

**EJAC/CARB Joint Meeting**  
**Public Comment**  
**September 12, 2024**

Good evening, EJAC members, Madame Chair Randolph and CARB Board members. My name is Esther Portillo, I'm the Senior Western Advocate for the Natural Resources Defense Council (NRDC). We would like to provide the following public comment on the LCFS program and elevate our continued concerns.

In our review of the 15-day modifications to the LCFS program, we've made recommendations specifically on the:

- Conversion of municipal solid waste (MSW) into fuel
- Book-and-claim electricity accounting for electrolytic hydrogen production
- Electric transportation provisions

My public comment today will primarily focus on our policy recommendation related to our growing concern over how the LCFS program would incentivize the building of pyrolysis and gasification incinerators in environmental justice communities.

As noted by a letter signed by 28 organizations to CARB, "the emissions from pyrolysis and gasification are concerning no matter what the feedstock, they are particularly toxic when the feedstocks include plastic—either directly or as a component of MSW. According to the Environmental Protection Agency's most recent data (2018), plastics typically comprise over 12 percent of municipal solid waste."

The two most common technologies used for such conversion will be pyrolysis and gasification, both of which are regulated as incineration under federal law. These facilities generate hazardous air pollutants and waste when they process waste containing plastic; one pyrolysis facility alone generated 484,000 pounds of hazardous waste in 2019.

These toxic polluting facilities are likely to be sited in environmental justice communities who will bear the brunt of health impacts.

Therefore, we urge CARB remove incentives for the conversion of municipal solid waste to fuel, especially when this conversion involves pyrolysis or gasification.

The LCFS can be a tool for driving forward the transition to a cleaner, healthier, and safer transportation sector – but only if CARB ensures LCFS pathways are aligned with California's climate and environmental justice priorities. We urge that CARB make transformative changes to the LCFS program and meaningfully protect communities and our progress on climate. Thank you.

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