

Subpart 4-Bureau of Regulatory Services  
Chapter 08-Petroleum Products Inspection Law

B100 and Biodiesel/Petroleum Diesel Fuel Blends, BBD100 and Biomass-Based Diesel/Petroleum Diesel Fuel Blends

113.01 Definitions: For use in this regulation, the following terms and definitions apply. The word “shall” indicates mandatory requirements of this regulation.

1. Alcohol-means methanol, ethanol, isopropyl alcohol, n-propanol (n-propyl alcohol), and any form of butyl alcohol (butanol).
2. Biodiesel-means an oxygenated fuel comprised of mono-alkyl esters of long chain fatty acids from biologically derived oil and fats and shall be designated B100 that meet the current requirements for fuels and fuel additives under 40 CFR Part 79.
3. Biodiesel Blends -means a fuel comprised of a blend of biodiesel with petroleum-based diesel fuel.
4. Biomass-Based Diesel means a conventional diesel fuel substitute produced from nonpetroleum renewable resources that meets the current requirements for fuels and fuel additives established by the Environmental Protection Agency under 42 U.S.C. 7545, except that the term does not include biodiesel as defined above, and shall be designated 100% Biomass-Based Diesel.
5. Biomass-Based Diesel Blend means a fuel comprised of a blend of biomass-based diesel with petroleum-based diesel fuel. Biomass-Based Diesel Blends shall be identified as XX% Biomass-Based Diesel Blend, where the XX represents the volume percentage of biomass based diesel fuel in the blend.
6. Certificate of Analysis (COA) or Certificate of Full Specification Analysis-a document issued by the producer showing that biodiesel and biodiesel blends meet the requirements and specifications set forth in this regulation. The certificate must contain the date of certification and may not be older than 90 days from the date of issue. The testing may be performed by either the producer, importer or an independent laboratory; but, it must be conducted per 300,000 gallons of produced biodiesel and biodiesel blend or every 90 days, whichever comes first. B21 through B99 certification must be conducted per 300,000 gallons of B21 through B99 produced or every 90 days, whichever comes first. A COA will not be required for a biodiesel blend if a producer has a current COA for biodiesel and petroleum diesel used to make the biodiesel blend.
7. Cetane number-means a numerical measure of the ignition performance of a diesel fuel obtained by comparing it to reference fuels in a standardized engine test.
8. Distributor/Retailer/Marketer-means an entity engaged in the business of the distribution and/or sale of biodiesel and/or biodiesel blends B1, and/or biomass-based diesel and/or biomass-based diesel blends of 1% Biomass-Based Diesel Blend or greater.
9. Producer/Blender-means the entity responsible to the first purchaser of biodiesel or biodiesel blend or biomass-based diesel or biomass-based diesel

blend for that biodiesel or biodiesel blend or biomass-based diesel or biomass-based diesel blend meeting the specifications set forth in this regulation.  
 (Adopted August 24, 2009; Amended December 1, 2011; Amended October 1, 2016)

113.02 Standard fuel specifications for diesel fuel used in biodiesel blends, biodiesel, and biodiesel blends and biomass-based diesel and biomass-based diesel blends.

1. Diesel Fuel. All petroleum diesel fuel used in biodiesel blends shall meet the requirements of the most recent version of ASTM D 975, “Standard Specification for Diesel Fuel Oils” prior to blending with biodiesel.
2. Biodiesel (B100). All biodiesel intended for sale or for blending with diesel shall meet the requirements of the most recent version of ASTM D6751, “Standard Specification for Biodiesel Fuel Blend Stock (B100) for Middle Distillate Fuels.”
3. Biodiesel Blends. Blends of biodiesel and petroleum diesel fuels shall meet the following requirements:
  - a. Blends B1 up to B5 shall meet the specifications in ASTM D 975, “Standard Specification of Diesel Fuel Oils”.
  - b. Blends of B6-B20 shall meet the specification requirements of the most recent version of ASTM D7467, “Standard Specification for Diesel Fuel Oil, Biodiesel Blend (B6 to B20)” and the most current requirements 26 CFR Part 48.
  - c. Blends of B21-B80 shall meet the specification requirements of Table 1 and the most current requirements of 26 CFR Part 48.
  - d. Blends of B81-B99 shall meet all of the requirements and specifications of B100.
4. 100% Biomass-Based Diesel. All biomass-based diesel intended for retail sale shall meet the requirements of the most recent version of ASTM D975, “Standard Specification for Diesel Fuel Oils.”
5. Biomass-Based Diesel Blends. Blends of Biomass-Based Diesel and petroleum diesel fuels shall meet the specifications in ASTM D975, “Standard Specification of Diesel Fuel Oils”.

