

*Rule 4. Regulation of the Importation, Sales, Transportation,
Use or Consumption of Certain Fuels.*

Rule 4.1. It shall be unlawful for any persons to import, sell, offer for sale, expose for sale, exchange, deliver or transport for use and consumption in the county, or to use or consume in the County, any fuel containing in excess of four (4) percent sulfur content by weight for fuel burning equipment regulated under Rule 8 and Table 1. Fuels with sulfur contents greater than allowed in this rule may be burned, used, and consumed, and may be delivered by any person to any user, provided said user utilizes methods or processes or a combination of methods or processes approved in writing by the director which will limit the emission of sulfur dioxide from the source to a quantity or rate not greater than that which would result from the use of a low sulfur fuel as specified in the first part of this rule. Any person who desires to sell, offer for sale, expose for sale, exchange, deliver, or transport as hereinabove set forth upon the basis that the user utilizes methods or processes approved in writing by the director as hereinabove set forth must have in his possession at the time of sale, offer for sale, exposure for sale, exchange, delivery or transport an exact reproduced copy of the approval by the director as hereinabove provided for, which approval must at that time be valid, effective and unrevoked. Sale, offer for sale, exposure for sale, exchange, delivery or transport for use and consumption in the absence of such copy of such valid, effective and unrevoked written approval shall be prima facie a violation of this rule and the burden shall be upon the person charged to establish that written and effective approval had been extended by the director as herein above provided.

Rule 4.2. To determine compliance with Rule 4.1 above, the board is authorized under this regulation to make, or obtain, tests of fuel it deems necessary to determine compliance.

- (1) An adequate supply of the fuel, ready for use, must be made available to the director to conduct whatever tests in accordance with A.S.M.E., P.T.C. 3.2-1954 he deems necessary.
- (2) Any person whose fuel is submitted to such tests must pay all expenses necessary to conduct the tests when found to be in violation.
- (3) Tests certified by a competent person approved by the director may be accepted by the director as the tests required by this rule.

Rule 4.3. The provisions of Rule 4 of this regulation shall become effective on and after the 14th day of October, 1970.

Rule 4.4. The director or his representative may examine the weigh bills for all fuels delivered to and by all fossil fuel dealers by any means of transportation.

THIS IS THE FEDERALLY APPROVED REGULATION AS OF MAY 8, 1990

	DATE SUBMITTED to EPA	DATE APPROVED by EPA	FEDERAL REGISTER
Original Reg	JUL 20, 1989	MAY 8, 1990	55 FR 19066