

MEMORANDUM

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

THROUGH: Bo Wood, Rules Coordinator

FROM: Chad Gilgen, Environmental Scientist

DATE: May 04, 2022

SUBJECT: PROPOSE FOR PUBLIC COMMENT: Amend R307-401-14. Used Oil Fuel Burned for Energy Recovery

Subsection 14 of Rule R307-401 establishes conditions under which a facility may burn used oil for heat. The current rule exempts a facility from needing an approval order if their boiler unit is designed to produce less than 1 million BTUs per hour. The current EPA standard for these units is “not more than 0.5 million BTUs per hour”ⁱ and this change will bring our state requirements into alignment with the current EPA standard. All currently available oil burning boilers conform to the EPA standard, therefore the probability of a fiscal impact from this change on facilities that dispose of their oil in this way is low.

The current rule also contains specific contamination levels and testing requirements that are duplicative of rules enforced by Waste Management and Radiation Control (WMRC). The proposed change replaces this language with the requirement that burners comply with Rule 315-15: Standards for the Management of Used Oil as enforced by WMRC.

Staff Recommendation: Staff recommends the Board propose for public comment R307-401-14: Used Oil Fuel Burned for Energy Recovery, as amended.

ⁱ<https://www.ecfr.gov/current/title-40/chapter-I/subchapter-I/part-279#279.23>