(Adopted August 24, 2009; Amended December 1, 2011; Amended August 2013; Amended October 1, 2016.)

**Table 1 Specifications for B21-B80 biodiesel blends.**

Property	Test Method <sup>a</sup>	B21 - B80 S15	B21 - B80 S500
Acid Number, mg KOH/g, max	ASTM D 664	0.7	0.7
Kinematic Viscosity mm <sup>2</sup> /s at 104 °F	ASTM D 445	2.0-6.0	2.0-6.0
Flash Point °F, min	ASTM D 93	125 <sup>b</sup>	125 <sup>b</sup>

Alcohol Content % mass max	EN 14110	0.20	0.20
Oxidation Stability hrs, min	EN 14112	6	6
Copper Corrosion Max	ASTM D 130	No. 3	No. 3
Water and Sediments Volume % max	ASTM D 2709	0.05	0.05
Cetane Number	ASTM D613	42	42
Cloud Point	ASTM D 2500	Report	Report
Cold Filter Plugging Point	ASTM D 6371	Report	Report
Sulfur Content, (µg/g) max Mass % max	ASTM D 7039 ASTM D 4294	15	0.05
Ramsbottom Carbon Residue on 10% Bottoms, mass % max	ASTM D 524	0.35	0.35
% Biodiesel	FTIR	21-80	21-80

<sup>a</sup> The indicated test methods are the approved referee methods in Mississippi. Other acceptable substitute methods are accepted if approved by ASTM.

<sup>b</sup>If grade No. 1-D or blends of Grade No. 1-D and grade no.2-D diesel fuel are used, the minimum flash point shall be 100 °F.

(Adopted August 24, 2009; Amended December 1, 2011.)

### 113.03 Classification and Method of Sale of Biodiesel B100 and Biodiesel Blends, 100% Biomass-Based Diesel and Biomass-Based Diesel Blends

1. Retail Dispenser Labeling. All B100 biodiesel, and/or 100% Biomass-Based Diesel that is kept, offered or exposed for sale or sold at retail shall conspicuously display the product name and/or brand name being sold therefrom exactly as such name and/or brand name that is registered with the department.
  - a. The product shall be named B100 Biodiesel Fuel and/or 100% Biomass-Based Diesel Fuel.
  - b. The label shall meet the requirements of 16 CFR Part 306.
2. Retail Dispenser Labeling. All biodiesel or biomass based diesel blends that are kept, offered or exposed for sale or sold at retail shall conspicuously display the product name and/or brand name being sold therefrom exactly as such name and/or brand name that is registered with the department and be labeled in a manner that informs consumers of the percent of biodiesel or biomass-based diesel that is contained in the biodiesel blend or biomass-based diesel blend that is offered for sale, follows:

- a. All biodiesel blend or biomass-based blend dispensers that contain less than or equal to 5 percent biodiesel or biomass-based diesel by volume and meet ASTM D975 diesel specifications shall be identified “may contain up to 5% biodiesel”. Label shall be 3” x 2 1/2” or similar size as approved by the commissioner and all letters shall be black with a contrasting background.
  - b. All biodiesel blend or biomass-based diesel blend dispensers that contain more than 5 percent biodiesel or biomass-based diesel by volume but not more than 20 percent by volume shall be labeled “contains biomass-based diesel or biodiesel in quantities between 5 percent and 20 percent”.
    - i. The label shall meet the requirements of 16 CFR Part 306.
  - c. Blends of greater than 20% Biodiesel shall be identified by the capital letter B followed by the numerical value representing the volume percentage of biodiesel fuel. The product shall be named BXX Biodiesel Blend.

Example: B21 Biodiesel Blend, B25 Biodiesel Blend, B60 Biodiesel Blend, B80 Biodiesel Blend.

    - i. The label shall meet the requirements of 16 CFR Part 306.
  - d. Blends of greater than 20% Biomass-Based Diesel shall be identified as containing the numerical value representing the volume percentage of biomass-based diesel in the fuel, followed immediately by the percentage symbol and the term Biomass-Based Diesel Blend.

Example: 21% Biomass-Based Diesel Blend, 60% Biomass-Based Diesel Blend.

