

5-221 PROHIBITION OF POTENTIALLY POLLUTING MATERIALS IN FUEL

(1) Sulfur Limitations in *Fuel*

- (a) No *person* shall cause or permit the use, purchase, or sale for use in stationary combustion installations within the State of Vermont for heat or power generation of:
 - (i) *Fuels* containing more than 2.0% sulfur by weight, except as otherwise provided below;
 - (ii) No. 2 and lighter distillate oils and animal and vegetable oil fuel oils with a sulfur content greater than 0.05% by weight, beginning on January 1, 2014 and ending on December 31, 2017;
 - (iii) No. 2 and lighter distillate oils and animal and vegetable oil fuel oils with a sulfur content greater than 0.0015% by weight, beginning on January 1, 2018;
 - (iv) No. 4 residual oil with a sulfur content greater than 0.25% by weight, beginning on January 1, 2018; and
 - (v) No. 5 and No. 6 residual oils and heavier residual oils with a sulfur content greater than 0.5% by weight, beginning on January 1, 2018.
- (b) 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.
- (c) Subsection (1)(a) of this section shall not apply where compounds of sulfur are removed from the *flue gas* to the extent that the *emissions* of compounds of sulfur to the *ambient air* space are no greater than that which would be emitted under subsection (1)(a) hereof. *Emissions* testing and/or continuous emissions monitoring shall be required to demonstrate that the sulfur compounds emitted have been adequately reduced.
- (d) The Secretary, by order, may temporarily suspend the implementation and enforcement of subsection (1)(a) of this section if the Secretary determines, after consulting with the commissioner of public service, that meeting the requirements is not feasible due to an inadequate supply of the required fuel.
- (e) Contravention of National Primary or Secondary *Ambient Air Quality Standards*. If there is a contravention of national primary or secondary *ambient air quality standards* promulgated pursuant to the Federal Clean Air Act, as amended (42 U.S.C. 7401, et seq.), the *Secretary* may impose more stringent sulfur limitations in *fuel* than contained in subsection (1)(a) of this section on a regional, or individual basis and for such time

PROPOSED RULE: SULFUR LIMITATIONS IN FUEL - Clean Text
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periods as is necessary to assure continued compliance with the national *ambient air quality standards*.