

Small Business Compliance Advisory Committee

to the Pennsylvania Department of Environmental Protection

PO Box 8468

Harrisburg, PA 17105-8468

January 24, 2018

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

Re: Proposed Rulemaking to Amend Sulfur Limits in No. 2 and Lighter Commercial Fuel Oil
(25 Pa. Code Chapter 123)

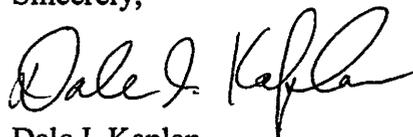
Dear Secretary McDonnell:

On January 24, 2018, the Small Business Compliance Advisory Committee (Committee) discussed the proposed rulemaking draft Annex A to amend 25 Pa. Code, § 123.22 (relating to combustion units) to reduce the maximum allowable sulfur content in number 2 (No. 2) and lighter commercial fuel oil, sold for and used in combustion units, from the current limit of 500 parts per million (ppm) of sulfur to 15 ppm. The proposed compliance date is July 1, 2019. The rulemaking would require No. 2 fuel oil offered for sale, delivered for use, exchanged in trade or used in this Commonwealth to meet the new sulfur limit on and after July 1, 2019. The proposed amendments would achieve additional sulfur dioxide emission reductions, which would assist in reducing regional haze and assure the protection of public health and welfare and the environment.

The Committee requests that the Department, as it develops this rulemaking, research the impact on the regulated community related to the capacity and supply of commercial fuel oil with a sulfur limit of 15 ppm and incorporate this information into the proposed rulemaking supporting documents. Further, the Committee requests consideration of an implementation date that allows sufficient time for compliance.

The Committee voted 6-0-0 to concur with the Department's recommendation to present the proposed rulemaking amendments to the Environmental Quality Board for consideration for adoption and publication for public comment as proposed rulemaking.

Sincerely,



Dale I. Kaplan
Chair

cc: Krishnan Ramamurthy, Director, PA DEP BAQ
Susan Hoyle, PA DEP BAQ
Susan Foster, PA DEP BAQ
Nancy Herb, PA DEP BAQ
Bryan Oshinski, PA DEP BAQ
Jesse Walker, PA DEP BRC