    - i. The label shall meet the requirements of 16 CFR Part 306.
  - e. When biodiesel or biomass-based diesel blends greater than 20% by volume are offered for sale, each side of the dispenser where fuel can be delivered shall have a label conspicuously placed that states “Consult Vehicle Manufacturer Fuel Recommendations.”
3. Documentation for Dispenser Labeling Purposes. At the time of delivery of the fuel, the retailer shall be provided with a declaration of the volume percent biodiesel, biomass-based diesel, on an invoice, bill of lading, shipping paper, or other document. This documentation is for dispenser labeling purposes only; it shall be the responsibility of all potential blenders to determine the amount of biodiesel and/or biomass-based diesel, in the diesel fuel. Except that:
- a. Biodiesel or biomass-based diesel blends that contain less than or equal to 5 percent biodiesel or biomass-based diesel shall be identified as “May contain up to 5% biodiesel”.
4. Documentation Content. Every shipment of B100 biodiesel and/or biodiesel blend, and or 100% biomass-based diesel, and/or biomass-based diesel blend, produced or imported for sale into Mississippi shall be accompanied by an invoice, bill of lading, shipping paper or other documentation. This document shall identify the quantity, the name of the product, the particular

grade or blend of the product, the name and address of the seller and the buyer, and the date and time of the sale. Except that:

- a. all biodiesel blends or biomass-based diesel blends up to 5 volume percent shall be identified as “May contain up to 5% biodiesel” or “May contain up to 5% biomass-based diesel.
5. In addition to the bill of lading, shipping paper, or other documentation of sale, all biodiesel B100 and/or biodiesel blend, containing more than 20 volume percent biodiesel; all biomass-based diesel 100% and/or biomass-based diesel blends, containing more than 20 volume percent biomass-based diesel; produced or imported for sale into Mississippi shall be accompanied by a certificate of analysis or a certificate of full specification analysis.
6. Shipments of biodiesel B100 and/or biodiesel blends, biomass-based diesel and/or biomass-based diesel blends, containing more than 20 volume percent which do not have a certificate of analysis shall not be imported into Mississippi. Biodiesel B100 and/or biodiesel blends, biomass-based diesel 100% and/or biomass-based diesel blends, containing more than 20 volume percent produced in Mississippi which does not have a certificate of analysis or a certificate of full specification shall not be sold in Mississippi.

(Adopted August 24, 2009; Amended December 1, 2011; Amended October 1, 2016.)

113.04 Product Storage Identification. All filler pipes for petroleum bulk storage tanks and retail station storage tanks shall be identified by painting a sign on the intake pipe cap or within (6) inches thereof in lettering not less than (2) inches in height and not less than one-fourth (1/4) inch in width the following: for B100 biodiesel, the lettering “B100”; for biodiesel blends, the lettering “BXX” (XX indicating blend percentage); for 100% biomass-based diesel, the lettering “BBD100”; for biomass-based diesel blends, the lettering “BBDXX” (XX indicating blend percentage). Nothing in this section shall apply to bulk storage tanks located at marine or pipeline terminals, nor prohibit “color coding” in addition to the lettering, where desired.

(Adopted August 24, 2009; Amended December 1, 2011; Amended October 1, 2016.)

113.05 Condemned Product and Illegal Acts. A stop-sale order as provided for in Miss. Code Ann. 75-55-37 shall be issued to retail establishment dealers for biodiesel and all biodiesel blends and biomass based diesel and all biomass based diesel blends, failing to meet specifications or when a condition exists that causes product degradation.

(Adopted August 24, 2009; Amended December 1, 2011.)

113.06 Product Registration:

1. Required Information. All producers, importers, wholesalers, and retailers of biodiesel (B100) and biodiesel fuel blends, 100% biomass-based diesel, and biomass-based diesel blends must register every product imported, sold or offered for sale with the Commissioner on forms prescribed by the Commissioner 30 days prior to when the registrant wishes to engage in sales. All producers or importers of biodiesel (B100) are required to provide final

proof of EPA registration as a producer of ASTM D 6751 quality B100. The registration shall include all of the following information required under the *Mississippi Code Ann. 75-55-6*.

2. Renewal. Registration is subject to annual renewal.
3. Re-registration. Re-registration is required 30 days prior to any changes in the required information.
4. Authority to Deny Registration. The Commissioner may decline to register any biodiesel B100 and/or biodiesel/petroleum diesel fuel blend, and/or any 100% Biomass-Based diesel, and/ or any Biomass-Based Diesel/petroleum diesel blend that actually or by implication would deceive or tend to deceive a purchaser as to the identity or the quality of these products.
5. Transferability. The registration is not transferable.

(Adopted August 24, 2009; Amended December 1, 2011; Amended October 1, 2016.)

Source: *Miss. Code Ann. §75-55-3*.