



STATE OF CALIFORNIA

GRANT REQUEST FORM (GRF)

CEC-270 (Revised 12/2019)

CALIFORNIA ENERGY COMMISSION

A) New Agreement # ARV-21-050 (to be completed by CGL office)

B) Division	Agreement Manager:	MS-	Phone
Fuels and Transportation	Wendell Krell		916-805-7485

C) Recipient's Legal Name	Federal ID #
New Leaf Biofuel, LLC	41-2207220

D) Title of Project
New Leaf Biofuel 100% Renewable Fuel Terminal

E) Term and Amount

Start Date	End Date	Amount
03 / 09 / 2022	06 / 30 / 2025	\$ 1,000,000

F) Business Meeting Information

ARFVTP agreements \$75K and under delegated to Executive Director
 Proposed Business Meeting Date 03 / 09 / 2022 Consent Discussion
 Business Meeting Presenter TBD Time Needed: 5 minutes
 Please select one list serve. Altfuels (AB118- ARFVTP)

Agenda Item Subject and Description:

NEW LEAF BIOFUEL, LLC. Proposed resolution approving Agreement ARV-21-050 with New Leaf Biofuel, LLC for a \$1,000,000 grant to install storage tanks at an existing site that will allow railcars to offload biofuel and then fill transport trucks independently, rather than requiring both to be simultaneously present, and adopting staff's determination that this action is exempt from CEQA. This project will increase the site's throughput from 10 million gallons per year to up to 88 million gallons per year with waste-derived renewable fuels, thereby offsetting up to 723,146 MTCO2 per year at full capacity. (Clean Transportation Program Funding). Contact: Wendell Krell. (Staff Presentation: 5 minutes)

G) California Environmental Quality Act (CEQA) Compliance

- Is Agreement considered a "Project" under CEQA?
 - Yes (skip to question 2) No (complete the following (PRC 21065 and 14 CCR 15378)):
 - Explain why Agreement is not considered a "Project":
 - Agreement will not cause direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because .
- If Agreement is considered a "Project" under CEQA:
 - Agreement **IS** exempt.
 - Statutory Exemption. List PRC and/or CCR section number:
 - Categorical Exemption. List CCR section number: 15301: "Existing Facilities". Class 1 projects consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. This project involves the installation of above



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ground storage tanks to store renewable biofuel at an existing biofuel transloading facility in Fontana, California. The project involves minor grading to prepare the site and new pumping equipment to transfer the fuel from the tanks from the rail and truck distribution system. There will be no expansion of use at the facility. For all the above reasons, the project is categorically exempt from CEQA under 14 CCR 15301 Existing Facilities.

Common Sense Exemption. 14 CCR 15061 (b) (3) Explain reason why Agreement is exempt under the above section:

b) Agreement **IS NOT** exempt. (consult with the legal office to determine next steps)

Check all that apply

- Initial Study
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
- Statement of Overriding Considerations

H) List all subcontractors (major and minor) and equipment vendors: (attach additional sheets as necessary)

Legal Company Name:	Budget
Separation by Design, Inc.	\$ 1,000,000 (match \$3,380,779)
MHX, LLC	\$ 0 (match \$1,080,000)
Build Momentum, Inc.	\$ 0 (separate contract)

I) List all key partners: (attach additional sheets as necessary)

Legal Company Name:

J) Budget Information

Funding Source	Funding Year of Appropriation	Budget List Number	Amount
ARVTF	FY 2018-2019	601.118K	\$500.000
ARVTF	FY 2019-2020	601.118L	\$500.000

R&D Program Area: Select Program Area TOTAL: \$

Explanation for "Other" selection

Reimbursement Contract #:

Federal Agreement #:

K) Recipient's Contact Information

1. Recipient's Administrator/Officer

Name: Jennifer Case

Address: 2285 Newton Avenue



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City, State, Zip: San Diego, CA
92113

