

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 SENATE BILL 33

By: Justice

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5  
6 AS INTRODUCED

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

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~~7~~ 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  
Environmental Permitting Act, and rules promulgated thereunder, for  
a permit, and shall also meet design standards as promulgated by the  
Board. Such recycling facilities which were in existence on July 1,

1 1990, may but shall not be required to file a permit application  
2 pursuant to the provisions of the Oklahoma Hazardous Waste  
3 Management Act. A permit modification is not required for a  
4 permitted recycling facility to use new, improved, or better methods  
5 of recycling if the Department has approved the plans as being  
6 environmentally acceptable. An approved class 1 permit modification  
7 shall be required for a permitted recycling facility to increase the  
8 capacity of its recycling units or add new or different recycling  
9 units.

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

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

22 SECTION 2. This act shall become effective November 1, 2013.  
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24 54-1-574 MJM 12/20/2012 11:35:42 AM