

**PROPOSED REGULATION OF THE
STATE BOARD OF AGRICULTURE**

LCB File No. R111-08

June 17, 2008

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §1, NRS 561.105 and 590.070.

A REGULATION relating to fuel; adopting by reference the most recent edition of certain standards for gasoline published by ASTM International; providing exceptions from those standards for certain ethanol blends; and providing other matters properly relating thereto.

Section 1. NAC 590.065 is hereby amended to read as follows:

590.065 1. Except as otherwise provided in this section, the State Board of Agriculture hereby adopts by reference the specification guides for gasoline contained in Volume 05.02, “Petroleum Products and Lubricants,” of the ~~[2002]~~ *most recent edition of the Annual Book of ASTM Standards*, ASTM designation D ~~[4814-01a]~~ *4814*. The publication may be purchased from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428-2959, for the price of \$43.

2. Notwithstanding the provisions of Table 4 (“Schedule of Seasonal and Geographical Volatility Classes”) of ASTM designation D ~~[4814-01a]~~ *4814* that apply to this State, the schedule that is designated in Table 4 for the area of this State that lies north of the 38th degree of north latitude applies to the entire area of this State unless the United States Environmental Protection Agency requires a county to comply with a different requirement relating to vapor pressure.

3. ~~{Except as otherwise provided in subsection 4, gasoline}~~ *Gasoline sold between June 1 and September 15 of each calendar year containing not less than 9.0 percent ethanol by volume ~~{or more is permitted an additional 1.0 pound per square inch on the vapor pressure specification.}~~ and not more than 10.0 percent ethanol by volume must not exceed the limits for vapor pressure set forth in Table 1 (“Vapor Pressure and Distillation Class Requirements”) of ASTM D4814 by more than 1.0 pound per square inch.*

4. *The vapor-liquid ratio requirements set forth in Table 3 (“Vapor Lock Protection Class Requirements”) of ASTM D4814 do not apply to ethanol blends containing not more than 10.0 percent ethanol by volume.*

5. *The required temperatures for distillation set forth in Table 1 of ASTM D4814 do not apply to ethanol blends containing not more than 10.0 percent ethanol by volume. The temperature of such an ethanol blend at the point at which 50 percent by volume of the ethanol blend is evaporated must be at least 66 degrees Celsius (150 degrees Fahrenheit).*

6. Gasoline sold in Clark County between October 1 and the following March 31 must not exceed a vapor pressure of 9.0 pounds per square inch and must meet the specifications relating to distillation set forth for volatility class A, B or C in ASTM designation D ~~{4814-01a. —5.}~~ 4814.

7. A person shall not sell, offer for sale, supply or offer to supply in this State any gasoline intended for use in a vehicle which is primarily driven on a highway if:

- (a) It contains more than 0.05 gram of lead per gallon;
- (b) It contains more than 0.005 gram of phosphorus per gallon;
- (c) Manganese or any compound of manganese has been added to the gasoline; or
- (d) It contains more than 10 percent ethanol by volume.

~~16.1~~ 8. A person shall not sell, offer for sale, supply or offer to supply in:

(a) The area of this State which is east of the 118th degree of west longitude and north of the 38th degree of north latitude ~~17.1~~ any gasoline which contains more than 800 parts per million of sulfur.

(b) Any other area of this State which is not described in paragraph (a) ~~17.1~~ any gasoline which contains more than 300 parts per million of sulfur.

~~17.1~~ 9. Any other test method may be used if the State Sealer of Weights and Measures determines that another method produces results equivalent to the results of the specified method. A method approved by ASTM International that has not yet been published shall be deemed to meet the appropriate criteria.