



Regulatory Guidance

December 2018



Low Carbon Fuel Standard (LCFS) Regulatory Guidance 18-02

Carbon Intensity Benchmarks in Effect Starting Q1 2019

BACKGROUND

This notice relates to the Modified Writ of Mandate issued by the Fresno County Superior Court on October 18, 2017, in the case of Poet, LLC et al. vs CARB et al. (No. 09 CECG 04659 JYH). Today's Regulatory Guidance 18-02 supersedes and replaces Low Carbon Fuel Standard Regulatory Guidance 18-01 (which in turn updated Regulatory Guidance 17-03).

The Modified Writ directed California Air Resources Board (CARB) to preserve the status quo relating to conventional diesel fuel and its substitutes by continuing to adhere to the standards in effect during 2017 for those fuels until ordered corrective action was complete and approved by the court in an order discharging the writ. Other LCFS fuels were not impacted by the order.

DISCHARGE OF WRIT

CARB implemented corrective action pursuant to the Modified Writ, and filed a return to the writ on October 11, 2018. On November 27, 2018, the court signed an order discharging the Modified Writ. Because the order was not available on the court's docket until December 7, 2018, CARB staff is unable to provide at least 30 days of notice of the discharge of the writ as promised by Regulatory Guidance 18-01.

Starting January 1, 2019, the standards for diesel and diesel substitutes will revert to the schedule specified in the LCFS regulation.

CONTACT INFORMATION

For any questions regarding this regulatory guidance, please contact Sam Wade, Chief, Transportation Fuels Branch at (916) 322-8263 or via email at sam.wade@arb.ca.gov.