

March 3, 2026

Department of Ecology
Climate Pollution Reduction Program
Lauren Sanner
PO BOX 47600
Olympia, WA 98504-7600
Electronically submitted

RE: Chapter 173-424 WAC and WAC 173-455-150 Clean Fuels Program Rule

Dear Ms. Sanner:

As a developer of dairy digester renewable natural gas (RNG) and biogas-to-electricity projects for electric vehicle charging in West Coast states, Promus Energy appreciates the opportunity to offer informal comments to Ecology regarding potential changes to the Clean Fuels Standard (CFS) Rule (WAC 173-434 and 173-455-150). Promus comments will focus on the importance of equipping Ecology with tools and authority to timely address CFS credit market fluctuations and sustain healthy credit values. In addition, Promus supports adoption of GREET 4 modeling that aligns WA with CA and OR low carbon fuels (LCF) programs for harmonization of West Coast programs and supports electrification of transportation and associated production of ultra-low carbon intensity (CI) power.

Reducing methane emissions from dairies is one of the fastest and most cost-effective ways for the state to achieve its emissions reduction and Clean Fuels Program goals. The California Air Resources Board (CARB) and Legislature spent years evaluating this issue. In the seminal [Short-lived Climate Pollutant Reduction Strategy](#) (2014, updated 2017), CARB highlighted the critical importance of reducing methane emissions as part of their mandate to dramatically reduce GHGs. Dairy digesters were identified as one of the most potent, cost-effective tools for meeting GHG reduction targets. Low carbon fuels programs, like those of California and Oregon, have historically driven the production of ultra-low carbon intensity fuels from dairy digester projects by rewarding them for their powerful reductions in atmospheric methane emissions. These high-impact projects are also high-cost, requiring significant third-party investment and investor confidence in healthy, sustained credit markets.

Ecology Must Develop Clear Parameters for Setting Emissions Reduction Targets from 2028-2038

Promus appreciates that Ecology has the flexibility to set annual emissions reduction targets between 3% and 4% from 2028 to 2038, which will to some extent help mitigate the risk of credit oversupply as occurred in CA in the past few years. While Promus would prefer that Ecology have greater latitude to adjust targets to keep credit supply and demand in balance (such as CARB's Automatic Acceleration Mechanism, AAM), Ecology must craft clear criteria around the market metrics that would guide annual emissions reduction target selection. Having clear metrics, such as a target credit-to-deficit ratio, target credit price, or credit bank size will provide market participants with greater confidence about the near-term direction of credit markets by reducing market uncertainty. As demonstrated by the CA market in recent years, uncertainty, and the inability to timely adjust targets, has greatly undermined investment in advanced clean fuels, making it essential that Ecology provide clear guidance about how annual emissions reduction targets should be set and adjusted.

Continued Harmonization of GREET 4 Calculations Across the West Coast Markets:

Promus urges Ecology to continue to align its policies for CI calculation with those of CA and OR. By ensuring that the fundamental methodologies for CI calculation are the same between the markets, the playing field will be leveled, and market access will be improved across all three of these markets. Investment in clean fuel projects will be facilitated if CI scoring is largely the same between various markets as regulatory hurdles for market participation will be reduced. Promus agrees with other commentators that Ecology should however retain final authority to allow adjustments for site-specific inputs that may substantially impact the CI calculations of a facility.

Promus urges Ecology to develop standardized, simplified calculators for various biogas-to-electricity pathways (i.e. from food waste, landfill/wastewater, and dairy/swine manure) to lower the barrier to entry for participation in these pathways and to ensure easy and accurate calculation of CI scores for these projects. Current practices in WA and CA, for example, require participants to manually reconfigure existing simplified calculators designed for RNG projects, making the process for determining CI for biogas-to-electricity projects more difficult and error prone. In addition to the creation of the simplified calculator for biogas-to electricity projects, Promus also urges Ecology to continue to recognize the value of captured methane in the GREET 4 calculator.

In summary, Promus looks forward to CFS Rule modifications that empower Ecology to make timely and effective credit market adjustments, i.e., greater latitude to accelerate stringent targets that may be needed to prevent market crashes, as seen in CA's LCFS program from 2021-2025. We urge Ecology to manage GREET 4 modeling changes, and rules and incentives, to support dairy digester projects that produce the lowest carbon fuels (RNG, electricity, SAF) available. Strong long-term incentives will enable smaller dairies to participate in digester projects, accelerating GHG reductions and in-state fuel production. The largest source of carbon emissions in Washington is the transportation sector, and the state can only decarbonize the sector with a science-based, market-savvy CFS, and harmonized CFS program.

Sincerely,

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