

WAC 16-662-115 Modifications to NIST Handbook 130. (1) WSDA adopts the following modifications to the listed sections of the *Uniform Regulation for the Method of Sale of Commodities* requirements published in *NIST Handbook 130*, identified in WAC 16-662-105 (3) (b):

Modified Section:	Modification:
Section 2.20.1. Method of Retail Sale	<p>Modify the existing text in section 2.20.1 with the following: "Type of Oxygenate must be Disclosed.</p> <p>(a) All automotive gasoline or automotive gasoline-oxygenate blends kept, offered, or exposed for sale, or sold at retail containing at least 1.5 mass percent oxygen shall be identified as "with" or "containing" (or similar wording) the predominant oxygenate in the engine fuel. The oxygenate contributing the largest mass percent oxygen to the blend shall be considered the predominant oxygenate. Where mixtures of only ethers are present, the retailer may post the predominant oxygenate followed by the phrase "or other ethers." In addition, gasoline-methanol blend fuels containing more than 0.15 mass percent oxygen from methanol shall be identified as "with" or "containing" methanol.</p> <p>(b) Methanol at one percent or greater, by volume, in gasoline for use as motor vehicle fuel must be labeled with the maximum percentage of methanol contained in the motor vehicle fuel.</p> <p>(c) Gasoline-ethanol blend fuels containing not more than ten percent ethanol by volume, must be labeled "Contains up to 10% Ethanol."</p> <p>(d) This information shall be posted on the upper fifty percent of the dispenser front panel in a position clear and conspicuous from the driver's position in a type at least 12.7 mm (1/2 in.) in height, 1.5 mm (1/16 in.) stroke (width of type)."</p>

Modified Section:	Modification:
Section 2.23.2. Animal Bedding	Modify the existing text to add: "2.23.2. Sawdust, Barkdust, Decorative Wood Particles, and Similar Products. As used in this subsection, "unit" means a standard volume equal to 200 cubic feet. When advertised, offered for sale, or sold within Washington state, quantity representations for sawdust, barkdust, decorative wood particles, and similar loose bulk materials must be in cubic measures or units and fractions thereof."
Section 2.30.2. Labeling Requirements	Modify the existing text to add: Ethanol flex fuel identification and labeling must be done in accordance with 16 C.F.R. Part 306.
Section 2.31.2. Labeling of Retail Dispensers	<p>Modify the existing text to add the following: "2.31.2.5. Labeling of Retail Dispensers Containing Not More Than 5% Biodiesel.</p> <p>(a) Each retail dispenser of biodiesel or biodiesel blend containing not more than five percent biodiesel must be labeled "May contain up to 5% Biodiesel."</p> <p>(b) This information shall be posted on the upper 50% of the dispenser front panel in a position clear and conspicuous from the driver's position in a type at least 12.7 mm (1/2 in.) in height, 1.5 mm (1/16 in.) stroke (width of type)."</p> <p>Modify the existing text to add the following: "2.31.2.6. Labeling of Retail Dispensers Containing More Than 5% Biodiesel.</p> <p>(a) Each retail dispenser of biodiesel or biodiesel blend containing more than five percent biodiesel must be labeled with the capital letter B followed by the numerical value representing the volume percentage of biodiesel fuel and ending with either "biodiesel" or "biodiesel blend" (examples: B100 Biodiesel; B60 Biodiesel Blend).</p> <p>(b) This information shall be posted on the upper 50% of the dispenser front panel in a position clear and conspicuous from the driver's position in a type at least 12.7 mm (1/2 in.) in height, 1.5 mm (1/16 in.) stroke (width of type)."</p>
Section 2.31.4. Exemption	Modify the existing text to delete section 2.31.4.

Modified Section:	Modification:
Section 2.34. Retail Sales of Electricity Sold as a Vehicle Fuel	Modify the existing text to delete section 2.34.

