



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

Department MO Department of Agriculture **NCWM Region** CWMA
Primary Contact Ronald Hayes **Last Modified** 02/09/09 11:07am
Phone (573) 751-4316
Email ron.hayes@mda.mo.gov
What's needed for a successful program? MO operates a Model fuel quality program. The department utilizes the state lab for testing and proactively samples biodiesel producers in the state. Additionally, MO tests samples sent in from other states and provides biodiesel quality guidance. They utilize surveillance, state lab and independent lab testing methods.

AUTHORITY

Fuel Authority Regulatory (state regulations); Statutory (enacted legislation)
Statutory/Regulatory Citation Chapter 414.012 to 414.152; chapter 536, RSMo; The Missouri Qualified Biodiesel Producer Incentive Fund provides a monthly grant to qualified Missouri biodiesel producers...and must begin production of biodiesel before March 1, 2009...and the value of the grant is \$0.30 per gallon for the first 15 million gallons produced in a fiscal year ...and Biodiesel is defined according to ASTM standard D-6751 or its subsequent standard specifications for biodiesel fuel (B100) blend stock for distillate fuels. (Reference Missouri Revised Statutes 142.031)

ADOPTED FUEL SPECIFICATIONS

Fuels Currently Regulated Biodiesel-Blends_yes; Diesel Fuel_yes; B100-Biodiesel_yes
Fuel Specifications PetroDiesel_ASTM D975; B100_ASTM D6751; B1-B5_ASTM D975; B6-19_other
Other Specifications B6-B20 ASTM D7467
If no spec - plan to adopt
Process to Adopt Specifications Legislative Process; Administrative Rulemaking
ASTM-Rev Adopted periodic - adopt & update per set schedule (e.g. annually)

TESTING PROGRAMS

Proactive Tests Biodiesel Blends (Bxx); Petroleum Diesel; Biodiesel (B100)
Reactive Test Circumstance Any consumer complaint
Fuel Test Performed - Glycerine; - Flash Point; - Cloud Point; - Density; - Water & Sediment; - Visual; - Viscosity; - Sulfur
Where Sampled Terminal / Blender; Producer; Retailer
Where Tested State's In-House Lab; Out-Sourced
Penalties

Stop sales, civil penalties, and criminal penalties... 414.152. 1. Any person found in violation of any provision of sections 414.012 to 414.152 shall be deemed guilty of a class A misdemeanor. The prosecutor of each county in which a violation occurs shall be empowered to bring an action here-under. But if a prosecutor declines to bring such action, then the attorney general may bring an action instead, and in so doing shall have all the powers and jurisdiction of such prosecutor. 2. The prosecuting attorney of any county in which a violation of any provision of this chapter occurs or the attorney general is hereby authorized to apply to any court of competent jurisdiction for, and such court shall have jurisdiction upon hearing and for cause shown to grant, a temporary or permanent injunction to restrain any person from violating any provision of this chapter. 3. Any person who is found, upon investigation by the department of agriculture or by the department of revenue, to be in possible violation of any provision of this chapter shall be notified by certified mail of the facts constituting such violation, and shall be afforded an opportunity by the appropriate director to explain such facts at an informal hearing to be conducted within fourteen days of such notification. In the event that such person fails to timely respond to such notification or upon unsuccessful resolution of any issues relating to an alleged violation, such person may be summoned to a formal administrative hearing before a hearing officer conducted in conformance with chapter 536, RSMo, and if found to have committed one or more violations, may be ordered to cease and desist from such violation, such order to be enforceable in circuit court, and, in addition, may be required to pay a penalty of not more than five hundred dollars per violation and five hundred dollars for each day such violation continues. Any party to such hearing aggrieved by a determination of a hearing officer may appeal to the circuit court of the county in which such party resides, or if the party is the state, in Cole County, in accordance with chapter 536, RSMo

REPORTING OUT-OF-SPECIFICATION FUEL

How to Report Consumer complaint telephone contact number (573-751-4278) is listed on all "Weights and Measures" approved decal. Decals are placed on motor fuel dispensers, scales, etc. Consumer complaint form can be found at the agencies website www.mda.mo.gov direct link <http://www.mda.mo.gov/pdf/fqcomplaint.pdf>

NOTES & ATTACHMENTS