

May 31, 2014 was marked pursuant to § 80.510(c), before leaving the refinery or import facility.

(f) *Additional reporting requirements for importers.* Importers of NRLM diesel fuel are subject to the following additional requirements:

(1) The reporting requirements under § 80.620, if applicable.

(2) Importers must exclude certified DFR-Diesel from calculations under this section.

(g) *Report submission.* Any report required by this section shall be:

(1) On forms and following procedures specified by the Administrator of EPA;

(2) Signed and certified as meeting all the applicable requirements of this subpart by the owner or a responsible corporate officer of the refiner or importer; and

(3) Except for small refiners subject to § 80.554(d), submitted to EPA no later than August 31 each year for the prior June 1–May 31 period. Small refiners subject to the provisions of § 80.554(d), reports must be submitted the last day of February for the previous reporting period.

(h) *Sunset dates for reporting requirements under this section.*

(1) For small refiners under paragraph (c)(1) of this section, no reports shall be required under this section after August 31, 2010.

(2) For small refiners under paragraph (c)(2) of this section, no reports shall be required under this section after August 31, 2014.

(3) For small refiners under paragraph (c)(3) of this section, no reports shall be required under this section after February 28, 2010.

(4) For all other refiners, no reports shall be required under this section after August 31, 2012.

51. Section 80.600 is amended by revising the section heading and paragraphs (a), (c)(3)(iv), (c)(4)(iv), (d)(3), and (f) to read as follows:

§ 80.600 What are the requirements for obtaining an exemption for motor vehicle diesel fuel or nonroad, locomotive or marine diesel fuel used for research, development or testing purposes?

(a) *Written request for R&D exemption.* Any person may receive an exemption from the provisions of this subpart for diesel fuel used for research, development, or testing (“R&D”) purposes by submitting the information listed in paragraph (c) of this section to: Director (6406J), Transportation and Regional Programs Division, U.S. Environmental Protection Agency, Ariel Rios Building 1200 Pennsylvania Avenue, NW.,

Washington, DC 20460 (postal mail); or Director (6406J), Transportation and Regional Programs Division, U.S. Environmental Protection Agency 501 3rd Street, NW., Washington, DC 20001 (express mail/courier); and

Director (2242A), Air Enforcement Division, U.S. Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

* * * * *

(c) * * *

(3) * * *

(iv) The quantity of diesel fuel which does not comply with the requirements of §§ 80.520 through 80.526 for motor vehicle diesel fuel or § 80.510 for nonroad, locomotive or marine diesel.

(4) * * *

(iv) The manner in which the party will ensure that the R&D fuel will be segregated from motor vehicle diesel fuel or nonroad, locomotive or marine fuel, as applicable, and how fuel pumps will be labeled to ensure proper use of the R&D diesel fuel;

* * * * *

(d) * * *

(3) The R&D diesel fuel must be kept segregated from non-exempt motor vehicle diesel and/or from non-exempt nonroad, locomotive or marine fuel, as appropriate, at all points in the distribution system.

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(f) *Effects of exemption.* Motor vehicle diesel fuel or nonroad, locomotive or marine diesel fuel that is subject to an R&D exemption under this section is exempt from other provisions of this subpart provided that the fuel is used in a manner that complies with the purpose of the program under paragraph (c) of this section and the requirements of this section.

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52. Section 80.601 is revised to read as follows:

§ 80.601 What requirements apply to diesel fuel for use in the Territories?

The sulfur standards of § 80.520(a)(1) and (c) related to motor vehicle diesel fuel, and of § 80.510(a) and (b) related to nonroad, locomotive and marine diesel fuel, do not apply to diesel fuel that is produced, imported, sold, offered for sale, supplied, offered for supply, stored, dispensed, or transported for use in the Territories of Guam, American Samoa or the Commonwealth of the Northern Mariana Islands provided that such diesel fuel is:

(a) Designated by the refiner or importer as high sulfur diesel fuel only

for use in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands;

(b) Used only in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands;

(c) Accompanied by documentation that complies with the product transfer document requirements of § 80.590(b)(1); and

(d) Segregated from non-exempt motor vehicle diesel fuel and/or from non-exempt nonroad, locomotive or marine diesel fuel at all points in the distribution system from the point the diesel fuel is designated as exempt fuel only for use in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands, while the exempt fuel is in the United States but outside these Territories.

53. Section 80.602 is amended by revising the section heading, introductory text, and paragraphs (a) and (b)(1) through (b)(4) to read as follows:

§ 80.602 What exemption applies to diesel fuel used in vehicles or nonroad engines having a national security exemption from motor vehicle emissions standards?

The motor vehicle diesel fuel standards of § 80.520(a)(1), (a)(2), and (c) and the nonroad, locomotive and marine diesel standards of § 80.510(a) and (b) do not apply to diesel fuel that is produced, imported, sold, offered for sale, supplied, offered for supply, stored, dispensed, or transported for use in vehicles or nonroad equipment for which EPA has granted a national security exemption under 40 CFR 85.1708 from motor vehicle emissions standards under 40 CFR part 86 or from nonroad emissions standards under 40 CFR Parts 89 or 1068, provided that such fuel is:

(a) Used only in tactical military motor vehicles or tactical military nonroad equipment having an EPA national security exemption from the motor vehicle emissions standards under 40 CFR 85.1708 from motor vehicle emissions standards under 40 CFR Part 86 or from nonroad emissions standards under 40 CFR part 89 or 1068; or

(b) * * *

(1) Used only in vehicles or equipment identified in paragraph (a) of this section or this paragraph (b);

(2) Accompanied by product transfer documents as required under § 80.590.

(3) Segregated from non-exempt motor vehicle diesel fuel or from non-exempt nonroad, locomotive or marine diesel fuel, as applicable at all points in the distribution system; and

(4) Dispensed from a fuel pump stand, fueling truck or tank that is labeled