



June 25, 2014

Re: Compliance Expectations for the Sulfur Content of Home Heating Oil

Dear Connecticut Fuel Supplier:

This letter addresses some questions we have received about the sulfur content requirements for home heating oil set forth in Connecticut General Statute (CGS) Section 16a-21a. According to CGS Section 16a-21a(a)(2), beginning July 1, 2014, the sulfur content in #2 heating oil sold, offered for sale, distributed or used in Connecticut shall not exceed 500 parts per million (ppm).

The Connecticut Departments of Energy and Environmental Protection (DEEP) and Consumer Protection (DCP) have been communicating with fuel suppliers to monitor the transition to the 500 ppm sulfur limit. The DEEP and DCP Commissioners have determined that the fuel products that are blended to produce 500 ppm #2 heating oil for home heating usage is not adequate to meet the July 1, 2014 compliance deadline set out in CGS Section 16a-21a. The DEEP and DCP believe some retail fuel sellers and owners of fuel burning equipment are considering taking significant steps, such as pumping and cleaning fuel tanks and refilling tanks with compliant fuels, to ensure compliance with the 500 ppm sulfur content standard by July 1, 2014. The DEEP and DCP recognize the risk of significant environmental and safety hazards associated with these actions and believe such actions are unwarranted, given the restricted supply of compliant fuel at this time. Therefore, the DEEP DCP Commissioners are offering temporary relief from the July 1, 2014 fuel sulfur content limits of CGS section 16a-21a(a)(2).

Acting under the provisions set forth in CGS Section 16a-21a(b), the DEEP Commissioner temporarily suspends the requirements of CGS Section 16a-21a(a)(2) in the following manner:

For retail sellers and end users of home heating oil, compliance with CGS Section 16a-21a(a)(2) will allow for the sale and use of fuel with a sulfur content greater than 500 ppm that is stored prior to July 1, 2014, as follows:

Fuel stored in Connecticut that meets any applicable sulfur content limitation at the time it is stored in Connecticut may be stored, offered for sale, sold, delivered or exchanged in trade for combustion in Connecticut and combusted in Connecticut even if the sulfur content limitation applicable at the time of storage has been changed subsequent to the date of storage.

There is no date restriction on this transitional approach. This approach concerning stored fuel is the approach that DEEP has adopted after consideration in a regulation that regulates distillate fuel burned for purposes other than home heating. The regulation, section 22a-174-19b of the Regulations of Connecticut State Agencies, includes the same fuel sulfur content limits and timing as those of CGS Section 16a-21a. Thus, DEEP and DCP find the approach suitable for the transition in heating oil sulfur content required in CGS Section 16a-21a.

For wholesale sellers of home heating oil, the approach described above concerning sales and use of fuel with a sulfur content greater than 500 ppm will also be applied to stored fuel. However, this

provision is temporary and will apply for the first 120 days following the date of issuance of this letter. After the date 120 days after the date of issuance of this letter, wholesale sellers of #2 heating oil are expected to comply with the 500 ppm sulfur content restriction of CGS section 16a-21a unless a wholesale seller requests an extension of this temporary relief. To be granted an extension, a wholesale seller must present specific information for the DEEP Commissioner's review demonstrating that the availability of 500 ppm #2 oil and the fuel products that are blended to produce 500 ppm #2 oil will continue to be inadequate to comply with the fuel sulfur content limits of CGS section 16a-21a. After receiving such a request, the DEEP Commissioner may extend the period of temporary relief through December 31, 2014.

If you have any questions, please call Robert Girard at 860-424-3461.

Sincerely,



Robert J. Klee
Commissioner
CT DEEP

Sincerely,



William M. Rubenstein
Commissioner
CT DCP