



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

Department	SC Department of Agriculture	NCWM Region	SWMA
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What's needed for a successful program?	Regulations are being updated to follow the intent of the legislation.		

AUTHORITY

Fuel Authority	Statutory (enacted legislation)
Statutory/Regulatory Citation	Biofuels Retail Incentive-Beginning July 1, 2009, a \$0.25 incentive payment is available to biodiesel retailers for each gallon of pure biodiesel (B100) sold, provided that the resulting blends contain at least 2% biodiesel (B2). These incentives apply only to fuel sold before July 1, 2012. Biodiesel fuel is defined as a fuel for motor vehicle diesel engines comprised of vegetable oils or animal fats and meeting the specifications of American Society of Testing and Materials (ASTM) D 6751. (Reference Senate Bill 243, 2007, and South Carolina Code of Laws 12-63-20); Biofuels Production Facility Tax Credit: Effective January 1, 2008, a taxpayer that constructs and places into service a commercial facility for the production of renewable fuel is eligible for a tax credit of up to 25% of the cost of constructing or renovating a building and equipping the facility. (Reference Senate Bill 243, 2007, and South Carolina Code of Laws 12-63-3610)

ADOPTED FUEL SPECIFICATIONS

Fuels Currently Regulated	Biodiesel-Blends_yes; B100-Biodiesel_yes; Diesel Fuel_yes
Fuel Specifications	B6-19_ASTM D975; B1-B5_ASTM D975; B100_ASTM D6751; PetroDiesel_ASTM D975
Other Specifications	
If no spec - plan to adopt	If the new ASTM biodiesel specifications are published in October, 2008 then the new B100/99, B5 and B6-20 specs will be legally effective in October 2008.
Process to Adopt Specifications	Administrative Rulemaking; Legislative Process
ASTM-Rev Adopted	automatic - incorporation of "most-current" revision

TESTING PROGRAMS

Proactive Tests	Petroleum Diesel
Reactive Test Circumstance	In response to consumer complaints
Fuel Test Performed	- Flash Point; - Density; - Water & Sediment; - Visual; - Glycerine; - Cetane; - Phosphorus; - Copper Strip; - Stability; - Sulfated Ash; - Sulfur; - Total Ca / Mg; - Total Na / K
Where Sampled	Retailer
Where Tested	State's In-House Lab
Penalties	

SECTION 39 41 160. Penalties for fraudulent violations of article or regulations. A person who fraudulently commits the following violations is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred nor more than one thousand dollars or imprisoned not less than thirty nor more than sixty days for each offense: (1) brands or labels a package, a barrel, a pump, a tank, or other vessel; (2) uses a label a second time; (3) keeps a petroleum product used for illuminating, heating, or power purposes not marked and branded in accordance with the regulations of the Commissioner of Agriculture; (4) violates this article or a regulation adopted by the Commissioner of Agriculture for its enforcement. SECTION 39 41 195. Penalties for conveyance of motor fuel in violation of this chapter. (A) If a person or his agent or employee conveys, or offers to convey, motor fuel in violation of this chapter, the person is subject to an administrative fine or a stop sale order, or both, in the discretion of the Commissioner of Agriculture. (B) An administrative fine must not be assessed for an amount greater than one thousand dollars unless the violation: (1) threatens public health or safety; (2) is committed knowingly or intentionally; or (3) reflects a continuing and repetitive pattern of disregard for the requirements of this article. (C) An administrative fine fully assessed by the commissioner for an amount greater than one thousand dollars may be assessed for an amount not in excess of ten thousand dollars.

REPORTING OUT-OF-SPECIFICATION FUEL

How to Report Telephone: 803-737-9690 which is on all fuel dispensers

NOTES & ATTACHMENTS