

April 20, 2010

Via Electronic Submission

Cal/EPA
1001 I Street
Sacramento, CA 95814

Re: Draft for Comment Cal/EPA Fuel Guidance Document

On March 11, 2010, the Cal/EPA published its Draft for Comment Cal/EPA Fuel Guidance Document ("Guidance Document").

The Engine Manufacturers Association ("EMA") is the international trade association that represents the interests of the world's leading manufacturers of engines, including manufacturers of compression ignition and small off-road non-handheld spark ignition engines. EMA's comments are limited to those aspects of the proposed Guidance Document that affect fuels utilized in on-highway, nonroad, or stationary engine powered applications.

I. Background

EMA and its members have worked cooperatively with ARB, the CDFA, Division of Measurement Standards, etc. to define fuel specifications that both comply with the state's strict environmental requirements and provide the engine functionality necessary to meet customer expectations. The proposed Guidance Document will provide a valuable resource for engine manufacturers and their customers.

II. EMA Recommendations Regarding the Guidance Document

EMA suggests that Cal/EPA consider the following issues prior to finalizing the draft Guidance Document.

The "Fuel Definitions" in Section III fail to recognize that, in addition to the ASTM standard specifications for gasoline and diesel fuel, ARB has additional regulatory requirements that restrict California fuels to a subset of those meeting ASTM standards.

The definition for "Renewable Diesel" in Section III indicates that the resulting fuel is "almost completely" saturated paraffins. EMA understands that renewable diesel hydrocarbons are completely saturated paraffins, with no aromatics or other forms of hydrocarbons typically found in petroleum diesel fuel. Therefore, the definition should be revised to avoid the confusion resulting from the term "almost."

The "Air Resources Board Definitions" Section includes the following:

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ASTM: The draft indicates that ASTM must introduce a specification before EPA will issue the specifications required for a fuel to legally enter commerce. We agree that EPA works closely with industry through the ASTM consensus standard setting process, but there are no legal requirements that preclude EPA from defining a fuel as legal for commerce without an ASTM specification.

Pipelinable: In the Section regarding pipelines, there is a reference to fuels that cannot be shipped by pipeline, but can be shipped by truck. While this is true, these fuels can, and often also are, shipped by rail.

Vehicle Issues: The Section should be expanded to recognize that ARB regulates not only vehicles, but also nonroad engines and equipment (including marine) that may also have incompatibility issues. Additionally, the example provided regarding gasoline vehicle check engine light when operated with ethanol content above 10% is not entirely accurate.

The “Cal Fire – Office of the State Fire Marshall Definitions” Section includes:

Approved Equipment (Alternate Fuels): This Section incorrectly limits the definition provided to hydrogen systems. The equipment utilized for CNG, LNG, LPG, etc. is also subject to the requirements of the California Fire Code, including the requirements for “listed equipment.”

Dispensing Nozzles: The definition of a dispensing nozzle is inappropriately limited to gasoline and should be expanded to include all liquid fuels.

The “Specific Requirements for Fuels in California” set forth in Section IV of the Guidance Document fail to identify any applicable ARB regulatory requirements for the fuels listed, which are often key for fuels distributed and utilized in California. Specifically, ARB currently has specifications for gasoline, diesel fuel, CNG, and LPG fuels which are not identified in the Guidance Document, but are, in fact, more restrictive than the ASTM specifications referenced. In addition, the Guidance Document does not, but should, identify the limitations associated with the distribution and sale of fuels meeting the existing ASTM standards but not clearly allowed by ARB, such as diesel w/ B5.

The E15, E20, E30, and E100 Section requirements regarding pipelinability all reference incompatibility with jet fuel but fails to list another significant concern, water pick-up, which also precludes these blends from being distributed through pipelines. In addition, each of these Sections discusses compatibility concerns with the vehicle fleet but should be revised to clarify compatibility concerns with all spark-ignition engines, including on-highway, nonroad, and marine.

The B6-B20 and B21-100 requirements fail to identify ARB’s concern with the influence of those fuels on NOx emissions. ARB is currently in the process of developing finished fuel standards associated with the introduction of biodiesel fuel blends that are anticipated to include significant NOx mitigation requirements. Moreover, EMA member companies differ in their recommendations regarding B6-B20 blends; some approve, some approve with additional requirements, and some do not approve. EMA member companies generally to not approve blends of B21-100. The Guidance Document should recognize the wide variability in acceptance

of these fuels and direct the reader to the respective engine manufacturer recommendations for any specific engine's compatibility with those blends.

The R1-R100 fuel requirements Section regarding ARB is not logical. As defined earlier in the Guidance Document, renewable diesel consists of paraffinic hydrocarbons, one of the components in petroleum diesel fuel. Given this definition, the multimedia assessment and ARB specifications requirements are not appropriate. Either the fuels are as defined, and meet the existing ARB requirements as diesel fuel, or they are not. If they are not as defined, a revised definition is required, these fuels must be differentiated from diesel fuel, and the prescribed multimedia assessment is required.

The Section entitled "Urea Requirements" should be renamed "Diesel Exhaust Fluid," and all references to urea should be changed accordingly. This fluid is a specific urea-deionized water blend that must meet industry standards (ISO 22241) to be viable for use.

III. Conclusions

EMA recommends that the draft Guidance Document be revised and circulated for additional comment before being finalized.

Respectfully,

Engine Manufacturers Association



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