

# MAINE STATE LEGISLATURE

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Date: 3-8-10

(Filing No. S-402)

NATURAL RESOURCES

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STATE OF MAINE

SENATE

124TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 627, L.D. 1662, Bill, "An Act To Improve Maine's Air Quality and Reduce Regional Haze at Acadia National Park and Other Federally Designated Class I Areas"

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 2-A that provide an opportunity for a licensed air contamination source that holds a license on the

COMMITTEE AMENDMENT



1 effective date of this subsection to apply for an equivalent alternative sulfur reduction  
2 strategy to the residual fuel oil and distillate fuel requirements in subsection 2. The rules  
3 must provide for the achievement of equivalent sulfur emission reductions through other  
4 means, including, but not limited to, reductions in consumption of residual fuel oil and  
5 distillate fuel, early sulfur emission reductions from a baseline emissions inventory year  
6 of 2002 and conversions to alternative fuels. The department shall submit the major  
7 substantive rules to the Legislature by January 31, 2014. Approved alternate sulfur  
8 reduction strategies must be in effect by January 1, 2018.

9 **Sec. 3. Advisory committee on reducing reliance on fuel oil.** The  
10 Department of Environmental Protection shall establish an advisory committee to assess  
11 the barriers and impediments to air emissions sources' reducing their reliance on fuel oils,  
12 including, but not limited to, the feasibility of increased gas supply, conversion to other  
13 fuels that reduce air pollution including greenhouse gases and the reductions in demand  
14 for energy derived from fuel oil. The advisory committee shall present its findings with  
15 initial recommendations to the Legislature by January 15, 2011 and a final report with  
16 recommendations by January 15, 2012. The advisory committee consists of 9 members  
17 including the Commissioner of Environmental Protection, who serves as the chair. The  
18 commissioner shall appoint the members of the advisory committee, which include 4  
19 members representing the industrial sector, 2 members representing environmental  
20 interests and 2 representatives from other state agencies.

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

25 **SUMMARY**

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

37 **FISCAL NOTE REQUIRED**

38 (See attached)



# 124th MAINE LEGISLATURE

LD 1662

LR 2240(02)

## An Act To Improve Maine's Air Quality and Reduce Regional Haze at Acadia National Park and Other Federally Designated Class I Areas

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Natural Resources

Fiscal Note Required: Yes

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### Fiscal Note

Minor cost increase - General Fund

#### Fiscal Detail and Notes

Any additional costs to the Department of Environmental Protection to adopt major substantive rules allowing licensed air emission sources to apply for certain sulfur reduction strategies, to establish an advisory committee to assess barriers for air emission sources to reduce reliance on fuel oils and to conduct a fuel oil supply study will generate minor costs that can be absorbed within existing budgeted resources.