Phone: (619) 236-8500

E-Mail: jennifer@newleafbiofuel.com

2. Recipient's Project Manager

Name: Herbert Cheung

CALIFORNIA ENERGY COMMISSION

Address: 2285 Newton Avenue

City, State, Zip: San Diego, CA
92113

Phone: (619) 236-8500

E-Mail: herbert@newleafbiofuel.com

L) Selection Process Used

Competitive Solicitation Solicitation #: GFO-20-608

First Come First Served Solicitation Solicitation #: - -

M) The following items should be attached to this GRF

- | | | | | |
|---|-------------------------------------|-----|-------------------------------------|----------|
| 1. Exhibit A, Scope of Work | <input checked="" type="checkbox"/> | N/A | <input checked="" type="checkbox"/> | Attached |
| 2. Exhibit B, Budget Detail | <input checked="" type="checkbox"/> | N/A | <input checked="" type="checkbox"/> | Attached |
| 3. CEC 105, Questionnaire for Identifying Conflicts | <input checked="" type="checkbox"/> | N/A | <input checked="" type="checkbox"/> | Attached |
| 4. Recipient Resolution | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> | Attached |
| 5. CEQA Documentation | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> | Attached |

Agreement Manager

Date

Office Manager

Date

Deputy Director

Date

Exhibit A SCOPE OF WORK

TECHNICAL TASK LIST

Task #	CPR	Task Name
1		Administration
2		Project and Site Preparation
3	X	Construction and Commissioning
4		Data Collection and Analysis
5		Project Fact Sheet

KEY NAME LIST

Task #	Key Personnel	Key Subcontractor(s)	Key Partner(s)
1	Jennifer Case (New Leaf)	Momentum (Janet Cohen)	N/A
2	Jennifer Case, (New Leaf)	MHX (David Moore), Separation by Design (Roy Jorgensen)	N/A
3	Jennifer Case (New Leaf)	MHX (David Moore), Separation by Design (Roy Jorgensen)	N/A
4	Jennifer Case (New Leaf), Joe Gershen (New Leaf)	Momentum (Matt Hart)	N/A
5	Jennifer Case (New Leaf), Joe Gershen (New Leaf)	Momentum (Robert Eckard)	N/A

GLOSSARY

Specific terms and acronyms used throughout this scope of work are defined as follows:

Term/ Acronym	Definition
CAM	Commission Agreement Manager
CAO	Commission Agreement Officer
CEC	California Energy Commission
CTP	Clean Transportation Program
CPR	Critical Project Review
FTD	Fuels and Transportation Division
Recipient	An applicant awarded a grant under a CEC solicitation

Background

Assembly Bill (AB) 118 (Núñez, Chapter 750, Statutes of 2007), created the Clean Transportation Program. The statute authorizes the California Energy Commission (CEC) to develop and deploy alternative and renewable fuels and advanced transportation technologies to help attain the state's climate change, clean air, and alternative energy policies. AB 8 (Perea, Chapter 401, Statutes of 2013) re-authorizes the Clean Transportation Program through January 1, 2024. The Clean Transportation Program has an annual budget of approximately \$100 million and provides financial support for projects that:

- Reduce California's use and dependence on petroleum transportation fuels and increase the use of alternative and renewable fuels and advanced vehicle technologies.
- Produce sustainable alternative and renewable low-carbon fuels in California.
- Expand alternative fueling infrastructure and fueling stations.
- Improve the efficiency, performance, and market viability of alternative light-, medium-, and heavy-duty vehicle technologies.
- Retrofit medium- and heavy-duty on-road and non-road vehicle fleets to alternative technologies or fuel use.
- Expand the alternative fueling infrastructure available to existing fleets, public transit, and transportation corridors.
- Establish workforce training programs and conduct public outreach on the benefits of alternative transportation fuels and vehicle technologies.

On April 12, 2021, the CEC released Grant Funding Opportunity, entitled "Ultra-Low-Carbon Fuel: Commercial-Scale Production Facilities & Blending Infrastructure." This competitive grant solicitation was to support ultra-low-carbon fuel in two funding categories: commercial-scale production facilities and blending infrastructure. In response to GFO-20-608, the Recipient submitted application #3 which was proposed for funding in the CEC's Notice of Proposed Awards on November 19, 2021. GFO-20-608 and Recipient's application are hereby incorporated by reference into this Agreement in their entirety.

