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Clerk of the Board  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

### **Comments on Proposed Amendments for the Alternative Diesel Fuels Regulation**

Dear Chair Randolph and Members of the Board:

Thank you for the opportunity to comment on the proposed rulemaking for the Alternative Diesel Fuels regulation.

Crimson Renewable Energy is the largest producer of biodiesel in California and a leading statewide collector of Used Cooking Oil. We have been producing biodiesel at our Bakersfield facility since 2011. As such, we are a significant stakeholder in any regulation that impacts the production and sale of biodiesel in California.

#### **Summary of Comments**

- Eliminate the new 2% NOx reduction requirement in Appendix 1, Sub-article 2, section (a)(2)(F) and (G).
- Revise the proposed changes to the test protocol to replace the screening procedure with a simplified, single lab/engine/fuel standardized certification procedure.
- Eliminate the R75/B20 language in Appendix 1, section (a)(1)(B)1; and retain only the new language for R55/B20 language in section (a)(1)(B)2.
- Work with stakeholders to develop and implement a scientifically valid, round-robin testing program to replace the recently approved 2-lab procedure and the proposed new 3-lab screening process.

#### **The 2% NOx Reduction Requirement is not Warranted**

The purpose of the Alternative Diesel Fuel regulation is to achieve NOx-neutrality for alternative diesel fuels. The 2% reduction requirement for blends containing renewable diesel are mandating *additional* reductions beyond the required NOx neutrality.

Also, as stated by the National Biodiesel Board (the “NBB”) in their previous comment, “a 2% additional NOx reduction is inconsistent with the NOx neutrality basis for the ADF regulation, and it was never discussed in the notice of proposed action for this rulemaking. Introducing this requirement as a 15-day change therefore conflicts with the California Administrative Procedure Act and the regulations adopted by the Office of Administrative Law (OAL) to implement that statute.”

This requirement should be eliminated.



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### **Simplify the Certification Procedure**

The proposed modifications include a Single Engine, Single Emissions Test Facility certification testing that requires engine acceptability to be performed at a minimum of three Emission Test Facilities. Then, based on the results, the Executive Officer will determine which engines and Emission Test Facilities are acceptable for single engine, single Emission Test Facility certification testing. Like the 2-lab certification process that was previously brought before the Board in April with objections from several stakeholders, this certification process is unprecedented, needlessly complex and expensive.

We ask that you revise the proposed changes to replace the screening procedure with a simplified, single-lab/engine/fuel standardized certification procedure that can be applied by anyone seeking certification for their blend/formulation, particularly for blends and formulations for which CARB had not previously identified any issues.

In closing, we agree with and would like to associate our company with the comments recently submitted by both the National Biodiesel Board and California Advanced Biofuels Alliance.

Sincerely,

Harry Simpson  
President & CEO  
Crimson Renewable Energy

