**Section 214.305 Fuel Sulfur Content Limitations**

a) Except as provided in subsections (b), (c), and (d), on and after January 1, 2017, the owner or operator of a process emission source must comply with the following:

1) The sulfur content of all residual fuel oil used by the process emission source must not exceed 1000 ppm;

2) The sulfur content of all distillate fuel oil used by the process emission source must not exceed 15 ppm; and

3) The owner or operator must:

A) Maintain records demonstrating that the fuel oil used by the process emission source complies with the requirements in subsections (a)(1) and (a)(2), such as records from the fuel supplier indicating the sulfur content of the fuel oil;

B) Retain the records for at least 5 years, and provide copies of the records to the Agency within 30 days after receipt of a request by the Agency; and

C) Notify the Agency within 30 days after discovery of deviations from any of the requirements in this subsection (a). At minimum, and in addition to any permitting obligations, such notification must include a description of the deviations, a discussion of the possible cause of the deviations, any corrective actions taken, and any preventative measures taken.

b) The sulfur content limitation for distillate fuel oil in subsection (a)(2) does not apply to distillate fuel oil used by ″TC-F/TC-L/TCL Wing 5″ and ″TC-F/TC-L Alternative″ at Caterpillar Technical Center (located at or near 1311 E. Cedar Hills Dr., Mossville IL) for purposes of research and development or testing of equipment intended for sale outside of Illinois. This exemption is limited to a combined total of 150,000 gallons of distillate fuel oil per calendar year. The sulfur content of the fuel oil must not exceed 500 ppm. The owner or operator of the process emission sources described in this subsection must also comply with the following:

1) Maintain records indicating the amount of distillate fuel oil used by the process emission sources each calendar year for purposes of research and development or testing of equipment for sale outside of Illinois, as well as records demonstrating that the fuel oil complies with the requirements in this subsection (b), such as records from the fuel supplier indicating the sulfur content of the fuel oil;

2) Retain the records for at least 5 years, and provide copies of the records to the Agency within 30 days after receipt of a request by the Agency; and

3) Notify the Agency within 30 days after discovery of deviations from any of the requirements in this subsection (b). At minimum, and in addition to any permitting obligations, the notification must include a description of the deviations, a discussion of the possible cause of the deviations, any corrective actions taken, and any preventative measures taken.

c) The sulfur content limitation for distillate fuel oil in subsection (a)(2) does not apply to existing process emission sources at Caterpillar's Montgomery facility (located at or near 325 South Route 31, Montgomery IL). The owner or operator of these process emission sources must instead comply with the following:

1) On and after January 1, 2016:

A) The sulfur content of all distillate fuel oil purchased for use by the process emission sources must not exceed 15 ppm; and

B) The sulfur content of all distillate fuel oil used by the process emission sources must not exceed 500 ppm;

2) The owner or operator must:

A) Maintain records demonstrating that the distillate fuel oil purchased on and after January 1, 2016, for use by the process emission sources, complies with the requirements in subsection (c)(1)(A), such as records from the fuel supplier indicating the sulfur content of the fuel oil, and maintain records indicating the date of purchase of the fuel oil;

B) Maintain records demonstrating that the distillate fuel oil used on and after January 1, 2016, by the process emission sources, complies with the requirements in subsection (c)(1)(B), such as records from the fuel supplier indicating the sulfur content of the fuel oil;

C) Retain all records required by this subsection (c) for at least 5 years, and provide copies of the records to the Agency within 30 days after receipt of a request by the Agency; and

D) Notify the Agency within 30 days after discovery of deviations from any of the requirements in this subsection (c). At minimum, and in addition to any permitting obligations, the notification must include a description of the deviations, a discussion of the possible cause of the deviations, any corrective actions taken, and any preventative measures taken.

d) The sulfur content limitation for distillate fuel oil in subsection (a)(2) does not apply to existing electric generating units at Midwest Generation's Fisk station (located at or near 1111 W. Cermak Road, Chicago IL) or Waukegan station (located at or near 401 E. Greenwood Avenue, Waukegan IL). The owner or operator of these electric generating units must instead comply with the following:

1) From January 1, 2016 through December 31, 2018, the sulfur content of all distillate fuel oil purchased for use by these electric generating units must not exceed 15 ppm;

2) From January 1, 2017 through December 31, 2018, the sulfur content of all distillate fuel oil used by these electric generating units must not exceed 500 ppm;

3) On and after January 1, 2019, the sulfur content of all distillate fuel oil used by these electric generating units must not exceed 15 ppm;

4) The owner or operator must:

A) Maintain records demonstrating that the distillate fuel oil purchased from January 1, 2016 through December 31, 2018, for use by the electric generating units, complies with the requirements in subsection (d)(1), such as records from the fuel supplier indicating the sulfur content of the fuel oil, and maintain records indicating the date of purchase of the fuel oil;

B) Maintain records demonstrating that the distillate fuel oil used from January 1, 2017 through December 31, 2018, by the electric generating units, complies with the requirements in subsection (d)(2), such as records from the fuel supplier indicating the sulfur content of the fuel oil;

C) On and after January 1, 2019, maintain records demonstrating that the distillate fuel oil used by the electric generating units complies with the requirements in subsection (d)(3), such as records from the fuel supplier indicating the sulfur content of the fuel oil;

D) Retain all records required by this subsection (d) for at least 5 years, and provide copies of the records to the Agency within 30 days after receipt of a request by the Agency; and

E) Notify the Agency within 30 days after discovery of deviations from any of the requirements in this subsection (d). At minimum, and in addition to any permitting obligations, the notification must include a description of the deviations, a discussion of the possible cause of the deviations, any corrective actions taken, and any preventative measures taken.

(Source: Added at 39 Ill. Reg. 16174, effective December 7, 2015)