

## PART 222

## INCINERATORS—NEW YORK CITY, NASSAU AND WESTCHESTER COUNTIES

(Statutory authority: Public Health Law, §§ 1371, 1373;  
Environmental Conservation Law, §§ 24, 77)

Sec.	Sec.
222.1 Applicability	222.4 Odorous emissions
222.2 Particulate emissions	222.5 Representative incinerator models
222.3 Smoke emissions	222.6 Ambient air quality standards

## Historical Note

Part (§§ 222.1-222.15) filed May 22, 1969; remain. Part 222, Title 9, filed Sept. 1971; new (§§ 222.1-222.6) filed May 17, 1973 eff. 30 days after filing.

**Section 222.1 Applicability.** This Part shall apply only to the City of New York and the Counties of Nassau and Westchester.

## Historical Note

Sec. filed May 22, 1969; remain. 222.1, Title 9, filed Sept. 1971; new filed May 17, 1973 eff. 30 days after filing.

**222.2 Particulate emissions.** (a) No person shall construct, install, use or cause to be used any incinerator, the particulate emissions of which exceed the permissible particulate emission shown on figure 1 (on following page).

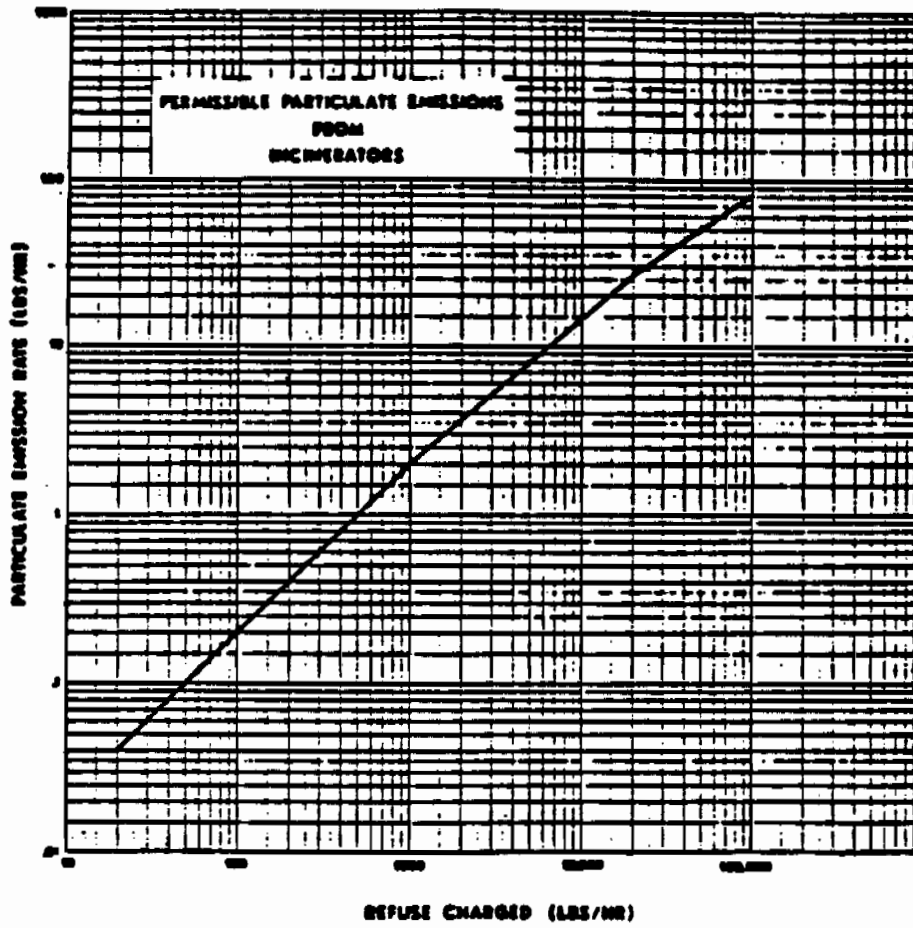
(b) If two or more incinerators are connected to a single stack the total refuse charged to all incinerators connected to the same stack shall be the refuse charged for the purpose of determining the permissible particulate emission.

(c) If a single incinerator is connected to two or more stacks, the refuse charged to a single incinerator shall be the refuse charged for the purpose of determining the permissible particulate emission.

## Historical Note

Sec. filed May 22, 1969; remain. 222.2, Title 9, filed Sept. 1971; new filed May 17, 1973 eff. 30 days after filing.

FIGURE 1



**222.3 Smoke emissions.** No person shall construct, install, use or cause to be used any incinerator which emits smoke the shade or appearance of which is equal to or greater than

(a) Number 1 on the Ringelmann chart, or equivalent standard acceptable to the commissioner, for a period of three or more minutes during any continuous 60 minute period, or

(b) Number 2 on the Ringelmann chart, or equivalent standard acceptable to the commissioner, for any time period.

**Historical Note**

Sec. 612 May 22, 1969; renam. 222.3 May 17, 1973 eff. 30 days after filing.  
Title 6, Sec. 612, Sept., 1971, now added, 612

**222.4 Odorous emissions.** (a) No person shall construct, install, use or cause to be used any continuous fed incinerator unless the gas temperature at the furnace outlet is designed to be automatically maintained and is automatically maintained at not less than 1400 degrees Fahrenheit while the incinerator is in operation.

(b) No person shall construct, install, use or cause to be used any batch fed incinerator unless the gas temperature at the furnace outlet is designed to be automatically maintained and is automatically maintained at not less than 1400 degrees Fahrenheit during 90 percent of the burning period.

(c) Incinerators with a capacity of 2,000 lbs/hr. or less of refuse charged shall be equipped with a sensing device indicating the gas temperature at the furnace outlet. Incinerators with a capacity of greater than 2,000 lbs/hr. of refuse charged shall be equipped with a sensing device and recorder to measure and record the temperature at the furnace outlet. A person who owns, operates, or maintains an incinerator with a capacity greater than 2,000 lbs/hr. of refuse charged shall retain recorder chart temperature records for a period of three years and shall make such charts available for inspection by the commissioner or his representative during normal business hours.

(d) Upon application, the commissioner may modify the provisions of this section where the applicant can show to the satisfaction of the commissioner that the odorous emission from his incinerator can be and is controlled with equivalent effectiveness.

**Historical Note**

Sec. 612 May 22, 1969; renam. 222.4 May 17, 1973 eff. 30 days after filing.  
Title 6, Sec. 612, Sept., 1971, now added, 612

**222.5 Representative incinerator models.** In lieu of requiring a person who owns an incinerator, having a capacity of 2,000 lbs/hr. or less of refuse charged, to conduct a stack test and submit an acceptable emission test report, the commissioner may accept emission test reports, submitted by such person or his authorized agent, of representative models which are geometrically similar and which demonstrate compliance with all sections of this Part. Testing of representative models shall be conducted in accordance with procedures established by the commissioner.

**Historical Note**

Sec. 612 May 22, 1969; renam. 222.5 May 17, 1973 eff. 30 days after filing.  
Title 6, Sec. 612, Sept., 1971, now added, 612

**222.6 Ambient air quality standards.** Notwithstanding the provisions of this Part, no person shall emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any established ambient air quality standard and/or cause air pollution.

**Historical Note**

Sec. 612 May 22, 1969; renam. 222.6 May 17, 1973 eff. 30 days after filing.  
Title 6, Sec. 612, Sept., 1971, now added, 612

**222.7-222.13**

**Historical Note**

Secs. 612 May 22, 1969; renam. 222.7-  
222.13, Title 6, Sept., 1971.