

ATTACHMENT I



FINAL RULE

NIST
United States
Department of
Commerce

Technology
Administration

National
Institute of
Standards and
Technology

UNIFORM LAWS AND REGULATIONS

in the area of legal
metrology and engine
fuel quality

as adopted by
the 89th
National
Conference on
Weights and
Measures 2004



NIST Handbook **130**
2005

2004 Amendments

The following table lists the laws and regulations amended by the 89th NCWM. As appropriate, the text on the cited pages indicates the changes to the law or regulation, section, or paragraph as "Added 2004" or "Amended 2004." Unless otherwise noted, the effective date of the regulations added or amended in 2004 is January 1, 2005.

Law or Regulation	L&R Committee Item No.	Section	Action	Page
Uniform National Type Evaluation Regulation	236-1	2.1. Active Certificate of Conformance	Amended	146
		2.2. Device	Amended	146
		3. Certificate of Conformance	Amended	147
Engine Fuels, Petroleum Products, and Automotive Lubricants Regulation	237-2	1.3. Automatic Transmission Fluid	Added	155
		1.28. Gear Oil	Added	156
		1.41. Motor Oil (Engine Oil)	Added	157
		1.42. Oil	Added	157
		2.12. Motor Oil	Added	160
		2.13. Products for Use in Lubricating Manual Transmissions, Gears, or Axles	Added	160
		2.14. Products for Use in Lubricating Automatic Transmissions	Added	160
		3.13. Oil	Added	165
Engine Fuels, Petroleum Products, and Automotive Lubricants Regulation	237-3A	3.14. Automatic Transmission Fluid	Added	165
		1.9. Biodiesel	Added	155
		1.10. Biodiesel Blend	Added	155
		2.15. Biodiesel	Added	160
		2.16. Biodiesel Blend	Added	160
		2.16.1. Exception	Added	161

2004 Editorial Corrections

Law or Regulation	Section	Action	Page
Packaging and Labeling Regulation	6.5.1. Symbols	Amended	62
Method of Sale Regulation	1.12. Ready-to-Eat Food	Note Added	102

fully informative; both weight and volume are fully informative on their own, (2) there was no reason to require a weight declaration on normal retail-sized packages of cooking oil; to implement such a requirement would place an undue burden on manufacturers and packers, and (3) if a combination declaration is required, a manufacturer or packer must meet both declarations; again, to implement such a requirement would place an additional burden on manufacturers and packers.

Finally, the Committee considered requiring “packaged cooking oils sold at retail” to be sold by volume. The Committee rejected this idea because it did not believe that a manufacturer or packer would necessarily know, at the time of packaging the product, whether it would be destined for retail or institutional sale.

The Committee believes that the retail market for large quantities of cooking oil is relatively small and does not believe that most consumers will be doing cost comparisons between large containers of oil sold at a membership club by weight, and small packages of oil sold at a grocery store by volume. The Committee does not consider it appropriate to change an entire, established industry for the convenience of a very small number of specialized retail consumers. The Committee recommends that cooking oil manufacturers and packers include supplemental quantity declarations in liquid volume on any package of cooking oil that may end up in the retail marketplace. The Committee has withdrawn this item.

236 UNIFORM NATIONAL TYPE EVALUATION REGULATION

236-1 V Amend §§ 2.1. Active Certificate of Conformance, 2.2. Device, and 3. Certificate of Conformance

Source: Northeast Weights and Measures Association (NEWMA).

Recommendation: Amend §§ 2.1 Active Certificate of Conformance, 2.2 Device, and 3. Certificate of Conformance of the Uniform National Type Evaluation Regulation in Handbook 130 as follows:

2.1. Active Certificate of Conformance. - A document issued based on testing by a Participating Laboratory, which the certificate ~~owner~~ **holder** maintains in active status under the National Type Evaluation Program (NTEP). The document constitutes evidence of conformance of a type with the requirements of this document and the NIST Handbooks 44, 105-1, 105-2, or 105-3. By maintaining the Certificate in active status, the Certificate ~~owner~~ **holder** declares the intent to continue to manufacture or remanufacture the device consistent with the type and in conformance with the applicable requirements. For manufacturers of grain moisture meters, maintenance of active status also involves annual participation in the NTEP Laboratory On-going Calibration Program, OCP (Phase II). A device is traceable to a Certificate of Conformance if: (a) it is of the same type identified on the Certificate; and (b) it was manufactured during the period that the Certificate was maintained in active status. (Amended 2000, 2001, and 200x)

