1730 South St. | Redding, CA | 96001

August 1, 2025

Adam Saul
Climate Pollution Reduction Program
Washington Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

Re: Maas Energy Works Comments on Washington Clean Fuels Program – Draft Rule (Chapter 173-424 WAC)

Dear Mr. Saul,

I am writing on behalf of Maas Energy Works (MEW), a family-owned business based in Redding, California. We develop, own, and operate on-farm renewable energy facilities in partnership with dairy families to create biogas from cow manure and other organic wastes. MEW began its first operations in Washington State and as a founding member of Farm Power Northwest, which built three western Washington digesters.

Early adopters of anaerobic digester technology such as Farm Power made substantial investments under challenging economic conditions. Since we first invested in Washington in 2009, renewable electricity prices have fallen considerably, leaving many digester facilities struggling to cover operational costs and some Washington facilities have shut down. Washington captures less dairy methane emissions than it did 5 years ago. We have been able to participate on a limited time basis in the Oregon Clean Fuels Program to keep two of our Washinton facilities running, but this Oregon eligibility for Washington projects will soon expire.

We had hoped the Washington CFS would provide a path for these projects to thrive in Washington by placing a value on carbon-negative electricity or gas in Washington. This value would allow our industry to resume expansion of on-farm methane-capture projects similar to those that have grown so successfully in California under their Low Carbon Fuel Standard. We are concerned about the proposed rules for Washington's Clean Fuels Program (CFS) does little to support existing digesters and adds new restrictions that will deter future investment. We urge Ecology to make two key adjustments:

1. **Extend Avoided Methane Crediting.**

Anaerobic digesters are 30-year infrastructure assets that require high upfront capital investment and sustained operational expenditures. A 15-year crediting window, as proposed, is insufficient to support the long-term financing needed for these projects, particularly in Washington, where credit prices are likely to be lower than in more established clean fuel markets. We typically finance these projects with 10-20 year mortgages, meaning we could still be in debt when the avoided methane crediting runs out. Our company will not invest in new Washington methane capture projects if the maximum crediting period is 15 years. California's Low Carbon Fuel Standard has allowed up to 30 years of avoided methane crediting ever since startup.[i] The result has been a strong and robust dairy methane capture industry. Washington should adopt a similar approach. The benefits of avoided methane emissions are ongoing and quantifiable throughout the operational life of a digester. Arbitrarily ending crediting at year 15 fails to reflect this reality and undermines the financial viability of both existing and future projects.

2. **Book and Claim Accounting**

The proposed rule introduces geographic restrictions on book-and-claim eligibility for biomethane beginning in 2030, limiting participation to projects injecting into pipelines that physically flow into

Washington. This approach departs from established practice in the national (EPA-regulated) clean transportation fuel markets and would significantly reduce access to low-cost, reliable biomethane from existing and future projects.

Book-and-claim is a foundational accounting method used in both the California and Oregon LCFS programs. It reflects the transferability of pipeline gas and allows participation from projects that deliver measurable methane reductions, regardless of physical flow path. These market mechanisms are important for achieving scale, driving investment, and ensuring cost-effective compliance options.
To support a workable program and align with other jurisdictions, we recommend that Ecology eliminate the 2030 pipeline deliverability constraint and continue to allow book-and-claim eligibility for biomethane injected anywhere into the North American pipeline network, as allowed in other clean fuel programs.

3. **True-Up and Penalties**

We encourage Ecology to include a “true-up” mechanism that accounts for differences between Temporary, Provisional, and ultimately Verified carbon intensity (CI) scores. California’s LCFS allows credit adjustments once a Provisional CI is approved, recognizing that this score is based on real, historical project data. In contrast, Washington’s draft rule provides no pathway to reconcile credits issued under a Temporary CI, even when a lower Provisional CI is later established. This absence of a true-up can result in projects being under-credited for multiple years, creating uncertainty for developers and undermining the investment case for clean fuel projects.

At the same time, we urge Ecology to avoid adopting a 4-to-1 penalty for CI over-crediting, which could discourage participation. A reasonable, symmetrical true-up helps ensure both project viability and program integrity.

Conclusion

We urge Ecology to extend avoided methane crediting to at least 20 years and to remove the 2030 pipeline restriction on book-and-claim biomethane. We also encourage the adoption of a fair and balanced true-up mechanism that allows reconciliation of carbon intensity scores without imposing punitive penalties. Aligning with California and Oregon—and following the direction of House Bill 1409—will bring much-needed consistency across programs and give developers the clarity they need to move projects forward.

These changes will help Washington capture real methane reductions, attract private investment, and build a clean fuels market that’s both durable and scalable.

Sincerely,

Dallas Spiecker -- *On behalf of Maas Energy Works*

Public Affairs and Marketing Communications

[i] New changes to the LCFS effective July 1 have reduced eligibility for new digester projects to 20 years. The impact of this reduction on industry investment remains to be seen.