



## States' Biofuels Statutes

### STATE OF VERMONT

*This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [States' Biofuels Statutory Citations](#).*

*Current through the 2014 Legislative Session of the Vermont State Legislature.*

#### **§ 585. Heating oil content; sulfur; biodiesel**

(a) Definitions.

(1) “Heating oil” means No. 2 distillate that meets the specifications or quality certification standard for use in residential, commercial, or industrial heating applications established by the American Society for Testing and Materials (ASTM).

(2) “Biodiesel” means monoalkyl esters derived from plant or animal matter which meet the registration requirements for fuels and fuel additives established by the Environmental Protection Agency under section 211 of the Clean Air Act (42 U.S.C. § 7545), and the requirements of ASTM D6751-10.

(b) Sulfur content. Unless a requirement of this subsection is waived pursuant to subsection (e) of this section:

(1) On or before July 1, 2014, all heating oil sold within the State for residential, commercial, or industrial uses, including space and water heating, shall have a sulfur content of 500 parts per million or less.

(2) On or before July 1, 2018, all heating oil sold within the State for residential, commercial, or industrial uses, including space and water heating, shall have a sulfur content of 15 parts per million or less.

<Text of subsec. (c) effective upon conditions specified in [2011, No. 47](#), § 21(d)(1).>

(c) Biodiesel content. Unless a requirement of this subsection is waived pursuant to subsection (e) of this section, all heating oil sold within the state for residential, commercial, or industrial uses, including space and water heating, by volume shall:

(1) On or before July 1, 2012, contain at least three percent biodiesel.

(2) On or before July 1, 2015, contain at least five percent biodiesel.

(3) On or before July 1, 2016, contain at least seven percent biodiesel.

(d) Blending; certification. In the case of biodiesel and heating oil that has been blended by a dealer or seller of heating oil, the Secretary may allow the dealer or seller to demonstrate compliance with this section by providing documentation that the content of the blended fuel in each delivery load meets the requirements of this section.

(e) Temporary suspension. The Governor, by executive order, may temporarily suspend the implementation and enforcement of subsection (b) or (c) of this section if the Governor determines, after consulting with the Secretary and the Commissioner of Public Service, that meeting the requirements is not feasible due to an inadequate supply of the required fuel.

(f) Rules. The Secretary may adopt rules to implement this section. This section does not limit any authority of the Secretary to control the sulfur or biodiesel content of distillate or residual oils that do not constitute heating oil as defined in this section.

**Credits** [2011, No. 47](#), § 19, eff. July 1, 2011, and contingent effective.