2.2. Device. - ~~Device means any weighing and measuring equipment as defined in § 2.15., Commercial and Law Enforcement Equipment. A piece of commercial or law enforcement equipment as defined in § 2.15., Commercial and Law Enforcement Equipment. A device may be a single unit or a combination of separate and compatible main elements. A device shall include, at a minimum, those main elements that: (a) perform the measurement; and (b) process the measurement signals up to the first indicated or recorded value of the final quantity upon which the transaction is based.~~ A device may be a single unit or a combination of separate and compatible main elements. A device shall include, at a minimum, those main elements that: (a) perform the measurement; and (b) process the measurement signals up to the first indicated or recorded value of the final quantity upon which the transaction is based. (Amended 200x)

Section 3. Certificate of Conformance

The Director shall require a device to be traceable to a Certificate of Conformance prior to its installation or use for commercial or law enforcement purposes. If the device consists of separate and compatible main elements, each main element shall be traceable to a Certificate of Conformance. A device is traceable to a Certificate of Conformance if: (a) it is of the same type identified on the Certificate, and (b) it was manufactured during the period that the Certificate was maintained in active status. (Amended 2001 and 200X)

Discussion: The NTEP Board of Directors believes that the term “holder” more accurately reflects the rights of a company that possesses an NTEP Certificate of Conformance. First, NTEP retains many of the rights traditionally

associated with "ownership": NTEP issues Certificates, and may withdraw or make them inactive if a company fails to meet certain obligations under the Administrative Policy. Second, the nature of the incorporation of the NCWM prevents the NCWM from transferring things of material value. The term "owner" implies that in issuing a Certificate of Conformance, the NCWM had transferred something of value to the manufacturer. Finally, Certificates of Conformance may be thought of as being in the public domain since their use is not restricted, and state and local jurisdictions freely copy and distribute them. The term "holder" still conveys certain important rights and privileges, such as the ability to transfer the Certificate and the authority to determine if a device is traceable. The Committee believes that changing the term "owner" to "holder" in section 2.1. is consistent with other changes implemented by NTEP.

A State has noted that language of the present NTEP Regulation may not permit the mating of separate main elements unless the combination has a separate Certificate. The current language in Section 3 uses the singular form (i.e., "a" Certificate of Conformance), which could be interpreted to mean that every device must have "one" Certificate. The U.S. has permitted mixing and matching compatible main elements since before the NTEP program began. The amendment to the definition of "device" clarifies that a device (i.e., an entire weighing or measuring instrument) may be a single unit or a combination of separate main elements. The final amendment clarifies that devices or elements must have Certificates consistent with current NTEP policies. This is clearly stated in the NTEP Administrative Policy but does not have a parallel statement in the regulation. The Committee believes that the addition of language addressing devices that are composed of separate and compatible main elements is helpful for correctly interpreting and applying this section. The Committee has not received any comments opposing these changes.

237 ENGINE FUELS, PETROLEUM PRODUCTS, AND AUTOMOTIVE LUBRICANTS REGULATION

237-1 W Petroleum Subcommittee Agenda Items

Source: The Petroleum Subcommittee (see item 237-3 in the Report of the 84th NCWM Annual Meeting, 1999.)

Discussion: The Petroleum Subcommittee Agenda has remained on the Committee's agenda since 1999 as a reminder of what the Subcommittee is working on. However, the Committee has decided that the work of the Subcommittee can be more easily and effectively maintained on the internet and has asked NIST to post this information on the NIST website. NIST has agreed to do this and will notify the Committee of the URL as soon as it is available. The Committee has withdrawn this item.

237-2 V Engine Fuels, Petroleum Products, and Automotive Lubricants Regulation

Source: Western Weights and Measures Association (WWMA) (see item 237-2 in the Report of the 87th NCWM Annual Meeting, 2002.)

Recommendation: Modify Handbook 130 Uniform Engine Fuels, Petroleum Products, and Automotive Lubricants Regulation as shown in Appendix A.

