

10 CSR 10-3.040 Incinerators

(1) Application.

(A) This regulation shall apply throughout the state of Missouri except in the City of St. Louis, and St. Charles, St. Louis, Jefferson, Franklin, Clay, Cass, Buchanan, Ray, Jackson, Platte, and Greene counties.

(2) Definitions of terms specified in this rule may be found in 10 CSR 10-6.020.

(3) General provisions

(A) This regulation shall apply to any incinerator used to dispose of refuse by burning or to process salvageable material by burning.

(B) The burning capacity of an incinerator shall be the manufacturer's or designer's guaranteed maximum rate or such other rate as may be determined by the Executive Secretary in accordance with good engineering practice.

(C) All new incinerators shall be multiple chamber incinerators, provided that the Executive Secretary may approve any other kind of incinerator if he finds in advance of construction or installation that such other kind of incinerator will comply with the requirements of section (4).

(D) Each new incinerator shall have affixed to it a plate inscribed with a set of instructions which clearly sets forth in proper sequence the steps necessary to effect the satisfactory operation of the incinerator and the manufacturer's or designer's recommended burning rate in pounds of refuse per hour and the heat input of the burners in BTU's per hour. The plate shall be conspicuously located so as to be readily visible to the incinerator operator.

(E) Within thirty (30) days after the date on which construction of an incinerator is completed, the operator shall file a request with the Executive Secretary to schedule the performance tests provided in section (5) of this regulation. If the results of the performance test indicate that the incinerator is not operating in compliance with section (4) of this regulation, no person may cause or permit further operation of the incinerator, except for additional tests as outlined in section (5) of this regulation, until approval is received from the Executive Secretary.

(4) Restriction of emissions from incinerators.

(A) No person may cause or permit the emission of particulate matter from the chimney, stack or vent of any new incinerator in excess of the following:

1. Incinerators with a refuse burning capacity of two hundred (200) or more pounds per hour: 0.2 grains of particulate matter per standard dry cubic foot of exhaust gas, corrected to twelve percent (12%) carbon dioxide;
2. All other new incinerators: 0.3 grains of particulate matter per standard dry cubic foot of exhaust gas, corrected to twelve percent (12%) carbon dioxide.

(B) No person may cause or permit the emission from any incinerator any air contaminant of a shade or density equal to or darker than that designated by the Ringelmann Chart specified herein, or of such opacity as to obscure an observer's view to a degree equal to or greater than an emission designated by that number on the Ringelmann Chart as specified herein:

1. New incinerators: Ringelmann Chart Number 1;
2. New tepee burners: Ringelmann Chart Number 2 until Jan. 1, 1973 and Ringelmann Chart No. 1 thereafter;
3. All other incinerators: Ringelmann Chart Number 2, provided that for purposes of starting a fire or for charging any existing incinerator, except for tepee burners, a person may discharge for a period or periods aggregating not more than six (6) minutes in any sixty (60) consecutive minutes, air contaminants of a shade or density darker than No. 2 on the Ringelmann Chart, or of such opacity as to obscure an observer's view greater than an emission designated as No. 2 on the Ringelmann Chart; or
4. All tepee burners for purposes of starting a fire may discharge for a period, not exceeding thirty (30) minutes, air contaminants of a shade or density darker than No. 2 on the Ringelmann Chart, or of such opacity as to obscure an observer's view greater than an emission designated as No. 2 on the Ringelmann Chart.

(C) All new incinerators shall be designed and operated so that all gases, vapors and entrained effluents shall, while passing through the final combustion chamber, be maintained at a sufficient temperature to destroy all odor, provided, however, that the Executive Secretary may approve any other method of odor control which he finds to be equally effective.

(5) Performance testing

(A) Refuse burned in conjunction with the performance tests specified in this regulation shall be a representative sample of the refuse normally generated by the operation which the incinerator is intended to serve.

(B) The amount of particulate matter emitted from the incinerator shall be determined according to the American Society of Mechanical Engineers Power Test Codes - PTC - 27 dated 1957 and entitled "Determining Dust Concentration in A Gas Stream". This publication is hereby made a part of this regulation by reference. Any other method which is in accordance with good professional practice may be used by mutual consent of the source operator and the Executive Secretary.

In calculating the amount of particulate matter in stack gas, the loading shall be adjusted to twelve percent (12%) carbon dioxide in the stack gas. The carbon dioxide produced by burning of any liquid or gaseous fuel in the incinerator shall be excluded from the calculation to twelve percent (12%) carbon dioxide. Emissions shall be measured when the incinerator is operating at capacity or at any other burning rate during which emission of particulate matter is greater.

(C) A performance test to determine compliance with the Ringelmann requirement specified in subsection (4)(C) of this regulation shall be performed on each new incinerator by the Executive Secretary or his designated representative.

(D) The performance test specified in subsection (5)(B) of this regulation may be required on any new incinerator, and shall be required for each new incinerator having a burning capacity of one thousand (1,000) pounds per hour or greater. The initial performance test shall be performed at the expense of the vendor or operator subject to the approval of the Executive Secretary. The performance test may be observed by the Executive Secretary or his designated representative.

(6) Exceptions

(A) This regulation shall not apply to incinerators situated on residential premises and used exclusively to dispose of refuse originating on the same premises, provided that the total number of dwelling units on that premises does not exceed four (4).

(B) This regulation shall not apply to incineration at cotton gins until Dec. 31, 1971.

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EPA Rulemakings

CFR: 40 C.F.R. 52.1320(c)(13)(i) and (ii)
FRM: 45 FR 17145 (3/18/80)
PRM: 44 FR 52001 (9/6/79)
State Submission: 8/28/78
State Proposal: Recodification: Unknown 2 MR 488 (9/1/77)
State Final: Recodification: Unknown 3 MR 83 (2/1/78)
APDB File: MO-03
Description: The EPA approved recodification of the rule from Regulation S-IV to 10 C.S.R. 10-3.040 as well as the transfer of the definition of terms to 10 C.S.R. 10-6.020.

CFR: 40 C.F.R. 52.1320(a)(1)
FRM: 37 FR 10842 (5/31/72)
PRM: None
State Submission: 1/24/72
State Proposal: Unknown
State Final: (effective 9/18/70; revised 11/9/71)
APDB File: MO-00
Description: The EPA approved Regulation S-IV as part of the original SIP submission.

Difference Between the State and EPA-Approved Regulation

The state has rescinded this rule.