

## Frequently Asked Questions on the Alternative Diesel Fuel Regulation

California Code of Regulations, title 13, sections 2293-2293.9

### Introduction:

The Air Resources Board adopted a regulation on the Commercialization of Alternative Diesel Fuels (ADF), found at California Code of Regulations (CCR), title 13, sections 2293-2293.9 (ADF regulation), which becomes effective January 1, 2016. The regulation establishes a comprehensive, multi-stage process governing the commercialization of new ADFs in California. The regulation also establishes specifications and in-use requirements for biodiesel, as the first ADF subject to the ADF regulation.

This document is intended to assist regulated parties with complying with the ADF regulation reporting and recordkeeping requirements. This document is available at: <http://www.arb.ca.gov/fuels/adf/adf.htm>.

### 1. Does the ADF regulation apply to me?

The ADF regulation contains reporting and recordkeeping requirements (section 2293.8) applicable to entities in the biodiesel industry, effective January 1, 2016. Biodiesel producers, importers and blenders are required to report and keep records concerning biodiesel production, sales, and blending. On the other hand, biodiesel distributors and retailers are only required to keep records. On January 1, 2018 the biodiesel in-use requirements will become effective, but until then the ADF regulation requires only reporting and recordkeeping for biodiesel. For more information please see the ADF regulation at: <http://www.arb.ca.gov/regact/2015/adf2015/adffinalregorder.pdf>.

### 2. Does the ADF regulation apply to both on and off-road vehicle fuel?

Yes, the ADF regulation applies to both on and off-road fuel. Section 2293.1 states that the regulation covers each retail sale of ADF for use in a *motor vehicle*, as well as each supply of ADF into a *motor vehicle* fuel tank. Motor vehicles include both on- and off-road motorized vehicles.

### 3. Is renewable diesel subject to the ADF regulation?

No, renewable diesel (also called renewable hydrocarbon diesel) is not subject to the ADF regulation. The ADF regulation defines an ADF as, among other things, a fuel that does not consist solely of hydrocarbons. Renewable diesel consists solely of hydrocarbons, and is therefore considered diesel rather than an ADF. Renewable diesel is subject to the diesel regulations at CCR, title 13, sections 2281-2285.

**4. Are biodiesel blends above B20 considered commercial Stage 3 fuels under the ADF regulation?**

No, biodiesel blends above B20 are not Stage 3 fuels under the ADF regulation. The ADF regulation contains specifications for B100 blendstocks, but does not contain provisions for biodiesel blends above B20 as a finished fuel. Blends above B20 have not met the requirements of consensus standard adoption, engine manufacturer approval, or development of emissions protective fuel specifications or in-use requirements under the phase-in requirements of section 2293.5. Biodiesel blends above B20 must therefore go through the phase-in requirements of section 2293.5, including applying for a Stage 1 Pilot Program prior to sale.

**5. For purposes of reporting and recordkeeping, is the “blender” considered the owner of the fuel at the time of blending, or the operator of the blending equipment?**

The blender is the person that operates the equipment that is actually used to perform the blending. This person is responsible for satisfying the reporting and recordkeeping requirements for blenders under section 2293.8.

It is ARB’s understanding that, under current blending practices, the blending equipment will likely either be a terminal, in the case of in-line blending, or a tank trailer, in the case of splash blending.

**6. What are some examples of producers, importers, blenders, distributors, and retailers?**

Any particular regulated party may be subject to the reporting and recordkeeping requirements of more than one category in section 2293.8, and therefore is responsible for compliance with the requirements of each applicable category. The following list only provides examples of persons subject to the ADF regulation. To determine whether the regulation applies to a particular person, please consult the ADF regulation.

Producers: An example of a producer is a person who produces vehicular alternative diesel fuel in California.

Importers: An example of an importer is a person who buys an ADF or ADF blend from another state or another country and introduces the ADF or ADF blend into California for use in-State.

Blenders: An example of a blender is a person who blends an ADF with another fuel.

Distributors: An example of a distributor would be a person who transports an ADF or ADF blend without changing its blend level or composition.

Retailers: An example of a retailer would be a person who sells an ADF or ADF blend to end users.

