



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

PAUL MERCER
COMMISSIONER

February 22, 2018

RE: Guidance Regarding Upcoming Changes in Maximum Allowable Sulfur Content Requirements for Distillate Fuels

Dear Distillate Fuel Storage Terminals and Distribution Facilities:

The Maine Department of Environmental Protection (Department) is providing this reminder and guidance regarding the upcoming requirements covering the importation, distribution, and sale of distillate fuels in the State of Maine with a maximum sulfur content not to exceed 0.0015 percent (15 ppm) by weight beginning July 1, 2018. These requirements are contained in Maine Revised Statute 38 M.R.S. § 603 A(2)(A)(3) and Section 3(A)(2) of 06-096 Code of Maine Rules (C.M.R.) 106, *Low Sulfur Fuel*, regulation.

The Department recognizes the safety and environmental benefits associated with fostering a smooth transition from a higher sulfur content distillate fuel to a lower sulfur content distillate fuel throughout the supply chain. The Department understands that some distillate fuel storage facilities are planning to thoroughly pump out and clean their storage tanks prior to July 1, 2018, so that any mixing of distillate fuel added on or after that date with any higher sulfur content distillate fuel previously contained in the storage tanks will be minimal. The Department also understands that requiring facilities to completely pump out and clean out every storage tank and associated piping from the terminals down to the end users is not reasonable, practical, or desirable. Requiring such measures, in some cases, would introduce opportunities for undesirable safety and environmental impacts, such as spills, worker exposures, increased air emissions, fires, and disposal issues.

Therefore, the Department advises distillate fuel storage terminals in Maine that do not plan to thoroughly pump out and clean their distillate fuel storage tanks, begin drawing down any higher sulfur content distillate fuels from their storage tanks such that levels are at their lowest reasonably achievable levels no later than April 30, 2018. The Department further advises that all distillate fuel deliveries to these storage terminals after April 30, 2018 be compliant with the 15 ppm maximum sulfur content limit, which becomes effective July 1, 2018.

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

The Department expects following this process and schedule will result in a smooth transition to achieving compliant distillate fuel throughout the supply chain within a reasonable amount of time following the July 1, 2018 date. Recognizing that it will take time for this transition process to ultimately produce compliant distillate fuel throughout the supply chain, the Department will use its enforcement discretion regarding the 15 ppm distillate fuel sulfur content requirement with all distillate fuel storage terminals and distribution facilities as well as all end users of distillate fuel during this transition period.

I hope this guidance is helpful. If you have any questions about this guidance, please contact Eric Kennedy by phone at 207-287-5412 or via e-mail at eric.kennedy@maine.gov.