Discussion: The title "Uniform Engine Fuels, Petroleum Products, and Automotive Lubricants Regulation," (or EFR) implies that the document covers lubricants. When the regulation was developed, the Subcommittee made developing engine fuel requirements a priority, with the understanding that in the future they would address lubricants. This proposal provides new specifications and regulations for lubricants.

This item was originally part of the Petroleum Subcommittee's agenda, and was broken out as a separate item after the Subcommittee prepared a new draft of the regulation. The Committee has heard testimony from representatives of the American Petroleum Institute (API) that they fully support this item. The Committee has neither heard nor received any comments opposing this item.

237-3 V Biodiesel Fuel

Source: Central Weights and Measures Association (CWMA) (see item 237-4 in the Report of the 88th NCWM Annual Meeting, 2003)

Uniform Engine Fuels, Petroleum Products, and Automotive Lubricants Regulation

Section 1. Definitions

1.1. ASTM. - ~~The American Society for Testing and Materials~~ **ASTM International** means the international voluntary consensus standards organization formed for the development of standards on characteristics and performance of materials, products, systems, and services, and the promotion of related knowledge.

1.2. Antiknock Index (AKI). - AKI means the arithmetic average of the Research Octane Number (RON) and Motor Octane Number (MON): $AKI = (RON+MON)/2$. This value is called by a variety of names, in addition to antiknock index, including: octane rating, posted octane, (R+M)/2 octane.

1.3. Automatic Transmission Fluid. - Automatic Transmission Fluid means a product intended for use in a passenger vehicle, other than a bus, as either a lubricant, coolant, or liquid medium in any type of fluid automatic transmission, that contains a torque converter. For the purposes of this regulation, fluids intended for use in continuously variable transmissions are not considered "Automatic Transmission Fluid."

~~1.3-1.4.~~ **Automotive Fuel Rating.** - Automotive Fuel Rating means the automotive fuel rating required under the amended Octane Certification and Posting Rule (or as amended, the Fuel Rating Rule), 16 CFR Part 306. Under this Rule, sellers of liquid automotive fuels, including alternative fuels, must determine, certify, and post an appropriate automotive fuel rating. The automotive fuel rating for gasoline is the antiknock index (octane rating). The automotive fuel rating for alternative liquid fuels consists of the common name of the fuel, along with a disclosure of the amount, expressed as a minimum percentage by volume of the principal component of the fuel. For alternative liquid automotive fuels, a disclosure of other components, expressed as a minimum percentage by volume, may be included, if desired.

~~1.4-1.5.~~ **Automotive Gasoline, Automotive Gasoline-Oxygenate Blend.** - Automotive Gasoline, Automotive Gasoline-Oxygenate Blend means a type of fuel suitable for use in spark-ignition automobile engines and also commonly used in marine and non-automotive applications.

~~1.5-1.6.~~ **Aviation Gasoline.** - Aviation Gasoline means a type of gasoline suitable for use as a fuel in an aviation spark-ignition internal combustion engine.

~~1.6-1.7.~~ **Aviation Turbine Fuel.** - Aviation Turbine Fuel means a refined middle distillate suitable for use as a fuel in an aviation gas turbine internal combustion engine.

~~1.7-1.8.~~ **Base Gasoline.** - Base Gasoline means all components other than ethanol in a blend of gasoline and ethanol.

~~1.8-1.9.~~ **Biodiesel.** - Biodiesel means a blend consisting of diesel fuel and a substantial amount of esterified animal fats and/or vegetable oil(s).

~~1.9-1.10.~~ **Cetane Index.** - Cetane Index means an approximation of the cetane number of distillate diesel fuel, which does not contain a cetane improver additive, calculated from the density and distillation measurements.

~~1.10-1.11.~~ **Cetane Number.** - Cetane Number means a numerical measure of the ignition performance of a diesel fuel obtained by comparing it to reference fuels in a standardized engine test.

~~1.11-1.12.~~ **Compressed Natural Gas (CNG).** - CNG means natural gas which has been compressed and dispensed into fuel storage containers and is suitable for use as an engine fuel.

~~1.12-1.13.~~ **Denatured Fuel Ethanol.** - Denatured Fuel Ethanol means "ethanol" as defined in § 1.19. below.

