

# MAINE STATE LEGISLATURE

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L.D. 713

(Filing No. H- 112)

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
114TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 528, L.D. 713, Bill, "An Act to Improve the Air Quality by Limiting the Sulfur Content of Fuel Oils"

Amend the bill by striking out all of the title and inserting in its place the following:

'An Act to Improve the Air Quality by Limiting the Sulfur Content of Fuel'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 38 MRSA §603-A, sub-§2, as amended by PL 1985, c. 162, §9, is further amended to read:

2. Prohibitions. Except as provided in subsections 4, 4-A and 5, no person may use 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, no person may use any liquid fossil fuel with a sulfur content greater than 2.5% until November 1, 1991, and 2.0% by weight any time after--November--1--1973 thereafter. In the Metropolitan Portland Air Quality Control Region outside the Portland Peninsula Air Quality Control Region, no person may use any liquid fossil fuel with a sulfur content greater than 2.5% until November 1, 1991, and 2.0% by weight any time after-June-1,-1975 thereafter.

(2) In the Portland Peninsula Air Quality Control

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Region, no person may use any liquid fossil fuel with a sulfur content greater than 1.5% by weight any time after November 1, 1975.

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

(1) 1.2 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~~ Metropolitan Portland Air Quality Region outside the Portland Peninsula Air Quality Region. A calendar quarter shall be 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) 0.72 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 shall be 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-§4, as enacted by PL 1983, c. 504, §10, is amended to read:

4. Flue gas desulfurization. Any source that installs any approved flue gas desulfurization system or other prescribed sulfur removal device shall be permitted to use fuel with a sulfur content in excess of the limitations of subsection 2 such that, after control, total sulfur dioxide emissions do not exceed 2.4 pounds of sulfur dioxide per million British Thermal Units in any 24-hour period until November 1, 1991, and 1.92 pounds of sulfur dioxide per million British Thermal Units in any 24-hour period thereafter, or emission rates corresponding to the fuel sulfur limitations required for sources on the Portland peninsula.

Sec. 3. 38 MRSA §603-A, sub-§4-A is enacted to read:

4-A. Electrical generating facilities. Any electrical generating facility owned or operated by a regulated electric utility may use liquid fossil fuel with a sulfur content of up to 2.5% by weight provided that:

A. The facility has operated at an average of not more than 20% of its capacity factor over the most recent 4-year

period; and

B. The facility is in compliance with ambient air quality standards.

## FISCAL NOTE

Enactment of this legislation would result in additional costs for those agencies of State Government which would be in noncompliance with the proposed standards. These agencies will be required to either install a desulfurization system or purchase fuel with a lower sulfur content. The specific fiscal implications on State Government cannot be determined at this time due to uncertainty over the volume of fuel burned in future years, future energy conservation efforts and the cost of fuel.'

## STATEMENT OF FACT

This amendment prohibits the use of any oil with a sulfur content of greater than 2.0% by November 1, 1991. The requirement for the sulfur content of coal also is reduced to .96 pounds of sulfur per million British Thermal Units. Sources with flue gas desulfurization systems may burn fuel with a higher sulfur content provided their emission rate does not exceed 1.92 pounds of sulfur per million British Thermal Units.

An exemption for the use of higher sulfur fuel for electrical generating facilities that operate less than 20% of their capacity factor over a 4-year period and are in compliance with ambient air quality standards is included in the amendment.

Reported by the Committee on Energy and Natural Resources  
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