

Buddy Garcia, *Chairman*  
Larry R. Soward, *Commissioner*  
Bryan W. Shaw, Ph.D., *Commissioner*  
Glenn Shankle, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 21, 2007

Mr. Scott Hughes  
Director of Governmental Affairs  
National Biodiesel Board  
P. O. Box 104898  
Jefferson City, MO 65110-4898

Re: Alternative Diesel Fuel Formulation Approval Notification

Dear Mr. Hughes:

The Texas Commission on Environmental Quality (TCEQ) has approved the National Biodiesel Board's alternative diesel fuel formulation for Texas low emission diesel fuel (TxLED) consisting of a biodiesel blend comprised of 5 percent or less by volume of ASTM D6751-compliant B100 biodiesel and 95 percent or more by volume of TxLED-compliant diesel fuel in accordance with the TCEQ regulations specified under Title 30 Texas Administrative Code (30 TAC) §114.315(c). This approval is based upon the following findings:

- The emissions testing performed at the National Center for Alternative Fuels, Engines and Emissions at West Virginia University in Morgantown, West Virginia, was conducted in accordance with the procedures specified under 30 TAC §114.315(c).  
The comparative analysis of the emission test data from this testing calculated as specified under 30 TAC §114.315(c)(5) demonstrates that the emissions of nitrogen oxides and particulate matter from the use of an alternative diesel formulation consisting of a B5 biodiesel blend comprised of 5 percent by volume of ASTM D6751-compliant B100 biodiesel and 95 percent by volume of TxLED-compliant diesel fuel are comparable to or better than TxLED.

This approval only applies to the alternative diesel fuel formulation consisting of a biodiesel blend comprised of 5 percent or less by volume of ASTM D6751-compliant B100 biodiesel and 95 percent or more by volume of diesel fuel as defined under 30 TAC §114.6 that is compliant with the TxLED regulations specified under 30 TAC §114.312 or §114.318 and as described in the TCEQ's Approval Notification issued under the following notice number:

TCEQ assigned identification number: TXLED-A-00013.

As a TCEQ approved alternative diesel fuel formulation, diesel fuel producers may use a biodiesel blend comprised of 5 percent or less by volume of ASTM D6751-07a compliant B100 biodiesel and 95 percent or more by volume of TxLED-compliant diesel fuel for compliance with the TxLED fuel content requirements as provided in the TCEQ regulations under 30 TAC §114.312(f). Producers using this product will be required to comply with the registration requirements specified under 30 TAC §114.314

Mr. Scott Hughes  
Page 2  
December 21, 2007

of the TCEQ regulations and the appropriate monitoring, recordkeeping, and reporting requirements specified under 30 TAC §114.316 of the TCEQ regulations.

This approval is subject to the actual emissions performance of diesel-powered engines using a biodiesel blend comprised of 5 percent or less by volume of ASTM D6751-compliant B100 biodiesel and 95 percent or more by volume of TxLED-compliant diesel fuel. Evidence that TxLED-compliant diesel fuel blended with 5 percent by volume of ASTM D6751-compliant B100 biodiesel does not result in emissions that are equivalent to or better than diesel fuel meeting the cetane number and aromatic hydrocarbons content requirements of TxLED may result in the revocation of this approval or other appropriate enforcement action. This approval is also subject to proper treatment and storage of the biodiesel blend comprised of 5 percent or less by volume of ASTM D6751-compliant B100 biodiesel and 95 percent or more by volume of TxLED-compliant diesel fuel.

The National Biodiesel Board is required to provide detailed written instructions regarding the specific storage requirements, blending methods, and treatment rate to any producer using this approved alternative diesel formulation for compliance with the TxLED requirements that are necessary to ensure proper emissions performance of the biodiesel blend comprised of 5 percent or less by volume of ASTM D6751-compliant B100 biodiesel and 95 percent or more by volume of TxLED-compliant diesel fuel. Improper storage, blending, and/or treatment rate of a biodiesel blend comprised of 5 percent or less by volume of ASTM D6751-compliant B100 biodiesel and 95 percent or more by volume of TxLED-compliant diesel fuel may result in enforcement action.

Enclosed with this letter is the Approval Notification documenting TCEQ's approval of the formulation consisting of a biodiesel blend comprised of 5 percent or less by volume of ASTM D6751-compliant B100 biodiesel and 95 percent or more by volume of TxLED-compliant diesel fuel as an alternative diesel fuel formulation for TxLED.

This letter and the Approval Notification document will be posted to the TCEQ website for public notice at the following link: <http://www.tceq.state.tx.us/implementation/air/sip/cleandiesel.html>.

If you have any additional questions or need further assistance in regards to this issue, please call Morris Brown in the TCEQ's Air Quality Planning Section at (512) 239-1438.

Sincerely,



David C. Schanbacher, P.E.  
Chief Engineer  
Texas Commission on Environmental Quality

DS/MB/sy

cc: Ms. Christine Herbert  
Good Company Associates, 816 Congress Avenue, Suite 1400, Austin, TX 78701.