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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

APR 22 2003

OFFICE OF  
AIR AND RADIATION

Ms. Lynne A. Cayting, Chief  
Mobile Sources Section  
Bureau of Air Quality  
Department of Environmental Protection  
State of Maine  
17 State House Station  
Augusta, Maine 04333-0017

Dear Ms. Cayting:

Thank you for your December 30, 2002 letter to Robert Judge of our Boston office concerning the production of biodiesel by individuals and organizations. You asked if those parties were subject to the fuel registration regulations at 40 CFR 79 if the biodiesel were solely for their own use. These regulations apply only to fuels used in motor vehicles.

As a matter of policy, we will not require the registration of biodiesel, as defined in our regulations at 40 CFR § 79.56(e)(4)(ii)(B)(2), produced by an individual solely for use by that individual. With respect to an organization producing biodiesel for its own use, we will consider this policy on a case-by-case basis. We would also point out that there are exemptions to registration requirements based upon the use of biodiesel in a research program such as a program that might be conducted by a school.

Any person producing biodiesel should follow routine quality-control measures. A fuel of poor quality that, for example, does not meet industry based standards such as those published by the American Society for Testing and Materials (ASTM), could damage the engine and jeopardize the warranty.

I hope that this is helpful. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Suzanne Rudzinski".

Suzanne Rudzinski  
Director  
Transportation and Regional Programs Division

cc: Winifred Okoye, OGC  
Robert Judge, Region 1