



**AN ACT CONCERNING REDUCING SULFUR DIOXIDE EMISSIONS AT POWER PLANTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) For purposes of this act: (1)  
2 "Affected unit" means any emissions unit subject to the provisions of  
3 the Post-2002 Nitrogen Oxides Budget Program, as described in the  
4 regulations adopted under section 22a-174 of the general statutes.

5 (2) "Average emissions rate" means a determination of the rate of  
6 SO<sub>2</sub> emissions, measured in pounds of SO<sub>2</sub> per MMBtu, in any  
7 calendar quarter from either a single affected unit or from two or more  
8 affected units. Average emissions rate for a single unit is calculated by  
9 dividing the total quarterly SO<sub>2</sub> emissions, in pounds, from such unit  
10 by the total quarterly heat input, in MMBtu, for such unit. Average  
11 emissions rate for two or more units is calculated by dividing the total  
12 quarterly SO<sub>2</sub> emissions, in pounds, from all such units by the total  
13 quarterly heat input, in MMBtu, for all such units.

14 (3) "Calendar quarter" means the period of January first to March  
15 thirty-first, inclusive, April first to June thirtieth, inclusive, July first to  
16 September thirtieth, inclusive, or October first to December thirty-first,  
17 inclusive.

18 (4) "MMBtu" means million BTU of heat input.

19 (5) "Sulfur dioxide" or "SO<sub>2</sub>" means a gas that at standard conditions  
20 has the molecular form SO<sub>2</sub>.

21 (6) "Sulfur Dioxide Discrete Emission Reduction Credit" or "SO<sub>2</sub>  
22 DERC" means the reduction of one ton of sulfur dioxide at a stationary  
23 source during the generation period, which the commissioner has  
24 certified in writing as real, quantifiable, surplus, permanent and  
25 enforceable. Early reduction credits shall qualify as SO<sub>2</sub> DERCS.

26 (7) "Early reduction credit" means a reduction of SO<sub>2</sub> during  
27 calendar years 1999, 2000, 2001 or 2002 below the most stringent SO<sub>2</sub>  
28 emission rate applicable to an affected unit.

29 (8) "Title IV SO<sub>2</sub> allowance" or "SO<sub>2</sub> allowance" means an  
30 authorization allocated to a Title IV source by the Administrator,  
31 pursuant to Title IV of the federal Clean Air Act, 42 USC 7651d et seq.  
32 and 40 CFR 72, 73, to emit up to one ton of SO<sub>2</sub> during or after a  
33 specified calendar year.

34 (9) "Title IV source" means an affected unit that is also subject to  
35 Phase II of the acid rain control requirements set forth in Title IV of the  
36 federal Clean Air Act, 42 USC 7651d et seq.

37 Sec. 2. (NEW) (*Effective from passage*) (a) On and after January 1,  
38 2004, the owner or operator of a Title IV source that is also an affected  
39 unit or units shall:

40 (1) Combust liquid fuel, gaseous fuel or a combination of each  
41 provided that each fuel possesses a fuel sulfur limit of equal to or less  
42 than 0.3 per cent sulfur, by weight (dry basis);

43 (2) Meet an average emission rate of equal to or less than 0.33  
44 pounds SO<sub>2</sub> per MMBtu for each calendar quarter for an affected unit  
45 at the premises; or

46 (3) Meet an average emission rate of equal to or less than 0.3 pounds  
47 SO<sub>2</sub> per MMBtu calculated for each calendar quarter, if such owner or  
48 operator averages the emissions from two or more affected units at the

49 premises.

50 (b) On and after January 1, 2004, no owner or operator of a Title IV  
51 source that is also an affected unit or units may use SO<sub>2</sub> DERCS or SO<sub>2</sub>  
52 allowances to comply with the requirements of subsection (a) of this  
53 section except if the Commissioner of Environmental Protection  
54 requires the owner or operator of an affected unit or units using a low-  
55 sulfur fuel to comply with subdivision (1) of subsection (a) of this  
56 section to offset excess SO<sub>2</sub> emissions that were emitted during a  
57 suspension period, as described in subsection (c) of this section,  
58 through such emission reduction trading.

59 (c) The Commissioner of Environmental Protection may suspend  
60 the requirements of subdivision (1) of subsection (a) of this section for  
61 the owner or operator of any affected unit using a low-sulfur fuel. Such  
62 suspension shall be made only when the commissioner finds that the  
63 availability of fuel that complies with such requirements is inadequate  
64 to meet the needs of residential, commercial and industrial users in  
65 this state and that such inadequate supply constitutes an emergency,  
66 provided such suspension shall not exceed the period that the  
67 inadequate supply constitutes an emergency.

68 (d) The Commissioner of Environmental Protection shall specify in  
69 writing the period of time that the suspension described in subsection  
70 (c) of this section shall be in effect.

71 (e) Notwithstanding the provisions of the general statutes, only the  
72 provisions contained in this section shall supercede those Regulations  
73 of Connecticut State Agencies adopted by the Department of  
74 Environmental Protection, as amended from time to time, in  
75 accordance with Executive Order Number 19, issued on May 17, 2000.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>

**ENV**      *Joint Favorable Subst.-LCO*

**APP**      *Joint Favorable*