



Alan C. Lloyd, Ph.D.  
Agency Secretary

# Air Resources Board

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El Monte, California 91731 [www.arb.ca.gov](http://www.arb.ca.gov)



Arnold Schwarzenegger  
Governor

December 6, 2005

Mail-Out #MSC 05-21

To: All Interested Parties

Dear Interested Party:

On August 25, 2005, the California Senate passed Senate Bill 975 (SB975), Ashburn Air Quality: Biodiesel Fuel. This legislation allows within California any federal, state, or local agency; any regulated utility, and any owner or operator of solid waste collection vehicles to use diesel that contains 20 percent by volume biodiesel (B20) with retrofit devices. The legislation states that B20 may be used on vehicles with retrofit devices, whether or not the fuel is verified for use with those retrofit devices. You may view the bill by going to: [http://www.aroundthecapitol.com/Bills/SB\\_975](http://www.aroundthecapitol.com/Bills/SB_975).

Two areas of clarification are necessary to deal with the impacts of SB975 on in-use fleet rules: First, fleets will be considered in compliance with in-use fleet rules if they have their vehicles properly equipped with Air Resources Board (ARB)-verified retrofit devices and then use B20 in these vehicles. However, fleet owners and operators should be aware that the voluntary use of B20 in their vehicles with installed retrofit devices prior to the device becoming verified as compatible with B20 nullifies the state's requirement for device manufacturers to carry a warranty of the device. Second, device manufacturers will not be required to include these vehicles as part of the in-use compliance portion of the verification process and will not be responsible for non-performance of their devices on B20.

Currently, there is one device, the Johnson Matthey CRT™ particulate filter system, verified as compatible with B20 which carries the required warranty protection. ARB staff continues to work with other device manufacturers to prove their systems compatibility with B20.

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.*

California Environmental Protection Agency

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If you have any questions or concerns, or need additional information regarding this issue, please contact my staff, Ms. Annette Hebert, Branch Chief, at (626) 575-6973 or by email to [ahebert@arb.ca.gov](mailto:ahebert@arb.ca.gov).

Sincerely,

/s/

Robert H. Cross, Chief  
Mobile Source Control Division

cc: Ms. Annette Hebert, Chief  
Heavy Duty Diesel In-Use Strategies Branch