

(Adopted December 2, 1977)(Amended October 20, 1978)(Amended February 2, 1979)  
(Amended August 2, 1985)(Amended May 4, 1990)(Amended September 15, 2000)

## **RULE 431.2. SULFUR CONTENT OF LIQUID FUELS**

### (a) Purpose and Applicability

The purpose of this rule is to limit the sulfur content in diesel and other liquid fuels for the purpose of both reducing the formation of sulfur oxides and particulates during combustion and to enable the use of add-on control devices for diesel fueled internal combustion engines. The rule applies to all refiners, importers, and other fuel suppliers such as distributors, marketers and retailers, as well as to users of diesel, low sulfur diesel, and other liquid fuels for stationary source applications in the District. The rule also affects diesel fuel supplied for mobile source applications.

### (b) Definitions

For purposes of this rule, the following definitions shall apply:

- (1) BATCH is a quantity of diesel or other liquid fuel which is produced or blended in an operation prior to offsite distribution and which is homogeneous with regard to sulfur content.
- (2) CATALYST OR PARTICULATE TRAP TECHNOLOGY is a diesel fueled internal combustion engine add-on control device intended to reduce particulate matter or other emissions.
- (3) DIESEL FUEL is a liquid fuel that is commonly known as diesel fuel no. 1-D or 2-D pursuant to the specifications in ASTM D 975, Standard Specifications for Diesel Fuel Oils. Diesel fuel also includes liquid fuels commonly known as CARB diesel, EPA diesel and low sulfur diesel.
- (4) IMPORTER is a person who supplies or brings diesel fuel, low sulfur diesel fuel, and/or other liquid fuels into the District from any location outside the District, except for fuels contained in the dedicated fuel tank of a vehicle.
- (5) LOW SULFUR DIESEL is diesel fuel commercially known, marketed, or supplied as such for use in internal combustion engines and other combustion devices, and as having a sulfur content of 15 ppm by weight or less in compliance with the standards specified for low sulfur diesel fuel by this rule.

- (6) MITIGATION FEE is a fee paid to the District as an alternative compliance option, in which monies collected are placed in a restricted fund and are used to fund stationary and mobile source emission reduction programs targeted at diesel technology related emission reductions from PM10 and / or its precursors to those that would have otherwise occurred and have been approved by the District's Governing Board. *(This definition is no longer relevant to this rule due to the deletion of the mitigation fee option during the Governing Board Hearing).*
  - (7) MOBILE SOURCE is a vehicle by which any person or property may be propelled, moved, or drawn either on or off a roadway, stationary rails or tracks, waterways, or through the atmosphere, and which emits air contaminants.
  - (8) PM10 EQUIVALENT SO<sub>x</sub> EMISSIONS are the SO<sub>x</sub> emissions adjusted for their equivalent PM10 molecular weight based on the conversion of SO<sub>2</sub> to ammonium sulfate [(NH<sub>4</sub>)<sub>2</sub>SO<sub>4</sub>]. *(This definition is no longer relevant to this rule due to the deletion of the mitigation fee option during the Governing Board Hearing).*
  - (9) REFINER is a person who produces and supplies diesel fuel, low sulfur diesel fuel, and/or other liquid fuels from crude oil or other materials. A refiner includes any person who owns or operates a refinery or a product blending facility.
  - (10) STATIONARY SOURCE is any permanently installed or portable individual unit, piece of equipment, article, machine, process, contrivance, or combination thereof, which may emit or control an air contaminant. This includes any permitted or non-permitted unit at any non-RECLAIM facility and any device at a RECLAIM facility.
- (c) Requirements for Refiners and Importers
- (1) A refiner or importer shall not produce or supply any liquid fuel for any stationary source application in the District, unless the sulfur content of the fuel is 500 ppm by weight or less.
  - (2) Prior to January 1, 2005, a refiner or importer who elects to produce or supply low sulfur diesel to be marketed as such shall notify the Executive Officer of such intent in writing. The sulfur content of low sulfur diesel supplied shall not exceed 15 ppm by weight.

