

**ADOPTED REGULATION OF THE
STATE BOARD OF AGRICULTURE**

LCB File No. R064-01

Effective December 17, 2001

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

AUTHORITY: §§1-6, NRS 590.070.

Section 1. Chapter 590 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

Sec. 2. 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 Annual Book of the American Society for Testing and Materials (ASTM) Standards, ASTM Provisional Specification PS 121-99. The publication may be purchased from the American Society for Testing and Materials, 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 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 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.

Sec. 3. *1. The state board of agriculture hereby adopts by reference the specifications for M-85 fuel methanol set forth in volume 05.03, “Petroleum Products and Lubricants,” of the 2000 Annual Book of the American Society for Testing and Materials (ASTM) Standards, ASTM designation D 5797-96.*

2. The publication may be purchased from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428, for the price of \$35.

Sec. 4. *1. The state board of agriculture hereby adopts by reference the specifications for E-85 fuel ethanol set forth in volume 05.03, “Petroleum Products and Lubricants,” of the 2000 Annual Book of the American Society for Testing and Materials (ASTM) Standards, ASTM designation D 5798-98a.*

2. The publication may be purchased from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428, for the price of \$30.

Sec. 5. *1. The state board of agriculture hereby adopts by reference the specifications for hydrogen set forth in volume 05.02, “Petroleum Products and Lubricants,” of the 2000 Annual Book of the American Society for Testing and Materials (ASTM) Standards, ASTM*

designation D 2650-99. The publication may be purchased from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428, for the price of \$30.

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.

Sec. 6. NAC 590.041 is hereby amended to read as follows:

590.041 As used in NAC 590.041 to 590.070, inclusive, *and sections 2 to 5, inclusive, of this regulation*, unless the context otherwise requires, "gallon" means 128 ounces.