

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE
Fuel Specifications and Labeling of Natural Gas
CCR Title 4, New Sections 4192.1 and 4192.2; and Sections 4206 and 4207
February 14, 2025

**NOTICE OF MODIFICATIONS TO TEXT OF
THE PROPOSED RULEMAKING ACTION**

Pursuant to the requirements of Government Code section 11346.8 (c), and section 44 of Title 1 of the California Code of Regulations, the California Department of Food and Agriculture (Department) is providing notice of changes made to the proposed text of the regulation. These changes are in response to comments received during the 45-day public comment period.

Any interested person or his or her authorized representative may submit to the Department written comments relevant to the proposed regulatory action by email, fax, or mail addressed to the primary contact person listed below. Please include 'Fuel Specifications and Labeling of Natural Gas' in the subject line of any email, fax, or letter regarding this rulemaking. The written comment period begins on February 14, 2025, and closes at 5:00 p.m. on March 3, 2025. All written comments must be received by that time and addressed to:

CONTACT INFORMATION

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AVAILABILITY OF MODIFIED TEXT ON THE INTERNET

All written comments received by 5:00 p.m. March 3, 2025, pertaining to the indicated changes, will be reviewed and responded to by the Department as part of the rulemaking file. Please limit your comments to only the proposed modifications to the text. The Department posts electronic copies of this rulemaking file on its website at:

www.cdfa.ca.gov/dms/regulations.html

AUTHORITY/REFERENCE

In addition to the authority and reference cited in the 45-day Notice of Proposed Rulemaking Action, the secretary of the Department is also granted authority in Business and Professions Code (BPC) Section 13400 (b)(12) to determine a new fuel type as an alternative fuel that has a standard specification from a standards development organization accredited by the American National Standards Institute (ANSI), or an interim standard specification pursuant to Section 13446. ASTM International is an ANSI accredited organization. The Department determined that BPC Section 13442 does not apply to the sale of natural gas motor vehicle fuel. BPC Section 13446 mandates that the Department adopt the latest standard established by the ANSI-accredited standards development organization for alternative fuel, except that no specification shall be less stringent than required by any California state law. Both BPC Sections 13340 and 13446 prohibit the Department from adopting a fuel specification that is less stringent than any California state law.

The Department references BPC Section 13404, which requires natural gas to be sold by either gasoline gallon equivalent or diesel gallon equivalent. BPC Section 13441 prohibits the sale of natural gas motor vehicle fuel unless it conforms to the latest specification set forth by ASTM International or SAE International, except that no specification shall be less stringent than required by any California state law. The Department determined that BPC Sections 12026, 13590 and 13591 are applicable to the sale and labeling of natural gas motor vehicle fuel, but are not necessary to be cross referenced in the regulatory notes section of CCR Section 4206.

UPDATED INFORMATIVE DIGEST

Pre-existing California laws and regulations directly relating to the proposed regulation have not changed during this rulemaking activity. In October 2024, the Department closed this rulemaking file and submitted it to the Office of Administrative Law (OAL) for review. During review, the Department, under advisement of OAL, determined that this rulemaking file conflicted with BPC Sections 13440 and 13446. The Department determined that *ASTM International Standard Specification D8080 (ASTM D8080)* for compressed natural gas is less stringent than the existing compressed natural gas specification adopted in CCR Title 13, Section 2292.5. Therefore, the Department voluntarily withdrew this file from OAL in November 2024. To resolve the conflict, the Department proposes the following modifications to the text:

- Define an additional natural gas motor vehicle fuel variety “Compressed Natural Gas – Hydrogen Blend,” pursuant to BPC Section 13400 (b)(12).
- Require Compressed Natural Gas to meet CCR Title 13, Section 2292.5 unless repealed or modified to be equally or less stringent than *ASTM D8080*. If this occurs, Compressed Natural Gas would be required to meet *ASTM D8080*.
- Require Liquified Natural Gas to meet *ASTM D8080*.

- Require Compressed Natural Gas – Hydrogen Blend to meet *ASTM International Standard Specification D8487*.
- Incorporate Compressed Natural Gas – Hydrogen Blend in CCR Section 4206 natural gas labeling requirements.

The proposed modifications do not impact any other topics discussed in the 45-day Notice of Proposed Rulemaking Action.