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March 19, 2024

Washington Department of Ecology
Attn: Adam Saul, Environmental Planner
300 Desmond Drive SE
Lacey, WA 98503

RE: Rulemaking – Clean Fuel Standard Rule Development

Dear Department of Ecology CFS rulemaking team,

As a renewable fuel producer, my team and I value the partnership and shared mission with you and your state in reducing the carbon intensity of transportation fuels.

I am reaching out to provide insight from our company's perspective as a low carbon fuel producer and discuss the advantages of:

- **Stability in Verification Partnerships:** We advocate for maintaining consistency with our selected verification body, opposing mandatory firm rotation. This approach fosters a strong, enduring partnership, enhancing efficiency and reliability in our verification processes.
- **Efficiency and Cost Savings:** Implementing less intensive verification procedures not only reduces time requirements but also yields significant cost savings. By optimizing our verification practices, we can redirect resources towards further innovation and sustainability initiatives, benefiting both our company and the environment.
- **Streamlined accreditation process:** We advocate for a streamlined accreditation process for existing U.S. verification bodies. Ensuring a qualified pool of verifiers through this process enhances accessibility and expedites verification procedures, facilitating smoother operations and promoting widespread adoption of low carbon fuel standards.

Partner Rotation

The concept of adding rotation requirements for verification bodies for either a partner rotation or firm rotation has been proposed in U.S. low carbon fuel programs. A partner

rotation allows the verification body team to retain its producer clients by switching out the lead verifier. This allows for the retention of the team's knowledge built from extensive time spent understanding the company's processes, contributing to an efficient and effective audit.

The audit quality and efficiency improve as the auditor becomes more familiar with our company's processes. In addition, with the limited number of firms available as verification bodies, it is proving difficult to identify a quality verification body that is not also working with our facility in other consulting capacities. The number of people available with the proper expertise to assist us in design and development of projects and to reserve for verification purposes has proven even more limiting, which is also why we request a lead verifier/partner rotation rather than a full firm rotation.

A firm rotation rather than a partner rotation is highly disruptive and costly to producers, especially when there is a small pool of accredited verification bodies available. This problem is further exacerbated with lookback periods in place in other states, making it more difficult for producers, like us, to find a quality verification body who has also not been utilized in previous verifications or in a consulting capacity.

Our company requests that if rotation requirements are implemented, it be a partner rotation rather than a firm rotation, meaning the person leading the verification organization's services for a client be rotated every six to ten years and not the entire verification firm.

Less Intensive Verification

Verification bodies play a crucial role in ensuring our company and other fuel producers meet the specified criteria for being considered low carbon. Less intensive verification is utilized in CARB's MRR program (section 95130) and in Oregon's Clean Fuels Program and GHG Reporting Program (340-272-0500 (4)). It provides that verification bodies may opt to do a less intensive verification which removes the requirement of a site visit if they visited the site in the last two years and issued a positive verification statement.

CARB acknowledges, "there is little change of operation from reporting period to reporting period thus reducing the benefit of annual site visits." Additionally, staff rationale states, "There is no or little risk to the integrity of the program to allow for less intensive verification services without a site visit in the annual verifications for the following two years. This should reduce the cost of verification services which is often passed on to our company as program participants."

We acknowledge the importance of adhering to specified conditions that necessitate comprehensive verification services. These conditions include the issuance of an adverse verification statement or a qualified positive verification statement in the

preceding year and the occurrence of a change in operational control of the reporting entity in the previous year.

Streamlined U.S. Accreditation Process

We urge Washington to adopt an accreditation process similar to California or Oregon's, including reciprocity for accredited verification bodies.

Again, there is a small pool of accredited verification bodies available. This problem is further exacerbated with lookback periods in place in other states, making it more difficult for producers to find a quality verification body who has also not been utilized in previous verifications or in a consulting capacity.

Granting reciprocity to California or Oregon accredited verification streamlines administrative processes, reduces regulatory complexity and minimizes compliance burdens, benefiting stakeholders across state boundaries.

Thank you for your time and consideration. My team and I are grateful to be involved in the rulemaking process. Please feel free to reach out if you have any questions.

Sincerely,



Dawn Sankey
Bushmills Ethanol, Inc.