

PROPOSED REGULATION OF THE STATE BOARD OF AGRICULTURE

LCB File No. R106-10

Proposed Amendments to NAC Chapter 590

Proposed Amendment to NAC 590.045

NAC 590.045 is hereby amended to read as follows:

NAC 590.045 Availability of Volumes 05.01 ~~and 05.02~~ through 05.06, “Petroleum Products and Lubricants,” of ~~2002~~the Annual Book of ASTM Standards.

1. Volumes 05.01 ~~and 05.02~~ through 05.06, “Petroleum Products and Lubricants,” of the ~~2002~~ Annual Book of ASTM Standards, are available for inspection at the office of the State Department of Agriculture, ~~350 Capitol Hill Avenue, Reno, Nevada 89502~~ **405 South 21st Street, Sparks, Nevada 89431**, and 2300 McLeod Street, Las Vegas, Nevada 89104.

2. The volumes may be purchased ~~at a cost of \$361~~ **individually for prices ranging from \$174 to \$397** from ASTM International, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428~~[-]~~, **or at the Internet address <http://www.astm.org>. Alternately, the entire set of six volumes may be purchased from the same addresses for the price of \$1336.**

Proposed Amendment to NAC 590.050

NAC 590.050 is hereby amended to read as follows:

NAC 590.050 Specifications for diesel fuel; posting of grade for diesel fuel oil.

1. Except as otherwise provided in subsection 2, the State Board of Agriculture hereby adopts by reference~~[-]~~:

~~— (a) For diesel fuel intended for use in an internal combustion engine, if the internal combustion engine is not installed in a motor vehicle that is operated primarily on a highway, the specifications for diesel fuel; and~~

~~— (b) For diesel fuel intended for use in a motor vehicle that is operated primarily on a highway, the low sulfur specifications for diesel fuel;~~ **the most recent version of ASTM D975 “Standard Specification for Diesel Fuel Oils” set forth ~~contained~~ in Volume 05.01, “Petroleum Products and Lubricants,” of the ~~2002~~ Annual Book of ASTM Standards, ~~ASTM designation D-975-01a~~ as the standard specification for diesel fuel oil. Each new revision shall be deemed approved by the State Board of Agriculture unless the revision is disapproved by the Board of Agriculture or their designee within 120 days after the date of publication by ASTM International. The publication may be purchased from ASTM International, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428, or at the Internet address <http://www.astm.org>, for the price of \$53.**

2. The flash point for No. 2 diesel fuel oil must not be lower than 37.8 degrees Celsius (100 degrees Fahrenheit) when the No. 2 diesel fuel oil has been treated to prevent gelling and the No. 2 diesel fuel oil has been labeled “winterized.”

3. The grade assigned by ASTM International for diesel fuel oil:

(a) Dispensed from a pump or other device for dispensing the diesel fuel oil must be posted on that pump or device.

(b) Transported or stored in a vehicle which is used for the delivery of diesel fuel oil must be posted on the label of that vehicle as required pursuant to NRS 590.040.

4. 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.

Proposed Amendment to NAC 590.052

NAC 590.052 is hereby amended to read as follows:

NAC 590.052 Adoption by reference of specifications for M-85 fuel methanol.

1. The State Board of Agriculture hereby adopts by reference ~~[the specifications for M-85 fuel-methanol]~~ *the most recent version of ASTM D5797 “Standard Specification for Fuel Methanol (M70-M85) for Automotive Spark-Ignition Engines”* set forth in Volume 05.03, “Petroleum Products and Lubricants,” of the ~~[2000]~~ *Annual Book of [the American Society for Testing and Materials (ASTM)] ASTM Standards [-,ASTM designation D-5797-96]* *as the standard specification for fuel methanol. Each new revision shall be deemed approved by the State Board of Agriculture unless the revision is disapproved by the Board of Agriculture or their designee within 120 days after the date of publication by ASTM International.*

2. 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 \$~~[35]~~ 44.

