

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in section 1 in subsection 2 in the first line (page 1, line 4 in L.D.) by striking out the following: "8" and inserting the following: '8 9'

Amend the bill in section 1 in subsection 2 in paragraph A in subparagraph (1) in the 4th line (page 1, line 12 in L.D.) by striking out the following: "#4 or #6" and inserting the following: 'residual'

Amend the bill in section 1 in subsection 2 in paragraph A in subparagraph (2) in the 2nd line (page 1, line 20 in L.D.) by striking out the following: "#4 or #6" and inserting the following: 'residual'

Amend the bill in section 1 in subsection 2 in paragraph A by striking out all of subparagraph (3) (page 1, lines 23 to 27 in L.D.) and inserting the following:

(3) Statewide, a person may not use a distillate fuel:

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

(b) Beginning January 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.

Amend the bill by inserting after section 1 the following:

‘Sec. 2. 38 MRSA §603-A, sub-§9 is enacted to read:

9. Equivalent alternative sulfur reduction application. The department shall adopt major substantive rules as defined in Title 5, chapter 375, subchapter 2A 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 1, 2018.

Sec. 3. Advisory committee on reducing reliance on fuel oil. The Department of Environmental Protection shall establish an advisory committee to assess the barriers and impediments to air emissions sources' reducing their reliance on fuel oils, including, but not limited to, the feasibility of increased gas supply, conversion to other fuels that reduce air pollution including greenhouse gases and the reductions in demand for energy derived from fuel oil. The advisory committee shall present its findings with initial recommendations to the Legislature by January 15, 2011 and a final report with

recommendations by January 15, 2012. The advisory committee consists of 9 members including the Commissioner of Environmental Protection, who serves as the chair. The commissioner shall appoint the members of the advisory committee, which include 4 members representing the industrial sector, 2 members representing environmental interests and 2 representatives from other state agencies.

Sec. 4. Fuel oil supply study. The Department of Environmental Protection shall conduct a fuel oil supply study in 2014 and submit the results of its findings to the Legislature by January 15, 2015. The department shall hold a public hearing on the subject matter of this section and allow for submittal of oral and written comment.'

SUMMARY

The amendment changes the date, from January 1, 2014 to January 1, 2016, by which the sulfur content of distillate fuel may not be greater than 0.005% by weight. The amendment exempts distillate fuel that is used for manufacturing purposes from the low sulfur content requirements. It requires the Department of Environmental Protection to adopt major substantive rules that provide an opportunity for a licensed air contamination source to apply for an equivalent alternative sulfur reduction strategy to the residual fuel oil and distillate fuel requirements. It directs the Department of Environmental Protection to establish an advisory committee to assess the barriers and impediments to air emissions sources' reducing their reliance on fuel oils. It directs the Department of Environmental Protection to conduct a fuel oil supply study in 2014 and submit the results of its findings to the Legislature by January 15, 2015.

FISCAL NOTE REQUIRED

(See attached)