(2) WSDA adopts the following modifications to the listed sections of the *Uniform Engine Fuels and Automotive Lubricants Regulation* requirements published in *NIST Handbook 130*, identified in WAC 16-662-105 (3) (d) :

Modified Section:	Modification:
Section 2.1.2. Gasoline-Ethanol Blends	<p>Replace the existing text in section 2.1.2 with the following: "When gasoline is blended with 1 to 10 volume percent ethanol, the ethanol shall meet the requirements of ASTM D4806 and either:</p> <p>(a) The base gasoline used for blending with ethanol shall meet the requirements of ASTM D4814; except that the base gasoline shall meet the minimum temperature for a Vapor-Liquid Ratio of 20 for the applicable vapor lock protection class as follows:</p> <p>(1) Class 1 shall be 60°C (140°F)</p> <p>(2) Class 2 shall be 56°C (133°F)</p> <p>(3) Class 3 shall be 51°C (124°F)</p> <p>(4) Class 4 shall be 47°C (116°F)</p> <p>(5) Class 5 shall be 41°C (105°F)</p> <p>or</p> <p>(b) The blend shall meet the requirements of ASTM D4814."</p> <p>Modify the existing text to add the following: "2.1.2.1. Maximum Vapor Pressure. The maximum vapor pressure of a gasoline-ethanol blend shall not exceed ASTM D4814 limits by more than 1.0 psi for:</p> <p>(a) Only 9 to 10 volume percent ethanol blends from June 1 through September 15.</p> <p>(b) All blends of 1 to 10 volume percent ethanol from September 16 through May 31."</p>
Section 3.2.6. Method of Retail Sale	Modify the existing text in section 3.2.6 with the following: "Type of Oxygenate must be Disclosed.

Modified Section:	Modification:
	<p>(a) All automotive gasoline or automotive gasoline-oxygenate blends kept, offered, or exposed for sale, or sold at retail containing at least 1.5 mass percent oxygen shall be identified as "with" or "containing" (or similar wording) the predominant oxygenate in the engine fuel. The oxygenate contributing the largest mass percent oxygen to the blend shall be considered the predominant oxygenate. Where mixtures of only ethers are present, the retailer may post the predominant oxygenate followed by the phrase "or other ethers." In addition, gasoline-methanol blend fuels containing more than 0.15 mass percent oxygen from methanol shall be identified as "with" or "containing" methanol.</p> <p>(b) Methanol at one percent or greater, by volume, in gasoline for use as motor vehicle fuel must be labeled with the maximum percentage of methanol contained in the motor vehicle fuel.</p> <p>(c) Gasoline-ethanol blend fuels containing not more than ten percent, by volume, must be labeled "Contains up to 10% Ethanol."</p> <p>(d) This information shall be posted on the upper 50% of the dispenser front panel in a position clear and conspicuous from the driver's position in a type at least 12.7 mm (1/2 in.) in height, 1.5 mm (1/16 in.) stroke (width of type)."</p>
Section 3.8.2. Labeling Requirements	Modify the existing text to add: Ethanol flex fuel identification and labeling shall be in accordance with 16 C.F.R. Part 306.
Section 3.9.2. Retail Dispenser Labeling	Modify the existing text in section 3.9.2 to add: "(c) Each retail dispenser of fuel methanol shall be labeled by the capital letter M followed by the numerical value maximum volume percent and ending with the word "Methanol." (Example: M85 Methanol.) This information shall be posted on the upper 50% of the dispenser front panel in a position clear and conspicuous from the driver's position in a type at least 12.7 mm (1/2 in.) in height, 1.5 mm (1/16 in.) stroke (width of type)."

Modified Section:	Modification:
Section 3.15.2. Labeling of Retail Dispensers	<p>Modify the existing text in subsection 3.15.2 to add: "3.15.2.5. Labeling of Retail Dispensers Containing Not More Than 5% Biodiesel. Each retail dispenser of biodiesel blend containing not more than five percent biodiesel must be labeled "May contain up to 5% Biodiesel.""</p> <p>Modify the existing text in subsection 3.15.2 to add: "3.15.2.6. Labeling of Retail Dispensers Containing More Than 5% Biodiesel. Each retail dispenser of biodiesel or biodiesel blend containing more than five percent biodiesel must be labeled with the capital letter B followed by the numerical value representing the volume percentage of biodiesel fuel and ending with either "Biodiesel" or "Biodiesel blend" (examples: B100 Biodiesel; B60 Biodiesel blend)."</p> <p>Modify the existing text in subsection 3.15.2 to add: "3.15.2.7. Placement of label. Labels shall be posted on the upper 50% of the dispenser front panel in a position clear and conspicuous from the driver's position in a type at least 12.7 mm (1/2 in.) in height, 1.5 mm (1/16 in.) stroke (width of type)."</p>
Section 3.15.4. Exemption	Delete section 3.15.4.

