



Commercial Harbor Craft 2022 Amendments

California Code of Regulations, Title 17, Section 93118.5

CHC Factsheet: Renewable Diesel (R100 or R99)

Date: February 21, 2023. Changes since the original version of this factsheet are provided in red text.

Specific details on the renewable diesel fuel requirement can be found in the [regulation text subsection \(e\)\(7\) All Harbor Craft – Renewable Diesel Fuel Requirements \(Applicable On and After January 1, 2023\) \(CCR Title 17, section 93118.5\)](#) of the Commercial Harbor Craft (CHC) Regulation. In the case of any discrepancy between this document and the regulation order, the regulation language applies.

Renewable Diesel

Renewable diesel is a transportation fuel produced from non-petroleum renewable sources, including vegetable oils and animal fats. The chemical and structural properties of renewable diesel and CARB diesel are similar. Renewable diesel meets the federal registration requirements for fuels and fuel additives¹, and the American Society for Testing Materials (ASTM) D975². Renewable diesel-petroleum diesel blends are labelled with an R followed by the percentage (by volume) of the renewable diesel content.

2022 Amendments

The 2022 Amendments to the Commercial Harbor Craft (CHC) Regulation require the use of at least 99 percent Renewable Diesel (“R100” or “R99”) as defined in subsection 93118.5 (d). The use of renewable diesel in CHC will achieve additional emission reductions to the already reduced emissions from Tier 3 or Tier 4 engines plus diesel particulate filters. Because the use of renewable diesel is required by the Amended Regulation, it cannot be used as a strategy for emission reductions under an alternative control of emissions plan. Renewable diesel must be used by all CHC operating in the State beginning **January 1, 2023**.

¹ Registration for Fuels and Fuel Additives, 40 CFR Part 79. Last accessed on 6/1/2022, <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-79>

² ASTM D975-21: Standard Specification for Diesel Fuel. Last accessed on May 25, 2022, <https://www.astm.org/d0975-21.html>

Frequently Asked Questions (FAQ)

1. What if a harbor craft is traveling from a port located outside of California, and the port from which the vessel is traveling does not have renewable diesel?

The vessel owner or operator must retain records documenting the fuel purchase, the location, the name of the non-California port, and its lack of availability of renewable diesel fuel. The records must be retained for a minimum of three years after the purchase of the fuel and must make such records available upon the request of CARB.

2. What if a vessel operator has an existing fueling contract, and the operator can demonstrate that the terms of the contract cannot be modified to supply renewable diesel?

The vessel owner or operator must provide a copy of the contract to CARB. A vessel owner or operator must use renewable diesel once the contractual issues no longer exist, or by December 31, 2025, whichever occurs sooner.

3. Can biodiesel be used or blended with renewable diesel to comply with the renewable diesel requirement?

No. The 2022 Amendments require the use of renewable diesel (R100 or R99) in CHC.

4. Where can I procure renewable diesel for my CHC vessel?

The U.S. Coast Guard does not allow fuel oil with a flashpoint of less than 60 °C (140 °F) to be used in marine vessels. See [eCFR :: 46 CFR 58.01-10 -- Fuel oil](#). CARB staff has reached out to several renewable diesel fuel producers and as of February 2023, is aware that renewable diesel produced by the following producer(s) currently meets the 140 °F flashpoint requirement:

- Neste: <https://www.neste.us/neste-my-renewable-diesel/find-fuel>

The above list is provided for convenience and staff will keep this list updated as it becomes aware of new information. However, vessel owners/operators should not consider this list to be exhaustive and should conduct their own research regarding availability of compliant R100 or R99 fuel.

5. What if I am unable to procure renewable diesel fuel that meets the USCG flash point requirement of 140 °F or greater?

Subsection 93118.5 (e)(7) requires that beginning January 1, 2023, a diesel engine on a harbor craft will only be fueled with renewable diesel. The only exceptions to this requirement are the specific circumstances described in subsection 93118.5(e)(7)(B) of the regulation which include traveling from a port outside California or having a pre-existing fuel contract. As of late 2022, CARB staff understand that renewable diesel fuel producers are still ramping up production of U.S. Coast Guard-compliant marine grade renewable diesel fuel with a 140 degree or higher flashpoint and that concerns regarding availability may extend into 2023. CARB's Enforcement Division considers all available information when evaluating regulatory compliance. Therefore, in circumstances where renewable diesel fuel is unavailable, vessel operators should maintain records documenting the fuel purchased, the location

purchased, and the location's lack of renewable diesel availability. CARB staff also recommend vessel operators retain all records documenting their attempts to purchase compliant fuel. All such records should be kept for at least three years.