



**Vermont Department of Environmental Conservation**

*Agency of Natural Resources*

**To:** LCAR and Secretary of State

**From:** Elaine O'Grady, Attorney, Air Pollution Control Division

**Date:** September 28, 2011

**Re:** List of Changes to APCR § 5-221(1) Since the Filing of the Final Proposed Rule

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Please find set forth below a brief description of and reason for each change made since the filing of the final proposed rule, entitled "Sulfur Limitations in Fuel", which seeks to amend section 5-221(1) of the Air Pollution Control Regulations.

(1) In § 5-221(1)(b), the following changes were made:

Notwithstanding the provisions of subsection (1)(a) of this section, fuel stored in Vermont that met the applicable maximum sulfur content limit at the time the fuel was stored in Vermont may continue to be stored, used, ~~offered for sale, sold,~~ delivered or exchanged in trade after the effective date of the applicable limit in subsection (1)(a) of this section but may not be offered for sale or sold.

These edits were made to ensure consistency with 10 V.S.A. § 585(b)(1) and (2), which prohibit the sale in Vermont of "heating oil" after certain dates unless the oil's sulfur content meets specified limits.