

Air Quality Technical Advisory Committee

to the Pennsylvania Department of Environmental Protection

PO Box 8468

Harrisburg, PA 17105-8468

March 4, 2010

Honorable John Hanger
Secretary
Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063

Re: Low sulfur limits in commercial fuel oil proposed rulemaking amendments

Dear Secretary Hanger:

On February 18, 2010, the Air Quality Technical Advisory Committee (Committee) discussed proposed amendments to 25 *Pa. Code* Chapters 121 and 123 (relating to general provisions; and standards for contaminants) for the control of emissions of sulfur from commercial fuel oil. The proposed rulemaking would amend section 123.22 (relating to combustion units) to reduce the maximum allowed sulfur content in commercial fuel oil sold for and used in combustion units in this Commonwealth.

This proposed rulemaking, which is designed to further limit the emissions of sulfur dioxide (SO₂) from these sources, would apply to fuel oil used in residential and commercial oil heat burners and furnaces, and industrial, commercial and institutional (ICI) boilers. The proposed amendments would also amend the definitions of certain terms and add new terms and definitions under section 121.1 (relating to definitions) to support the proposed amendments to Chapter 123.

The Committee voted 12-0 to concur with the Department's recommendation to present the proposed amendments to the Environmental Quality Board for consideration for publication as a proposed rulemaking, with the following caveats:

That the proposal allow the fuel oil, in tanks, purchased before the compliance date to be used by the ultimate consumer.

That the Department adopt suggested drafting changes.

The only suggested drafting change made by a Committee member was that the words "or limit" be added to proposed section 123.22(g)(1)(v), as follows:

(g)(1)(v) The sulfur content of the commercial fuel oil by weight percent **or limit** on a per-gallon basis determined using the sampling and testing methods specified under subsection (f).

Sincerely,



Patrick K. O'Neill
Chair