CI) fuels to comply with the LCFS regulations as well as to meet the organic waste disposal reduction targets of Senate Bill 1383. The availability of such infrastructure is crucial to achieve the 2020 and 2025 organic waste disposal reduction targets of 50 percent and 75 percent, respectively. The 88 cities in Los Angeles County and the County unincorporated communities currently have a maximum organic waste composting and AD processing capacity of approximately 0.5 million tons per year and approximately 1.3 million tons per year of chipping and grinding capacity. Additionally, it is estimated that jurisdictions in Los Angeles County also dispose over 3.5 million tons per year of organic waste. Additional composting and especially AD infrastructure, at an estimated cost of over one billion dollars, is needed to address this capacity shortfall. The Task Force also believes that some funding assistance from Cap and Trade should be made available to jurisdictions for the construction and operation of the needed facilities.

This funding for waste processing facilities should not be limited to AD and composting facilities only and should also include non-combustion thermal conversion technologies (CTs). These facilities can produce low-CI fuels and reduce emissions of methane and other greenhouse gases (GHGs) by processing recyclable materials and thus, avoid potential landfill disposal of recyclable materials due to China's National Sword Policy.

- Page 296: Page III-137 of the Staff Report designated separated food waste as a "specified source feedstock" subject to additional documentation requirements. On page 254 of the modified text that was released in March 2018, along with the Staff Report, CARB Staff proposed to modify Section 95491.1(a)(2)(F) of the Health and Safety Code to require applicants to maintain a copy of the U.S. EPA RFS Program Separated Food Waste Plan. The Task Force requests that CARB incorporate language into Section 95491.1(a)(2)(F) of the Health and Safety Code to ensure that this additional documentation is consistent with Senate Bill 1383 implementing regulations such that it does not discourage use of separated food waste as a feedstock to produce fuel.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939 [AB 939], as amended), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities and to ensure a coordinated, cost-effective, and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles

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County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

The Task Force respectfully requests that CARB consider these comments and include them in the adopted regulations. Should you have any questions regarding these comments, please contact Mr. Mike Mohajer, a member of the Task Force, at MikeMohajer@yahoo.com or at (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Mayor Pro Tem, City of Rosemead

KV:cso

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Enc.

cc: CARB (Richard Corey, Steve Cliff, Edie Chang, Kurt Karperos)
League of California Cities
League of California Cities, Los Angeles County Division
California State Association of Counties
Each Member of the Los Angeles County Board of Supervisors
Sachi A. Hamai, Los Angeles County Chief Executive Officer
Each City Mayor/Manager in the County of Los Angeles
South Bay Cities Council of Governments
San Gabriel Valley Council of Governments
Gateway Cities Counsel of Governments
Southern California Association of Governments (Frank Wen)
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Solid Waste Management
Committee/Integrated Waste Management Task Force
Each Member of the Task Force Alternative Technology Advisory Subcommittee
Each Member of the Task Force Facility Plan Review Subcommittee



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July 3, 2018

Ms. Mary Nichols, Chair
California Air Resources Board (CARB)
1001 I Street
Sacramento, CA 95814

Dear Ms. Nichols:

COMMENTS ON STAFF'S MODIFICATIONS TO THE PROPOSED 2018 AMENDMENTS TO THE LOW CARBON FUEL STANDARD REGULATION AND TO THE REGULATION ON COMMERCIALIZATION OF ALTERNATIVE DIESEL FUELS – JUNE 20, 2018

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) appreciates the opportunity to offer comments on California Air Resources Board (CARB) Staff's Modifications to the Proposed 2018 Amendments to the Low Carbon Fuel Standard Regulation (LCFS) and to the Regulation on Commercialization of Alternative Diesel Fuels:

<https://www.arb.ca.gov/regact/2018/lcfs18/15dayatta.pdf>

The Task Force has reviewed the modified text for the proposed amendments and offers the following, a copy of which is being submitted electronically to:

https://www.arb.ca.gov/lispub/comm/bcsubform.php?listname=lcfs18&comm_period=1

A copy of the Task Force's previous comments on the CARB Staff Report: Initial Statement of Reasons (Staff Report), dated March 6, 2018, is enclosed for reference.

