

1 [Biodiesel Filling Station Permitting, Policies and Creation of Biodiesel Access Taskforce.]

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3 **Resolution establishing a Biodiesel Access Taskforce to develop and recommend to**
4 **the appropriate City departments, including the Board of Supervisors and Mayor, a**
5 **permitting process for biodiesel filling stations and incentives for such stations to be**
6 **located in the City; urging the San Francisco Unified School District to pursue the use**
7 **of biodiesel blends in school buses; and establishing a City policy to request biodiesel**
8 **usage in City contracts involving diesel fleets.**

9
10 WHEREAS, The Board of Supervisors finds and declares the following:

11 A. Biodiesel is a clean burning, renewable, American-made fuel that is available for
12 use in diesel vehicles today. Biodiesel can help reduce America's, California's, and San
13 Francisco's dependence on foreign oil.

14 B. Biodiesel has a positive net-energy balance of 3.2 to 1, meaning that for every 1
15 unit of energy it takes to make biodiesel, 3.2 units of energy are created.

16 C. Biodiesel reduces particulate matter emissions by 47%, unburned hydrocarbons
17 emissions by 67%, carbon monoxide emissions by 48%, carbon dioxide emissions by 78%
18 and sulfate emissions are virtually eliminated.

19 D. Increased use of biodiesel in San Francisco will improve air quality for all San
20 Francisco residents. This includes children that ride school buses who are exposed to high
21 levels of toxic diesel exhaust.

22 E. Biodiesel is registered as a fuel with the US Environmental Protection Agency
23 and has been designated by the US Department of Energy and US Department of
24 Transportation as an alternative fuel. Biodiesel, as defined in ASTM D6751, is registered with
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1 the US Environmental Protection Agency as a fuel and a fuel additive under Section 211(b) of
2 the Clean Air Act.

3 F. Biodiesel is considered to be a "developmental engine fuel" by the California
4 Department of Food and Agriculture, Division of Measurements Standards ("DMS"). DMS
5 must issue a variance, which imposes reporting, warning and other requirements, to persons
6 desiring to sell biodiesel blends above B20. Variances may only be granted to for sale to
7 fleet-type centrally fueled vehicle and equipment users. Individuals may form "biodiesel user
8 groups" with certain self-imposed rules and restrictions in order to be considered fleets under
9 DMS rules.

10 G. There are biodiesel user groups who provide biodiesel to their members. There
11 are currently no publicly accessible biodiesel filling stations in San Francisco. A biodiesel
12 filling station could generally consist of either a converted-from-diesel below ground tank and
13 pump or a new aboveground tank and pump.

14 H. Current San Francisco laws, and permitting regulations were drafted prior to the
15 emergence of biodiesel and therefore do not contemplate a world with alternative fueling
16 infrastructure selling a nontoxic, biodegradable motor fuel such as biodiesel.

17 I. The Municipal Code needs to be updated so that such alternative fueling
18 infrastructure can provide San Franciscans with neat biodiesel and high biodiesel blends.

19 J. San Francisco can reduce the amount of waste cooking oil that is put into the
20 sewer system by encouraging local recycling of waste cooking oil by government entities,
21 businesses and residences.

22 K. Waste oils that are illegally dumped into the sewer system increase
23 maintenance and operational costs for the SF Public Utilities Commission. Once recycled,
24 such waste cooking oil can be used as a feedstock for the production of biodiesel.

1 L. The Board of Supervisors encourages the Mayor to support programs and
2 policies that will facilitate and provide incentives for the conversion of waste cooking oil to
3 biodiesel in San Francisco.

4 M. The Board of Supervisors passed policies to improve air quality, to encourage
5 renewable energy use, and to utilize biodiesel in MUNI's fleets.

6 N. The Board of Supervisors and Mayor enacted, and the City implemented, the
7 Generation Solar program in 2003-2004. Generation Solar greatly improved access to solar
8 energy technology for San Francisco businesses and residents by streamlining the permit
9 process and reducing permit fees for solar energy installations.

