



Better Environmental Solutions

Practical Solutions Today for a Better Tomorrow

February 23, 2017

Mr. Jordan Garfinkle

Environmental Analyst

Massachusetts Department of Environmental Protection

One Winter Street, 7th Floor Boston, MA 02108

RE: Reducing GHG Emissions under Section 3(d) of the Global Warming Solutions Act

Dear Mr. Garfinkle:

Thank you for your work and for considering my comments on the Massachusetts Department of Environmental Protection's ("DEP") development of regulations to reduce carbon pollution and greenhouse gas ("GHG") emissions under Section 3(d) of the Global Warming Solutions Act ("GWSA").

I am president of Better Environmental Solutions, an award-winning energy consulting firm dedicated to saving lives, jobs, and money. I work with a range of fuels makers and technologies including producers and developers of advanced biofuels, biodiesel, ethanol, renewable natural gas, waste-derived fuels, and other low carbon fuel industry participants. I have almost 40 years experience reducing carbon pollution.

I am commenting on this proposal because it will reduce carbon pollution that impacts the entire country and creates an environment in the Northeast where my clients can build advanced biofuels plants reducing carbon pollution by over 80% and create thousands of jobs.

Background

The GWSA was signed into law in August 2008 to address the challenges of climate change. As noted by the Supreme Judicial Court, the GWSA was developed:

“...against the backdrop of an emerging consensus shared by a majority of the scientific community that climate change is attributable to increased emissions, as well as perceptions in the Commonwealth that national and international efforts to reduce those emissions are inadequate.”

As Governor Baker stated, the transportation sector continues to be a significant contributor to GHG emissions, and is the only sector identified in the GWSA with a volumetric increase in GHG emissions.

These air pollution reductions will also have significant direct health impacts in reducing Commonwealth residents’ risk of cancer, asthma, strokes and other health problems. See my study [“Highway Health Hazards”](#) that I wrote for the Sierra Club.

The Commonwealth has determined that climate change presents a serious threat to the environment, and to the citizens, communities and economy of Massachusetts. I appreciate the state’s policy leadership in this area, and Governor Charles D. Baker’s reaffirming the leadership with Executive Order 569, “Establishing an Integrated Climate Change Strategy for the Commonwealth.” (“EO 569”) In particular, I appreciate the significance of Massachusetts’ binding limit of a 25% GHG reduction below 1990 levels by 2020 (“Binding 2020 GHG Limit”).

I urge DEP and the Commonwealth to recognize that the GWSA imposes not just a Binding 2020 GHG Limit but also a Binding 2050 GHG Limit. It makes sense for the State to use this rule making to promulgate regulations for short-term GHG reductions and for the long-term. As DEP is aware and as established by the official GHG inventory, the transportation sector presents the most challenging sector to the Commonwealth.

Keep Clean Air Jobs Here in the U.S.

My clients have technologies that will help solve this problem but need frameworks like the Massachusetts GWSA to promote an investment climate to fund these plants. Otherwise, US developed technology will likely be exported to other countries who are investing in carbon pollution reduction.

To achieve the Binding 2050 GHG Limit in the transportation sector, I urge DEP begin the necessary foundational work to establish a statewide low carbon fuel standard and the building blocks of a low carbon fuel standard be included in this rulemaking to facilitate long-term compliance with the GWSA.

In particular, I urge the DEP begin analysis of the existing low carbon fuel standard programs in California and Oregon, begin modeling the carbon intensity (“CI”) of transportation fuels used in Massachusetts, and begin evaluating the optimal nature of a low carbon fuel standard designed for the Commonwealth. Both California and Oregon engaged in significant work on program design and modeling prior to requiring CI reductions under their programs.

The key benefits of a low carbon fuel standard are that it is a technology-neutral, market-based policy that does not require any significant expenditure of state funds. The pace of GHG reductions in the transportation sector can be tailored to the state’s requirements, and the availability of low carbon fuels.

Experience in California over the past six years has proven that a low carbon fuel standard is a uniquely effective policy mechanism that enables incremental GHG reductions across all transportation fuels and incentivizes the development and use of low carbon fuels and efficient vehicle technologies. I support the specific recommendations of the Low Carbon Fuels Coalition.

Thank you for your consideration and I look forward to your progress to reduce carbon air pollution and the risk of extreme climate change.

Sincerely,

A handwritten signature in black ink, appearing to read "Brett", with a long horizontal stroke extending from the end of the name.

Brett Hulse, MNS

President, Better Environmental Solutions

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