**7. When reporting feedstock, may the Low Carbon Fuel Standard (LCFS) mixed feedstock guidance be used?**

No, the ADF regulation requires that biodiesel producers, importers and blenders report the monthly volume of neat ADFs produced, imported or obtained by feedstock. The reported biodiesel feedstock must match the actual feedstock rather than environmental attributes of the fuel being reported. In order to satisfy this requirement, cetane number or saturation level of a batch should be used as shown in Table A.2 and below.

Biodiesel Saturation Level	Unadditized Cetane Number	Test Method
Low Saturation	<56	ASTM D613-14; or ASTM D6890-13be1
High Saturation	≥56	ASTM D613-14; or ASTM D6890-13be1

**8. What should be reported if the saturation level of the feedstock is unknown?**

If the saturation level (e.g., high or low) of the feedstock is unknown, low saturation level may be used as the default saturation level in lieu of the required testing to determine the actual cetane number.

**9. Does Carbon Intensity (CI) pathway information need to be added to product transfer documents (PTD) in response to the ADF regulation?**

No, the ADF regulation does not require adding CI pathway information to PTDs. The ADF regulation *reporting provisions* do not require submission of any CI pathway information. However, the ADF regulation *recordkeeping provisions for Stage 3A fuels*, which include biodiesel, require that producers, importers, blenders, distributors and retailers keep PTDs for a minimum of five years and requires retention of CI pathway information that may be included on those PTDs. A PTD prepared to comply with the LCFS recordkeeping requirement should contain most or all of the information required under the ADF regulation.

**10. Do blenders of B5 need to be report their B5 blending?**

Yes, the ADF regulation requires that *all* biodiesel blends of B20 and below are subject to the reporting requirements in section 2293.8 and Appendix 1 of the ADF regulation. It is important for enforcement purposes that all blends of biodiesel be reported.

**11. Can blenders report their biodiesel blend levels as ranges?**

Yes, the most strict compliance option for the ADF regulation is to use an additive for blends B6 to B20 in accordance with Table A.5 in Appendix 1. This table includes blend ranges for additive use, and blenders may report their blends as ranges consistent with the ranges in this table. However, biodiesel that is reported as a blend range will subsequently be treated as having a blend level at the top of the range, unless the fuel is tested to determine its exact blend level. (See the following question and answer.)

Biodiesel Saturation Level	Biodiesel Blend Level
Low Saturation	≤ B5
	>B5 to <B10
	B10 to <B15
	B15 to B20
High Saturation	≤ B5
	>B5 to <B10
	B10 to <B15
	B15 to B20

**12. Are blenders responsible for accurate blending and reporting of biodiesel that they blend?**

Yes, it is each blender’s responsibility to confirm the blended amount and accuracy of the blend levels that are reported. For example, if a blender wishes to add biodiesel to fuel that may already contain up to five percent biodiesel, but the precise blend level is not known, the blender must either test the fuel to determine its actual blend level or assume the fuel contains five percent biodiesel prior to blending.

**13. Is there a specific form available for reporting?**

ARB is developing a form which will be available to help regulated parties organize and collect the information required to be submitted. This form will be available in the first quarter of 2016 and posted at: <http://www.arb.ca.gov/fuels/adf/adf.htm>.

**14. When are quarterly reports due?**

Under section 2293.8(a)(1), quarterly reports must be submitted by the end of the subsequent reporting period. For example, first quarter reports (January 1 through March 31) are due by June 30<sup>th</sup>.

**15. To whom should ADF reports be submitted, and is email or paper preferred?**

Please send quarterly reports electronically to: [adf@arb.ca.gov](mailto:adf@arb.ca.gov); or by mail to:

Oil and Gas and GHG Mitigation Branch Chief  
1001 I St. P.O. Box 2815  
Sacramento CA, 95812

Electronic submittals are preferred.

For more information on the ADF regulation please contact either Alexander “Lex” Mitchell at [Alexander.Mitchell@arb.ca.gov](mailto:Alexander.Mitchell@arb.ca.gov) or 916-327-1513, or Susie Chung at [Susie.Chung@arb.ca.gov](mailto:Susie.Chung@arb.ca.gov) or 916-327-0647.