



October 22, 2021

Ms. Rajinder Sahota
Deputy Director of Climate Change & Research
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Re: Comments on 2022 Scoping Plan Update - Scenario Inputs Technical Workshop

Submitted online via:

https://www.arb.ca.gov/lispub/comm2/bcsubform.php?listname=sp22-inputs-ws&comm_period=1

Dear Ms. Sahota:

The California Association of Sanitation Agencies (CASA) appreciates the opportunity to provide comments on the Climate Change Scoping Plan Update scenario inputs presented on September 30th. CASA is an association of local public agencies, engaged in advancing the recycling of wastewater into usable water, as well as the generation and use of renewable energy, the beneficial use of biosolids, and other valuable resources. Through these efforts we help create a clean and sustainable environment for Californians. Our members are focused on helping the state achieve carbon neutrality, including the 2030 greenhouse gas (GHG) emissions reduction goals we are currently working toward, which include:

- Reducing short-lived climate pollutant emissions.
- Effectively diverting organic waste from landfills.
- Providing 60 percent of the state's energy needs from clean and renewable sources.
- Reducing carbon intensity of transportation fuel used in the state.
- Increasing carbon sequestration and improving soil health under the Healthy Soils Initiative, Natural and Working Lands Climate Change Implementation Plan, and Forest Carbon Plan.

We have comments on two specific aspects of the scenario inputs:

Senate Bill 1383 Implementation:

POTWs are Critical for Immediate Short-Lived Climate Pollutant Reduction

The scenario inputs for implementation of SB 1383 do not acknowledge the invaluable role which the public wastewater sector can and will play in achieving the mandates for the diversion of organic waste from landfills by 2025. The [SWRCB](#) quantified the available capacity in existing anaerobic digestion infrastructure at publicly owned treatment works (POTWs). The analysis showed POTWs can accept all divertible food waste for co-digestion using their available digester capacity and are a key partner with the state to do so, which was also highlighted by Karin Sung of the California Public Utilities Commission during her presentation. For this to be a viable option, however, there must be assurance it will be cost neutral and markets must exist for the products of digestion, biogas and biosolids. To ensure markets exist for the products resulting from the



implementation of SB 1383, CalRecycle included in the regulations procurement requirements for every jurisdiction diverting organic waste. Eligible products for procurement include all beneficial uses of biogas produced from co-digestion of diverted organic waste, along with biosolids compost. For the scenarios to ignore this reality, by only recognizing landfills and dairies, is contrary to explicit state objectives and the supporting economic analysis. POTWs provide an essential public health service and renewable biogas production from digestion is unavoidable and highly beneficial in mitigating climate change when utilized to displace fossil-based fuels and should be explicitly included in the Scoping Plan Update scenarios.

Vehicle Fleet Electrification

Markets must exist for the biogas that is and will continue to be produced at POTWs. Low carbon transportation fuel is one such option which must remain viable. In order for transportation fuel to continue to be viable, the Scoping Plan Update scenarios need to include the use of wastewater biogas in near-zero emission vehicles (i.e., not hybrids) as renewable transportation fuel. As noted, this biogas is a necessary, unavoidable and beneficial product of the treatment of sewage sludge and diverted organic waste occurring as a result of providing an essential public health service. To exclude POTW derived renewable natural gas for near-zero emission vehicles (N-ZEV) will eliminate this option, in turn, making methane reduction under SB 1383 much more difficult to achieve and incentivizing the continued use of diesel trucks.

In air districts such as the South Coast and San Joaquin Valley, both of which are in severe non-attainment for ozone, our members have already been required to invest in N-ZEVs and supporting infrastructure by various regulatory requirements (e.g., [SCAQMD Rule 1196](#)). With N-ZEVs powered by Cummins Westport engines, nitrogen oxide (NO_x) emissions are lowered by 90 percent. However, the proposed clean fleet regulations will result in stranding these N-ZEVs and infrastructure, as well as impede these regions' ability to comply with Clean Air Act requirements set for 2023 and 2031. If the 2023 deadline for NO_x reduction is not achieved, Clean Air Act Sections [179](#) and [185](#) allow the USEPA to withhold federal highway funding, increase offsetting requirements, and impose an annual penalty on major stationary sources. Some agencies have estimated their potential penalty for not complying to exceed \$1,000,000 per year. Additionally, the Governor's [Executive Order N-79-20](#) denotes that the resulting regulations must be "...consistent with state and federal law..." and be implemented "...where feasible...". The question of feasibility is critical – heavy-duty electric vehicles are not commercially available and will not be for years, nor will they provide the level of service and reliability of existing heavy-duty N-ZEVs. These issues, if not addressed will also incentivize the continued use of diesel trucks. CASA is working to collect data on member fleets in response to a request by CARB staff in September for discussion in November.

In conclusion, it is critically important that CARB allow biogas to be used as a low carbon and low NO_x vehicle fuel. CARB should recognize and plan for scenario inputs that include the continued generation and use of POTW derived biogas. These products provide low and reduced carbon alternatives to fossil fuel sources of energy and contribute to strategies already underway to reduce SLCP emissions from major sources. We fear the laudable objectives of SB 1383 will otherwise be in jeopardy.



CALIFORNIA ASSOCIATION of SANITATION AGENCIES

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Please contact me with any questions at sdeslauriers@carollo.com or at 925-705-6404. We look forward to collaboratively working with you on this critical effort.

Sincerely,

A handwritten signature in black ink that reads 'Sarah A. Deslauriers'.

Sarah A. Deslauriers, PE, ENV SP
Climate Change Program Manager

cc: Liane Randolph – Chair, CARB
Richard Corey – Executive Officer, CARB
Jared Blumenfeld – Secretary, CalEPA
Anil Prabhu – CARB
Craig Segall – CARB
Sydney Vergis – CARB
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