

PROHIBITED EMISSIONS

040.095 OXYGEN CONTENT OF MOTOR VEHICLE FUEL (Amended 9/23/92, 10/25/00, Revised 9/22/05, Suspended 10/24/13)

SECTION A - GENERAL

1. PURPOSE: To reduce carbon monoxide emissions from motor vehicles during the Oxygenated Fuels Program Period.
2. APPLICABILITY: The provisions of this Rule shall apply to any person supplying, selling, or introducing gasoline as a final product for fueling motor vehicles within Washoe County.

SECTION B - DEFINITIONS: For the purpose of this regulation, the following definition shall apply.

1. Oxygenated Fuels Program Period: The period from October 1 through January 31.

SECTION C - STANDARDS

1. During the Oxygenated Fuels Program Period, no gasoline may be supplied or sold by any person as a final product for fueling motor vehicles within Washoe County, sold at retail, sold to a private or municipal fleet for consumption, or introduced into a motor vehicle in Washoe County by any person, unless the gasoline has at least 2.7% oxygen content by weight.
2. The oxygenate Methyl Tertiary Butyl Ether (MTBE) must not contribute more than 0.05% oxygen by weight to the required 2.7% oxygen by weight (or not more than 0.30% MTBE by volume).
3. Gasoline dispensers shall be labeled in accordance with 40 CFR 80.35(a) and include the following:
 - a. Each gasoline pump stand from which oxygenated gasoline is dispensed at a retail outlet in the control area shall be affixed during the control period with a legible and conspicuous label which contains the following statement: "The gasoline dispensed from this pump is oxygenated and will reduce carbon monoxide pollution from motor vehicles".
 - b. The posting of the above statement shall be in block letters of no less than 20-point bold type, in a color contrasting with the intended background. The label shall be placed on the vertical surface of the pump on each side with gallonage and price meters and shall be on the upper two-thirds of the pump, clearly readable to the public.
 - c. The retailer shall be responsible for compliance with the labeling requirements of this Section.

SECTION D – ADMINISTRATIVE REQUIREMENTS

1. The Control Officer shall prepare a report to be filed with the Washoe County District

Board of Health by May 1 of each year regarding the results of the oxygenated fuels program. This report shall include an analysis of costs and benefits, investigations of complaints, enforcement activity, and best estimates of air quality improvements resulting from the program.

SECTION E – COMPLIANCE AND RECORDS

1. Any person supplying or selling gasoline within Washoe County must retain fuel delivery invoices, notes, or orders for gasoline. All fuel delivery invoices, notes, or orders for gasoline containing oxygenate shall clearly state the type of oxygenate used and the intended or estimated percent of oxygen content by weight or the intended or estimated percent of oxygenate content by volume.
2. The Control Officer may collect or require the submission of fuel samples, fuel delivery invoices, or information on oxygen content of gasoline to determine compliance with **Section C** of this Rule.

Records required by **Section E.1** of this Rule shall be maintained for a minimum of one (1) year and be made available to the Control Officer upon request.