~~1.13-1.14.~~ **Diesel Fuel.** - Diesel Fuel means a refined middle distillate suitable for use as a fuel in a compression-ignition (diesel) internal combustion engine.

~~1.14~~1.15. **Distillate**. - Distillate means any product obtained by condensing the vapors given off by boiling petroleum or its products.

~~1.15~~1.16. **EPA**. - EPA means the United States Environmental Protection Agency.

~~1.16~~1.17. **E85 Fuel Ethanol**. - E85 Fuel Ethanol means a blend of ethanol and hydrocarbons of which the ethanol portion is nominally 85 to 75 volume percent denatured fuel ethanol.

~~1.17~~1.18. **Engine Fuel**. - Engine Fuel means any liquid or gaseous matter used for the generation of power in an internal combustion engine.

~~1.18~~1.19. **Engine Fuels Designed for Special Use**. - Engine Fuels Designed for Special Use means engine fuels designated by the Director as requiring registration. These fuels normally do not have ASTM or other national consensus standards applying to their quality or usability; common special fuels are racing fuels and those intended for agricultural and other off-road applications.

~~1.19~~1.20. **Ethanol**. - Ethanol also known as "Denatured Fuel Ethanol," means nominally anhydrous ethyl alcohol meeting ASTM D 4806 standards. It is intended to be blended with gasoline for use as a fuel in a spark-ignition internal combustion engine. The denatured fuel ethanol is first made unfit for drinking by the addition of Bureau of Alcohol, Tobacco, and Firearms (BATF) approved substances before blending with gasoline.

~~1.20~~1.21. **Fuel Oil**. - Fuel Oil means a refined oil middle distillates, heavy distillates, or residues of refining, or blends of these, suitable for use as a fuel for heating or power generation, the classification of which shall be defined by ASTM D 396.

~~1.21~~1.22. **Gasoline**. - Gasoline means a volatile mixture of liquid hydrocarbons generally containing small amounts of additives suitable for use as a fuel in a spark-ignition internal combustion engine.

~~1.22~~1.23. **Gasoline-Alcohol Blend**. - Gasoline-Alcohol Blend means a fuel consisting primarily of gasoline and a substantial amount (more than 0.35 mass percent of oxygen, or more than 0.15 mass percent of oxygen if methanol is the only oxygenate) of one or more alcohols.

~~1.23~~1.24. **Gasoline Gallon Equivalent (GGE)**. - GGE means 2.567 kg (5.660 lb) of natural gas.

~~1.24~~1.25. **Gasoline Liter Equivalent (GLE)**. - GLE means 0.678 kg (1.495 lb) of natural gas.

~~1.25~~1.26. **Gasoline-Oxygenate Blend**. - Gasoline-Oxygenate Blend means a fuel consisting primarily of gasoline along with a substantial amount (more than 0.35 mass percent of oxygen, or more than 0.15 mass percent of oxygen if methanol is the only oxygenate) of one or more oxygenates.

1.27. **Gear Oil**. - **Gear Oil means an oil used to lubricate gears, axles, or some manual transmissions.**

~~1.26~~1.28. **Kerosene**. - Kerosene (or "Kerosine") means a refined middle distillate suitable for use as a fuel for heating or illuminating, the classification of which shall be defined by ASTM D 3699.

~~1.27~~1.29. **Lead Substitute**. - Lead Substitute means an EPA-registered gasoline additive suitable, when added in small amounts to fuel, to reduce or prevent exhaust valve recession (or seat wear) in automotive spark-ignition internal combustion engines designed to operate on leaded fuel.

~~1.28~~1.30. **Lead Substitute Engine Fuel**. - Lead Substitute Engine Fuel means, for labeling purposes, a gasoline or gasoline-oxygenate blend that contains a "lead substitute."

~~1.29~~1.31. **Leaded**. - Leaded means, for labeling purposes, any gasoline or gasoline-oxygenate blend which contains more than 0.013 g of lead per liter (0.05 g lead per U.S. gal). NOTE: EPA defines leaded fuel as one which contains more than 0.0013 g of phosphorus per liter (0.005 g per U.S. gal), or any fuel to which lead or phosphorus is intentionally added.

