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GOVERNOR

STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM  
COMMISSIONER

October 31, 2022

RE: Guidance Regarding Maximum Allowable Sulfur Content Requirements for Kerosene

Dear Kerosene Fuel Importers, Storage and Distribution Facilities:

The Maine Department of Environmental Protection (Department) is providing this guidance to clarify the maximum allowable sulfur content for kerosene fuels that are imported, distributed, or offered for sale in the state of Maine.

Beginning July 1, 2018, the importation, distribution, and sale of distillate fuels exceeding 0.0015 percent by weight (15 ppm) was prohibited pursuant to Maine statute at 38 M.R.S. § 603-A(2)(A)(3) and the Department's rule *Low Sulfur Fuel*, 06-096 C.M.R. ch. 106. Pursuant to 06-096 C.M.R. ch. 106 § 2(B), distillate fuels are defined as follows:

- B. Distillate fuels.** "Distillate fuels" means any fuel meeting the requirements of the following grades of fuel oil as prescribed in ASTM D396: No. 1 Low Sulfur; No. 1; No. 2 Low Sulfur; and No. 2.

Although kerosene may be considered a subcategory of No. 1 distillate fuel by some distributors and end-users, it is manufactured to meet ASTM D3699 (rather than ASTM D396) **and is thereby not subject to Maine's 15 ppm maximum allowable sulfur content requirements of 06-096 C.M.R. ch. 106.**

Please note that kerosene with a maximum of 15 ppm sulfur (also known as ultra-low sulfur kerosene), may be required for some Maine sources with air emission licenses and/or general permits. This guidance does not change those requirements. In addition, any kerosene blended with on-road diesel fuel for use as a motor vehicle diesel fuel must also meet the 15 ppm maximum allowable sulfur content requirements pursuant to federal regulations at 40 C.F.R. § 80.525 (see: <https://www.govinfo.gov/content/pkg/CFR-2014-title40-vol17/pdf/CFR-2014-title40-vol17-sec80-525.pdf>).

If you should have any questions, please feel free to contact Lynne Cayting, at (207) 287-7599.

Sincerely,



Jeffrey S. Crawford, Director  
Bureau of Air Quality

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