



NBB ONE-PAGE (State's Fuel Quality Regulation)

Department IL Department of Agriculture

NCWM Region CWMA

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What's needed for a successful program? B11 and greater is currently being sold in IL because of the biodiesel tax exemption above B10. Regulations to test biodiesel fuel quality and funding for testing costs and personnel for proactive testing must be approved.

AUTHORITY

Fuel Authority Regulatory (state regulations); Statutory (enacted legislation)

Statutory/Regulatory Citation Biodiesel Blend Use Requirement: The following entities are required to use a biodiesel blend that contains at least 2% biodiesel (B2) when refueling at a bulk central fueling facility: any diesel powered vehicle owned or operated by the state, county or local government, school district, community college or public college or university, or mass transit agency. Biodiesel is defined as a renewable fuel conforming to the American Society for Testing and Materials (ASTM) standard D6751 and registered with the U.S. Environmental Protection Agency. (Reference 625 Illinois Compiled Statutes 5/12-705.1 and 415 120/10)

ADOPTED FUEL SPECIFICATIONS

Fuels Currently Regulated Biodiesel-Blends_yes; Diesel Fuel_yes; B100-Biodiesel_no

Fuel Specifications B100_ASTM D6751; B1-B5_ASTM D975; B6-19_ASTM D975; PetroDiesel_ASTM D975

Other Specifications

If no spec - plan to adopt Regulations to enforce the D6751 standard need to be introduced to enforce the Biodiesel Blend Use Requirement noted above. No regulations are being introduced at this time.

Process to Adopt Specifications Legislative Process; Administrative Rulemaking

ASTM-Rev Adopted periodic - adopt & update per set schedule (e.g. annually)

TESTING PROGRAMS

Proactive Tests Do not proactively test

Reactive Test Circumstance Samples are analyzed in response to consumer complaints. Reactive biodiesel blend testing is done to the D975 standard.

Fuel Test Performed - Sulfur; - Water & Sediment; - Flash Point; - Cetane; - Visual; - Vacuum Distillation

Where Sampled Retailer

Where Tested Out-Sourced

Penalties

(815 ILCS 370/6) (from Ch. 5, par. 1706) Sec. 6. Any person who violates the provisions of this Act shall be deemed guilty of a business offense and subject to a fine of not less than \$1000 for the first offense, not less than \$1500 for a second offense and not less than \$2500 for a third offense. Any person who impedes, obstructs, hinders or otherwise prevents or attempts to prevent the Director in the performance of official duties shall be guilty of a Class B misdemeanor for the first violation and guilty of a Class A misdemeanor for subsequent violations. Any person using physical force against the Director or his authorized agent in the performance of official duties shall be guilty of a Class 4 felony. (Source: P.A. 86-232.) (815 ILCS 370/7) (from Ch. 5, par. 1707) Sec. 7.

Administrative hearing and penalties. When an administrative hearing is held, the hearing officer, upon determination of a violation of this Act or rules, other than violation of Section 7.1, shall: (a) Levy the following administrative monetary penalties: (1) \$100 for a first violation; (2) \$750 for a second violation within 2 years of the first violation; and (3) \$1500 for a third or subsequent violation within 2 years of the second violation; or (b) refer the violations to the States Attorney's Office in the county where the violation occurred for prosecution. Any penalty levied shall be collected by the Department and paid into the Motor Fuel and Petroleum Standards Fund. Monetary penalties not paid within 60 days of notice from the Department shall be submitted to the Attorney General's Office for collection. All decisions and actions of the Department are subject to the Illinois Administrative Procedure Act and the Department's Administrative Rules which pertain to administrative hearings, petitions, proceedings, contested cases, declaratory rulings and availability of Department files for public access. All final administrative decisions of the Department shall be subject to judicial review pursuant to the provisions of the Administrative Review Law, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term 'administrative decision' is defined in Section 3-101 of the Code of Civil Procedure. (Source: P.A. 88-582, eff. 1-1-95.)

REPORTING OUT-OF-SPECIFICATION FUEL

How to Report

NOTES & ATTACHMENTS