§ 80.586 What are the record retention requirements for test methods approved under this subpart?

Each individual test facility must retain records related to the establishment of accuracy and precision values, all test method documentation, and any quality control testing and analysis under §§ 80.582, 80.584 and 80.585, for five years.

[69 FR 39187, June 29, 2004]

§§ 80.587–80.589 [Reserved]

RECORDKEEPING AND REPORTING REQUIREMENTS

§ 80.590 What are the product transfer document requirements for motor vehicle diesel fuel, NRLM diesel fuel, heating oil, ECA marine fuel, and other distillates?

(a) This paragraph (a) applies on each occasion that any person transfers custody or title to MVNRLM diesel fuel, heating oil, or ECA marine fuel (including distillates used or intended to be used as MVNRLM diesel fuel, heating oil, or ECA marine fuel) except when such fuel is dispensed into motor vehicles or nonroad equipment, locomotives, marine diesel engines or C3 vessels. Note that 40 CFR part 1043 specifies requirements for documenting fuel transfers to certain marine vessels. For all fuel transfers subject to this paragraph (a), the transferor must provide to the transferee documents which include the following information:

1. The names and addresses of the transferor and transferee.
2. The volume of diesel fuel or distillate which is being transferred.
3. The location of the diesel fuel or distillate at the time of the transfer.
4. The date of the transfer.
5. Beginning June 1, 2004, when an entity, from a facility at any point in the distribution system, transfers custody of a distillate or residual fuel designated under § 80.598, the following information must also be included:
   i. The facility registration number of the transferor and transferee, for terminals and all parties upstream, under § 80.598, if any.
   ii. An accurate and clear statement of the applicable designation and/or classification under § 80.598(a) and (b), for example, “500 ppm sulfur NRLM diesel fuel”, “jet fuel”; and whether the fuel is dyed or undyed, and for

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(7) For transfers of title or custody from one facility to another in the distribution system where diesel fuel or distillates are taxed, dyed or marked, and for any subsequent transfers (except when such fuel is dispensed into motor vehicles or nonroad, locomotive, or marine equipment), an accurate statement on the product transfer document of the applicable fuel uses and classifications, as follows (however, in instances where space is constrained, substantially similar language may be used following approval from EPA):

(i) **Undyed 15 ppm sulfur diesel fuel.** From June 1, 2006 and beyond, “15 ppm sulfur (maximum) Undyed Ultra-Low Sulfur Diesel Fuel. For use in all diesel vehicles and engines.” From June 1, 2006 through May 31, 2010, the product transfer document must also state whether the diesel fuel is #1D or #2D, or NP diesel.


(b) The following may be substituted for the descriptions in paragraph (a) of this section, as appropriate:

(1) “This is high sulfur diesel fuel for use only in Guam, American Samoa, or the Northern Mariana Islands.”;

(2) “This diesel fuel is for export use only.”;

(3) “This diesel fuel is for research, development, or testing purposes only.”;

(4) “This diesel fuel is for use in diesel highway vehicles or nonroad equipment under an EPA-approved national security exemption only.”;

(c) If undyed and/or unmarked distillate fuel is dyed and/or marked subsequent to the issuance of a product transfer document, at the time the distillate fuel is dyed and/or marked, a new product transfer document must be prepared with the language under
paragraph (a)(7) of this section applicable to the changed fuel and provided to subsequent transferees.

(d) Except for transfers to truck carriers, retailers or wholesale purchaser-consumers, product codes may be used to convey the information required under this section if such codes are clearly understood by each transferee. “15”, “500”, or “greater than 500” or “>500” must appear clearly on the product transfer document, and may be contained in the product code. If the designation is included in the code: codes used to convey the statement in paragraphs (a)(7)(i) and (a)(7)(ii) of this section must contain the number “15”; codes used to convey the statement in paragraphs (a)(7)(iii) and (a)(7)(iv) of this section must contain the number “500”; codes used to convey the statement in paragraph (a)(7)(v) of this section must contain the statement “greater than 500” or “>500”. If another letter, number, or symbol is being used to convey any of the statements in paragraphs (a)(7)(i), (a)(7)(ii), (a)(7)(iii), (a)(7)(iv), and/or (a)(7)(v) of this section, it must be clearly defined and denoted on the product transfer document.

(e) Beginning June 1, 2014, for ECA marine fuel only (except for transfers to truck carriers, retailers or wholesale purchaser-consumers), product codes may be used to convey the information required under this section if such codes are clearly understood by each transferee. “1000” must appear clearly on the product transfer document, and may be contained in the product code. If the designation is included in the code, codes used to convey the statement in paragraph (a)(7)(vii) of this section must contain the number “1000”. If another letter, number, or symbol is being used to convey the statement in paragraph (a)(7)(vii) of this section, it must be clearly defined and denoted on the product transfer document.

(f) From June 1, 2001 through May 31, 2005, any transfer subject to this section, which is also subject to the early credit requirements of §80.531(c), must comply with all applicable requirements of this section.

(h) Mobile refuelers. The provisions of this section shall also apply to a mobile refueler that dispenses fuel from tanker trucks or other vessels into motor vehicles, nonroad diesel engines or nonroad diesel engine equipment. Each visit by the mobile refueler to a location shall be considered a separate occasion for purposes of paragraph (a) of this section. The tank trucks used by mobile refuelers are not subject to the labeling requirements in §§80.570 through 80.574.

(i) Identifications of fuel designations can be limited to a sub-designation that accurately identifies the fuel and do not need to also include the broader designation. For example, NR diesel fuel does not also need to be designated as NRM or MVNRM diesel fuel.

(j) Pipeline ticketing. For the case where a pipeline delivers a batch of ULSD to another facility that contains slight amounts of another type of fuel from a preceding or following batch, a clear statement must be included on the PTD denoting this. When this occurs, the receiving facility must handle the fuel appropriately (e.g., redesignate or downgrade any amount of fuel in that batch that does not meet the applicable sulfur standard), in accordance with the provisions of §§80.527 and 80.599.

§ 80.591 What are the product transfer document requirements for additives to be used in diesel fuel?

(a) Except as provided in paragraphs (b) and (d) of this section, on each occasion that any person transfers custody or title to a diesel fuel additive that is subject to the provisions of §80.521 to a party in the additive distribution system or in the diesel fuel distribution system for use downstream of the diesel fuel refiner, the transferor must provide to the transferee documents which identify the additive, and