General Comment:

- The Staff Report stated that CARB anticipates that Renewable Natural Gas (RNG) pathways will continue to have carbon intensities (CIs) below the declining benchmarks set forth by these regulations and therefore RNG will maintain its opt-in status. The Task Force would like to know if the calculation for Low Carbon Fuel Standard (LCFS) credits for waste-derived RNG takes into consideration the amount of greenhouse gas (GHG) emissions that will be reduced by diverting waste away from landfills, and would like to be provided with a copy of analysis.

Specific Comments:

- Page 4: The previous version of the amendments proposed to expand the definition of “biomethane,” also referred to as “renewable natural gas,” in Section 95481 of the Health and Safety Code to include synthetic natural gas derived from renewable resources and changed the description of the fuel to simply one that “meets pipeline quality natural gas standards.” The modifications to the amendments change the definition of “biomethane” to mean a synthetic natural gas derived from renewable resources “which has been upgraded for use in natural gas vehicles.” The definition of “biomethane” should not be limited to fuels upgraded for use in natural gas vehicles only. The definition of “biomethane” should include any natural gas derived from renewable resources regardless of its end use.
- Page 4: The Task Force thanks CARB for specifying that the definition of “biomethane,” also referred to as “renewable natural gas,” will include gas produced from feedstocks such as the organic portion of municipal solid waste.
- Page 9: Section 95482 of the Health and Safety Code has been modified to exempt small fossil compressed natural gas (CNG) fueling stations from LCFS requirements until the respective fuels become deficit generating to allow small station operators to participate in the LCFS. Page II-6 of the Staff Report proposed to remove the opt-in status of fossil compressed natural gas (CNG). The biogas market has significant potential to expand over the next few years due to the organic waste disposal reduction mandated by Senate Bill 1383 (Chapter 395 of the 2016 State Statutes) and its implementing regulation, which focuses on anaerobic digestion (AD) technologies and processes to generate biogas and biomethane. Additionally, as monetary incentives for biomethane pipeline infrastructure projects become available pursuant to Assembly Bill 2313 (Chapter 571 of the 2016 State Statutes), it is important that the existing infrastructure for natural gas be properly maintained to provide short-term storage for biomethane and increase access to biomethane for transportation fleets and other end users. As such, the Task Force strongly believes that CARB needs to extend the phase-out of all fossil CNG, not limited to small fueling stations, to allow the biogas market to expand to make use of the existing infrastructure and avoid discouraging investments in gas pipeline infrastructure until additional in-state infrastructure is developed to provide for the state’s needed renewable CNG.

The State and/or CARB should implement measures allocating funding to develop infrastructure, such as waste processing facilities and biomethane pipelines, that is needed to produce low-CI fuels to comply with the LCFS regulations as well as to meet the organic waste disposal reduction targets of Senate Bill 1383. The

availability of such infrastructure is crucial to achieve the 2020 and 2025 organic waste disposal reduction targets of 50 percent and 75 percent, respectively. The 88 cities in Los Angeles County and the County unincorporated communities currently have a maximum organic waste composting and AD processing capacity of approximately 0.5 million tons per year and approximately 1.3 million tons per year of chipping and grinding capacity. Additionally, it is estimated that jurisdictions in Los Angeles County also dispose over 3.5 million tons per year of organic waste. Additional composting and especially AD infrastructure, at an estimated cost of over one billion dollars, is needed to address this capacity shortfall. The Task Force believes that some funding assistance from Cap and Trade should be made available to jurisdictions for the construction and operation of the needed facilities.

This funding for waste processing facilities should not be limited to AD and composting facilities only and should also include non-combustion thermal conversion technologies (CTs). These facilities can produce low-CI fuels and reduce emissions of methane and other GHGs by processing recyclable materials and thus avoid potential landfill disposal of recyclable materials due to China's National Sword Policy.

