

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND FIFTEEN

H.P. 416 - L.D. 603

An Act To Achieve Regional Uniformity in Sulfur Standards for Heating Oil

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 38 MRSA §603-A, sub-§2, as amended by PL 2013, c. 300, §15, is further amended to read:

2. Prohibitions. Except as provided in subsections 4 and 9, a person may not ~~use~~ import, distribute or offer for sale any liquid fossil fuel with a sulfur content exceeding the limits in paragraph A or any solid fossil fuel with a sulfur content to heat content ratio exceeding the limits of paragraph B.

A. The sulfur content for liquid fossil fuels is as follows.

(1) In the Central Maine, Downeast, Aroostook County and Northwest Maine Air Quality Control Regions and the Metropolitan Portland Air Quality Control Region outside the Portland Peninsula Air Quality Control Region, a person may not ~~use~~ distribute or offer for sale any residual fuel oil with a sulfur content greater than 2.0% by weight; beginning ~~January~~ July 1, 2018, the limit for those regions is 0.5% by weight.

(2) In the Portland Peninsula Air Quality Control Region, a person may not ~~use~~ distribute or offer for sale any residual fuel oil with a sulfur content greater than 1.5% by weight; beginning ~~January~~ July 1, 2018, the limit for that region is 0.5% by weight.

(3) Statewide, a person may not ~~use~~ import, distribute or offer for sale a distillate fuel:

~~(a) Beginning July 1, 2016, with a sulfur content greater than 0.005% by weight; and~~

(b) Beginning ~~January~~ July 1, 2018, with a sulfur content greater than 0.0015% by weight.

The sulfur content requirements in this subparagraph do not apply to the use of distillate fuel for manufacturing purposes.

B. The sulfur content for solid fossil fuels is as follows:

(1) One and two-tenths pounds sulfur per million British Thermal Units until November 1, 1991, and .96 pounds sulfur per million British Thermal Units thereafter, calculated as a calendar quarter average for sources in the Central Maine, Downeast, Aroostook County, Northwest Maine Air Quality Control Regions and that portion of the Metropolitan Portland Air Quality Region outside the Portland Peninsula Air Quality Region. A calendar quarter is composed of the months as follows: (1) January, February, March; (2) April, May, June; (3) July, August, September; and (4) October, November, December; and

(2) Seventy-two hundredths pounds sulfur per million British Thermal Units calculated as a calendar quarter average for sources in the Portland Peninsula Air Quality Region. A calendar quarter is composed of the months as follows: (1) January, February, March; (2) April, May, June; (3) July, August, September; and (4) October, November, December.

Sec. 2. 38 MRSA §603-A, sub-§9, as enacted by PL 2009, c. 604, §2, is amended to read:

9. Equivalent alternative sulfur reduction application. The department shall adopt major substantive rules as defined in Title 5, chapter 375, subchapter 2-A that provide an opportunity for a licensed air contamination source that holds a license on the effective date of this subsection to apply for an equivalent alternative sulfur reduction strategy to the residual fuel oil and distillate fuel requirements in subsection 2. The rules must provide for the achievement of equivalent sulfur emission reductions through other means, including, but not limited to, reductions in consumption of residual fuel oil and distillate fuel, early sulfur emission reductions from a baseline emissions inventory year of 2002 and conversions to alternative fuels. The department shall submit the major substantive rules to the Legislature by January 31, 2014. Approved alternate sulfur reduction strategies must be in effect by ~~January~~ July 1, 2018.