



California  
Air Resources Board  
Compliance Division

# Advisory

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## Low Sulfur Diesel

Number 34

December 6, 1988

### Use of Low Sulfur Diesel

The purpose of this advisory is to alert producers and importers of diesel fuel in the South Coast Air Basin and Ventura County of the expiration of the small refiner sulfur in diesel exemption and to remind jobbers, middlemen, and retailers marketing diesel fuel in the control area of their responsibilities concerning the sale of such diesel fuel.

### Legal Requirements

Section 2252 of Title 13 of the California Code of Regulations states that after December 31, 1988, all diesel fuel sold in the South Coast control area for use in motor vehicles in the control area shall have a sulfur content not exceeding 500 parts per million (0.05%) by weight. Any exempt diesel transferred from a small refinery prior to 1-1-89 may lawfully be sold at retail within the control area after that date. However, diesel fuel transferred from a small refinery after 12-31-88 for motor vehicle use in the control area is subject to the 500 ppm standard. "Motor vehicle" has the same meaning as defined in Section 415 of the Vehicle Code. On and off-road vehicles, including mobile construction equipment, are motor vehicles; locomotives and ships are not. Note, however, that the SCAQMD Rule 431.2 imposes a 500 ppm limit on diesel fuel used in some nonvehicular sources.

The other provisions of the diesel regulation, such as testing, record keeping, and labeling requirements, continue to apply.

### Enforcement Policy

The regulation will continue to prohibit jobbers, middlemen and retailers from selling diesel fuel in the control area for motor vehicle use within the control area, unless such fuel meets the allowable sulfur limit. It is essential that jobbers, middlemen and retailers ascertain the intended use of the diesel fuel they purchase, and sell such fuel only for the intended use. The ARB Compliance Division will take enforcement action against any party found in violation.

If you have any questions about the regulation or need additional information, please call Mr. Roye Jackson at (916) 322-6033.

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