- Page 55: Page III-94 of the Staff Report designated waste-derived fuels and pipeline-injected biomethane from landfills as "specified source feedstocks" to help provide transparency of the feedstock chain for high-risk feedstocks which would be subject to additional documentation requirements. The Task Force requests that CARB incorporate language into Section 95488.8(g)(1)(A) of the Health and Safety Code to ensure that the additional documentation requirements are not overly burdensome, compared to documentation requirements for other feedstocks to the point of discouraging the production of waste-derived fuels and pipeline-injected biomethane from landfills.
- Page 95: Page III-137 of the Staff Report designated separated food waste as a "specified source feedstock" subject to additional documentation requirements. The Task Force requests that CARB incorporate language into Section 95491.1(a)(2)(F) of the Health and Safety Code to ensure that this additional documentation is consistent with Senate Bill 1383 implementing regulations such that it does not discourage use of separated food waste as a feedstock to produce fuel.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939 [AB 939], as amended), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities

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and to ensure a coordinated, cost-effective, and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

The Task Force respectfully requests that CARB consider these comments and include them in the adopted regulations. Should you have any questions regarding these comments, please contact Mr. Mike Mohajer, a member of the Task Force, at MikeMohajer@yahoo.com or at (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Mayor Pro Tem, City of Rosemead

KV:cso

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Enc.

cc: CARB (Richard Corey, Steve Cliff, Edie Chang, Kurt Karperos)
League of California Cities
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California State Association of Counties
Each Member of the Los Angeles County Board of Supervisors
Sachi A. Hamai, Los Angeles County Chief Executive Officer
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San Gabriel Valley Council of Governments
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Southern California Association of Governments (Frank Wen)
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Solid Waste Management
Committee/Integrated Waste Management Task Force
Each Member of the Task Force Alternative Technology Advisory Subcommittee
Each Member of the Task Force Facility Plan Review Subcommittee



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April 23, 2018

Ms. Mary Nichols, Chair
California Air Resources Board (CARB)
1001 I Street
Sacramento, CA 95814

Dear Ms. Nichols:

COMMENTS ON THE STAFF REPORT: INITIAL STATEMENT OF REASONS FOR THE PROPOSED 2018 AMENDMENTS TO THE LOW CARBON FUEL STANDARD REGULATION AND TO THE REGULATION ON COMMERCIALIZATION OF ALTERNATIVE DIESEL FUELS – MARCH 6, 2018

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) appreciates the opportunity to offer comments on the California Air Resources Board's (CARB) Staff Report of Initial Statement of Reasons for the Proposed 2018 Amendments to the Low Carbon Fuel Standard Regulation (LCFS) and to the Regulation on Commercialization of Alternative Diesel Fuels, dated March 6, 2018, Staff Report.

<https://www.arb.ca.gov/regact/2018/lcfs18/isor.pdf>

The Task Force has reviewed the Staff Report for the proposed amendments and offers the following, a copy of which is being submitted electronically to:

https://www.arb.ca.gov/lispub/comm/bcsubform.php?listname=lcfs18&comm_period=A

- Page II-6: The Staff Report states that CARB anticipates that Renewable Natural Gas (RNG) pathways will continue to have carbon intensities (CIs) below the declining benchmarks set forth by these regulations and; therefore, RNG will maintain its opt-in status. The Task Force would like to know if the

calculation for Low Carbon Fuel Standard (LCFS) credits for waste-derived RNG takes into consideration the amount of greenhouse gas (GHG) emissions that will be reduced by diverting waste away from landfills, and would like to be provided with a copy of analysis.

