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August 1, 2025

Adam Saul
Clean Fuels Program
Washington State Department of Ecology
Climate Pollution Reduction Program
P.O. Box 47600
Olympia, WA 98504

Via electronic submission

Re: Comments on Proposed Amendments to the Washington Clean Fuels Program Rulemaking (Chapter 173-424 WAC)

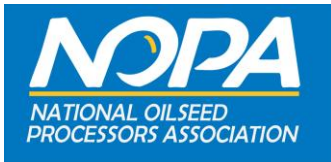
Dear Mr. Saul,

On behalf of the National Oilseed Processors Association (NOPA), thank you for the opportunity to comment on the proposed updates to Washington's Clean Fuels Program (CFS). Our organization and its members have a direct and vested interest in the development of clean fuel policies and appreciate the Department of Ecology's continued efforts to enhance the program.

Founded in 1930, NOPA represents the U.S. soybean, canola, flaxseed, safflower seed, and sunflower seed processing industries. Our 19 member companies operate 70 oilseed processing facilities across 20 states and represent over 98% of all soybeans processed in the United States. The oil and meal produced by our members are critical to food, feed, renewable fuels, and various industrial uses. NOPA members have invested over \$6 billion to expand soybean crushing capacity by over 25% since 2023 levels, largely driven by demand for feedstocks to produce advanced low-carbon biofuels.

NOPA supports the goals of Washington's Clean Fuels Program and the important role it plays in driving demand for biodiesel, renewable diesel, and sustainable aviation fuel (SAF). The program also incentivizes investment in low-carbon feedstocks and creates new economic opportunities in agriculture.

We commend the Department's efforts to align with clean fuel standards in California and Oregon, particularly through the addition of third-party verification protocols. However, we respectfully urge Ecology to take further steps to ensure the legitimacy of imported feedstock. The volume of imports, particularly of Used Cooking Oil (UCO) and other waste feedstocks such as tallow has grown rapidly since 2022. While we support the inclusion of low-carbon, waste-based materials in the fuel mix, we believe enhanced oversight is needed to maintain the integrity and credibility of the program. Recent interim guidance from the U.S. Department of the Treasury regarding the Section 45Z Clean Fuel Production Credit notably excludes imported



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used cooking oil (UCO), citing verification challenges. More recently, the U.S. Environmental Protection Agency (EPA) proposed a Renewable Volume Obligation (RVO) under the Renewable Fuel Standard (RFS) that would provide half of the normal credit value for imported feedstocks, citing in part, concerns about fraudulent UCO. Likewise, the U.S. Congress excluded imported feedstocks from outside of the U.S., Canada and Mexico from qualifying for the updated 45Z tax credit beginning in 2026, due in part to concerns about fraudulent “UCO.”

NOPA urges the Washington State Department of Ecology to coordinate closely with federal agencies—including the Treasury, USDA, EPA, USTR, and U.S. Customs and Border Protection to promote alignment in verification standards and recordkeeping requirements. In addition, while regulatory harmonization is important, we strongly urge Ecology to oppose any restrictions or caps on the use of vegetable oils as eligible feedstocks for renewable fuel production. Vegetable oils remain among the most efficient, cost-effective, and widely available feedstocks for producing biodiesel and renewable diesel. These feedstocks are already subject to federal safeguards that prohibit production on land converted after 2008. The RFS was specifically designed to prevent land-use change for biofuel production, and USDA data confirms that total U.S. farmland has declined since that time. Arbitrarily limiting their use would disrupt supply chains, reduce available fuel volumes, and increase fuel costs for Washington consumers—undermining the very goals the program seeks to achieve. The renewable diesel industry is still in its growth phase, and current supplies of legitimate waste-based feedstocks are insufficient to meet rising demand. Placing limits on vegetable oil use could create a production bottleneck, impeding progress on greenhouse gas reduction targets and threatening market stability.

NOPA remains committed to supporting agriculture’s role in creating a more sustainable fuel future. We look forward to continuing our collaboration with the Department of Ecology and stand ready to assist along with other stakeholders to develop policies that reduce emissions, promote innovation, and expand market opportunities for domestic oilseed producers and processors.

Thank you again for the opportunity to provide comments. We look forward to further engagement as this rulemaking process continues.

Sincerely,

A handwritten signature in cursive script that reads "Devin Mogler".

Devin Mogler
President & CEO
National Oilseed Processors Association (NOPA)