~~1.30-1.32.~~ **Liquefied Natural Gas (LNG).** - LNG means natural gas that has been liquefied at -126.1 EC (-259 EF) and stored in insulated cryogenic tanks for use as an engine fuel.

~~1.31-1.33.~~ **Liquefied Petroleum Gas (LPG).** - LPG means a mixture of normally gaseous hydrocarbons, predominantly propane, or butane, or both, that has been liquefied by compression or cooling, or both to facilitate storage, transport, and handling.

~~1.32-1.34.~~ **Low Sulfur.** - Low Sulfur means low sulfur diesel fuel that meets ASTM D 975 (e.g., Grade Low Sulfur No. 1-D or Grade Low Sulfur No. 2-D) standards. Diesel fuel containing higher amounts of sulfur for off-road use is defined by EPA regulations.

~~1.33-1.35.~~ **Low Temperature Operability.** - Low Temperature Operability means a condition which allows the uninterrupted operation of a diesel engine through the continuous flow of fuel throughout its fuel delivery system at low temperatures. Fuels with adequate low temperature operability characteristics have the ability to avoid wax precipitation and clogging in fuel filters.
(Added 1998)(Amended 1999)

~~1.34-1.36.~~ **Lubricity.** - Lubricity a qualitative term describing the ability of a fluid to affect friction between, and wear to, surfaces in relative motion under load. (Added 2003)

~~1.35-1.37.~~ **M100 Fuel Methanol.** - M100 Fuel Methanol means nominally anhydrous methyl alcohol, generally containing small amounts of additives, suitable for use as a fuel in a compression-ignition internal combustion engine.

~~1.36-1.38.~~ **M85 Fuel Methanol.** - M85 Fuel Methanol means a blend of methanol and hydrocarbons of which the methanol portion is nominally 70 to 85 volume percent.

~~1.37-1.39.~~ **Motor Octane Number.** - Motor Octane Number means a numerical indication of a spark-ignition engine fuel's resistance to knock obtained by comparison with reference fuels in a standardized ASTM D 2700 Motor Method engine test.

1.40. Motor Oil. - Motor Oil is an oil that reduces friction and wear between the moving parts within a reciprocating internal combustion engine and also serves as a coolant. For the purposes of this regulation, "vehicle motor oil" refers to a motor oil which is intended for use in light-to-heavy duty vehicles comprising cars, sport utility vehicles, vans, trucks, buses, and off-road farming and construction equipment. For the purposes of this regulation, "recreational motor oil" refers to a motor oil which is intended for use in four-stroke cycle engines used in motorcycles, ATVs, and lawns and garden equipment. For the purposes of this regulation motor oil also means engine oil.

1.41. Oil. - Oil means motor oil, engine oil, and/or gear oil.

~~1.38-1.42.~~ **Oxygen Content of Gasoline.** - Oxygen Content of Gasoline means the percentage of oxygen by mass contained in a gasoline.

~~1.39-1.43.~~ **Oxygenate.** - Oxygenate means an oxygen-containing, ashless, organic compound, such as an alcohol or ether, which can be used as a fuel or fuel supplement.

~~1.40-1.44.~~ **Reformulated Gasoline.** - Reformulated Gasoline means a volatile mixture of liquid hydrocarbons and oxygenates meeting the reformulated gasoline requirements of the Clean Air Act Amendments of 1990 and suitable for use as a fuel in a spark-ignition internal combustion engine.

~~1.41-1.45.~~ **Research Octane Number.** - Research Octane Number means a numerical indication of a spark-ignition engine fuel's resistance to knock obtained by comparison with reference fuels in a standardized ASTM D 2699 Research Method Engine Test.

2.6. **Kerosene (Kerosine)** shall meet the most recent version of ASTM D 3699, "Standard Specification for Kerosine."

2.7. **Ethanol** intended for blending with gasoline shall meet the most recent version of ASTM D 4806, "Standard Specification for Denatured Fuel Ethanol for Blending with Gasolines for Use as Automotive Spark-Ignition Engine Fuel."

2.8. **Liquefied Petroleum (LP) Gases** shall meet ASTM D 1835, "Standard Specification for Liquefied Petroleum (LP) Gases."

Note: Also reference Gas Processors Association 2140, "Liquefied Petroleum Gas Specification and Test Methods."

