

March 23, 2024

Adam Saul, Environmental Planner
State of Washington Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

RE: Comments on Chapter 173-424 WAC, Clean Fuels Program Rulemaking Scope

Dear Mr. Saul,

Thank you for the opportunity to comment on the scope of the upcoming Clean Fuel Standard (CFS) rulemaking. We would like to draw attention to the role that Carbon Dioxide Removal (CDR) technologies can play in meeting Washington's targets of reducing transportation fuel emissions by 20% by 2034 and all greenhouse gas emissions by 95% by 2050. The International Panel on Climate Change has determined that the deployment of CDR is an "unavoidable" strategy to achieve deep emission reductions, and we look forward to working with the Department of Ecology to advance CDR so that Washington can achieve its ambitious climate targets.¹

Carbon Dioxide Removal is Key to Meeting Clean Fuel Standard Targets

Additional credit pathways, including from CDR projects, may be essential to achieving the CFS carbon reduction targets as the required annual reductions become more aggressive.² That is why the Washington State Legislature, when it adopted the aggressive reduction targets in the CFS, also authorized the Department of Ecology (Ecology) to include carbon capture, sequestration, and removal as a credit-generating activity in the CFS program to ensure those targets are met. *See* RCW 70A.535.050(1). Therefore, incorporating CDR into the CFS provides a critical buffer to ensure targets are met.

As such, we recommend that the scope of the forthcoming rulemaking include the development of a standalone credit pathway for CDR. This would also further one of the goals of this

¹ IPCC, *Climate Change 2022 - Summary for Policymakers* (2022) at 40.

² The Berkeley Research Group modeling of Washington's proposed CFS suggests that additional credit pathways will be needed to achieve 1% and greater annual reductions. *See* Berkeley Research Group, *Clean Fuel Standard Cost Benefit Analysis Report - Washington Department of Ecology* (May 12, 2022) at 34 (figure 10).

rulemaking: aligning Washington with California’s program.³ Washington can follow California’s lead, but **improve on California’s model by allowing *all* CDR technologies to compete under technology-neutral standards.** Incorporating a technology-neutral CDR credit pathway will spur technological innovation and provide another source of CFS credits to ensure Washington State achieves its climate targets. It will also provide support to a promising CDR industry that is critical to achieving Washington’s broader climate targets.

Conclusion

We strongly encourage Ecology to address CDR in this rulemaking. Clarifying and expanding the role of CDR will provide Ecology with more tools to achieve the ambitious targets of the CFS program. We look forward to collaboration with Ecology to advance CDR and are ready to assist in developing a role for CDR in the CFS.

Regards,

Peter Reinhardt, Co-Founder and CEO
Charm Industrial

Giana Amador, Executive Director
Carbon Removal Alliance (CRA)

³ California’s Low Carbon Fuel Standard program authorizes LCFS credits for standalone direct air capture carbon removal projects, **but currently does not authorize credits for other CDR technologies.** However, in 2022, California’s Legislature passed legislation recognizing that CDR will be essential to achieving net zero emissions and requiring CARB to support CDR, including by updating the LCFS as necessary. *See* CARB, Carbon Sequestration: Carbon Capture, Removal, Utilization, and Storage, <https://ww2.arb.ca.gov/our-work/programs/carbon-sequestration-carbon-capture-removal-utilization-and-storage/about> (last visited Mar. 21, 2024).