

with the 15 ppm sulfur standard for diesel fuel, except for those diesel fuel additives which are only sold in containers for use by the ultimate consumer of diesel fuel and which are subject to the requirements of § 80.591(d).

(b) Any diesel fuel additive that is added to, intended for adding to, used in, or offered for use in diesel fuel subject to the 15 ppm sulfur content standards of § 80.510(b) or (c) or § 80.520(a) may have a sulfur content exceeding 15 ppm provided that each of the following conditions are met:

(1) The additive is added to or used in the diesel fuel in a quantity less than one percent by volume of the resultant additive/diesel fuel mixture;

(2) The product transfer document complies with the informational requirements of § 80.591; and

(3) The additive is not used or intended for use by an ultimate consumer in diesel motor vehicles or nonroad diesel engines.

[69 FR 39171, June 29, 2004]

**§ 80.522 May used motor oil be dispensed into diesel motor vehicles or nonroad diesel engines?**

No person may introduce used motor oil, or used motor oil blended with diesel fuel, into the fuel system of model year 2007 or later diesel motor vehicles or model year 2011 or later nonroad diesel engines (not including locomotive or marine diesel engines), unless both of the following requirements have been met:

(a) The vehicle or engine manufacturer has received a Certificate of Conformity under 40 CFR part 86, 40 CFR part 89, or 40 CFR part 1039 and the certification of the vehicle or engine configuration is explicitly based on emissions data with the addition of motor oil; and

(b) The oil is added in a manner and rate consistent with the conditions of the Certificate of Conformity.

[69 FR 39171, June 29, 2004]

**§ 80.523 [Reserved]**

**§ 80.524 What sulfur content standard applies to motor vehicle diesel fuel downstream of the refinery or importer?**

(a) Except as provided in paragraph (b) of this section or otherwise in the provisions of this Subpart I, the 15 ppm sulfur content standard of § 80.520(a) shall apply to all motor vehicle diesel fuel at any downstream location.

(b) Prior to the October 1, 2010 and December 1, 2010 dates specified in § 80.500(d)(3) and (4), the 500 ppm sulfur content standard of § 80.520(c) shall apply to motor vehicle diesel fuel at any downstream location, provided the following conditions are met:

(1) The product transfer documents comply with the requirements of § 80.590, including indicating that the fuel complies with the 500 ppm sulfur standard for motor vehicle diesel fuel and is for use only in model year 2006 and older diesel motor vehicles, or the fuel is downgraded pursuant to the provision of § 80.527 to motor vehicle diesel fuel subject to the 500 ppm sulfur standard;

(2) The motor vehicle diesel fuel is not represented or intended for sale or use as subject to the 15 ppm sulfur content standard, and is not dispensed, or intended to be dispensed, into model year 2007 and later motor vehicles by a retailer or wholesale purchaser-consumer; and

(3) For retailers or wholesale purchaser-consumers, the pump labeling requirements of § 80.570(a) are satisfied.

**§ 80.525 What requirements apply to kerosene blenders?**

(a) For purposes of this subpart, a kerosene blender means any refiner who produces NRLM or motor vehicle diesel fuel by adding kerosene to NRLM or motor vehicle diesel fuel downstream of the refinery that produced that fuel or of the import facility where the fuel was imported, without altering the quality or quantity of the fuel in any other manner.

(b) Kerosene blenders are not subject to the requirements of this subpart applicable to refiners of diesel fuel, but are subject to the requirements and