

SECTION 10.56.200: Sale, Use or Consumption Of Solid And Liquid Fuels

- A.
 - 1. It is unlawful for any person to sell to burn, in any fuel-burning equipment, any solid or liquid fuel containing in excess of two percent sulfur by weight. If such fuel is not reasonably available, an application for exemption may be made to the Board, and the Board, after considering the factors set forth in this Subsection, shall allow exemption from this provision when the applicant demonstrates that their activities do not result in the condition of air pollution defined in Section 10.56.010.
 - 2. In determining reasonable availability, the factors to be considered by the Board shall include, among others: price, firmness of supply, extent of existing pollution and assurance of supply under adverse weather and natural disaster conditions.
 - 3. The Board, at its discretion, may review such exemptions from time to time and revise same when it finds such changes in circumstances which require additional action on the part of a fuel user to protect the air.
- B.
 - 1. Subsection A of this Section shall not apply to any case in which by the use of a combination of gas, liquid or solid fuel it is demonstrated to the Director that sulfur oxide emissions, caused by the combustion of any solid or liquid fuel, or any fuel-burning equipment or from any stack connected thereto, does not exceed the sulfur oxide emissions of burning two percent sulfur fuel.
 - 2. Any person seeking to come within this Subsection B of this Section shall install and operate a continuous monitoring device, approved by the Director, to monitor sulfur dioxide emissions, on the stack of any installation where the combination of fuels is being used to control sulfur oxide emissions. The sulfur dioxide emission record, along with the record of fuel consumption and a fuel analysis, shall be submitted to the Director each month.
- C.
 - 1. Subsection A of this Section shall not apply in any case in which, by the use of a cleaning process, it is demonstrated to the Director that sulfur oxide emissions, caused by the combustion of any solid or liquid fuel, of any fuel-burning equipment or from any stack connected thereto, does not exceed the sulfur oxide emissions of burning two percent sulfur fuel.
 - 2. Any person seeking to come within this Subsection C of this Section shall conduct, at the expense of the company or industries, a series of detailed stack analyses, the method of sampling must be approved by the Director, within thirty days of the installation of this cleaning process, and the performance data must be submitted to the Director for evaluation. The owner or operator shall install and operate a continuous monitoring device, approved by the Director, to monitor Sulfur dioxide emissions. This sulfur dioxide emission record shall be submitted to the Director each month. Tests to determine compliance with this Section shall be performed as provided in Section 10.56.300.