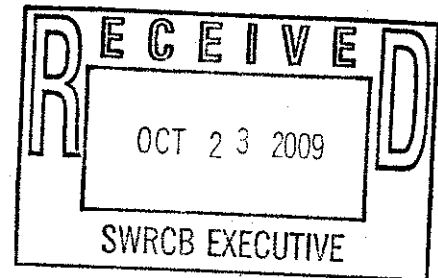


**CALIFORNIA
BIODIESEL
ALLIANCE**

October 23, 2009

VIA EMAIL

Dorothy Rice
Executive Director
State Water Resources Control Board
1001 I Street
Sacramento, CA 95812-0110



Dear Ms. Rice,

The California Biodiesel Alliance (CBA) would like to comment on the water board's proposal to readopt, on an emergency basis, Section 2631.2 of Chapter 16 of Title 23 of the California Code of Regulations regarding the storage of biodiesel in underground storage tanks.

As outlined in our letter of May 29th, 2009 addressing the adoption of the emergency regulations referenced above, there is an urgent need for these regulations to avoid harm being caused to California's general welfare. That urgency and potential for harm exists today the same as it did back in May. Accordingly, it is essential that the water board readopt these emergency regulations to provide sufficient time for the water board to adopt non-emergency regulations before the emergency regulations lapse.

There are over ten biodiesel plants in California either currently producing biodiesel or nearing their start-up phase. Each of these plants stands to lose a significant amount of business due to their customer's inability to store biodiesel blends in USTs in California if the emergency regulations are not readopted. This loss of business, combined with the current economic climate, will put these businesses in risk of failure. The failure of these businesses will make it nearly impossible for California to meet its carbon reduction goals.

The readoption of these emergency regulations is essential to the survival of the California biodiesel industry. We urge you to reenact these regulations at the earliest time possible so the industry can continue doing business.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric M. Bowen".

Eric M. Bowen
Chair
California Biodiesel Alliance