§ 80.1642  Sampling and testing requirements for producers and importers of denatured fuel ethanol and other oxygenates for use by oxygenate blenders.

Beginning January 1, 2017, producers and importers of denatured fuel ethanol (DFE) and other oxygenates for use by oxygenate blenders must satisfy the sampling and testing requirements in this section prior to the addition of the oxygenate to gasoline or blendstocks for oxygenate blending.

(a) Sampling requirements. Producers and importers of oxygenates for use by oxygenate blenders shall collect a representative sample from each batch of oxygenate produced or imported prior to the oxygenate leaving the oxygenate production or import facility, using the sampling methods specified in §80.8 or §80.47.

(b) Determination of oxygenate sulfur content. Producers and importers of oxygenates must test each batch of oxygenate they produce or import to determine its sulfur content to the nearest ppm using a test method provided in §80.47, or, with respect to DFE may use the alternative means of determining the sulfur content contained in paragraph (c) of this section.

(c) Alternative means of determining the sulfur content of DFE. As an alternative to testing each batch of DFE produced using certified denaturant meeting the requirements of §80.1611. If the PTD from the certified ethanol denaturant states that the sulfur content is 330 ppm, then the sulfur content of the sulfur content of the ethanol denaturant must be assumed to be 330 ppm.

§ 80.1643  Sample retention requirements for oxygenate producers and importers.

(a) Sample retention requirements. Beginning January 1, 2017, any producer or importer of oxygenate shall do all the following:

(1) Retain a representative portion of each sample analyzed under §80.1642(b), of at least 330 milliliters in volume.

(2) Retain a representative sample of each batch of DFE for which the DEF producer or importer used the alternative means of determining the sulfur contents of the DEF batch pursuant to the requirements of §80.1642(c), of at least 330 milliliters in volume.

(3) Retain sample portions for the most recent 20 samples collected, or for each sample collected during the most recent 21 day period, whichever is greater, not to exceed 90 days for any given sample.

(4) Comply with the DFE sample handling and storage procedures under §80.1642 for each sample portion retained.

(5) Comply with any request by EPA to—