Proposed Amendment to NAC 590.053

NAC 590.053 is hereby amended to read as follows:

NAC 590.053 Adoption by reference of specifications for E-85 fuel ethanol.

1. The State Board of Agriculture hereby adopts by reference ~~[the specifications for E-85 fuel ethanol]~~ *the most recent version of ASTM D5798 “Standard Specification for Fuel Ethanol (Ed75-Ed85) for Automotive Spark-Ignition Engines”* set forth in Volume 05.03, “Petroleum Products and Lubricants,” of the ~~[2000]~~ *Annual Book of [the American Society for Testing and Materials (ASTM)] ASTM Standards [-,ASTM designation D-5798-98a]* *as the standard specification for fuel ethanol. Each new revision shall be deemed approved by the State Board of Agriculture unless the revision is disapproved by the Board of Agriculture or their designee within 120 days after the date of publication by ASTM International.*

2. 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]~~ 38.

Proposed Amendment to NAC 590.054

NAC 590.054 is hereby amended to read as follows:

NAC 590.054 Adoption by reference of specifications for hydrogen; restrictions on hydrogen sold or supplied in State.

1. The State Board of Agriculture hereby adopts by reference ~~[the specifications for hydrogen]~~ *the most recent version of ASTM D2650 “Standard Test Method for Chemical Composition of Gases By Mass Spectrometry”* set forth in Volume ~~[05.02]~~ *05.01*, “Petroleum Products and Lubricants,” of the ~~[2000]~~ *Annual Book of [the American Society for Testing and Materials (ASTM)] ASTM Standards [-,ASTM designation D-2650]* *as the standard specification for hydrogen. Each new revision shall be deemed approved by the State Board of Agriculture unless the revision is disapproved by the Board of Agriculture or their designee*

within 120 days after the date of publication by ASTM International. The publication may be purchased from *ASTM International*, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428, *or at the Internet address <http://www.astm.org>*, for the price of ~~[\$30]~~ **38**.

2. A person shall not sell, offer for sale, supply or offer to supply in this State any hydrogen that is intended for use in a vehicle if the hydrogen, after it is analyzed in accordance with ASTM D 2650~~[99]~~, contains:

- (a) Less than 98 percent per mole of hydrogen;
- (b) Less than 99.9 percent per mole of any combination of hydrogen, water and oxygen; or
- (c) More than 0.01 percent per mole of total hydrocarbons.

3. Any hydrogen specified in subsection 2 must not contain any dust, sand, dirt, gum, oil or other substance in an amount which may damage any equipment located at a fueling station or a vehicle being fueled at that station. If the hydrogen is introduced in gaseous form into a vehicle's system for storing fuel, the hydrogen under ambient conditions must have a distinctive odor which may be detected in a concentration in air of not more than one-fifth of the lower limit of flammability.

Proposed Amendment to NAC 590.055

NAC 590.055 is hereby amended to read as follows:

NAC 590.055 Aviation fuel: Adoption by reference of specifications.

1. The ~~[State Sealer of Weights and Measures]~~ *State Board of Agriculture* hereby adopts by reference ~~[the specifications for aviation fuel]~~ *the most recent versions of ASTM D910 "Standard Specification for Aviation Gasoline" and ASTM D1655 "Standard Specification for Aviation Turbine Fuels"* contained in Volume 05.01, "Petroleum Products and Lubricants ~~[(1)]~~," of the ~~[2002]~~ *Annual Book of ASTM Standards* ~~[, ASTM designations D-910-00 and D-1655-01]~~ *as the standard specifications for aviation fuels. Each new revision shall be deemed approved by the State Board of Agriculture unless the revision is disapproved by the Board of Agriculture or their designee within 120 days after the date of publication by ASTM International. The publications may be purchased from ASTM International, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428, or at the Internet address <http://www.astm.org>, for the price of \$38 (for D910) and \$44 (for D1655).*

2. 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.