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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 23, 2007

Mr. Patrick Porter
Director of Operations
Viscon California, LLC
3121 Standard Street
Bakersfield, California 93308

Re: Alternative Diesel Fuel Formulation Approval Notification

Dear Mr. Porter:

The Texas Commission on Environmental Quality (TCEQ) has approved the formulation comprised of diesel fuel as defined under 30 Texas Administrative Code (TAC) §114.6 treated with Viscon California's Viscon® polymer diesel fuel additive as an alternative diesel fuel formulation for Texas low emission diesel fuel (TxLED) in accordance with §114.315(c) of the TCEQ regulations. This approval is based upon the following findings:

- The emissions testing performed at the Olson-EcoLogic Engine Testing Laboratories in Fullerton, California, 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 was calculated as specified under 30 TAC §114.315(c)(5) and demonstrates that the emissions of nitrogen oxides and particulate matter from the use of an alternative diesel formulation comprised of diesel fuel as defined under 30 TAC §114.6 treated with Viscon California's Viscon® polymer diesel fuel additive is comparable to or better than TxLED.

This approval only applies to the alternative diesel fuel formulation comprising diesel fuel as defined under 30 TAC §114.6 treated with Viscon California's Viscon® polymer diesel fuel additive and as described in the TCEQ's Approval Notification issued under the following notice number:

- TCEQ assigned identification number: TXLED-A-00012.

As a TCEQ approved alternative diesel fuel formulation, diesel fuel producers may use diesel fuel as defined under 30 TAC §114.6 treated with Viscon California's Viscon® polymer diesel fuel additive for compliance with the TxLED fuel content requirements as provided under §114.312(f) of the TCEQ regulations. Producers using this product will be required to comply with the registration requirements specified under §114.314 of the TCEQ regulations and the appropriate monitoring, recordkeeping, and reporting requirements specified under §114.316 of the TCEQ regulations.

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This approval is subject to the actual emissions performance of diesel-powered engines using diesel fuel as defined under 30 TAC §114.6 treated with Viscon California's Viscon® polymer diesel fuel additive. Evidence that diesel fuel treated with the Viscon California's Viscon® polymer diesel fuel additive 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 diesel fuel as defined under 30 TAC §114.6 treated with Viscon California's Viscon® polymer diesel fuel additive.

Viscon California LLC is required to provide customers with detailed written instructions regarding specific storage requirements, blending methods, and treatment rate that are necessary to ensure proper additive performance. Improper storage, blending, and/or treatment rate of Viscon California's Viscon® polymer diesel fuel additive may result in enforcement action.

Enclosed with this letter is the Approval Notification documenting TCEQ's approval of the formulation comprising diesel fuel as defined under 30 TAC §114.6 treated with Viscon California's Viscon® polymer diesel fuel additive 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 questions, please call Mr. Morris Brown in the TCEQ's Air Quality Division at (512) 239-1438.

Sincerely,



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

DS/MB/sy

Enclosure

cc: Mr. Michael Porter, Viscon California, LLC