

26.11.09.10

## **.10 Requirements to Burn Used Oil and Waste Combustible Fluid as Fuel.**

### A. General Requirements.

(1) A person who proposes to burn used oil in fuel-burning equipment shall submit the following information to the Department:

(a) A description of any fuel-burning equipment in which used oil is to be burned, including the unit's location and rated heat input capacity;

(b) The type and amount of fuel currently being used in any fuel-burning equipment in which used oil is to be burned and the gallons of used oil expected to be burned annually;

(c) The maximum blend (percent) of used oil to be burned as fuel in any fuel-burning equipment at any time; and

(d) An analysis by an independent laboratory of a representative sample of the used oil, which shall include the concentration of each of the materials listed in §B of this regulation, the sulfur content, the PCB concentration, and the flash point.

(2) A person who burns fuel oil in fuel-burning equipment with a rated heat input capacity less than 50 million Btu per hour in accordance with a permit to construct or a registration pursuant to COMAR 26.11.02.02A may burn on-specification used oil in that equipment after submitting the information in §A(1) of this regulation.

(3) A person who is burning used oil or WCF under a current written approval from the Department may continue to burn the approved material if:

(a) The person demonstrates that any WCF being burned satisfies the definition of that term in Regulation .01B of this chapter;

(b) The used oil or WCF is being burned in an authorized installation;

(c) The conditions of the approval are continuously met; and

(d) The sulfur requirement in §B(1)(g) of this regulation is not exceeded.

(4) A person shall obtain written approval from the Department before burning:

(a) On-specification used oil in any fuel-burning equipment that has not been registered or previously issued a permit to construct pursuant to COMAR 26.11.02.02 to burn fuel oil;

(b) On-specification used oil in any fuel-burning equipment that has a rated heat input capacity of 50 million Btu per hour or greater;

(c) On-specification used oil in any installation other than fuel-burning equipment; or

(d) Waste combustible fluid or off-specification used oil as fuel in any installation.

(5) A person who obtains written approval from the Department to burn used oil or WCF shall burn only those materials for which approval has been obtained.

(6) Except as provided in §A(7) of this regulation and notwithstanding any applicable conditions in permits issued by the Department, a person may burn off-specification used oil only in those installations listed at 40 CFR §279.12(c).

(7) The requirement to burn off-specification used oil only in those installations listed at 40 CFR §279.12(c) does not apply if the used oil is off-specification only because of the sulfur content.

### B. Specifications for Used Oil.

(1) Except as provided in §B(2) of this regulation, used oil specifications are as follows:

Material	Allowable Level
(a) Lead	100 ppm
(b) Total halogens	1,000 ppm
(c) Arsenic	5 ppm
(d) Cadmium	2 ppm
(e) Chromium	10 ppm
(f) Flash point	100°F minimum
(g) Sulphur content	0.5 weight percent

(2) For used oil that satisfies the rebuttable presumption for halogens at 40 CFR §279.10(b)(1)(ii) and 40 CFR §279.63, the maximum allowable level for halogens is 4,000 ppm.

C. Additional Requirements for Burning Used Oil or WCF Containing Polychlorinated Biphenyls (PCBs).

(1) Used oil or WCF containing quantifiable levels of PCB (i.e. 2 ppm or greater, but less than 50 ppm) may be burned only in those installations listed at 40 CFR §279.12(c) or 40 CFR §761.

(2) Used oil or WCF with a PCB concentration of 50 ppm or greater is hazardous waste and may only be burned in accordance with the requirements in COMAR 26.13.07 and 40 CFR §761.

D. Reporting Requirements. By April 1 of each year, a person subject to this regulation shall submit a report, in accordance with COMAR 26.11.01.05C, that provides information on:

- (1) The quantity of used oil or WCF burned during the previous year; and
- (2) The equipment in which the used oil or WCF was burned.