

LCB File No. R209-08

PROPOSED REGULATION OF THE STATE BOARD OF AGRICULTURE

NAC 590.051 is hereby amended to read as follows:

NAC 590.051 Adoption by reference of specifications for biodiesel fuel; requirements for blended biodiesel fuel and density of certain biodiesel fuels. (NRS 590.070)

1. Except as otherwise provided in this section, the State Board of Agriculture hereby adopts by reference the specifications for biodiesel fuel set forth in Volume 05.04, "Petroleum Products and Lubricants," of the ~~[2000]~~ *most recent edition of the Annual Book of ~~[the American Society for Testing and Materials (ASTM)]~~ ASTM Standards*, ASTM ~~[Provisional Specification PS-121-99]~~ *designation D 6751*. The publication may be purchased from ~~[the American Society for Testing and Materials]~~ *ASTM International*, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428, for the price of \$30.

2. The ratio for B-20 blended biodiesel fuel must be not less than 20 percent but not more than 21 percent by volume of biodiesel fuel which complies with the specifications for feedstock and composition set forth in ~~[Provisional Specification PS-121-99]~~ *ASTM designation D 6751* adopted by reference pursuant to subsection 1. The remainder of the biodiesel blend must comply with the requirements for diesel fuel set forth in NAC 590.050.

3. Except as otherwise provided in this subsection, any biodiesel fuel that is used as biodiesel fuel or as blended biodiesel fuel consisting of more than 21 percent by volume of biodiesel fuel must not have a density of more than .880 grams per liter as determined by using ~~[Provisional Specification PS-121-99]~~ *ASTM designation D 6751* adopted by reference pursuant to subsection 1. In lieu of complying with the requirement for density, a producer or supplier of fuel may, if approved by the Director of the State Department of Agriculture in consultation with the Administrator of the Division of Environmental Protection of the State Department of Conservation and Natural Resources, demonstrate that emissions of nitrogen oxides do not exceed the standards for certifying heavy-duty highway engines set forth in 40 C.F.R. Part 86.