



New
Jersey
Department of
Environmental
Protection

ENFORCEMENT ADVISORY

Compliance Alert

Making You Aware of Anticipated Enforcement Activities

Compliance and Enforcement

Issued: September 2003

#2003-10

DEP to Step Up Enforcement of Waste Oil Heater Regulations

Who is affected by this initiative?

All facilities that currently have, or are interested in obtaining, a waste oil heater.

A waste oil heater is defined as combustion equipment that burns any fuel oil that has been contaminated by physical or chemical impurities (either through the use of the oil or through the storage or handling of such oil) for the purpose of warming of a non-residential area or for other energy recovery.

Any person operating a waste oil heater(s) with a combined gross heat input that does not exceed 500,000 BTUs per hour is required to register the equipment with the New Jersey Department of Environmental Protection (DEP). Any person operating a waste oil heater(s) with a combined gross heat input in excess of 500,000 BTUs per hour is required to obtain a preconstruction permit for the equipment from the DEP.

Facilities that employ these heaters typically include, but are not limited to, auto dealerships, automobile repair garages, automobile oil & lubrication service centers, and used oil recycling centers.

Why is DEP stepping up enforcement at facilities with waste oil heaters?

As a result of routine compliance inspections at different types of facilities, the DEP and individual county health departments have identified the lack of oversight of waste fuel oil burning at facilities as a growing problem. With the number of facilities owning and/or operating this equipment increasing, the issue of non-compliance with the applicable air pollution control laws has also grown.

The burning of waste oil produces a greater variety and concentration of pollutants than those produced from commercial fuels. These pollutants, which impact air quality, include carbon monoxide, carbon dioxide, nitrogen oxides, hydrocarbons and particulate matter pollutants. Through registration and permitting of this equipment the DEP obtains proper oversight to reduce pollutants and their associated risks.

ENFORCEMENT ADVISORY

What is DEP doing?

DEP will strictly enforce laws to ensure that proper registrations or permits are acquired and facilities properly operate the heaters in accordance with all applicable conditions. Failure to comply will result in violations of N.J.A.C. 7:27-8.1 et seq. and potential civil administrative penalty assessment pursuant to N.J.A.C. 7:27A-3.5.

What should I do?

The following is a general list to help ensure that your facility is in compliance (this is by no means a complete list of requirements with which you need to comply).

- Obtain the proper registration or permit prior to construction and operation.
- Only burn “on specification used oil” as defined by N.J.A.C. 7:27-20.
- Ensure that the manufacturer of the waste oil heater provided the owner/operator with documentation that the waste oil heater has been listed and tested by a nationally recognized laboratory.
- The owner/operator must adjust the combustion process of the waste oil heater within 24 hours after startup and annually thereafter.

Who should I contact with questions?

DEP Air Compliance and Enforcement:

- Central Regional Office **(609) 584-4100**
(for the counties of Mercer, Middlesex, Monmouth, Ocean, and Union)
- Metro Regional Office **(973) 669-3935**
(for the counties of Bergen, Essex, and Hudson)
- Northern Regional Office **(973) 299-7700**
(for the counties Hunterdon, Morris, Passaic, Somerset, Sussex, and Warren)
- Southern Regional Office **(856) 614-3601**
(for the counties of Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Salem)

Where can I get more information?

The following web sites can be accessed for additional information:

<http://www.state.nj.us/aqpp>

Please note this advisory is intended to be a summary explanation of a department initiative. It does not include all potentially applicable requirements. If you have any questions related to compliance with this initiative, please contact the Enforcement number listed above.