(3) WSDA adopts the following modifications to the listed sections of the Uniform Regulation for National Type Evaluation requirements published in *NIST Handbook 130*, identified in WAC 16-662-105 (3) (e) :

Modified Section:	Modification:
Section 2.3. Director	Modify the existing text in section 2.3 with the following: "Director – Means the director of the Washington state department of agriculture."
Section 4. Prohibited Acts and Exemptions	Modify the existing text in subsection (c) with the following: "A device in service in this state prior to July 5, 1997, that meets the specifications, tolerances, and other technical requirements of the <i>National Institute of Standards and Technology Handbook 44</i> shall not be required to be traceable to an active CC."

Modified Section:	Modification:
	<p>Modify the existing text in subsection (d) with the following: "A device in service in this state prior to July 5, 1997, removed from service by the owner or on which the department has issued a removal order after July 5, 1997, and returned to service at a later date shall be modified to meet all specifications, tolerances, and other technical requirements of the National Institute of Standards and Technology Handbook 44 effective on the date of the return to service. Such a device shall not be required to be traceable to an active CC."</p> <p>Modify the existing text in subsection (e) with the following: "A device in service in this state prior to July 5, 1997, which is repaired after such date shall meet the specifications, tolerances, and other technical requirements of the National Institute of Standards and Technology Handbook 44 and shall not be required to be traceable to an active CC."</p> <p>Modify the existing text in subsection (f) with the following: "A device in service in this state prior to July 5, 1997, that is still in use may be installed at another location in this state provided the device meets requirements in effect as of the date of installation in the new location; however, the device shall not be required to be traceable to an active CC."</p> <p>Modify the existing text in subsection (g) with the following: "A device in service in another state prior to July 5, 1997, may be installed in this state; however, the device shall meet the specifications, tolerances, and other technical requirements for weighing and measuring devices in the National Institute of Standards and Technology Handbook 44 and be traceable to an active CC."</p>
Section 5. Participating Laboratory and Agreements	Modify the existing text to delete section 5.
Section 6. Revocation of Conflicting Regulations	Modify the existing text to delete section 6.
Section 7. Effective Date	Modify the existing text to delete section 7.

[Statutory Authority: RCW 19.94.190, 19.94.195, 19.112.020, 19.112.140, and chapter 34.05 RCW. WSR 16-19-093, § 16-662-115, filed 9/21/16, effective 10/22/16; WSR 14-19-033, § 16-662-115, filed 9/9/14, effective 10/10/14. Statutory Authority: RCW 19.94.190, 19.112.020, 19.112.140 and chapter 34.05 RCW. WSR 13-03-054, § 16-662-115, filed 1/11/13, effective 2/11/13; WSR 12-08-041, § 16-662-115, filed 3/30/12, effective 4/30/12. Statutory Authority: Chapters 19.94, 19.112, 34.05 RCW, and 2010 c 96. WSR 10-18-088, § 16-662-115, filed 9/1/10, effective 10/2/10. Statutory Authority: Chapters 19.94, 19.112, and 34.05 RCW. WSR 09-19-007, § 16-662-115, filed 9/3/09, effective 10/4/09. Statutory Authority: Chapters 19.112 and 34.05 RCW. WSR 07-05-083, § 16-662-115, filed 2/21/07, effective 3/24/07. Statutory Authority: Chapters 19.94 and 34.05 RCW. WSR 05-10-088, § 16-662-115, filed 5/4/05, effective 6/4/05; WSR 03-08-017, § 16-662-115, filed 3/25/03, effective 4/25/03. Statutory Authority: RCW 19.94.195. WSR 98-13-072, § 16-662-115, filed 6/15/98, effective 7/16/98. Statutory Authority: Chapter 19.94 RCW. WSR 97-12-075, § 16-662-115, filed 6/4/97, effective 7/5/97.]