

dispenses, or offers for sale or dispensing, motor vehicle diesel fuel subject to the 500 ppm sulfur standard of § 80.520(c), must prominently and conspicuously display in the immediate area of each pump stand from which motor vehicle fuel subject to the 500 ppm standard is offered for sale or dispensing, the following legible label, in block letters of no less than 36-point bold type, printed in a color contrasting with the background:

LOW-SULFUR HIGHWAY DIESEL FUEL (500 ppm maximum)

WARNING

May damage model year 2007 and later highway vehicles and engines.

Federal Law *prohibits* use in these vehicles.

(b) Any retailer or wholesale purchaser-consumer who sells, dispenses, or offers for sale or dispensing, motor vehicle diesel fuel subject to the 15 ppm sulfur standard of § 80.520(a)(1), must affix the following conspicuous and legible label, in block letters of no less than 36-point bold type, and printed in a color contrasting with the background, to each pump stand:

ULTRA LOW-SULFUR HIGHWAY DIESEL FUEL (15 ppm maximum)

Recommended for use in all diesel vehicles and engines.

Required for model year 2007 and later highway diesel vehicles and engines.

(c) Any retailer or wholesale purchaser-consumer who sells, dispenses, or offers for sale or dispensing, diesel fuel for non-highway equipment that does not meet the standards for motor vehicle diesel fuel, must affix the following conspicuous and legible label, in block letters of no less than 36-point bold type, and printed in a color contrasting with the background, to each pump stand:

NON-HIGHWAY DIESEL FUEL (May Exceed 500 ppm Sulfur)

WARNING

May damage or destroy highway engines and their emission controls.

Federal Law *prohibits* use in any highway vehicle or engine.

(d) The labels required by paragraphs (a) through (c) of this section must be placed on the vertical surface of each pump housing and on each side that has gallonage and price meters. The labels shall be on the upper two-thirds of the pump, in a location where they are clearly visible.

34. A new § 80.571 is added to read as follows:

§ 80.571 What labeling requirements apply to retailers and wholesale purchaser-consumers of NR, LM, or NRLM diesel fuel or heating oil beginning June 1, 2007?

Any retailer or wholesale purchaser-consumer who sells, dispenses, or offers for sale or dispensing, nonroad (NR), locomotive or marine (LM), or nonroad, locomotive or marine (NRLM) diesel fuel, or heating oil, must prominently and conspicuously display in the immediate area of each pump stand from which non-highway diesel fuel is offered for sale or dispensing, one of the following legible labels, as applicable, in block letters of no less than 36-point bold type, printed in a color contrasting with the background:

(a) For pumps dispensing nonroad, locomotive or marine diesel fuel meeting the 500 ppm sulfur standard of § 80.510(a):

LOW-SULFUR NON-HIGHWAY DIESEL FUEL (500 ppm Maximum)

WARNING

Not for Use In Highway Vehicles or Engines.

(b) For pumps dispensing nonroad, locomotive or marine diesel fuel meeting the 15 ppm sulfur standard of § 80.510(b):

ULTRA-LOW SULFUR NON-HIGHWAY DIESEL FUEL (15 ppm Maximum)

Required for All Model Year 2011 and Newer Nonroad Diesel Engines.

Recommended for Use in All Nonroad, Locomotive and Marine Diesel Engines.

WARNING

Not for Use in Highway Vehicles or Engines.

(c) For pumps dispensing nonroad, locomotive or marine diesel fuel not meeting, or not offered as meeting, the 500 ppm sulfur standard of § 80.510(a) or the 15 ppm sulfur standard of § 80.510(b):

HIGH-SULFUR NON-HIGHWAY DIESEL FUEL (May Exceed 500 ppm)

WARNING

Not for Use In Highway Vehicles or Engines.

Not for Use in Nonroad, Locomotive, or Marine Engines after August 31, 2010.

May Damage Engines Certified for Use on Low-Sulfur or Ultra-Low Sulfur Diesel Fuel.

(d) For pumps dispensing non-highway diesel fuel for use other than in nonroad, locomotive or marine engines, such as for use in stationary diesel engines or as heating oil:

HEATING OIL (May Exceed 500 ppm Sulfur)

WARNING

Federal Law *Prohibits* Use in Highway Vehicles or Engines, or in Nonroad, Locomotive, or Marine Engines.

May Damage Engines Certified for Use on Low-Sulfur or Ultra-Low Sulfur Diesel Fuel.

(e) The labels required by paragraphs (a) through (d) of this section must be placed on the vertical surface of each pump housing and on each side that has gallonage and price meters. The labels shall be on the upper two-thirds of the pump, in a location where they are clearly visible.

35. A new § 80.572 is added to read as follows:

§ 80.572 What labeling requirements apply to retailers and wholesale purchaser-consumers of NR or LM diesel fuel and heating oil beginning June 1, 2010?

Any retailer or wholesale purchaser-consumer who sells, dispenses, or offers for sale or dispensing, nonroad (NR) or locomotive or marine (LM) diesel fuel, or heating oil, must prominently and conspicuously display in the immediate area of each pump stand from which non-highway diesel fuel is offered for sale or dispensing, one of the following legible labels, as applicable, in block letters of no less than 36-point bold type, printed in a color contrasting with the background:

(a) For pumps dispensing NR diesel fuel subject to the 500 ppm sulfur standard of § 80.510(a):

LOW-SULFUR NON-HIGHWAY DIESEL FUEL (500 ppm Maximum)

WARNING

May Damage Model Year 2011 and Newer Nonroad Engines.

Federal Law *Prohibits* Use in All Model Year 2011 and Newer Nonroad Engines.

Not for Use In Highway Vehicles or Engines.

(b) For pumps dispensing NR diesel fuel subject to the 15 ppm sulfur standard of § 80.510(b):

ULTRA-LOW SULFUR NON-HIGHWAY DIESEL FUEL (15 ppm Maximum)

Required for All Model Year 2011 and Newer Nonroad Diesel Engines.

Recommended for Use in All Nonroad, Locomotive and Marine Diesel Engines.

WARNING

Not for Use in Highway Vehicles or Engines.