In the event of any conflict or inconsistency between the terms of the Solicitation and the terms of the Recipient's Application, the Solicitation shall control. In the event of any conflict or inconsistency between the Recipient's Application and the terms of CEC's Award, CEC's Award shall control. Similarly, in the event of any conflict or inconsistency between the terms of this Agreement and the Recipient's Application, the terms of this Agreement shall control.

Problem Statement:

Demand for low carbon diesel alternatives in California is strong and continues to grow. Moreover, demand outlooks for the near to midterm are expected to continue to expand as the state marches forward with its push to decarbonize transportation—including for medium- and heavy-duty transport vehicles that rely almost exclusively on diesel fuel. Demand in the greater Los Angeles region has remained especially high. Despite this demand, there are few options available for sourcing large volumes of renewable fuel to displace conventional diesel. While the state's suppliers are required to meet minimum blending requirements, demand for higher blend diesel alternatives is on the rise, as a growing number of fleets work to decarbonize transportation related operations. Unfortunately, there are few transloading or other supply terminals in the greater Los Angeles region that are capable of supplying high blends of biodiesel and renewable diesel. As a result, many advanced fuels distributors are forced to drive long distances—as far away as the San Diego metro region or the Central Valley—to acquire higher blends of renewable fuels.

Goals of the Agreement:

The goal of this Agreement is to increase the throughput of New Leaf's existing renewable fuels terminal to handle a total of up to 88 million gallons per year of biodiesel and renewable diesel fuel to support the use of higher blends of renewable fuels throughout Southern California. The project will upgrade New Leaf's established rail transloading terminal in Fontana, CA by installing new on-site fuel storage tanks, pumps, blending, and automated loading equipment. New Leaf will achieve the targeted throughput by deploying dedicated infrastructure to greatly expand the capacity of existing, on-site renewable fuels terminal operations in the Greater Los Angeles region.

Objectives of the Agreement:

The objectives of this Agreement are to:

- Deploy new and expand existing infrastructure on site that are sufficient to support throughput of up to 88 million gallons of combined biodiesel and renewable diesel throughput per year
- Provide 24-hour available fuel distribution to serve markets in the greater Los Angeles region
- Support disadvantaged and low-income communities through jobs and economic development and direct education and outreach benefits
- Reduce greenhouse gas emissions by sourcing waste-derived, renewable fuels having a carbon intensity score of 30.00 grams carbon dioxide-equivalent per megajoule or less (on average) and offset up to 723 metric tons of carbon dioxide equivalents per year at full capacity.

TASK 1 ADMINISTRATION

Task 1.1 Attend Kick-off Meeting

The goal of this task is to establish the lines of communication and procedures for implementing this Agreement. The Commission Agreement Manager (CAM) shall designate the date and location of this meeting and provide an agenda to the Recipient prior to the meeting.

The Recipient shall:

- Attend a “Kick-Off” meeting with the CAM, the Commission Agreement Officer (CAO), and a representative of the California Energy Commission (CEC) Accounting Office. The Recipient shall bring their Project Manager, Agreement Administrator, Accounting Officer, and any others determined necessary by the Recipient or specifically requested by the CAM to this meeting.
- Provide a written statement of project activities that have occurred after the notice of proposed awards but prior to the execution of the agreement using match funds. If none, provide a statement that no work has been completed using match funds prior to the execution of the agreement. All pre-execution match expenditures must conform to the requirements in the Terms and Conditions of this Agreement.
- Discuss the following administrative and technical aspects of this Agreement:
 - Agreement Terms and Conditions
 - Critical Project Review (Task 1.2)
 - Match fund documentation (Task 1.7) No reimbursable work may be done until this documentation is in place.
 - Permit documentation (Task 1.8)
 - Subawards needed to carry out project (Task 1.9)
 - The CAM’s expectations for accomplishing tasks described in the Scope of Work
 - An updated Schedule of Products and Due Dates
 - Monthly Calls (Task 1.4)
 - Quarterly Progress Reports (Task 1.5)
 - Technical Products (Product Guidelines located in Section 5 of the Terms and Conditions)
 - Final Report (Task 1.6)