2.9. **Compressed Natural Gas (CNG)** shall meet the most recent version of SAE J 1616, "Recommended Practice for Compressed Natural Gas Vehicle Fuel."

2.10. **E85 Fuel Ethanol** shall meet the most recent version of ASTM D 5798, "Standard Specification for Fuel Ethanol (Ed75-Ed85) for Automotive Spark-Ignition Engines."
(Added 1997)

2.11. **M85 Fuel Methanol** shall meet the most recent version of ASTM D 5797, "Standard Specification for Fuel Methanol M70-M85 for Automotive Spark Ignition Engines."
(Added 1997)

2.12. **Motor Oil** shall not be sold or distributed for use unless the product conforms to the following specifications:

(a) Performance claims listed on the label shall be evaluated against SAE J183, API 1509 Engine Oil Licensing and Certification System, or other industry standards as applicable.

(b) It shall meet its labeled viscosity grade specification as specified in the latest published version of SAE J300.

(c) Any engine oil that is represented as "energy conserving" shall meet the requirements established by the latest revision of SAE J1423.

2.13. Products for Use in Lubricating Manual Transmission, Gears, or Axles shall not be sold or distributed for use in lubricating manual transmissions, gears, or axles unless the product conforms to the following specifications:

(a) It is labeled with one or more of the service designations found in the latest revision of the SAE Information Report on axle and manual transmission lubricants SAE J308 and API Publication 1560 and meets all applicable requirements of those designations.

(b) The product shall meet its labeled viscosity grade classification as specified in the latest published version of SAE J306.

(c) It shall be free from water and suspended matter when tested by means of centrifuge, in accordance with the standard test ASTM D 2273.

2.14. **Products for Use in Lubricating Automatic Transmissions.** - Any automatic transmission fluid sold without limitation as to type of transmission for which it is intended, shall meet all automotive manufacturers' recommended requirements for transmissions in general use in the state. Automatic transmission fluids that are intended for use only in certain transmissions, as disclosed on the label of its container, shall meet the latest automotive manufacturers' recommended requirements for those transmissions. Adherence to automotive manufacturers' recommended requirements shall be based on tests currently available to the lubricants industry and the state regulatory agency.

Any material offered for sale or sold as an additive to automatic transmission fluids shall be compatible with the automatic transmission fluid to which it is added, and shall meet all performance claims as stated on the label.

3.12.2.2. Automotive Fuel Rating. - LNG automotive fuel shall be labeled with its automotive fuel rating in accordance with 16 CFR Part 306.

3.12.2.3. NFPA Labeling. - NFPA Labeling requirements also apply. (Refer to NFPA 57.)

3. Oil. - Each label for recreational motor oil and vehicle motor oil shall contain the viscosity grade classification preceded by the letters "SAE" in accordance with the SAE International's latest version of SAE J300, and its intended

use. Each label for gear oil shall contain the viscosity grade classification preceded by the letters "SAE" in accordance with SAE International's latest version of SAE J306 or SAE J300. (Exception: Some automotive equipment manufacturers may not necessarily specify an "SAE" viscosity grade requirement for some applications. Gear oils intended to be used only in such applications are not required to contain an "SAE Viscosity Grade" on their labels.)

Each label on each container of vehicle motor oil shall contain the engine service categories met in letters not less than one-eighth inch (3.18 mm) in height, as defined by the latest version of SAE J186 or API Publication 1509, Engine Oil Licensing and Certification System.

Each label on each container of gear oil shall contain the service categories met in letters not less than one-eighth inch (3.18 mm) in height, as defined by the latest version of SAE J308.

Each container of engine vehicle motor oil with a volume of one gallon or less that does not meet an active service category, as defined by the latest version of SAE J183, shall bear a plainly visible cautionary statement in compliance with SAE J183, Appendix A, for obsolete API oil categories.

4. Automatic Transmission Fluid. - Automatic transmission fluid shall be deemed to be mislabeled if any of the following occurs:

(a) The container does not bear a label on which is printed the brand name, the name and place of business of the manufacturer, packer, seller, or distributor, the words "Automatic Transmission Fluid," and the duty type of classification.

(b) The container does not bear a label on which is printed an accurate statement of the quantity of the contents in terms of liquid measure.

