

(c) For pumps dispensing locomotive or marine diesel fuel subject to the 500 ppm sulfur standard of § 80.510(a):

LOW-SULFUR LOCOMOTIVE OR MARINE DIESEL FUEL (500 ppm Maximum)

WARNING

Federal Law *Prohibits* Use in Other Nonroad Engines or in Highway Vehicles or Engines.

May Damage Model Year 2007 and Newer Highway Diesel Engines and 2011 and Newer Nonroad Diesel Engines.

(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.

36. A new § 80.573 is added to read as follows:

§ 80.573 What labeling requirements apply to retailers and wholesale purchaser-consumers of NR, LM, or NRLM diesel fuel, or heating oil beginning June 1, 2014?

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 LM diesel fuel subject to the 500 ppm sulfur standard of § 80.510(a), but not later than December 1, 2014:

LOW-SULFUR LOCOMOTIVE OR MARINE DIESEL FUEL (500 ppm Maximum)

WARNING

Federal Law *Prohibits* Use in Other Nonroad Engines or in Highway Vehicles or Engines.

May Damage Model Year 2007 and Newer Highway Diesel Engines and 2011 and Newer Nonroad Diesel Engines.

(b) For pumps dispensing NR diesel fuel subject to the 15 ppm sulfur standard of § 80.510(b), but not later than December 1, 2014:

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

Required for all 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 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.

(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.

37. Section 80.580 is amended by revising paragraphs (a) introductory text, (a)(2), (a)(3), (a)(4), and (b) to read as follows:

§ 80.580 What are the sampling and testing methods for sulfur?

(a) *Diesel fuel and diesel fuel additives.* The sulfur content of diesel fuel and diesel fuel additives is to be determined in accordance with this section.

(2) *Test method for sulfur.* (i) Until July 22, 2003, for motor vehicle diesel fuel and diesel fuel additives subject to the 15 ppm sulfur standard of

§ 80.520(a)(1), American Society for Testing and Materials (ASTM) standard test method D 6428–99, entitled “Test Method for Total Sulfur in Liquid Aromatic Hydrocarbons and Their Derivatives by Oxidative Combustion and Electrochemical Detection.”

(ii) For motor vehicle diesel fuel and diesel fuel additives subject to the 500 ppm sulfur standard of § 80.520(c), and non-road, locomotive and marine diesel fuel subject to the 500 ppm sulfur standard of § 80.510(a)(1), ASTM standard test method D 2622–98, entitled “Standard Test Method for Sulfur in Petroleum Products by X-Ray Spectrometry.”

(iii) Starting July 22, 2003, for motor vehicle diesel fuel and diesel fuel additives subject to the 15 ppm sulfur standard of § 80.520(a)(1), any test method approved under § 80.585.

(iv) For nonroad diesel fuel and diesel fuel additives subject to the 15 ppm standard of § 80.510(b), any test method approved under § 80.585.

(3) *Alternative test methods for sulfur.*

(i) Until July 22, 2003, for motor vehicle diesel fuel and diesel fuel additives subject to the 15 ppm standard of § 80.520(a)(1), sulfur content may be determined using ASTM standard test method D 5453–00e1, entitled “Standard Test Method for Determination of Total Sulfur in Light Hydrocarbons, Motor Fuels and Oils by Ultraviolet Fluorescence,” or ASTM D 3120–96, entitled “Standard Test Method for Trace Quantities of Sulfur in Light Liquid Petroleum Hydrocarbons by Oxidative Microcoulometry,” provided that the refiner or importer test result is correlated with the appropriate method specified in paragraph (a)(2) of this section.

(ii) *Options for testing sulfur content of 500 ppm diesel fuel.* (A) For motor vehicle diesel fuel and diesel fuel additives subject to the 500 ppm standard of § 80.520(c), and for nonroad, locomotive and marine diesel fuel subject to the 500 ppm standard of § 80.510(a), sulfur content may be determined using ASTM D 4294–02, entitled “Standard Test Method for Sulfur in Petroleum Products by Energy Dispersive X-Ray Fluorescence Spectrometry,” ASTM D 5453–00e1, “Standard Test Method for Determination of Total Sulfur in Light Hydrocarbons, Motor Fuels and Oils by Ultraviolet Fluorescence,” or ASTM D 6428–99, entitled “Test Method for Total Sulfur in Liquid Aromatic Hydrocarbons and Their Derivatives by Oxidative Combustion and Electrochemical Detection,” provided that the refiner or importer test result is correlated with the appropriate method