Recipient Products:

- Updated Schedule of Products
- Updated List of Match Funds
- Updated List of Permits
- Written Statement of Match Share Activities

Commission Agreement Manager Product:

- Kick-Off Meeting Agenda

Task 1.2 Critical Project Review (CPR) Meetings

CPRs provide the opportunity for frank discussions between the CEC and the Recipient. The goal of this task is to determine if the project should continue to receive Energy Commission funding to complete this Agreement and to identify any needed modifications to the tasks, products, schedule or budget.

The CAM may schedule CPR meetings as necessary, and meeting costs will be borne by the Recipient.

Meeting participants include the CAM and the Recipient and may include the CAO, the Fuels and Transportation Division (FTD) program lead, other CEC staff and Management as well as other individuals selected by the CAM to provide support to the CEC.

The CAM shall:

- Determine the location, date, and time of each CPR meeting with the Recipient. These meetings generally take place at the CEC, but they may take place at another location or remotely.
- Send the Recipient the agenda and a list of expected participants in advance of each CPR. If applicable, the agenda shall include a discussion on both match funding and permits.
- Conduct and make a record of each CPR meeting. Prepare a schedule for providing the written determination described below.
- Determine whether to continue the project, and if continuing, whether or not modifications are needed to the tasks, schedule, products, and/or budget for the remainder of the Agreement. Modifications to the Agreement may require a formal amendment (please see section 8 of the Terms and Conditions). If the CAM concludes that satisfactory progress is not being made, this conclusion will be referred to the Lead Commissioner for Transportation for his or her concurrence.
- Provide the Recipient with a written determination in accordance with the schedule. The written response may include a requirement for the Recipient to revise one or more product(s) that were included in the CPR.

The Recipient shall:

- Prepare a CPR Report for each CPR that discusses the progress of the Agreement toward achieving its goals and objectives. This report shall include recommendations and conclusions regarding continued work of the projects. This report shall be submitted along with any other products identified in this scope of work. The Recipient shall submit these documents to the CAM and any other designated reviewers at least 15 working days in advance of each CPR meeting.
- Present the required information at each CPR meeting and participate in a discussion about the Agreement.

CAM Products:

- Agenda and a list of expected participants
- Schedule for written determination
- Written determination

Recipient Product:

- CPR Report(s)

Task 1.3 Final Meeting

The goal of this task is to closeout this Agreement.

The Recipient shall:

- Meet with CEC staff to present the findings, conclusions, and recommendations. The final meeting must be completed during the closeout of this Agreement.

This meeting will be attended by, at a minimum, the Recipient and the CAM. The technical and administrative aspects of Agreement closeout will be discussed at the meeting, which may be two separate meetings at the discretion of the CAM.

The technical portion of the meeting shall present an assessment of the degree to which project and task goals and objectives were achieved, findings, conclusions, recommended next steps (if any) for the Agreement, and recommendations for improvements. The CAM will determine the appropriate meeting participants.

The administrative portion of the meeting shall be a discussion with the CAM about the following Agreement closeout items:

- What to do with any equipment purchased with CEC funds (Options)
 - CEC request for specific “generated” data (not already provided in Agreement products)
 - Need to document Recipient’s disclosure of “subject inventions” developed under the Agreement
 - “Surviving” Agreement provisions
 - Final invoicing and release of retention
- Prepare a schedule for completing the closeout activities for this Agreement.

Products:

- Written documentation of meeting agreements
- Schedule for completing closeout activities

Task 1.4 Monthly Calls

The goal of this task is to have calls at least monthly between CAM and Recipient to verify that satisfactory and continued progress is made towards achieving the objectives of this Agreement on time and within budget.

