

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION

79 ELM STREET HARTFORD, CT 06106-5127

PHONE: 860-424-3001

July 17, 2006



Gina McCarthy
Commissioner

Re: Compliance Expectations for Fuel Purchased for Use in Emergency Engines Operating under R.C.S.A. Section 22a-174-3b and Distributed Generators Operating under R.C.S.A. Section 22a-174-42

Dear Source Owners and Operators:

This letter addresses some questions we have received about the use of ultra-low sulfur diesel (ULSD) fuel in emergency engines and distributed generators. By way of background, the U.S. Environmental Protection Agency (EPA) established requirements for highway diesel fuel to limit the sulfur content to 15 ppm at retail outlets by October 15, 2006. This action will yield significant health and environmental benefits by greatly reducing the quantity of fine particulates that are emitted from the combustion of sulfur present in diesel fuel. For more information, see <http://www.epa.gov/otaq/regs/fuels/diesel/diesel.htm>.

The Connecticut Department of Environmental Protection (Department) further expanded the benefits realized from combusting ULSD when it revised the permitting options available to the owners and operators of emergency engines and distributed generators, as follows:

- Owners and operators of emergency engines operating under §22a-174-3b(e)(2)(D) of the Regulations of Connecticut State Agencies (R.C.S.A.) must purchase and use fuel that meets the 15 ppm federal standard for onroad motor vehicle diesel fuel as of the date required under the federal standards. The precise wording of R.C.S.A. §22a-174-3b(e)(2)(D) states that fuel *consumed* by an emergency engine must have a sulfur content that does not exceed the 15 ppm federal standard for onroad motor vehicle diesel fuel.
- R.C.S.A. §22a-174-42 similarly requires that fuel *combusted* by a distributed generator powered by a diesel internal combustion engine must have a sulfur content that does not exceed the 15 ppm federal standard for onroad motor vehicle diesel fuel.

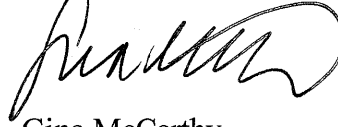
The Department has been communicating with fuel suppliers to monitor the transition to ULSD. The Department has also been considering the actions that the owners and operators of engines and distributors operating under the permit-by-rule requirements of R.C.S.A. §§22a-174-3b and 22a-174-42 may take to assure compliance with fuel sulfur content requirements during the transition period. The Department recognizes the significant risk of spills associated with pumping

and cleaning fuel tanks and refilling the tanks with compliant fuel. We encourage you to plan your fuel use and purchases accordingly.

The Department will interpret compliance with R.C.S.A. §§22a-174-3b(e)(2)(D) and 22a-174-42(g) to require that owners and operators purchase and add to a tank supplying an emergency engine or distributed generator fuel that, after October 15, 2006, is sold at retail as complying with federal onroad motor vehicle diesel fuel standards. Note that this enforcement approach requires owners and operators to maintain fuel purchase records sufficient to demonstrate the purchase of compliant fuel.

If you have any questions, please do not hesitate to get in touch with Bob Girard, Assistant Director, Bureau of Air Management Compliance and Field Operations Division, at 860-424-3702.

Yours truly,

A handwritten signature in black ink, appearing to read "Gina McCarthy", written over a faint, illegible stamp.

Gina McCarthy
Commissioner

GM/rg

4/11/06