

Environmental Protection Agency

§ 80.590

to the interval between quality control sample tests, whichever is longer.

(4) Upon discovery of any quality control testing violation of paragraph A 1.5.1.3 or A 1.5.2.1 of ASTM D 6299-02, or any check standard deviation greater than 1.44 ppm (for diesel fuel subject to the 15 ppm sulfur standard) or 19.36 ppm (for diesel fuel subject to the 500 ppm sulfur standard), conduct an investigation into the cause of such violation or deviation and, after restoring method performance to statistical control, retest retained samples from batches originally tested since the last satisfactory quality control material or check standard testing occasion.

[69 FR 39187, June 29, 2004]

EFFECTIVE DATE NOTE: At 69 FR 39187, June 29, 2004, §80.585 was added, effective Aug. 30, 2004.

§ 80.586 What are 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 39188, June 29, 2004]

EFFECTIVE DATE NOTE: At 69 FR 39188, June 29, 2004, §80.586 was added, effective Aug. 30, 2004.

§§ 80.587-80.589 [Reserved]

RECORDKEEPING AND REPORTING REQUIREMENTS

§ 80.590 What are the product transfer document requirements for motor vehicle diesel fuel?

On each occasion that any person transfers custody or title to motor vehicle diesel fuel, including distillates used or intended to be used as motor vehicle diesel fuel, except when such fuel is dispensed into motor vehicles at a retail outlet or wholesale purchaser-facility, the transferor must provide to the transferee documents identifying the fuel as motor vehicle diesel fuel, and which include the following information:

(a) The name and address of the transferor and transferee.

(b) The volume of motor vehicle diesel fuel which is being transferred.

(c) The location of the motor vehicle diesel fuel at the time of the transfer.

(d) The date of the transfer.

(e) Except as provided in 40 CFR 69.51, an accurate statement, as applicable, that:

(1) "This fuel complies with the 15 ppm low sulfur standard for motor vehicle diesel fuel.";

(2) "This fuel complies with the 500 ppm high sulfur standard for motor vehicle diesel fuel and is for use only in MY 2006 and older diesel motor vehicles.";

(3) "This is high sulfur motor vehicle diesel fuel for use only in Guam, American Samoa, or the Northern Mariana Islands.";

(4) "This diesel fuel is for export use only.";

(5) "This diesel fuel is for research, development, or testing purposes only.";

(6) "This diesel fuel is for use in diesel vehicles having an EPA-approved national security exemption only.".

(f) For motor vehicle diesel fuel that contains visible evidence of the dye solvent red 164, and is intended to be used in a manner that is tax-exempt as defined under section 4082 of the Internal Revenue Code, the following statement:

This fuel is motor vehicle diesel fuel for tax-exempt use only, in accordance with Section 4082 of the Internal Revenue Code.

(g) 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. Codes used to convey the statement in paragraph (e)(1) of this section must contain the number "15", and codes used to convey the statement in paragraph (e)(2) of this section must contain the number "500".

(h) Beginning June 1, 2001 and ending May 31, 2005, any transfer subject to this section, which is also subject to the early credit provisions of §80.531(b), must comply with all applicable requirements of this section except those in paragraph (e) of this section.

(i) Beginning June 1, 2005 and ending May 31, 2006, any transfer subject to