The objectives of this task are to verbally summarize activities performed during the reporting period, to identify activities planned for the next reporting period, to identify issues that may affect performance and expenditures, to verify match funds are being proportionally spent concurrently or in advance of CEC funds or are being spent in accordance with an approved Match Funding Spending Plan, to form the basis for determining whether invoices are consistent with work performed, and to answer any other questions from the CAM. Monthly calls might not be held on those months when a quarterly progress report is submitted, or the CAM determines that a monthly call is unnecessary.

The CAM shall:

- Schedule monthly calls.
- Provide questions to the Recipient prior to the monthly call.
- Provide call summary notes to Recipient of items discussed during call.

The Recipient shall:

- Review the questions provided by CAM prior to the monthly call
- Provide verbal answers to the CAM during the call.

Product:

- Email to CAM concurring with call summary notes.

Task 1.5 Quarterly Progress Reports

The goal of this task is to periodically verify that satisfactory and continued progress is made towards achieving the objectives of this Agreement on time and within budget.

The objectives of this task are to summarize activities performed during the reporting period, to identify activities planned for the next reporting period, to identify issues that may affect performance and expenditures, and to form the basis for determining whether invoices are consistent with work performed.

The Recipient shall:

- Prepare a Quarterly Progress Report which summarizes all Agreement activities conducted by the Recipient for the reporting period, including an assessment of the ability to complete the Agreement within the current budget and any anticipated cost overruns. Progress reports are due to the CAM the 10th day of each January, April, July, and October. The Quarterly Progress Report template can be found on the ECAMS Resources webpage available at <https://www.energy.ca.gov/media/4691>.

Product:

- Quarterly Progress Reports

Task 1.6 Final Report

The goal of the Final Report is to assess the project's success in achieving the Agreement's goals and objectives, advancing science and technology, and providing energy-related and other benefits to California.

The objectives of the Final Report are to clearly and completely describe the project's purpose, approach, activities performed, results, and advancements in science and technology; to present a public assessment of the success of the project as measured by the degree to which goals and objectives were achieved; to make insightful observations based on results obtained; to draw conclusions; and to make recommendations for further projects and improvements to the FTD project management processes.

The Final Report shall be a public document. If the Recipient has obtained confidential status from the CEC and will be preparing a confidential version of the Final Report as well, the Recipient shall perform the following activities for both the public and confidential versions of the Final Report.

The Recipient shall:

- Prepare an Outline of the Final Report, if requested by the CAM.
- Prepare a Final Report following the latest version of the Final Report guidelines which will be provided by the CAM. The CAM shall provide written comments on the Draft Final Report within fifteen (15) working days of receipt. The Final Report must be completed at least 60 days before the end of the Agreement Term.
- Submit one bound copy of the Final Report with the final invoice.

Products:

- Outline of the Final Report, if requested
- Draft Final Report
- Final Report

Task 1.7 Identify and Obtain Matching Funds

The goal of this task is to ensure that the match funds planned for this Agreement are obtained for and applied to this Agreement during the term of this Agreement.

The costs to obtain and document match fund commitments are not reimbursable through this Agreement. Although the CEC budget for this task will be zero dollars, the Recipient may utilize match funds for this task. Match funds must be identified in writing and the associated commitments obtained before the Recipient can incur any costs for which the Recipient will request reimbursement.

The Recipient shall:

- Prepare a letter documenting the match funding committed to this Agreement and submit it to the CAM at least 2 working days prior to the kick-off meeting. If no match funds were part of the proposal that led to the CEC awarding this Agreement and none have been identified at the time this Agreement starts, then state such in the letter. If match funds were a part of the proposal that led to the CEC awarding this Agreement, then provide in the letter a list of the match funds that identifies the:
 - Amount of each cash match fund, its source, including a contact name, address and telephone number and the task(s) to which the match funds will be applied.
 - Amount of each in-kind contribution, a description, documented market or book value, and its source, including a contact name, address and telephone number and the task(s) to which the match funds will be applied. If the in-kind contribution is equipment or other tangible or real property, the Recipient shall identify its owner and provide a contact name, address and telephone number, and the address where the property is located.
- Provide a copy of the letter of commitment from an authorized representative of each source of cash match funding or in-kind contributions that these funds or contributions have been secured. For match funds provided by a grant, a copy of the executed grant shall be submitted in place of a letter of commitment.
- Discuss match funds and the implications to the Agreement if they are reduced or not obtained as committed, at the kick-off meeting. If applicable, match funds will be included as a line item in the progress reports and will be a topic at CPR meetings.
- Provide the appropriate information to the CAM if during the course of the Agreement additional match funds are received.
- Notify the CAM within 10 days if during the course of the Agreement existing match funds are reduced. Reduction in match funds must be approved through a formal amendment to the Agreement and may trigger an additional CPR meeting.

