

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1662

S.P. 627

In Senate, December 21, 2009

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

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator GOODALL of Sagadahoc.
Cosponsored by Representative FLEMINGS of Bar Harbor and
Senators: DAMON of Hancock, SIMPSON of Androscoggin, Representatives:
BUTTERFIELD of Bangor, DUCHESNE of Hudson, EATON of Sullivan, LANGLEY of
Ellsworth, Speaker PINGREE of North Haven, SCHATZ of Blue Hill.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 38 MRSA §603-A, sub-§2,** as amended by PL 2007, c. 95, §5, is further
3 amended to read:

4 **2. Prohibitions.** Except as provided in subsections 4, 5 and 8, ~~no~~ a person may not
5 use any liquid fossil fuel with a sulfur content exceeding the limits in paragraph A or any
6 solid fossil fuel with a sulfur content to heat content ratio exceeding the limits of
7 paragraph B.

8 A. The sulfur content for liquid fossil fuels is as follows.

9 (1) In the Central Maine, Downeast, Aroostook County and Northwest Maine
10 Air Quality Control Regions and the Metropolitan Portland Air Quality Control
11 Region outside the Portland Peninsula Air Quality Control Region, ~~no~~ a person
12 may not use any liquid fossil #4 or #6 fuel oil with a sulfur content greater than
13 2.5% until November 1, 1991, and 2.0% by weight any time thereafter; beginning
14 January 1, 2018, the limit for those regions is 0.5% by weight. ~~In the~~
15 ~~Metropolitan Portland Air Quality Control Region outside the Portland Peninsula~~
16 ~~Air Quality Control Region, no person may use any liquid fossil fuel with a~~
17 ~~sulfur content greater than 2.5% until November 1, 1991, and 2.0% by weight~~
18 ~~any time thereafter.~~

19 (2) In the Portland Peninsula Air Quality Control Region, ~~no~~ a person may not
20 use any liquid fossil #4 or #6 fuel oil with a sulfur content greater than 1.5% by
21 weight any time after November 1, 1975; beginning January 1, 2018, the limit for
22 that region is 0.5% by weight.

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

24 (a) Beginning January 1, 2014, with a sulfur content greater than 0.05% by
25 weight; and

26 (b) Beginning January 1, 2018, with a sulfur content greater than 0.0015%
27 by weight.

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

29 (1) One and two-tenths pounds sulfur per million British Thermal Units until
30 November 1, 1991, and .96 pounds sulfur per million British Thermal Units
31 thereafter, calculated as a calendar quarter average for sources in the Central
32 Maine, Downeast, Aroostook County, Northwest Maine Air Quality Control
33 Regions and that portion of the Metropolitan Portland Air Quality Region outside
34 the Portland Peninsula Air Quality Region. A calendar quarter is composed of
35 the months as follows: (1) January, February, March; (2) April, May, June; (3)
36 July, August, September; and (4) October, November, December; and

37 (2) Seventy-two hundredths pounds sulfur per million British Thermal Units
38 calculated as a calendar quarter average for sources in the Portland Peninsula Air
39 Quality Region. A calendar quarter is composed of the months as follows: (1)
40 January, February, March; (2) April, May, June; (3) July, August, September;
41 and (4) October, November, December.

1

SUMMARY

2 Federal law and regulations require states with fuel-burning sources that are
3 reasonably anticipated to cause or contribute to impairment of visibility in federally
4 designated Class I areas to implement reasonable measures to reduce visibility
5 impairment within those areas. This bill establishes reductions in the sulfur content of
6 fuel oil that take effect in 2014 and 2018.