

Air Quality Technical Advisory Committee

to the Pennsylvania Department of Environmental Protection

PO Box 8468

Harrisburg, PA 17105-8468

September 12, 2012

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

Re: Final-form rulemaking amendments for Commercial Fuel Oil Sulfur Limits for Combustion Units

Dear Secretary Krancer:

On September 12, 2012, the Air Quality Technical Advisory Committee (Committee) discussed the final-form rulemaking amendments to 25 *Pa. Code* Chapters 121, 123 and 139 (relating to general provisions; standards for contaminants; and sampling and testing) for commercial fuel oil sulfur limits for combustion units. The proposed rulemaking was published in the *Pennsylvania Bulletin* on September 25, 2010 (40 Pa.B. 5456). The Department published an Advance Notice of Final Rulemaking in the *Pennsylvania Bulletin* on June 23, 2012 (42 Pa.B. 3596), to gather additional comments prior to finalizing the amendments.

The final-form amendments add new terms and definitions and revise some existing terms and definitions in § 121.1 (relating to definitions), amend § 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, and update methods in Chapter 139 for testing sulfur in petroleum products.

The Committee voted unanimously (18-0-0) to concur with the Department's recommendation to present the final-form rulemaking amendments to the Environmental Quality Board for consideration as a final-form regulation.

Sincerely,



Patrick K. O'Neill
Chair