

Chapter 52

Petroleum & Antifreeze Products Standards & Regulations

Chapter 52: Wyo. Petroleum & Antifreeze Products Standards & Regulations

CHAPTER LII

Section 1. Authority. These rules and regulations are adopted under the authority of Sections 40-7-101 through 40-7-107, 40-7-109, and 40-7-110 of Wyoming Statutes. and 40-7-110 of Wyoming Statutes.

Section 2. Definitions. Words used in the singular shall be deemed to impart the plural, and vice versa, as the case may demand. Words used in this chapter are defined in 40-7-102 of Wyoming Statutes, in addition to the following:

(a) "Automotive Spark-Ignition Engine Fuel" means all grades and qualities of gasoline, either leaded or unleaded, and gasoline-oxygenate blends, either leaded or unleaded;

(b) "Denatured Fuel Ethanol" means ethanol meeting the provisions of ASTM D4806 Standard Specifications for Denatured Fuel Ethanol for Blending with Gasoline for use as Automotive Spark-Ignition Engine Fuel;

(c) "EPA" means the United States Environmental Protection Agency;

(d) "Fuel" means all petroleum products used to generate power, heat or illumination;

(e) "Gasoline-oxygenate blend" means a homogeneous liquid fuel blend consisting primarily of gasoline and a substantial amount of one or more oxygenates. This definition includes but is not limited to the following:

(i) Gasohol meaning any spark-ignition engine fuel containing a nominal ten volume percent (10%) anhydrous denatured fuel ethanol and ninety volume percent (90%) unleaded gasoline, regardless of other name, grade or designation.

(ii) Leaded gasohol meaning any spark-ignition engine fuel containing a nominal ten volume percent (10%) anhydrous denatured fuel ethanol and ninety volume percent (90%) leaded gasoline, regardless of other name, grade or designation.

(iii) Any gasoline oxygenate blend which meets the EPA's "Substantially Similar" rule.

(iv) Any Gasoline-oxygenate blend for which there is an existing Clean Air Act waiver issued by the EPA.

(f) "Leaded" means any gasoline or gasoline-oxygenate blend which contains not less than 0.05 grams lead per U.S. gallon or contains an EPA registered gasoline additive formulated to reduce valve seat recession in engines designed to operate on leaded gasoline, which provides a lead equivalency of at least 0.10 grams lead per U.S. gallon;

(g) "Oxygenate" means an oxygen containing ashless organic compound, such as an alcohol or ether, which may be used as a fuel or a fuel supplement;

(h) "Qualitative word or term" means any word or term used in a brand name which by definition or customary usage indicates a level of quality, classification, grade or designation;

(i) "Regular" when used as a brand name and/or as part of a grade designation for gasoline or gasoline-oxygenate blend shall be construed to mean a leaded regular grade automotive gasoline or gasoline-oxygenate blend unless the brand name and/or grade designation also contains the word "Unleaded" or a word or term of equivalent meaning;

(j) "This chapter" means Chapter LII;

(k) "Unleaded" means any gasoline or gasoline-oxygenate blend to which no lead or phosphorus compounds have been intentionally added and which contains not more than 0.05 grams lead per U.S. gallon and not more than 0.005 grams phosphorus per U.S. gallon.

Section 3. Products to be Labeled. All products must be sold under their true name and grades, respectively, and such names and grades must be impressed or otherwise plainly marked upon the container, can, barrel, vessel, or dispensing device in or through which the product is stored, sold, offered or exposed for sale.

Section 4. Standards of Quality. All fuels or petroleum products sold or offered for sale in the state of Wyoming must conform with ASTM Standards and Specifications for that petroleum product, and are listed herein under ASTM's fixed designation without regard to year of issuance or revision. All revisions to these standards and specifications shall be adopted following their publication in ASTM's Annual Book of Standards and upon approval of the Board. The standards and specifications and the exceptions to ASTM standards and specifications are as follows:

(a) Fuel Oil- ASTM fixed designation D396:

(i) Exceptions to ASTM standards for fuel oil:

(A) ASTM grades No. 1 and No. 2 shall not have a flash point lower than one hundred fifteen degrees Fahrenheit (115@ F).

(B) ASTM grades No. 4, No. 5 and No. 6 shall not exceed one and one-half percent (1.5%) sulfur by weight.

(b) Standards for Diesel Fuel - ASTM fixed designation D975:

(i) Exceptions to ASTM standards for diesel fuel:

(A) ASTM grade No. 1 shall be a clear product free of water and sediment.

(c) Standards for Automotive Spark-Ignition Engine Fuel - ASTM fixed designation D4814:

(i) Exceptions to ASTM standards for gasoline:

(A) Gasoline shall be a clear homogeneous liquid free of water and sediment;

(B) The minimum lead content for gasoline labeled "regular" or "leaded" shall be as defined in Section 2.(f) of this chapter.

(C) Requirements imposed by the EPA shall take precedence over ASTM standards, where applicable.

(d) Standards for Kerosine - ASTM fixed designation D3699:

(i) Exceptions to ASTM standards for kerosine:

(A) Kerosine shall be free of water and suspended material.

(B) Kerosine shall have a color no darker than No. 16 Saybolt.

(C) Kerosine shall have a flash point not lower than one hundred fifteen degrees Fahrenheit (115@ F).

(e) Standards for LP Gas - ASTM fixed designation D1835:

(f) All other petroleum products - For those petroleum products which are not specifically referred to in this chapter, ASTM Standards and Specifications shall be adopted without reference to the ASTM fixed designation for such products.

Section 5. Registration of Antifreeze Products - It is unlawful to sell, offer for sale, keep for sale or store in Wyoming any antifreeze product which has not been approved by the State Chemist and registered with the Department on forms provided by the Department.

(a) Registration of antifreeze products is permanent and application for re-registration need not be made unless:

(i) The product formulation is changed;

(ii) The package label is changed.

(b) Application for registration of antifreeze products shall be made by the manufacturer of same and not by the distributor, supplier, wholesale dealer, or retail dealer.

(c) To effect registration of an antifreeze product, the manufacturer of said product must submit to the State Chemist, the following:

(i) One complete copy of the registration application, all information in the ingredients statement is confidential.

(ii) One copy of the antifreeze product label which must include:

(A) The antifreeze product name;

(B) The name and address of the manufacturer or distributor;

(C) The active ingredients.

(iii) A copy of production lot codes used if the name and address of the manufacturer is not on the label.

(d) When the manufacturer applies for an amended registration of an antifreeze product, the registration being replaced will remain in effect for one year following the date of approval of the new application.

Section 6. Exemption for Retail Dealer and Records. No retail dealer shall be subject to the penalties of this Chapter if:

(a) The retail dealer has an invoice from the wholesale dealer or supplier that the product delivered complies with the provisions of this Chapter;

(b) The retail dealer has any other guarantee or document issued by the wholesale dealer or supplier that the product delivered complies with this Chapter;

(c) The said invoice or guarantee shows the following:

(i) Wholesale dealer or supplier name and address;

(ii) Quantity of product delivered;

(iii) Manufacturer's name and address for the product delivered;

(iv) Date the product was delivered;

(v) The true name and grade of the product delivered.