



April 7, 2023

Chair Randolph and Board Members
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Re: CABA Comment Letter – Advanced Clean Fleets Regulation

Dear Chair Randolph and Board Members,

The California Advanced Biofuels Alliance (CABA) appreciates the opportunity to comment on the Advanced Clean Fleets Regulation (ACF). While we appreciate the recent amendments to include opportunities for certain exemptions and extensions to allow for stakeholders to better comply with the regulation, we believe the extension granted to the waste and wastewater fleets should include fleets biomass-based diesel (BMBD) blends and encourage consideration of an exemption for waste fleet operators that provide waste diversion services that assist local governments and their subsidiaries in achieving SB 1383 goals and mandates.

CABA is a not-for-profit trade association promoting the increased use and production of advanced biofuels in California. CABA has represented BMBD feedstock suppliers, producers, distributors, retailers, and fleets on state and federal legislative and regulatory issues since 2006.

Compared to petroleum diesel, a blend of 80% renewable diesel and 20% biodiesel (R80/B20) can not only reduce nitrogen oxides (NOx) by 10%, but also reduces total hydrocarbons (THC) by more than 20%, particulate matter (PM) by more than 40% and carbon monoxide (CO) by more than 25%. An R80/B20 blend achieves this optimal balance of GHG, PM and NOx reductions while reducing costs for fleet operators.

Biodiesel and renewable diesel, collectively BMBD, are drop-in fuel replacements for petroleum diesel. Roughly 70% of the BMBD consumed in the state is derived from upcycled used-cooking oil (UCO) and animal tallow (tallow).¹ Without the demand created by BMBD, these products would otherwise end-up in landfills.² Therefore fleets using biodiesel and renewable diesel derived from UCO and tallow assist with implementing the organic waste diversion provisions of SB 1383 (Lara, Chapter 395, Statutes of 2016).³

On pages 66-67 of the regulation, Sections 37 & 38 restrict the application of the fleet extension delay of the zero-emission vehicles (ZEV) implementation for medium- and heavy-duty vehicles to traditional waste haulers, providing up to an additional 12 years of natural gas use throughout California. The proposed

¹ <https://ww2.arb.ca.gov/resources/documents/lcfs-data-dashboard>

² <https://nara.org/about-us/facts/> - "Renderers recycle roughly 1.6 billion pounds of used cooking oil from food items like French Fries into ingredients for animal feed, biodiesel, and renewable diesel. Without the essential services rendering offers, the valuable properties these used oils provide would be lost to landfills and other areas of disposal."

³ https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160SB1383



exemption for “waste fleet” operators with “a 10-year minimum” local agency agreement gives recognition to an industry because it invested in an alternative fuel. At the same time, the exemption ignores the significant investment made by owners of fleets that use liquid alternative fuels or could use liquid alternative fuel blends.

Further, the proposed regulation also exempts wastewater municipalities that haul and process diverted organic waste to implement the organic waste diversion requirements of SB 1383. This is a narrowly focused exemption for a comprehensive SB 1383 recycling regulation and ignores the millions of organic tons being redirected by other SB 1383 diversion infrastructure.

On January 4th, 2023, the Department of Resources Recycling and Recovery (CalRecycle) released an Organic Diversion Implementation Update stating that Californians disposed of 41 million tons of organics waste and 21 million tons was organic waste under SB 1383. “Not only has California not achieved the 2020 statutory target of 50% reduction in organic waste below the 2014 baseline, but we are now disposing at a rate nearly 1 million tons above the baseline.”⁴

Because of the benefits of BMBD and their waste diversion capabilities, we believe that the 2030 ZEV phase-in delay for existing trucks should be extended to those waste and wastewater fleets using solely biodiesel and renewable diesel blends as well. We encourage CARB’s implementation of the ACF regulation to include all recycling infrastructure for SB 1383 that utilizes *Alternative Fuels* as outlined in (HSC 43867) to have the same implementation timeframe vehicular emission standards.⁵

We thank CARB staff for their work on this important matter and look forward to collaborating with you. Please feel free to contact us if any questions should arise.

Sincerely,

A handwritten signature in black ink that reads "Rebecca Baskins".

Rebecca Baskins
Executive Director

⁴ See CalRecycle, “1383 Compliance Letter January 2023,” [List Archive Message Details \(ca.gov\)](#)

⁵ “Alternative fuel” means a nonpetroleum fuel, including electricity, ethanol, biodiesel, hydrogen, methanol, or natural gas that, when used in vehicles, has been demonstrated, to the satisfaction of the state board, to have the ability to meet applicable vehicular emission standards. For the purpose of this section, alternative fuel may also include petroleum fuel blended with nonpetroleum constituents, such as E85 or B20.
<https://law.justia.com/codes/california/2010/hsc/43865-43869.html>