

1100 Division of Air Quality
1108 Sulfur Dioxide Emissions from Fuel Burning Equipment
2012 Revision Draft (As of 07/19/2012)

~~12/08/1983~~ xx/xx/2012

1.0 General Provisions

- 1.1 The emission of sulfur dioxide (SO_2) from fuel burning equipment shall be controlled to a limit that shall meet the ambient air quality requirements.
- ~~1.2 The provisions of this regulation shall not apply to the start up and shutdown of equipment which operates continuously or in an extended steady when emissions from such equipment during start-up and shutdown are governed by an operation permit issued pursuant to the provisions of 2.0 of 7 DE Admin Code 1102.~~
- ~~1.2~~ 1.3 This regulation shall not apply to fuels used in fluid coking or catalyst regeneration.
- ~~1.3~~ 1.4 This regulation shall not apply to fuels used by watercraft.

05/09/1985

2.0 Limit on Sulfur Content of Fuel

- ~~2.1 Except as provided in 2.2 of this regulation, n~~ 2.1 No person shall offer for sale, sell, deliver, or purchase any fuel having a sulfur content greater than 1.0% by weight when such fuel is intended for use in any fuel burning equipment in New Castle County. No person shall use any fuel having a sulfur content greater than 1.0% by weight in any fuel burning equipment in New Castle County.
- 2.2 No person shall offer for sale, sell, deliver or purchase, or use in any fuel burning equipment, distillate fuel oil having a sulfur content greater than 0.3% by weight.
- 2.3 Except as provided for in 2.4 of this regulation, on and after April 1, 2015, no person shall offer for sale, sell, deliver, or purchase any fuel having a sulfur content greater than the limits specified in 2.3.1 through 2.3.3 of this regulation, when such fuel is intended for use in any fuel burning equipment in Delaware, and no person shall use any fuel having a sulfur content greater than the limits specified in 2.3.1 through 2.3.3 of this regulation in any fuel burning equipment in Delaware.
- 2.3.1 For a distillate fuel, 15 ppm by weight;
- 2.3.2 For a residual fuel, 5,000 ppm by weight;
- 2.3.3 For any other fuel, 1.0% by weight.

2.4 Transition Period. Fuel having a sulfur content greater than the limits specified in 2.3 of this regulation may be offered for sale, sold, delivered, purchased, and used in Delaware on and after April 1, 2015 only as specified in 2.4.1 and 2.4.2 of this regulation.

2.4.1 Any fuel stored within Delaware by retail distributors prior to April 1, 2015 may be offered for sale, sold, purchased, or delivered for use in any fuel burning equipment in Delaware through March 31, 2016.

2.4.2 A retail distributor must keep records which document and certify that any fuel that is offered for sale, sold, delivered, purchased, or used in Delaware under the transition provision of 2.4.1 of this regulation was stored by the retail distributor within Delaware prior to April 1, 2015.

2.4.3 Any fuel that meets the requirements of 2.4.1 of this regulation that is purchased and received for use on or before March 31, 2016 may be used in any fuel burning equipment in Delaware after March 31, 2016.

2.5 ~~2.3~~ Oil Sampling Method - Oil samples shall be obtained using ~~proper~~ standard American Society for Testing and Materials (ASTM) methods ASTM D4057-06 "Practice for Manual Sampling of Petroleum and Petroleum Products," or alternative methods approved by the Department and the US Environmental Protection Agency (EPA).

2.6 ~~2.4~~ Sulfur concentrations of residual fuels and distillate fuels shall be determined ~~by the x-ray absorption or the Parr oxygen bomb technique~~ by the standard ASTM method D4294-10 "Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy Dispersive X-ray Fluorescence Spectrometry", or an alternative method approved by the Department and the EPA.

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3.0 Emission Control in Lieu of Sulfur Content Limits of 2.0 of This Regulation

The limits on sulfur content established by 2.0 of this regulation shall not apply to any fuel burning equipment covered by a permit issued pursuant to 7 DE Admin. Code 1102 and employing emission control which limits sulfur dioxide emission ~~to~~ equivalent to or lower than that which would result from burning, without emission control, a fuel permitted by 2.0 of this regulation. In order to employ an emission control rather than sulfur content limits as a means of complying with this Regulation, an owner or operator of fuel burning equipment must demonstrate to the Department in advance that the equivalent or lower emission will be achieved.

4.0 Recordkeeping and Reporting

4.1 On and after April 1, 2013, any supplier, when delivering any fuel in Delaware, shall maintain, for at least five (5) years, the following records:

4.1.1 Name, address, telephone number and contact person of the supplier.

4.1.2 Date of delivery and quantity of fuel delivered.

4.1.3 Sulfur content of fuel, as delivered and determined pursuant to 2.6 of this regulation, that demonstrates compliance of this regulation.

4.2 For distributors, the fuel sulfur content as determined pursuant to 2.6 of this regulation may be obtained from the supplier of the fuel, provided that the distributor does not blend received fuel that meets the sulfur content limits of 2.0 of this regulation with fuel having a sulfur content higher than specified in 2.0 of this regulation. The name, address, telephone number, and contact person of the supplier must accompany the fuel sulfur content information.

4.3 The records as specified in 4.1 of this regulation shall be provided by the supplier to its customer upon request.

4.4 The records as specified in 4.1 of this regulation shall be provided to the Department, upon Department's written request, within thirty (30) days after such request is received.

12 DE Reg. 347 (09/01/08)