

July 15, 2022

Joshua Grice
Washington Department of Ecology
300 Desmond Drive SE
Lacey, WA 98503



Supplemental Comments on Chapter 173-446 WAC – Draft Climate Commitment Act Program Rule

Dear Mr. Grice,

The Coalition for Renewable Natural Gas (RNG Coalition)¹ offers the following supplemental comments on the Department of Ecology’s (Ecology) Washington Cap-and-Invest Program (Program) draft rule (Draft) pursuant to Chapter 173-446 of the Climate Commitment Act.

RNG Coalition initially filed comments on June 30, 2022 (Original Comments),² but continued to review the Draft and subsequently recognized the need to supplement its Original Comments. The Coalition appreciates Ecology’s diligent public engagement and looks forward to continuing to support Ecology in this rulemaking effort.

Supplemental Comments on Defining RNG

In the Original Comments, RNG Coalition noted its reading of the Draft’s definition “biomass” to include RNG and requested “clarification” that “all RNG resources are included under the definition of ‘biofuels’ as considered under the Program.”³ Upon further consideration of the proposed regulatory language, this comment applies too broad of a brush.

Regarding RNG used for non-transportation purposes, there is no need for Ecology to clarify the definition of “biomass,” “biomass-derived fuels,” and “biomass fuels,” because RNG for non-transportation purposes—i.e., where it does not serve as a substitute for petroleum fuels—is separately addressed in WAC-173-446-040 under the definition of “covered emissions.” The definition of covered emissions excludes emissions from “renewable fuels of biogenic origin,” which squarely includes RNG used for non-transportation purposes.

RNG Coalition supports Ecology’s commonsense approach to defining “covered emissions” to exclude “renewable fuels of biogenetic origin” in addition to “biomass,” “biomass-derived fuels,” and “biomass fuels.” Doing so effectuates the intent of the Climate Commitment Act to incentivize the use of biofuels

¹ <http://www.rngcoalition.com/>

² https://scs-public.s3-us-gov-west-1.amazonaws.com/env_production/oid100/did1008/pid_202884/assets/merged/1i0pibl_document.pdf?v=4ASQTJFB5

³ *Id.* at pg. 4.

like RNG and reflects the fact that RNG likely will be an important and effective substitute for fossil gas, not petroleum, when used for home heating or cooking.

Conclusion

RNG Coalition appreciates the continued opportunity to provide feedback as Ecology works to finalize Washington's Cap-and-Invest Program. Indeed, this is an important opportunity to support the suite of technologies needed to decarbonize Washington's economy, and our members look forward to investing in new systems which improve organic waste management, capture methane emissions, and produce clean fuel under the forthcoming Program.

Thank you for your consideration of these Supplemental Comments.

Sincerely,

/S/

Sam Wade

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