



December 15, 2009

Mr. Michael Wilhoit
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Mike Nasi
Jackson Walker, LLP
General Counsel

Re: Proposed Air Quality Standard Permit for Agriculture Facilities

Dear Mr. Wilhoit:

On behalf of the Biodiesel Coalition of Texas (BCOT), we file these comments on the several proposed air quality standard air permits relating agriculture facilities. Agricultural and biodiesel development go hand-in-hand, which is why agricultural interests are among BCOT's membership and why BCOT coordinates closely with agricultural interest groups to ensure that the Texas biodiesel industry develops in a manner that benefits Texas agriculture by using Texas agricultural byproducts, including beef tallow, as well as oilseed crops that do not create food vs. fuel vs. feed debates.

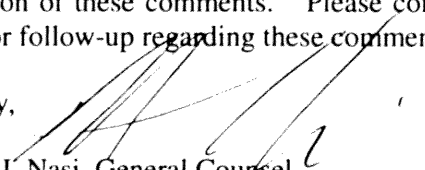
BCOT commends staff for its hard work to implement an efficient and technically supportable standard permit process for agricultural facilities. As the TCEQ is aware, biodiesel is a non-distillate fuel that is used in Texas to fuel conventional diesel engines, including those used in on- and off-road transportation equipment and, in some cases, for stationary electrical generating units and boilers.

TCEQ authorized the use biodiesel in the amended version of the Electric Generating Unit Standard Air Permit (Attachment No. 1)(*See Section (2)(B), pp. 17*). The proposed version of the EGU Standard Air Permit had created a question of whether biodiesel could be used as a fuel and TCEQ clarified that biodiesel use was allowed in the final version of the Standard permit after receiving comments on the issue. This history is important because it affirms that leaving the biodiesel option open did not in any way undermine the technical basis for the EGU Standard Air Permit just as allowing its use will not undermine the technical basis for the Standard Air Permit for Agricultural Facilities.

Because many agricultural interests rely upon or would like to have the option to use biodiesel at their facilities given the obvious and direct link between biodiesel and agriculture, we believe it is critical that the proposed Standard Permit for Agricultural Facilities be worded in a manner that allows biodiesel use at facilities relying upon the Standard Permit.

BCOT appreciates TCEQ's consideration of these comments. Please contact me at 512-236-2216 if you have any questions or follow-up regarding these comments.

Sincerely,


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