



## **DEP to Step up Enforcement of Used Oil Heater Regulations**

### **Who is affected by this advisory?**

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

A used 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). A used oil heater is operated for the purpose of warming of a non-residential area or for other energy recovery.

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

### **Why is DEP issuing this advisory?**

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

The burning of used 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. Through registration and permitting of this equipment, the DEP obtains the information necessary to provide proper oversight of these facilities resulting in a reduction of pollutants and their associated risks.

### **What is DEP doing?**

DEP and county health departments will step up enforcement to ensure that required registrations or permits are acquired and facilities properly operate the heaters in accordance with all applicable regulations. Failure to comply with N.J.A.C 7:27-8 et. seq. and/or N.J.A.C. 7:27-20 et. seq. will result in violations with potential civil administrative penalty assessments, pursuant to N.J.A.C. 7:27A-3.5.

# COMPLIANCE ADVISORY

## What should I do?

Any person operating a used 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 DEP. Any person operating a used oil heater(s) with an individual or 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.

In addition, any person operating a used oil heater(s) is also required to obtain a preconstruction permit for the equipment from the DEP, if the used oil is not from vehicles that are powered by an internal combustion engine, consisting of any combination of the following substances: used crankcase oil, used brake fluid, used transmission fluid, or used power steering fluid.

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, installation and operation.
- Only burn "on specification used oil" as defined by N.J.A.C. 7:27-20.
- Ensure that the manufacturer of the used oil heater provides the owner/operator with documentation that the used oil heater has been listed and tested by a nationally recognized laboratory.
- The owner/operator must adjust the combustion process of the used oil heater within 24 hours after startup and annually thereafter.

## Who should I contact with questions?

<b>NJDEP Air Compliance and Enforcement Regional Offices</b>	
<b>Air Compliance and Enforcement - Northern Field Office</b> (Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex, Warren, and Union Counties)	<b>973-656-4444</b>
<b>Air Compliance and Enforcement – Central Field Office</b> (Burlington, Mercer, Middlesex, Monmouth, and Ocean Counties)	<b>609-292-3187</b>
<b>Air Compliance and Enforcement – Southern Field Office</b> (Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem Counties)	<b>856-614-3601</b>

## Where can I get more information?

The following web sites can be accessed for additional information regarding this advisory:

- Division of Air Quality Permitting Program website (for information about Air Quality Permits):  
<http://www.state.nj.us/dep/agpp/>
- Specific rule containing the used oil combusting requirements:  
<http://www.state.nj.us/dep/agm/Sub20.pdf>

To comment on this advisory:

<http://www.nj.gov/dep/enforcement/survey.html>

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 numbers listed above.