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Secretary for  
Environmental Protection

# State Water Resources Control Board

## Division of Water Quality

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Arnold Schwarzenegger  
Governor

OCT 28 2010

To: Local Implementing Agencies and Interested Parties

### REGULATORY VARIANCE FOR THE STORAGE OF BIODIESEL BLENDS UP TO B5 IS NO LONGER NECESSARY

On November 17, 2009, the State Water Resources Control Board adopted regulations providing a variance from certain regulatory requirements allowing for the lawful storage of certain biodiesel blends up to and including B20 in underground storage tanks (USTs) if specified conditions were met.

This letter is to inform local implementing agencies and interested parties that biodiesel blends up to B5, which conform to ASTM Fuel Standard D975, have met both the independent testing organization and leak detection evaluation requirements outlined in Title 23, California Code of Regulations (CCR). Therefore, effective immediately, the issuance of a regulatory variance for the storage of biodiesel blends up to B5 is no longer necessary. Please note, however, that all UST permitting and regulations for diesel apply equally to B5.

Biodiesel blends above B5 still require the variance for both the independent testing organization and leak detection approvals in accordance with Title, 23, CCR Section 2631.2.

If you have questions regarding this letter please contact Laura Fisher at (916) 341-5870 or [lfisher@waterboards.ca.gov](mailto:lfisher@waterboards.ca.gov).

Sincerely,

  
Kevin L. Graves, Manager   
Underground Storage Tank Program