(c) The labeling on the container is false or misleading.

4.1. Documentation of Claims Made Upon Products' Label. - Any manufacturer or packager of any product subject to this article and sold in this State shall provide, upon request to duly authorized representatives of the Director, documentation of any claim made upon their products' label.

Section 4. Retail Storage Tanks

4.2.1. Water in Gasoline-Alcohol Blends, Aviation Gas, and Aviation Turbine Fuel. - No water phase greater than 1 mm (1/4 in) as determined by an appropriate detection paste, is allowed to accumulate in any tank utilized in the storage of gasoline-alcohol blend, aviation gasoline, and aviation turbine fuel.

4.2.2. Water in Gasoline, Diesel, Gasoline-Ether, and Other Fuels. - Water shall not exceed 50 mm (2 in) in depth when measured with water indicating paste in any tank utilized in the storage of biodiesel, diesel, gasoline, gasoline-ether blends, and kerosene sold at retail except as required in § 4.1.

4.3. Product Storage Identification.

4.3.1. Fill Connection Labeling. - The fill connection for any petroleum product storage tank or vessel supplying engine-fuel devices shall be permanently, plainly, and visibly marked as to the product contained.

mentation: Amend Handbook 130 Engine Fuels, Petroleum Products, and Automotive Lubricants Regulation as follows:

Strike § 1.8. Biodiesel:

~~**1.8. Biodiesel. — means a blend consisting of diesel fuel and a substantial amount of esterified animal fats and/or vegetable oil(s).**~~

And replace it with the definition from the American Society for Testing and Materials (ASTM) D 6751, Standard Specification for Biodiesel Fuel (B100) Blend Stock for Distillate Fuels:

1.8. Biodiesel. - a fuel comprised of mono-alkyl esters of long chain fatty acids derived from vegetable oils or animal fats, designated B100.

Add the following to the definitions section and renumber that section as appropriate:

1.X. Biodiesel Blend. - a fuel comprised of a blend of biodiesel fuel with petroleum-based diesel fuel, designated BXX. In the abbreviation BXX, the XX represents the volume percentage of biodiesel fuel in the blend.

Adopt specifications for Biodiesel and Biodiesel Blends by adding:

2.15 Biodiesel - B100 biodiesel intended for blending with diesel fuel shall meet the most recent version of ASTM D 6751, Standard Specification for Biodiesel Fuel (B100) Blend Stock for Distillate Fuels.

2.16 Biodiesel Blends – blends of biodiesel and diesel fuels shall meet the following requirements: (a) the base diesel fuel shall meet the most current requirements of ASTM D 975, Standard Specification for Diesel Fuel Oils; (b) the biodiesel blend stock shall meet the most current requirements of ASTM D 6751, Standard Specification for Biodiesel Fuel (B100) Blend Stock for Distillate Fuels; and (c) the final blend shall meet the most current requirements of ASTM D 975, Standard Specification for Diesel Fuel Oils.

2.16.1. Exception - biodiesel may be blended with diesel fuel whose sulfur or aromatic levels are outside Specification ASTM D 975, Standard Specification for Diesel Fuel Oils, Grades 1-D, low sulfur 1-D, 2-D, or low sulfur 2-D provided the finished mixture meets pertinent national and local specifications and requirements for these properties.

Adopt identification and labeling requirements by adding:

3.15 Biodiesel

3.15.1. Identification of Product. - Biodiesel and biodiesel blends shall be identified by the capital letter B followed by the numerical value representing the volume percentage of biodiesel fuel. (Examples: B100; B20)

3.15.2. Labeling of Retail Dispensers of Biodiesel and Biodiesel Blends - Each retail dispenser of biodiesel or biodiesel blend shall be labeled with the capital letter B followed by the numerical value representing the volume percentage of biodiesel fuel and ending with the word 'biodiesel'. (Examples: B100 biodiesel; B20 biodiesel)

3.15.3. Documentation for Dispenser Labeling Purposes. - The retailer shall be provided, at the time of delivery of the fuel, with a declaration of the volume percent biodiesel on an invoice, bill of lading, shipping paper, or other document. This documentation is for dispenser labeling purposes only; it is the responsibility of any potential blender to determine the amount of biodiesel in the diesel fuel prior to blending.

