rail car loading terminal and tested by
the importer, or by an independent lab-

oratory, and the terminal operator
must not know in advance when sam-

dles are to be collected.

(2) The sampling and testing must be
performed using the methods specified
in §80.580.

(3) The frequency of the quality as-
surance sampling and testing must be
at least one sample for each 50 of an
importer's trucks or rail cars that are
loaded at a terminal, or one sample per
month, whichever is more frequent.

(c) Party required to conduct quality
assurance testing. The quality assurance
program under paragraph (b) of this
section shall be conducted by the im-
porter. In the alternative, this testing
may be conducted by an independent
laboratory that meets the criteria
under §80.65(f)(2)(iii), provided the im-
porter receives copies of all results of
tests conducted no later than 21 days
after the sample was taken.

(d) Alternative batch designations. For
purposes of maintaining batch records
under §§80.592, 80.600, and 80.602, des-
ignation of batches under §80.598, and
reporting under §§80.593, 80.601, and
80.604:

(1) In lieu of treating each portion of
a tank truck compartment delivered to
a different facility as a different batch,
a truck importer may treat each com-
partment as a batch, if all the fuel in
the compartment is delivered only to
retail outlets, wholesale purchaser-
consumers or other end users. Where
different compartments contain homo-
genous product of identical designa-
tions, the total volume of those com-
partments may be treated as a single
batch, if the entire volume is delivered
only to retail outlets, wholesale pur-
chaser-consumers or other ultimate
consumers.

(2) Each portion of a rail car (or rail
cars) delivery of a different designation
or each delivery to a different facility is
considered to be a separate batch.

(e) EPA inspections of terminals. EPA
inspectors or auditors must be given
full and immediate access to the truck
or rail car-loading terminal and any
laboratory at which samples of diesel
fuel collected at the terminal are ana-
lyzed, and must be allowed to conduct
inspections, review records, collect die-
"
§ 80.585 What is the process for approval of a test method for determining the sulfur content of diesel or ECA marine fuel?

(a) Approval of test methods approved by voluntary consensus-based standards bodies. For such a method to be approved, the following information must be submitted to the Director:

(b) Accuracy. (1) For motor vehicle diesel fuel subject to the 500 ppm sulfur standard of §80.520(c), and for NRLM diesel fuel subject to the 500 ppm sulfur standard of §80.510(a):

(i) The arithmetic average of a continuous series of at least 10 tests performed on a commercially available gravimetric sulfur standard in the range of 300–400 ppm sulfur shall not differ from the ARV of that standard by more than 13.55 ppm sulfur;

(ii) In applying the tests of paragraphs (b)(2)(i) and (ii) of this section, individual test results shall be compensated for any known chemical interferences.

(2) For motor vehicle diesel fuel subject to the 1,000 ppm sulfur standard of §80.510(k), of a standard deviation less than 18.07 ppm, computed from the results of a minimum of 20 repeat tests made over 20 days on samples taken from a single homogeneous commercially available diesel fuel with a sulfur content in the range of 700–1,000 ppm. The 20 results must be a series of tests with a sequential record of the analyses and no omissions. A laboratory facility may exclude a given sample or test result only if the exclusion is for a valid reason under good laboratory practices and it maintains records regarding the sample and test results and the reason for excluding them.

(3) For ECA marine fuel subject to the 1,000 ppm sulfur standard of §80.510(k):

(i) The arithmetic average of a continuous series of at least 10 tests performed on a commercially available gravimetric sulfur standard in the range of 300–400 ppm sulfur shall not differ from the ARV of that standard by more than 13.55 ppm sulfur;

(ii) In applying the tests of paragraphs (b)(2)(i) and (ii) of this section, individual test results shall be compensated for any known chemical interferences.