

**3745-266-108 Small quantity on-site burner exemption.**

- (A) Exempt quantities. Owners and operators of facilities that burn hazardous waste in an on-site boiler or industrial furnace are exempt from ~~the requirements of rules 3745-266-100 to 3745-266-112 of the Administrative Code~~ provided that all of the following:
- (1) The quantity of hazardous waste burned in a device for a calendar month does not exceed the limits ~~provided in Table 1 of the table in this rule~~ based on the terrain-adjusted effective stack height as ~~defined~~ determined in paragraph (B)(3) of rule 3745-266-106 of the Administrative Code:

Terrain-adjusted effective stack height of device (meters)	Allowable hazardous waste burning rate (gallons/monthgallons per month)
0 to 3.9	0
4.0 to 5.9	13
6.0 to 7.9	18
8.0 to 9.9	27
10.0 to 11.9	40
12.0 to 13.9	48
14.0 to 15.9	59
16.0 to 17.9	69
18.0 to 19.9	76
20.0 to 21.9	84
22.0 to 23.9	93
24.0 to 25.9	100
26.0 to 27.9	110
28.0 to 29.9	130
30.0 to 34.9	140
35.0 to 39.9	170
40.0 to 44.9	210
45.0 to 49.9	260
50.0 to 54.9	330
55.0 to 59.9	400
60.0 to 64.9	490
65.0 to 69.9	610
70.0 to 74.9	680

Terrain-adjusted effective stack height of device (meters)	Allowable hazardous waste burning rate (gallons/month/gallons per month)
75.0 to 79.9	760
80.0 to 84.9	850
85.0 to 89.9	960
90.0 to 94.9	1,100
95.0 to 99.9	1,200
100.0 to 104.9	1,300
105.0 to 109.9	1,500
110.0 to 114.9	1,700
115.0 or greater	1,900

- (2) The maximum hazardous waste firing rate does not exceed at any time one per cent of the total fuel requirements for the device (hazardous waste plus other fuel) on a total heat input or mass input basis, whichever results in the lower mass feed rate of hazardous waste.
- (3) The hazardous waste has a minimum heating value of five thousand British thermal units (Btu) per pound, as generated; ~~and~~.
- (4) The hazardous waste fuel does not contain (and is not derived from) EPA hazardous waste numbers F020, F021, F022, F023, F026, or F027.
- (B) Mixing with nonhazardous fuels. If hazardous waste fuel is mixed with a nonhazardous fuel, the quantity of hazardous waste before such mixing is used to comply with paragraph (A) of this rule.
- (C) Multiple stacks. If an owner or operator burns hazardous waste in more than one on-site boiler or industrial furnace exempt under this rule, the quantity limits provided by paragraph (A)(1) of this rule are implemented according to the following equation:

$$\sum_{i=1}^n \frac{\text{Actual Quantity Burned (i)}}{\text{Allowable Quantity Burned (i)}} \leq 1.0$$

where:

n = the number of stacks;

Actual Quantity Burned = the waste quantity burned per month in device "i";

Allowable Quantity Burned = the maximum allowable exempt quantity for stack "i" from ~~Table 4~~ the table in this rule.

[~~Note~~Comment: Hazardous wastes that are subject to the special requirements for small quantity generators under rule 3745-51-05 of the Administrative Code may be burned in an off-site device under the exemption provided by this rule, but ~~must~~shall be included in the quantity determination for the exemption.]

- (D) Notification requirements. The owner or operator of facilities qualifying for the small quantity burner exemption under this rule ~~must~~shall provide a one-time signed, written notice to Ohio EPA ~~indicating~~that indicates all of the following:
- (1) The combustion unit is operating as a small quantity burner of hazardous waste;
  - (2) The owner and operator are in compliance with ~~the requirements of this rule; and,~~
  - (3) The maximum quantity of hazardous waste that the facility may burn per month as provided by paragraph (A)(1) of this rule.
- (E) Recordkeeping requirements. The owner or operator ~~must~~shall maintain at the facility for at least three years sufficient records documenting compliance with the hazardous waste quantity, firing rate, and heating value limits of this rule. At a minimum, these records ~~must~~shall indicate the quantity of hazardous waste and other fuel burned in each unit per calendar month, and the heating value of the hazardous waste.

Effective: 10/31/2015

Five Year Review (FYR) Dates: Exempt

CERTIFIED ELECTRONICALLY

---

Certification

10/07/2015

---

Date

Promulgated Under: 119.03  
Statutory Authority: 3734.12  
Rule Amplifies: 3734.12  
Prior Effective Dates: 12/07/2004