



Jim Verburg
Director, Fuels

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Submitted via upload to: <https://ww2.arb.ca.gov/applications/public-comments>

Clerk's Office
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Re: WSPA Comments on CARB Regulation for In-Use Off-Road Diesel-Fueled Fleets

Dear CARB Governing Board,

Western States Petroleum Association (WSPA) appreciates the opportunity to comment on the staff presentation at California Air Resources Board (CARB) proposed amendments to section 2449, 2449.1, and 2449.2 of title 13, article 4.8, chapter 9, California Code of Regulations, regarding In-Use Off-Road Diesel-Fueled Fleets. WSPA is a trade association that represents companies that provide diverse sources of transportation energy throughout the west, including California. This includes the transport and marketing of petroleum, petroleum products, natural gas, renewable fuels, and other energy supplies.

A significant element of the proposed rulemaking is the requirement the use of R99 as of January 1, 2024 as set forth in § 2449.1(f) – Renewable Diesel Requirement. Specifically, proposed § 2449.1(f)(1) currently reads as follows:

"Beginning January 1, 2024, all fleets subject to this regulation are required to use R99 or R100 renewable diesel fuel in all their vehicles subject to this regulation, including rental equipment, when operating them in California, subject to the exemptions provided in section 2449.1(f)(2) below."

WSPA is concerned that the R99/R100 requirement in proposed § 2449.1(f) may create issues due to potential constraints in delivery modes, storage capacity, and/or short-term supply. It is apparent that CARB shares this concern as the potential unavailability of R99 is addressed in proposed § 2449.1(f)(3) which reads in part as follows:

"If a portion of a fleet is unable to procure R99 or R100 renewable diesel through its normal refueling methods, ... those vehicles for which renewable diesel could not be procured are not required to comply with Section 2449.1(f)(1)..."

WSPA believes that this potential concern over R99/R100 availability, resulting in the need to exercise the backstop provisions of § 2449.1(f)(3), can be reduced by allowing the use of biodiesel/renewable diesel blend. We, therefore, recommend that CARB add the following language to § 2449.1(f)(1):

"Beginning January 1, 2024, all fleets subject to this regulation are required to use R99 or R100 renewable diesel fuel or a biodiesel/renewable diesel blend in all their vehicles subject to this regulation, ... subject to the exemptions provided in section 2449.1(f)(2) below."

WSPA appreciates the opportunity to provide input on this important regulatory process. If you have any questions, please contact me at (360) 296-0692 or via email at jverburg@wspa.org.

Sincerely,

Jim Verburg
Director, Fuels