- Page II-6: The Staff Report proposes to remove the opt-in status of fossil compressed natural gas (CNG). The biogas market has significant potential to expand over the next few years due to the organic waste disposal reduction mandated by Senate Bill 1383 (Chapter 395 of the 2016 State Statutes) and its implementing regulation, which focuses on anaerobic digestion (AD) technologies and processes to generate biogas/biomethane. Additionally, as monetary incentives for biomethane pipeline infrastructure projects become available pursuant to Assembly Bill 2313 (Chapter 571 of the 2016 State Statutes), it is important that the existing infrastructure for natural gas be properly maintained to provide short-term storage for biomethane and increase access to biomethane for transportation fleets and other end users. As such, the Task Force strongly believes that CARB needs to extend the phase-out of fossil CNG to allow the biogas market to expand to make use of the existing infrastructure and avoid discouraging investments in gas pipeline infrastructure until additional in-state infrastructure is developed to provide for the state's needed renewable CNG.

The State and/or CARB should implement measures allocating funding to develop infrastructure, such as waste processing facilities and biomethane pipelines, that is needed to produce low-CI fuels to comply with the LCFS regulations as well as to meet the organic waste disposal reduction targets of SB 1383. This funding for waste processing facilities should not be limited to AD and composting facilities only and should also include non-combustion thermal conversion technologies (CTs) that can produce low-CI fuels and reduce emissions of methane and other GHGs. The availability of such infrastructure is crucial to achieve the 2020 and 2025 organic waste disposal reduction targets of 50 percent and 75 percent, respectively. The 88 cities in Los Angeles County and the County unincorporated communities currently have a maximum organic waste composting and AD processing capacity of approximately 0.5 million tons per year and approximately 1.3 million tons per year of chipping and grinding capacity. Additionally, it is estimated that jurisdictions in Los Angeles County also dispose over 3.5 million tons per year of organic waste. Additional composting and especially AD infrastructure, at an estimated cost of over one billion dollars, is needed to address this capacity shortfall. The Task Force believes that some funding assistance from Cap and Trade should be made to jurisdictions for the construction and operation of the needed facilities.

- Page III-4: The current LCFS regulation omits biomethane from non-biogas sources, such as gasification of biomass to produce syngas. The Staff Report proposes to expand the definition of “biomethane” to include synthetic natural gas derived from renewable resources and changes the description of the fuel to simply one that “meets pipeline quality natural gas standards.” In addition, the Staff Report proposes that the modifier “biogas-derived” is removed from the definition of fuels made from biomethane. The Task Force strongly supports the Staff Report’s recommendation to no longer limit the production of biomethane to biogas derived from AD and to expand it to include non-combustion thermal CTs. The definition of “renewable natural gas” is used interchangeably with “biomethane” in Section 95481(a) of the proposed regulations. The Task Force requests that CARB clarify whether definition of “biomethane” and “renewable natural gas” will include gas produced from feedstocks such as municipal solid waste.
- Page III-94: The Staff Report designates waste-derived fuels and pipeline-injected biomethane from landfills as “specified source feedstocks” to help provide transparency of the feedstock chain for high-risk feedstocks which would be subject to additional documentation requirements. The Task Force requests that CARB ensure that the additional documentation requirements are not overly burdensome compared to documentation requirements for other feedstocks to the point of discouraging the production of waste-derived fuels and pipeline-injected biomethane from landfills.
- Page III-137: The Staff Report also designates separated food waste as a “specified source feedstock” subject to additional documentation requirements. The Task Force requests that CARB ensure that this additional documentation is consistent with SB 1383, implementing regulations such that it does not discourage use of separated food waste as a feedstock to produce fuel.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939 [AB 939], as amended), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities and to ensure a coordinated, cost-effective, and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

Ms. Mary Nichols
April 23, 2018
Page 4 of 4

The Task Force respectfully requests that CARB consider these comments and include them in the adopted regulations. Should you have any questions regarding these comments, please contact Mr. Mike Mohajer, a member of the Task Force, at MikeMohajer@yahoo.com or at (909) 592-1147.

Sincerely,

Margaret Clark

Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Council Member, City of Rosemead

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cc: CARB (Richard Corey, Steve Cliff, Edie Chang, Kurt Karperos)
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