

An Act

ENROLLED SENATE
BILL NO. 33

By: Justice and Ivester of the
Senate

and

Armes of the House

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

SUBJECT: Hazardous waste management

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

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

Section 2-7-118. ~~A.~~ Facilities that recycle hazardous waste shall be exempt from subsection C of ~~Sections 2-7-113 and~~ Section 2-7-113.17 and Section 2-7-115 of this title with regard to those units exclusively used in the recycling process. Off-site hazardous waste recycling facilities are subject to the requirements specified by the Oklahoma Hazardous Waste Management Act, the Oklahoma Uniform 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,

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

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

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

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

Passed the Senate the 27th day of February, 2013.

Eddie Fielder
Presiding Officer of the Senate

Passed the House of Representatives the 2nd day of April, 2013.

Mike Jacobs
Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 3rd

day of April, 20 13, at 4:16 o'clock P M.

By: Audrey Redwell

Approved by the Governor of the State of Oklahoma this 8th

day of April, 20 13, at 1:13 o'clock P M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 8th

day of April, 20 13, at 2:15 o'clock P M.

By: Alvin P. Patterson