Products:

- A letter regarding match funds or stating that no match funds are provided
- Copy(ies) of each match fund commitment letter(s) (if applicable)
- Letter(s) for new match funds (if applicable)
- Letter that match funds were reduced (if applicable)

Task 1.8 Identify and Obtain Required Permits

The goal of this task is to obtain all permits required for work completed under this Agreement in advance of the date they are needed to keep the Agreement schedule on track.

Permit costs and the expenses associated with obtaining permits are not reimbursable under this Agreement. Although the CEC budget for this task will be zero dollars, the Recipient may budget match funds for any expected expenditures associated with obtaining permits. Permits must be identified in writing and obtained before the Recipient can make any expenditure for which a permit is required.

The Recipient shall:

- Prepare a letter documenting the permits required to conduct this Agreement and submit it to the CAM at least 2 working days prior to the kick-off meeting. If there are no permits required at the start of this Agreement, then state such in the letter. If it is known at the beginning of the Agreement that permits will be required during the course of the Agreement, provide in the letter:
- A list of the permits that identifies the:
 - Type of permit
 - Name, address and telephone number of the permitting jurisdictions or lead agencies
- The schedule the Recipient will follow in applying for and obtaining these permits.
- Discuss the list of permits and the schedule for obtaining them at the kick-off meeting and develop a timetable for submitting the updated list, schedule and the copies of the permits. The implications to the Agreement if the permits are not obtained in a timely fashion or are denied will also be discussed. If applicable, permits will be included as a line item in the Progress Reports and will be a topic at CPR meetings.
- If during the course of the Agreement additional permits become necessary, provide the appropriate information on each permit and an updated schedule to the CAM.
- As permits are obtained, send a copy of each approved permit to the CAM.
- If during the course of the Agreement permits are not obtained on time or are denied, notify the CAM within 5 working days. Either of these events may trigger an additional CPR.

Products:

- Letter documenting the permits or stating that no permits are required
- A copy of each approved permit (if applicable)
- Updated list of permits as they change during the term of the Agreement (if applicable)
- Updated schedule for acquiring permits as changes occur during the term of the Agreement (if applicable)
- A copy of each final approved permit (if applicable)

Task 1.9 Obtain and Execute Subawards

The goal of this task is to ensure quality products and to procure subrecipients required to carry out the tasks under this Agreement consistent with the Agreement Terms and Conditions and the Recipient's own procurement policies and procedures.

The Recipient shall:

- Manage and coordinate subrecipient activities.
- If requested by the CAM, submit a draft of each subaward required to conduct the work under this Agreement to the CAM for review.
- If requested by the CAM, submit a final copy of the executed subaward.
- If Recipient intends to add new subrecipients or change subrecipients, then the Recipient shall notify the CAM.

Products:

- Letter describing the subawards needed, or stating that no subawards are required
- Draft subcontracts (if requested)
- Final subcontracts (if requested)

TECHNICAL TASKS**TASK 2 PROJECT AND SITE PREPARATION**

The goal of this task is to finalize all project and site preparation, including any final modifications to the documentation and drawings needed for final permitting and construction, and to prepare the site for construction. Base engineering and design, along with California Environmental Quality Act certification and the majority of permitting, has already been completed and the project is shovel ready.

Subtask 2.1 Finalize Construction Drawings and Permitting

The goal of this subtask is to finalize the existing construction drawings and permitting documentation as needed to incorporate any final updates to the project.