- (3) On or after January 1, 2005, a refiner or importer shall not produce or supply any diesel fuel for any stationary or mobile source application in the District, unless the diesel fuel is low sulfur diesel for which the sulfur content shall not exceed 15 ppm by weight.
  - (4) The effective date specified in paragraph (c) (3) shall be extended to match a later compliance date adopted by the California Air Resources Board, no later than June 1, 2006, applicable to refiners and importers in the South Coast District.
  - (5) No later than June 1, 2002, a refiner shall submit to the Executive Officer a compliance status report which describes the following:
    - (A) The facility modifications anticipated to comply with this rule, including hardware acquisition scheduling and permitting lead-times;
    - (B) The production capacity being planned for low sulfur diesel;
    - (C) The anticipated schedule for full production startup.
    - (D) The intent to participate in the mitigation fee option pursuant to subdivision (i). *(This subparagraph is no longer relevant to this rule due to the deletion of the mitigation fee option during the Governing Board Hearing).*
- (d) Requirements for Fuel Suppliers Other Than Refiners and Importers
- (1) A person shall not supply, sell or offer for sale any liquid fuel for any stationary source application in the District, unless the sulfur content of the fuel is 500 ppm by weight or less.
  - (2) A person shall not supply, sell or offer for sale any low sulfur diesel for any stationary or mobile source application in the District, unless the sulfur content of the low sulfur diesel is 15 ppm by weight or less.
- (e) Requirements for Stationary Source End Use Applications
- (1) A person shall not burn or purchase any liquid fuel for any stationary source application in the District, unless the sulfur content of the fuel is 500 ppm by weight or less.
  - (2) On or after June 1, 2004, a person shall not purchase any diesel fuel for stationary source application in the District, unless the fuel is low sulfur diesel for which the sulfur content shall not exceed 15 ppm by weight as supplied by the supplier.

- (3) On or after June 1, 2004, notwithstanding provisions in Rule 2001 subdivision (j), facilities subject to Regulation XX – RECLAIM, shall comply with paragraph (e) (2) of this rule.
- (f) Testing and Recordkeeping Requirements
- (1) To demonstrate compliance with paragraph (c) (2) and (c) (3), a refiner or importer shall test each batch of diesel fuel for sulfur content and shall provide the sulfur content specification upon request to the District, to the subsequent distributor, marketer, retailer, or stationary source consumer. A stationary source consumer may use the fuel sulfur content specification to demonstrate compliance with this rule and other purposes pursuant to periodic monitoring, testing and recordkeeping requirements of Regulation XXX - Title V Permits.
  - (2) The sulfur content specifications and other information specified in this rule shall be maintained by refiners, importers and stationary end users for at least two years or five years for facilities subject to Regulation XXX - Title V Permits, and made available to the District staff upon request.
  - (3) Any person subject to the provisions of this rule shall provide the District staff upon request with documents generated in the normal course of business reflecting the transfer, purchase or sale of diesel fuel, including, but not limited to product certification, product transfer documentation, purchase orders or bills of lading.
- (g) Test Methods
- The sulfur content of non-low sulfur diesel liquid fuels shall be determined by ASTM Method D 4294, D 2622, D 5453, or any other equivalent method approved in writing by the Executive Officer, CARB, and U.S. EPA. The sulfur content of low sulfur diesel, shall be determined by ASTM Method D 5453, or any other equivalent method approved in writing by the Executive Officer, CARB, and U.S. EPA.
- (h) Equivalency for Stationary Source End Use Applications
- (1) Regardless of the provisions of subdivisions (c) through (f) of this rule, a person may burn, purchase, sell, or offer for sale to be burned at a stationary source not including portable equipment in the District, liquid fuel with higher sulfur content provided that the resulting emissions into

the atmosphere are not greater than the potential emissions with a fuel which complies with the provisions of this rule.

- (2) The equivalency provisions of paragraph (h) (1) shall be demonstrated in advance in writing to the satisfaction of the Executive Officer with a plan which describes at a minimum process conditions and/or control equipment that will remove the pollutants from the stack gases.

(i) Exemptions

The provisions of this rule shall not apply to:

- (1) The use of liquid fuels where the gaseous products of combustion are used as raw materials for other processes.
- (2) The use of liquid fuels to propel or test any aircraft, aircraft engine, locomotive, boat or ship.
- (3) Liquid fuels that are sold or offered for sale to be burned exclusively outside of the District.
- (4) The use of liquid fuels at remote pipeline pumping stations where the Executive Officer determines that conditions do not allow the use of alternate fuels, pollution control equipment, or electric equipment, provided that the increased emissions from the operation under this exemption, if any, are compensated by a reduction of at least twice such increased emissions at any other locations within the South Coast Air Basin and in a manner approved by the Executive Officer.