



September 25, 2026

VIA ELECTRONIC FILING

Abbey Brown
Clean Fuel Standard Technical Lead
Washington Department of Ecology (Ecology)
Climate Pollution Reduction Program
P.O. Box 47600
Olympia, WA 98504-7600

Re: Clean Fuels Standard (CFS) 2026 Rulemaking – Carbon Intensity Reduction Options

Dear Ms. Brown:

Neste appreciates the opportunity to comment on the proposed Clean Fuel Standard (CFS) 2026 Rulemaking materials published by Ecology through September 8, 2026. These comments are in addition to the comments submitted by Neste on March 3, 2026, and all our recommendations should be considered as part of this CFS rulemaking.

Neste reemphasizes that Ecology should continue to prioritize technology neutrality within the CFS in light of the current spike in fuel prices due to the ongoing war in Iran. The CFS has remained highly successful in large part because of the technology neutral approach such that the most cost-effective low-carbon technologies have helped Washington reach its carbon reduction goals. Should Ecology deviate from the technology neutral approach, such as by updating EER factors, then these added compliance costs must be estimated. In California, CARB estimated that deviating from technology neutrality would cost an extra \$85 billion, result in a greater need for fossil fuels, and cause higher health costs due to delays in GHG reductions¹. It is therefore in the best interest of Washington consumers that Ecology evaluate the added costs and overall impacts of favoring one low-carbon technology over another.

At Neste we also reviewed the three Scenarios being considered by Ecology for the 2028-2038 carbon intensity reductions, and we support Scenario A. The Washington CFS has clearly overperformed as reflected by the large credit bank. Scenario A is also a better signal to those investing in renewable energy production, and this scenario also makes Washington more competitive in attracting this energy away from other nearby low carbon fuel programs.

Neste also encourages Ecology to make novel vegetable oils (NVOs) a priority in this rulemaking. Farmers are already prepared to produce these innovative feedstocks but require financial incentives to do so. Neste continues to recommend that Ecology form a workgroup to make recommendations on how the CFS should account for the benefits of NVOs.

Lastly, Neste encourages Ecology to re-evaluate the penalties for late reporting as outlined in Section 173-424-700(3). Neste, like most fuel producers, has no control over the final use of our products in most cases and relies on third parties to provide data regarding exports and other exempt uses of our products. Neste understands that late changes create work, however penalizing late corrections could encourage final users of our products to not report corrections. The penalties should also be directed to the owner of the data that was incorrect, whether that is the fuel producer or the final fuel supplier.

¹ <https://ww2.arb.ca.gov/sites/default/files/2024-04/LCFS%20April%20Workshop%20Slides.pdf>, slide 31-32

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We appreciate your consideration and are happy to answer questions or provide additional information.

A handwritten signature in black ink, appearing to read "Oscar Garcia", with a stylized flourish at the end.

Oscar Garcia
Senior Regulatory Affairs Manager
Neste US, Inc.