The Recipient shall:

- Review the existing project drawings for consistency with the project, as described in this scope of work
- Complete focused and targeted updates to the existing plan set to ensure the construction drawings are consistent with the project and ready for construction
- Prepare final drawings
- Prepare and submit all final permit applications
- Respond to permitting agency requests for updates and ensure timely permit completion
- Prepare and submit to CAM a Notification of Permitting Completion that notifies the Energy Commission when all permits required for the project have been acquired
- Prepare and submit to CAM an Equipment and Construction Summary focusing on large equipment, consistent with the approved Budget, outlining the comprehensive costs of all equipment purchases and related site work and installation costs. The Summary will include:

- Costs for any site work required prior to construction including demolition and infrastructure changes
- Equipment installation costs
- Equipment supplier and capacity
- Cost to acquire the equipment

Products:

- Notification of Permitting Completion
- Equipment and Construction Summary

Subtask 2.2 Site Preparation and Readiness to Construct

The goal of this task is to complete all site preparation activities including land clearing, demolition, grading, and preparation of the site for construction, and to notify the Energy Commission of site readiness to construct.

The Recipient shall:

- Remove on-site and existing infrastructure and equipment slated for demolition and removal
- Complete all on-site earth work, including land clearing, minor grading, and other activities needed to prepare the project site for construction
- Prepare and submit to the CAM a Notification of Readiness to Construct stating the project has obtained all permits necessary to begin construction, agreements or contracts with equipment suppliers or construction contractors, final equipment bids, and any additional information necessary to begin construction.
- Prepare and submit to the CAM a phased Construction Management Plan and Timeline that describes all major activities related to construction, equipment procurement and installation.

Products:

- Notification of Readiness to Construct
- Construction Management Plan and Timeline

TASK 3 CONSTRUCTION AND COMMISSIONING

The goal of this task is to construct and commission the proposed transloading facility upgrades so that the expanded facility is ready for commercial operations.

Subtask 3.1 Facility Construction

The goal of this task is to construct the proposed transloading facility modifications.

The Recipient shall:

- Implement the Construction Management Plan and Timeline.
- Prepare and provide to CAM a Major Project Change List for the facility that will identify any major project changes (i.e., swapping out of a major piece of equipment having a value of \$50,000 or greater, or a significant process change, or a schedule change of more than four weeks) that occurred during or after implementation of the Construction Management Plan. The Major Project Change List will be updated on an as-needed basis and will include, but is not limited to, the following:
 - An update on selected equipment (tanks and pumps) vendors and timeline for equipment acquisition;

- A description of the scope of the challenge necessitating a material change in the Construction Management Plan;
- A solution to address the challenge and rationale for the proposed solution; and
- An update, as necessary, to the milestones and Gantt chart to reflect the new approach.
- Prepare and provide to CAM a Written Notification of Completion of Construction and Installation for the facility that will notify the CAM that construction and installation activities have been completed.
- Prepare and provide to CAM a Construction Report for the facility that will evaluate the actual construction activities compared to the Construction Management Plan and Timeline. The Construction Report will include, but is not limited to:
 - A final schedule of completed milestones;
 - A description of lessons learned; and
 - A summary of major project changes.
- Provide a summary of construction and installation activities in Quarterly Progress Report(s) (see subtask 1.5).

Products:

- Major Project Change List
- Written Notification of Completion of Construction and Installation
- Construction Report

Subtask 3.2 Facility Commissioning

The goal of this subtask is to perform the testing required to commission the transloading facility expansion.

