



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

Department NE Dept Agr/Div Weights & Measures **NCWM Region** CWMA
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What's needed for a successful program? W&M is looking for method to measure content of biodiesel in petroleum. Currently, the NDA does not regulate fuel quality and no regulations for biodiesel quality enforcement have been drafted to meet the statutory specification. Developing a plan with the help of the Nebraska State Energy Office to insure biodiesel quality and funding the program through the Department of Agriculture (W&M) has been suggested. Without funding W&M will not support a fuel quality enforcement program in the state.

AUTHORITY

Fuel Authority Regulatory (state regulations); Statutory (enacted legislation)
Statutory/Regulatory Citation Chapter 73 NEBRASKA FUELS TAX ; REG-73-002 DEFINITIONS (1/8/2007)002.27 Biodiesel shall mean mono-alkyl esters of long chain fatty acids derived from vegetable oils or animal fats which conform to American Society for Testing and Materials D6751 specifications for use in diesel engines. Biodiesel refers to the pure fuel before blending with diesel fuel. This definition is necessary for the Department of Revenue to tax biodiesel as a diesel fuel. However, no regulations exist in any state department to proactively test petroleum diesel or biodiesel to insure they meet the ASTM standards

ADOPTED FUEL SPECIFICATIONS

Fuels Currently Regulated Diesel Fuel_yes; B100-Biodiesel_no
Fuel Specifications B1-B5_ASTM D975; B100_ASTM D6751; PetroDiesel_ASTM D975; B6-19_no-adopted-spec
Other Specifications
If no spec - plan to adopt Specifications exist but no plans are currently in place to regulate the quality of fuels in Nebraska
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 Do not test.
Fuel Test Performed
Where Sampled
Where Tested
Penalties a) state does not regulate fuel.
b) consumer may take civil action if supplier does not resolve issue. This civil action would involve going to the Attorney General with the complaint.

REPORTING OUT-OF-SPECIFICATION FUEL

How to Report

NOTES & ATTACHMENTS