



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

Department Oklahoma Corporation Commission,
Petroleum Storage Tank Division

NCWM Region SWMA

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What's needed for a successful program? Statute 68-2357.67 Tax Credit for Biodiesel Facilities broadly defines biodiesel without an ASTM specification. Revising the legislation to meet D6751 is required. The Petroleum Tank Division enforces motor fuel quality but only enforces D975. New regulations for B100 or biodiesel blends were not proposed this year and the Division will not change the code until directed to by the legislature. "Automatic updates" for ASTM standards were changed in 2009 to "periodic updates" because constituents wanted the opportunity for public hearings before rule changes became effective.

AUTHORITY

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

Statutory/Regulatory Citation For tax years beginning after December 31, 2004, and before January 1, 2013, a biodiesel (B100) production facility is allowed a credit of \$0.20 per gallon of biodiesel produced. An eligible biodiesel facility must produce at least 25% of its nameplate design capacity for at least six months after the first month for which it is eligible to receive the credit, on or before December 31, 2008. Reference House Bill 1956, 2008, and Oklahoma Statutes 68-2357.67)

ADOPTED FUEL SPECIFICATIONS

Fuels Currently Regulated Diesel_Fuel_yes; Biodiesel-Blends_no; B100-Biodiesel_no

Fuel Specifications B6-19_no-adopted-spec; B1-B5_no-adopted-spec; B100_no-adopted-spec; PetroDiesel_ASTM D975

Other Specifications §68-500.3.Definitions.3."Biodiesel" means a fuel comprised of mono-alkyl esters of long chain fatty acids generally derived from vegetable oils or animal fats, commonly known as "B100".

If no spec - plan to adopt Legislation must be introduced to incorporate ASTM D 6751 in revised regulations.

Process to Adopt Specifications Administrative Rulemaking; Legislative Process

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

TESTING PROGRAMS

Proactive Tests Petroleum Diesel

Reactive Test Circumstance Octane is checked at all retail sites twice a year. Diesel is tested under public complaint or request by fuel inspector.

Fuel Test Performed - Water & Sediment; - Flash Point

Where Sampled Retailer; Terminal / Blender

Where Tested State's In-House Lab; Out-Sourced

Penalties Red tag authority to shut down sale of off-spec fuel. Notice of Violation issued; fines are not typically issued unless repeated violation.

REPORTING OUT-OF-SPECIFICATION FUEL

How to Report Complaint phone number posted on all pump stickers

NOTES & ATTACHMENTS