The Recipient Shall:

- Prepare and provide to CAM a Testing Plan for the facility that will detail the process, deliverables, and milestones associated with the cold testing of the facility. The Testing Plan will provide for testing during the commissioning process including after tank certification, pump testing and rotation, pipe and valve leak testing, and process commissioning and testing.
- The Testing Plan will include the following:
 - A description of the equipment to be tested;
 - A description of the methodology to test the identified equipment;
 - A list of goals and objectives for the test; and
 - A description of the quality control and quality assurance practices for the test methodology.
- Implement the Testing Plan.
- Prepare and provide to CAM a Testing Report for the facility that will evaluate the commissioning test results. The Testing Report will include, but is not limited to, the following:

- A description of the results of equipment identified in the Testing Plan; and
- A description of any major changes that were made based on findings during the testing process.
- Prepare and provide to CAM a Written Notification of Completion of Commissioning for the facility that will notify the CAM that commissioning activities have been completed and that the facility is ready to commence commercial operations.

Products:

- Testing Plan
- Testing Report
- Written Notification of Completion of Commissioning

[CPR WILL OCCUR DURING THIS TASK. See Task 1.2 for details.]

Task 4 DATA COLLECTION AND ANALYSIS

The goal of this task is to collect operational data from the project, to analyze that data for economic and environmental impacts, and to include the data and analysis in the Final Report.

The Recipient shall:

- Develop a data collection plan.
- Troubleshoot any issues identified.
- Collect at least six months of data, including:
 - Throughput, usage, and operations data
 - Normal operating hours, up time, down time, and explanations of variations
 - Gallons of gasoline and/or diesel fuel displaced (with associated mileage information), along with value converted into DGE
 - Expected air emissions reduction, for example:
 - Non-methane hydrocarbons
 - Oxides of nitrogen
 - Non-methane hydrocarbons plus oxides of nitrogen
 - Particulate Matter
 - Formaldehyde
 - Specific jobs and economic development resulting from this project
 - Levelized Cost of Fuel and Finished fuel price
 - Analysis of total facility costs, operation and maintenance costs, marginal abatement costs
- Comply with the Petroleum Industry Information Reporting Act (PIIRA) and complete CEC Form M810E and CEC Form M13 on a monthly basis for submission to the California Energy Commission's PIIRA Data Collection Unit.
- Provide a written record of registering with the Low Carbon Fuel Standard and Renewable Fuel Standard programs.
- Identify any current and planned use of renewable energy at the facility.
- Describe any energy efficiency measures used in the facility that may exceed Title 24 standards in Part 6 of the California Code Regulations.
- Provide data on potential job creation, economic development, and increased state revenue as a result of expected future expansion.

- Provide a quantified estimate of the project's carbon intensity values or provide an Air Resources Board approved pathway carbon intensity.
- Estimate annual life-cycle greenhouse gas emission reduction.
- Compare any project performance and expectations provided in the proposal to Energy Commission with actual project performance and accomplishments.
- Collect data, information, and analysis described above and include in the Final Report.

Products:

- Data collection information and analysis will be included in the Final Report

TASK 5 PROJECT FACT SHEET

The goal of this task is to develop an initial and final project fact sheet that describes the CEC-funded project and the benefits resulting from the project for the public and key decision makers.

The Recipient shall:

- Prepare an Initial Project Fact Sheet at start of the project that describes the project and the expected benefits. Use the format provided by the CAM.
- Prepare a Final Project Fact Sheet at the project's conclusion that describes the project, the actual benefits resulting from the project, and lessons learned from implementing the project. Use the format provided by the CAM.
- Provide at least (6) six High Quality Digital Photographs (minimum resolution of 1300x500 pixels in landscape ratio) of pre and post technology installation at the project sites or related project photographs.

Products:

- Initial Project Fact Sheet
- Final Project Fact Sheet
- High Quality Digital Photographs

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: NEW LEAF BIOFUEL, LLC

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement ARV-21-050 with New Leaf Biofuel, LLC for a \$1,000,000 grant to install storage tanks at an existing site that will allow railcars to offload biofuel and then fill transport trucks independently, rather than requiring both to be simultaneously present. This project will increase the site's throughput from 10 million gallons per year to up to 88 million gallons per year with waste-derived renewable fuels, thereby offsetting up to 723,146 MTCO₂ per year at full capacity; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the CEC held on March 9, 2022.

AYE:

NAY:

ABSENT:

ABSTAIN:

Liza Lopez
Secretariat