**340-228-0120**

**Coal**

(1) Except as provided in section (2) of this rule, no person shall sell, distribute, use, or make available for use, any coal containing greater than 1.0 percent sulfur by weight.

(2) Except as provided for in sections (4) and (5) of this rule, no person shall sell, distribute, use or make available for use any coal or coal containing fuel with greater than 0.3 percent sulfur and five percent volatile matter as defined in **ASTM Method D3175** for direct space heating within the Portland, Salem, Eugene-Springfield, and Medford-Ashland Air Quality Maintenance Areas. For coals subjected to a devolatilization process, compliance with the sulfur limit may be demonstrated on the sulfur content of coal prior to the devolatilization process.

(3) Distributors of coal or coal containing fuel destined for direct residential space heating use shall keep records for a five year period which shall be available for DEQ inspection and which:

(a) Specify quantities of coal or coal containing fuels sold;

(b) Contain name and address of customers who are sold coal or coal containing fuels;

(c) Specify the sulfur and volatile content of coal or the coal containing fuel sold to residences in the Portland, Salem, Eugene-Springfield, and Medford-Ashland Air Quality Maintenance Areas.

(4) Users of coal for direct residential space heating in 1980 who apply in writing by July 1, 1983 and receive written approval from DEQ shall be exempted from the requirement of section (2) of this rule provided they certify that they used more than one-half ton of coal in 1980.

(5) Distributors may sell coal not meeting specification in section (2) of this rule to those users who have applied for and received the exemption provided for in section (4) of this rule.