

Environmental Protection Agency

§ 80.570

under §80.510(b), such diesel fuel shall not be distributed for use in model year 2011 or later nonroad engines, and must meet all the requirements and prohibitions of this subpart applicable to diesel fuel meeting the sulfur standard under §80.510(a) for NRLM diesel fuel.

(4) In the case of NRLM diesel fuel distributed under this section after May 31, 2012 that does not meet the 15 ppm sulfur standard under §80.510(c), such diesel fuel shall not be distributed for use in model year 2011 or later nonroad engines, and must meet all the requirements and prohibitions of this subpart applicable to diesel fuel meeting the sulfur standard under §80.510(a) for NRLM diesel fuel.

§§ 80.562–80.569 [Reserved]

LABELING REQUIREMENTS

§ 80.570 What labeling requirements apply to retailers and wholesale purchaser-consumers of motor vehicle diesel fuel?

(a) Any retailer or wholesale purchaser-consumer who sells, 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:

HIGH-SULFUR DIESEL FUEL—WARNING
May damage model year 2007 and later highway vehicles.
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:

LOW-SULFUR DIESEL FUEL
Recommended for use in all diesel vehicles.
Required for model year 2007 and later vehicles.

(c) Any retailer or wholesale purchaser-consumer who sells, dispenses,

or offers for sale or dispensing, diesel fuel for nonroad 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:

NONROAD DIESEL FUEL—WARNING
May damage or destroy highway engines and their emission controls.
Federal Law *prohibits* use in any highway vehicle.

(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 with gallonage and price meters. The labels shall be on the upper two-thirds of the pump, in a location where they are clearly readable by the public.

EFFECTIVE DATE NOTE: At 69 FR 39181, June 29, 2004, §80.570 was revised, effective Aug. 30, 2004. For the convenience of the user, the revised text is set forth as follows:

§ 80.570 What labeling requirements apply to retailers and wholesale purchaser-consumers of diesel fuel beginning June 1, 2006?

(a) From June 1, 2006 through May 31, 2010, 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 24-point bold type, and printed in a color contrasting with the background, to each pump stand:

ULTRA-LOW SULFUR HIGHWAY DIESEL FUEL (15 PPM SULFUR MAXIMUM)
Required for use in all model year 2007 and later highway diesel vehicles and engines.
Recommended for use in all diesel vehicles and engines.

(b) From June 1, 2006 through September 30, 2010, any retailer or wholesale purchaser-consumer who sells, 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 sulfur standard is offered for sale or dispensing, the following legible label, in block letters of no less than 24-point bold type, printed in a color contrasting with the background:

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**LOW SULFUR HIGHWAY DIESEL FUEL
(500 PPM SULFUR MAXIMUM)**

WARNING

Federal law *prohibits* use in model year 2007 and later highway vehicles and engines.

Its use may damage these vehicles and engines.

(c) From June 1, 2006 through May 31, 2007, any retailer or wholesale purchaser-consumer who sells, dispenses, or offers for sale or dispensing, diesel fuel for non-motor vehicle 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 24-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

Federal law *prohibits* use in highway vehicles or engines.

Its use may damage these vehicles and engines.

(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 gallon and price meters. The labels shall be on the upper two-thirds of the pump, in a location where they are clearly visible.

(e) Alternative labels to those specified in paragraphs (a) through (c) of this section may be used as approved by the Administrator.

§ 80.571 What labeling requirements apply to retailers and wholesale purchaser-consumers of 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, locomotive or marine (NRLM) diesel fuel (including nonroad (NR) and locomotive or marine (LM)), 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 24-point bold type, printed in a color contrasting with the background:

(a) From June 1, 2007 through May 31, 2010, for pumps dispensing NRLM diesel fuel meeting the 15 ppm sulfur standard of § 80.510(b):

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**ULTRA-LOW SULFUR NON-HIGHWAY
DIESEL FUEL (15 PPM SULFUR MAXIMUM)**

Required for use in all model year 2011 and newer nonroad diesel engines.

Recommended for use in all nonroad, locomotive, and marine diesel engines.

WARNING

Federal Law *prohibits* use in highway vehicles or engines.

(b) From June 1, 2007 through May 31, 2010, for pumps dispensing NRLM diesel fuel meeting the 500 ppm sulfur standard of § 80.510(a):

**LOW SULFUR NON-HIGHWAY DIESEL
FUEL (500 PPM SULFUR MAXIMUM)**

WARNING

Federal Law *prohibits* use in highway vehicles or engines.

(c) From June 1, 2007 through September 30, 2010, for pumps dispensing NRLM 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 SULFUR)**

WARNING

Federal law *prohibits* use in highway vehicles or engines.

May damage nonroad diesel engines required to use low-sulfur or ultra-low sulfur diesel fuel.

(d) From June 1, 2007 and beyond, for pumps dispensing non-motor vehicle 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 diesel engines.

Its use may damage these diesel engines.

(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 gallon and price meters. The labels shall be on the upper two-thirds of the pump, in a location where they are clearly visible.

(f) Alternative labels to those specified in paragraphs (a) through (d) of