

1 **SENATE FLOOR VERSION**

2 February 14, 2013

3 SENATE BILL NO. 33

By: Justice and Ivester of the
Senate

4 and

5 Armes of the House
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8
9 An Act relating to hazardous waste fuel recycling;
10 amending 27A O.S. 2011, Section 2-7-118, which
relates to regulation of hazardous waste recycling;
11 modifying certain exemptions for facilities subject
to the Oklahoma Hazardous Waste Management Act;
12 modifying certain prohibitions on burning certain
hazardous waste as fuel to conform with certain air
13 quality requirements; and providing an effective
date.

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16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. AMENDATORY 27A O.S. 2011, Section 2-7-118, is
18 amended to read as follows:

19 Section 2-7-118. ~~A.~~ Facilities that recycle hazardous waste
20 shall be exempt from subsection C of ~~Sections 2-7-113 and~~ Section 2-
21 7-113.1, and Section 2-7-115 of this title with regard to those
22 units exclusively used in the recycling process. Off-site hazardous
23 waste recycling facilities are subject to the requirements specified
24 by the Oklahoma Hazardous Waste Management Act, the Oklahoma

1 Environmental Permitting Act, and rules promulgated thereunder, for
2 a permit, and shall also meet design standards as promulgated by the
3 Board. Such recycling facilities which were in existence on July 1,
4 1990, may but shall not be required to file a permit application
5 pursuant to the provisions of the Oklahoma Hazardous Waste
6 Management Act. A permit modification is not required for a
7 permitted recycling facility to use new, improved, or better methods
8 of recycling if the Department has approved the plans as being
9 environmentally acceptable. An approved class 1 permit modification
10 shall be required for a permitted recycling facility to increase the
11 capacity of its recycling units or add new or different recycling
12 units.

13 ~~B. No hazardous waste having a heating value less than five~~
14 ~~thousand (5,000) British Thermal Units per pound shall be burned as~~
15 ~~fuel in any unit in this state permitted as a hazardous waste~~
16 ~~recycling unit.~~

17 ~~C. No owner or operator of any unit in this state permitted as~~
18 ~~a hazardous waste recycling unit shall burn as fuel in such unit any~~
19 ~~substance which the owner or operator knows, or should know,~~
20 ~~contains hazardous waste which has a heating value of less than five~~
21 ~~thousand (5,000) British Thermal Units per pound which has been~~
22 ~~blended with other materials or wastes and produces a hazardous~~
23 ~~waste fuel with a heating value equal to or exceeding five thousand~~
24 ~~(5,000) British Thermal Units per pound.~~

1 SECTION 2. This act shall become effective November 1, 2013.

2 COMMITTEE REPORT BY: COMMITTEE ON ENERGY
3 February 14, 2013 - DO PASS
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