

THINGS TO KNOW ABOUT ULSD COMPLIANCE

- You are not required to sell 15-ppm on-road diesel fuel until June 1, 2010. However, you may have no choice as 15-ppm ULSD may be the only on-road diesel available at terminals.
- Even if you choose to supply 15-ppm ULSD, you are not required to do so by October 15, 2006. The only significance of the October 15 deadline is that after this date the 20% downgrade limitation applies. In other words, you can only downgrade 20% of 15-ppm on-road to 500-ppm on-road. Any 15-ppm used to turn over 500-ppm tanks after October 15 will count against your downgrade limitation.
- There is only one way to downgrade under the ULSD regulations. A downgrade only occurs when you change 15-ppm on-road ULSD to 500-ppm on-road diesel.
- Retailers and wholesale purchaser-consumers who sell both 15-ppm on-road and 500-ppm on-road at the same location are exempt from the downgrade limitations.
- All bills of lading and delivery tickets to wholesale purchaser-consumers must have the new product description language for diesel fuels required under the regulations.
- Label dispensers with the appropriate labels. Labels must match sulfur content.
- The regulations do not specify frequency of sulfur testing. You are not required to test, but if you don't, you are not allowed to raise a defense in an EPA enforcement action.
- Testing every batch of diesel fuel for sulfur content is not required. Once a month testing or even less frequently **may** be acceptable if you have a quality assurance program in place that insures against downstream contamination.
- The sulfur regulations governing off-road dyed fuel become effective June 1, 2007.