§ 80.167 Confirmatory testing.

EPA may test a detergent to confirm that the required performance levels are met. Based on the findings of this confirmatory testing, a detergent certification may be denied or revoked under the provisions of §80.161(e).

(a) Confirmatory testing conducted to evaluate the validity of detergent certifications under the national, PADD, or fuel-specific options under §§80.163(a)(1) and 80.163(b) through (d) will generally entail a single vehicle test using the procedures detailed in §80.165. The test fuel(s) used in conducting such confirmatory certification testing will contain the specified fuel parameters at or below the minimum levels specified in §80.164, and will otherwise conform to the applicable certification test fuel specifications therein. Confirmatory testing conducted to evaluate the validity of detergent certifications under the alternative national generic certification option in §80.163(a)(1)(iii) will generally entail a single test using the procedures detailed in §80.177. The test fuel(s) used in conducting such confirmatory certification testing will contain the specified fuel parameters at or below the minimum levels specified in §80.177, and will otherwise conform to the applicable certification test fuel specifications therein.

(b) Confirmatory certification testing conducted to evaluate the validity of CARB-based detergent certifications will use the subject detergent in test fuel(s) containing the relevant fuel parameters at levels no greater than the maximum levels for which the CARB certification was granted. The test procedures will be conducted pursuant to the procedures specified under section 2257 of Title 13, California Code of Regulations.

(c) Confirmatory testing conducted to evaluate the validity of registration and certification information specific to detergent use in leaded gasoline will use the subject detergent in a test fuel containing the test fuel parameters at levels no greater than those prescribed in §80.164. EPA will make all reasonable efforts to use the same test procedure for confirmatory testing purposes as was used by the certifier in conducting deposit control performance testing.

(d) When EPA decides to conduct confirmatory testing on a fuel or additive which is not readily available in the open market, EPA may request that the detergent certifier and/or manufacturer of such fuel or additive furnish a sample in the needed quantity. If testing is conducted to evaluate the validity of a detergent certification under the fuel-specific option, the detergent blender must supply EPA with test fuel, or with blend stocks with which to formulate such test fuel, in sufficient quantity to conduct the specified deposit control performance testing. The fuel or additive manufacturer shall comply with a sample request made pursuant to this paragraph within 30 days of receipt of the request.


§ 80.168 Detergent certification program controls and prohibitions.

(a)(1) No person shall sell, offer for sale, dispense, supply, offer for supply, transport, or cause the transportation of gasoline to the ultimate consumer for use in motor vehicles or in any off-road engines (except as provided in §80.173), or to a gasoline retailer or wholesale purchaser-consumer, and no person shall detergent-additize gasoline, unless such gasoline is additized in conformity with the requirements of §80.161. No person shall cause the presence of any gasoline in the gasoline distribution system unless such gasoline is additized in conformity with the requirements of §80.161.

(2) Gasoline has been additized in conformity with the requirements of §80.161 when the detergent component satisfies the requirements of §80.161 and when:

(i) The gasoline has been additized in conformity with the detergent composition and purpose-in-use specifications of a detergent certified in accordance with this subpart, and in accordance with at least the minimum concentration specifications of that detergent as certified or as otherwise provided under §80.161(d); or

(ii) The gasoline is composed of two or more commingled gasolines and each component gasoline has been
§ 80.169 Liability for violations of the detergent certification program controls and prohibitions.

(a) Persons Liable—(1) Gasoline non-conformity. Where gasoline contained in any storage tank at any facility owned, leased, operated, controlled or supervised by any gasoline refiner, importer, carrier, distributor, reseller, retailer, wholesale purchaser-consumer, oxygenate blender, or detergent blender, is found in violation of any of the prohibitions specified in §80.168(a), the following persons shall be deemed in violation.

(i) Each gasoline refiner, importer, carrier, distributor, reseller, retailer, wholesale purchaser-consumer, oxygenate blender, or detergent blender, who owns, leases, operates, controls or supervises the facility (including, but not limited to, a truck or individual storage tank) where the violation is found;

(ii) Each gasoline refiner, importer, distributor, reseller, retailer, wholesale purchaser-consumer, oxygenate blender, detergent manufacturer, distributor, or blender, who refined, imported, manufactured, sold, offered for sale, dispensed, supplied, offered for

(b) No person shall blend detergent into gasoline or PRC unless such person complies with the volumetric additive reconciliation requirements of §80.170.

(c) No person shall sell, offer for sale, dispense, supply, offer for supply, store, transport, or cause the transportation of any gasoline, detergent, or detergent-additized PRC, unless the product transfer document for the gasoline, detergent or detergent-additized PRC complies with the requirements of §80.171.

(d) No person shall refine, import, manufacture, sell, offer for sale, dispense, supply, offer for supply, store, transport, or cause the transportation of any detergent that is to be used as a component of detergent-additized gasoline or detergent-additized PRC unless such detergent conforms with the composition specifications of a detergent certified in accordance with this subpart and the detergent otherwise complies with the requirements of §80.161.

(e)(1) No person shall cause the presence of any detergent in the detergent, PRC, or gasoline distribution systems unless such detergent complies with the requirements of §80.161.

(f) No person shall cause the presence of any detergent-additized PRC that fails to conform to the requirements of §80.161.

(2) PRC has been additized in conformity with the requirements of §80.161 when the detergent component satisfies the requirements of §80.161 and when:

(i) The PRC has been additized in accordance with the detergent composition and use specifications of a detergent certified in accordance with this subpart and in conformity with at least the minimum concentration specifications of that detergent as certified or as otherwise provided under §80.161(d), or

(ii) The PRC is composed of two or more commingled PRCs, and each component has been additized in accordance with the detergent composition and use specifications of a detergent certified in accordance with this subpart, and in conformity with at least the minimum concentration specifications of that detergent as certified or as otherwise provided under §80.161(d).