10 O. The San Francisco Board of Supervisors desires to promote the use of biodiesel
11 within San Francisco and to build on the success of Generation Solar by establishing a
12 Biodiesel Access Taskforce to streamline and implement the permitting process and to
13 develop incentives for increasing biodiesel use; now, therefore, be it

14 **RESOLVED, THAT**

15 **A. DEFINITIONS.**

16 For purposes of this Resolution,

17 "Biodiesel" means a fuel comprised of mono-alkyl esters of long chain fatty acids
18 derived from vegetable oils or animal fats, designated B100 (also known as "neat biodiesel"),
19 and meeting the requirements of ASTM D 6751.

20 **B. BIODIESEL ACCESS TASKFORCE.**

21 1. The Board of Supervisors, hereby, establishes the Biodiesel Access Taskforce
22 to facilitate the creation of a biodiesel fueling infrastructure that provides public access to
23 biodiesel and biodiesel blends.

24 2. In order to reach this goal, the Task Force shall recommend to the Board of
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1 Supervisors appropriate legislative action and city-wide strategies that would increase
2 biodiesel use such as the following: (1) the development of incentives for consumer,
3 wholesaler and retailers of biodiesel, (2) the streamlining of current city processes that
4 support biodiesel use among city fleets and among the city's consumers, and (3) the
5 implementation of a permitting process for biodiesel fueling stations. Permitting process
6 proposals can include, but are not limited to, permit fee waivers for the first ten biodiesel filling
7 stations selling neat biodiesel and biodiesel blends of B99. The permitting process shall be
8 consistent with federal, state and existing local law and shall balance the public's health,
9 safety and right-to-know with the time and cost to potential permittees. The Task Force shall
10 consult with state environmental agencies in considering proposed requirements.

11 3. The Biodiesel Access Task Force shall prepare a written report setting forth its
12 recommendations as well as criteria for evaluating the success of the Task Force's proposals.
13 The Task Force shall submit their report within 12 months after the first meeting of the Task
14 Force.

15 4. The Board of Supervisors shall appoint five (5) members of the public that represent
16 the biodiesel community such as gas station owners, fleet operators and consumers. Such
17 community members may include organizations. No organization shall have more than one
18 representative on the Task Force. In the event a vacancy occurs, the Board of Supervisors
19 shall appoint a successor to complete the remainder of the term.

20 5. Non-Voting members of the Task Force shall include a representative from each of
21 the following City departments. These representatives shall be appointed by their respective
22 department head.

23 (a) The Department of the Environment;

24 (b) The San Francisco Public Utilities Commission;

- 1 (c) The Fire Department;
- 2 (d) The Department of Public Health;
- 3 (e) The Department of Building Inspection;
- 4 (f) The Department of Planning;
- 5 (g) The Municipal Transportation Authority;
- 6 (h) Treasurer/Tax Collector;
- 7 (i) The Mayor's Office of Workforce and Economic Development, and
- 8 (h) The Port.

9 6. The Department of the Environment shall provide staff for the Task Force.

10 7. The Taskforce shall hold its first meeting no later than March 17, 2006.

11 8. The Taskforce shall sunset no later than December 31, 2007.

12 C. SCHOOL BUSES.

13 The Board of Supervisors encourages the SFUSD to pursue the use of biodiesel
14 blends in school buses, including, but not limited to, instituting a requirement of escalating
15 biodiesel use in San Francisco school buses the next time the SFUSD contracts for school
16 bus services and to apply for grants to help defer any additional cost that may result from the
17 use of biodiesel.

18 D. CITY CONTRACTING.

19 It shall be the policy of the City and County of San Francisco to request biodiesel
20 usage when contracting for services that involve diesel fleets, including, but not limited to,
21 waste collection and recycling trucks.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Resolution

File Number: 060193

Date Passed:

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February 14, 2006 Board of Supervisors — ADOPTED


Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 060193

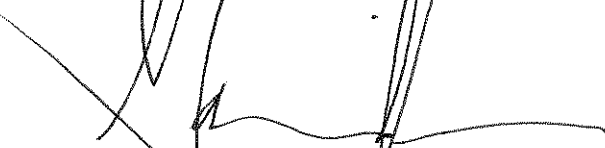
I hereby certify that the foregoing Resolution was ADOPTED on February 14, 2006 by the Board of Supervisors of the City and County of San Francisco.

2.16.06

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Gavin Newsom