



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

**Department** SD Weights & Measures **NCWM Region** CWMA  
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**What's needed for a successful program?** Update to the "Active Standard" for ASTM D 6751. W&M must go through the Legislature to change the enabling legislation and then re-write the Administrative Rules specifically adopting the Annual Book of ASTM Standards in effect January 1, 2009. This requires a public hearing process and testimony to the Interim Rules Committee.

AUTHORITY

**Fuel Authority** Regulatory (state regulations); Statutory (enacted legislation)  
**Statutory/Regulatory Citation** SDCL 37-02-5 and SDCL 37-2-6 Current legislation states that South Dakota will abide by NIST and ASTM standards in effect January 1, 2005 which was passed in the summer of 08. The rules in place adopt the 2005 Annual Book of ASTM Standards.

ADOPTED FUEL SPECIFICATIONS

**Fuels Currently Regulated** B100-Biodiesel\_yes; Biodiesel-Blends\_yes; Diesel Fuel\_yes  
**Fuel Specifications** B6-19\_no-adopted-spec; B1-B5\_no-adopted-spec; B100\_ASTM D6751; PetroDiesel\_ASTM D975  
**Other Specifications**  
**If no spec - plan to adopt** Plan to adopt 2009 Annual Book of ASTM Standards  
**Process to Adopt Specifications** Administrative Rulemaking; Legislative Process  
**ASTM-Rev Adopted** not automatic - use earlier revision, til law / regulations revised

TESTING PROGRAMS

**Proactive Tests** Do not proactively test  
**Reactive Test Circumstance** Fuel quality complaint. Send samples to MO for analysis.  
**Fuel Test Performed**  
**Where Sampled**  
**Where Tested** Out-Sourced  
**Penalties** 'Cancellation of approval or rejection if not in compliance'

REPORTING OUT-OF-SPECIFICATION FUEL

**How to Report** E-mail to david.pfahler@state.sd.us or mail to:  
SD DPS  
Weights & Measures Program  
118 West Capitol Ave.  
Pierre, SD 57501

NOTES & ATTACHMENTS