



Senate

General Assembly

File No. 313

January Session, 2005

Substitute Senate Bill No. 1151

Senate, April 13, 2005

The Committee on Environment reported through SEN. STILLMAN of the 20th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT REDUCING THE SULFUR CONTENT OF HOME HEATING OIL AND OFF-ROAD DIESEL FUEL.

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

1 Section 1. Section 16a-21a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The amount of [sulphur] sulfur content of the following fuels
4 sold, offered for sale, distributed or used in this state shall not exceed
5 the following percentages by weight: (1) For number two heating oil,
6 three-tenths of one per cent, and (2) for number two off-road diesel
7 fuel, three-tenths of one per cent. As of the date on which the last of
8 the states of New York, Massachusetts and Rhode Island limit the
9 sulfur content of number two home heating oil to five hundred parts
10 per million, or lower, or on and after June 1, 2010, whichever date
11 occurs earlier, the sulfur content of the following fuels sold, offered for
12 sale, distributed or used in this state shall not exceed the following
13 amounts by weight: (A) For number two heating oil, five hundred

14 parts per million, and (B) for number two off-road diesel fuel, five
15 hundred parts per million.

16 (b) The Commissioner of Environmental Protection may suspend
17 the requirements of subsection (a) of this section if [he] the
18 commissioner finds that the physical availability of fuel which
19 complies with such requirements is inadequate to meet the needs of
20 residential, commercial or industrial users in this state and that such
21 inadequate availability constitutes an emergency, provided [he] the
22 commissioner shall specify in writing the period of time such
23 suspension shall be in effect.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16a-21a

ENV *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	Future Years
All	GF - Cost	Potential Indeterminate

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	Future Years
Various Municipalities	Cost	Potential Indeterminate

Explanation

The bill requires the state to reduce the sulfur content of home heating oil and off-road diesel fuel in conjunction with similar reductions by New York, Massachusetts and Rhode Island or by June 1, 2010.

The state and municipal fiscal impact is uncertain because of the cost differential between lower sulfur fuels, which could be influenced by the implementation of federal standards or if other states require such standards. These potential costs are uncertain, but could be significant.

OLR Bill Analysis

sSB 1151

AN ACT REDUCING THE SULFUR CONTENT OF HOME HEATING OIL AND OFF-ROAD DIESEL FUEL**SUMMARY:**

This bill requires the state to reduce the sulfur content of home heating oil and off-road diesel fuel (1) in conjunction with similar reductions by New York, Massachusetts, and Rhode Island or (2) by June 1, 2010, whichever is earlier.

It bars anyone from selling, offering for sale, distributing, or using number two heating oil and number two off-road diesel fuel that contains more than 500 parts per million (ppm) of sulfur. If New York, Massachusetts, and Rhode Island all impose a sulfur limit of 500 ppm or lower on number two home heating oil, the Connecticut limit will take effect when the last of these laws takes effect. But Connecticut must impose such a limit starting June 1, 2010, if one or more of the other states do not set such a limit or set a limit that would take effect after that date.

Currently, no one may use number two heating oil or number two off-road diesel fuel with a sulfur percentage of more than 0.03% by weight (3000 ppm). The bill bars, upon passage, anyone from selling, offering to sell, or distributing such heating oil or diesel fuel.

Current law allows the environmental protection commissioner to suspend the sulfur content requirements if she finds there is not enough fuel available to meet the needs of residential, commercial, or industrial users. The bill specifies that she may suspend these requirements if she finds there is not enough fuel physically available. As under current law, she also must find that such a shortage constitutes an emergency and specify the length of the suspension in writing.

EFFECTIVE DATE: Upon passage

BACKGROUND***Off-Road Diesel Fuel***

Off-road fuel is used by bulldozers, tractors, locomotives, portable generators, forklifts, airport service equipment, and other machinery and vehicles used in construction, agriculture, and industry.

Sulfur Content of Diesel Fuel

U.S. Environmental Protection Agency (EPA) regulations call for reducing the sulfur content of diesel fuel for off-road vehicles to 500 ppm beginning in 2007, and to 15 ppm in 2010. EPA has not set sulfur limits on home heating oil.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 26 Nay 1