

July 3, 2013

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Dear Lex and Jim:

Thank you for the opportunity to review and comment on the draft proposed regulatory order dated June 11, 2013, and the proposed alternative diesel fuel regulation associated with Alternative Diesel Fuel (ADF) in the State of California (together the "Proposal").

The Truck and Engine Manufacturers Association (EMA) represents on-highway, nonroad, marine, and locomotive engine manufactures whose customers depend on the fuel controlled by the proposed changes. EMA does not have significant concerns with the general approach being taken by ARB with respect to the Proposal, but does recommend several specific changes to the proposed regulatory language. In addition, as California already has the most stringent diesel fuel requirements and generally the highest fuel costs in the United States, it is imperative that the proposed changes to the diesel fuel regulations do not further exacerbate the cost penalty associated with California diesel fuel. It also is important that ARB consider the consequences of promoting the use of ADF formulations that inadvertently lead to degradation of engine and/or emission control system performance.

Throughout the history of diesel fuel regulation in California, ARB has relied on ASTM International standards for both fuels and test methods. In the Proposal, ARB needs to take those standards and test methods into account in drafting alternative definitions, required precision, and other appropriate references. Specifically, EMA recommends that ARB modify the Proposal to include the following changes:

§ 2281(b)(1) definition of "Diesel Fuel" – The new language proposed should be modified to read: "Alternative ~~diesel~~ fuel; such as B100, is not diesel fuel; however....". To avoid confusion, ARB should not use the word "diesel" in the description of alternative fuel while clarifying that alternative fuel are not diesel fuel.

§ 2282(a)(4) California diesel fuel approved for B20 blending – The specified blend range of 5.01 to 20.00 is not appropriate or consistent with either industry practice or ASTM Standards. ASTM D4767 specifically pertains to biodiesel blends ranging from B6 to B20. ARB should adopt the industry consensus standard designation for acceptable blend range.

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§ 2282(a)(4)(A)(1) CDF for B20 limits - The limit values and test methods proposed should be modified to reflect ASTM standards. ARB should consider utilization of derived cetane number test methods as alternatives to D613 inasmuch as the scope of D613 acknowledges that the test method is typically not applied to fuels, including alternative fuels with cetane numbers higher than 65.

§ 2282(a)(4)(A)(2) DTBP compliance option - EMA is not aware of any information available regarding the influence of extremely high additive treatment rates, such as the 1.28% minimum DTBP specified on engine and/or emission control system performance over the mandatory emission compliance period. EMA recommends that this option be removed until such time as ARB has demonstrated that there are not unintended consequences associated with this approach to ADF approval.

§ 2282(b)(0.61) definition of "Biodiesel" – The definition should be the same as California Code Title 4, Division 9, Section 4147 "Biodiesel Blending Stock," i.e. "Biodiesel blending stock shall meet the specifications set forth by ASTM International in the latest version of Standard Specification for Biodiesel Fuel (B100) Blend Stock for Distillate Fuels D6751."

§ 2282(b)(0.62) definition of "B20" – The definition should align with ASTM D7467. In particular, it should specify the percent volume of 6 to 20 percent without additional significant figures.

§ 2282(g)(2)(A)(3)(a) Properties of candidate fuels – The proposed increase in significant figures associated with the limit values for API Gravity, IBP, 10% REC, 50% REC, 90% REC, and EP are not appropriate. The current standard values should be retained. The reference test methods don't support the additional significant figures, and such additional figures would not add any value, but may add significant cost, to the fuels.

§ 2282(g)(3)(A) Reference Fuel Specifications – For the same reasons set forth above the additional significant figures associated with aromatics, API gravity, and distillation temperatures are not appropriate.

§ 2288(a)(5) B20 blending – Blending of B6 – B20 with B6 – B20 should be explicitly specified to avoid any confusion about the acceptability of combining blends in this range.

§ 2288(c)(0.61) definition of "Biodiesel" – The definition should be the same as California Code Title 4, Division 9, Section 4147 "Biodiesel Blending Stock," i.e. "Biodiesel blending stock shall meet the specifications set forth by ASTM International in the latest version of Standard Specification for Biodiesel Fuel (B100) Blend Stock for Distillate Fuels D6751."

§ 2288(c)(0.62) Definition of B20 – The specified blend range of 5.01 to 20.00 is not appropriate or consistent with either industry practice or ASTM Standards. ASTM D4767 specifically pertains to biodiesel blends ranging from B6 to B20. ARB should adopt the industry consensus standard designation for acceptable blend range.

§ 2288(c)(1) definition of "Diesel Fuel" – The new language proposed should be modified to read: "Alternative diesel fuel, such as B100, is not diesel fuel; however....". To avoid confusion,

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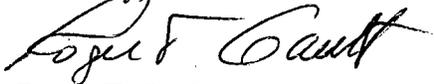
ARB should not use the word “diesel” in the description of alternative fuel while clarifying that alternative fuel are not diesel fuel.

§ 2293.7(a) “Biodiesel or B100” – The biodiesel blending stock (B100) should not be required to meet alternative specifications but rather the specifications set forth by ASTM International in the latest version of “Standard Specification for Biodiesel Fuel (B100) Blend Stock for Distillate Fuels D6751.” Among other things, the maximum sulfur content should be less than 15 ppm.

§ 2293.9(2) definition of “Biodiesel” – The definition should be the same as California Code Title 4, Division 9, Section 4147 “Biodiesel Blending Stock,” i.e. “Biodiesel blending stock shall meet the specifications set forth by ASTM International in the latest version of Standard Specification for Biodiesel Fuel (B100) Blend Stock for Distillate Fuels D6751.”

EMA looks forward to continuing to work with ARB in the development of the Proposal. If additional information or clarification is required, please feel free to contact me.

Sincerely,



Roger T. Gault
V.P. Regulatory Activities