

10 CSR 10-5.040 Use of Fuel in Hand-Fired Equipment Prohibited

(1) Applicability. This rule shall apply to all hand-fired, fuel-burning equipment at commercial facilities, including, but not limited to furnaces, heating and cooking stoves, and hot water furnaces with the exception of the following:

(A) Fires used for recreational purpose;

(B) Fires used solely for the preparation of food by barbecuing;

(C) Wood-burning fireplaces in commercial facilities that are part of the building décor and are not intended to supply building heat;;

(D) Ovens that only burn wood, charcoal, or anthracite coal for pizzas or bakery products;

(E) Craftsman, hobbyist, horseshoe, and rivet blacksmith forges that only burn charcoal, coking coal, or coke; and

(F) Wood and coal-fired educational, hobbyist, or recreational steam engines or tractors for demonstrations.

(2) Definitions.

(A) Clean wood—Wood that has not been treated (including, but not limited to, treatment with copper chromium arsenate, creosote, or pentachlorophenol) and has no paint, stain, or any other type of coating.

(B) Definitions of certain terms specified in this rule, other than those defined in this rule section, may be found in 10 CSR 10- 6.020.

(3) General Provisions. No owner or operator shall operate applicable hand-fired, fuelburning equipment unless the following conditions are met:

(A) Hand-fired equipment shall be operated to minimize emissions at all times. This includes, but is not limited to, following all manufacturers' operation and maintenance guidelines;

(B) Hand-fired equipment must be commercially manufactured;

(C) Hand-fired equipment may only burn process waste generated onsite;

(D) Equipment shall have a permanent stack extending five feet (5') higher than the peak of any roof structure located within one hundred fifty feet (150');

(E) Fuel shall be clean wood with a moisture content less than or equal to twenty-five percent (25%); and

(F) Each piece of equipment shall burn no more than thirty (30) tons of fuel per calendar year.

(4) Reporting and Record Keeping.

(A) The owner or operator of hand-fired equipment subject to this rule shall keep records necessary to determine compliance.

(B) Records verifying that only dry wood was used for fuel may be used to demonstrate compliance with the moisture content requirement.

(C) Records required under subsections (4)(A) and (4)(B) of this rule shall be retained by the owner or operator for a minimum of five (5) years. These records shall be made available to the director upon request.

(5) Test methods. *(Not Applicable)*

EPA Rulemakings

CFR: 40 C.F.R. 52.1320(c)
 FRM: 79 FR 62856 (10/21/14)
 PRM: 79 FR 62933 (10/21/14)
 State Submission: 5/8/12
 State Final: 643.050, RSMo Supp. 2011.* Filed Sept. 26, 2011, eff. May 30, 2012.
 APDB File: MO-325 EPA-R07-OAR-2014-0688 effective 12/22/14.
 Description: This revision adds allowances for the burning of discarded clean wood in non-residential (commercial owned and operated) heating devices, with restrictions to ensure environmentally-sound operation in the St. Louis metropolitan area.

CFR: 40 C.F.R. 52.1320(c)(13)(i)
 FRM: 45 FR 17145 (3/18/80)
 PRM: 44 FR 52001 (9/6/79)
 State Submission: 8/28/78
 State Proposal: Unknown
 State Final: Unknown
 APDB File: MO-03
 Description: The EPA approved recodification of the rule from Regulation III (St. Louis Metropolitan Area) to 10 C.S.R. 10-5.040.

CFR: 40 C.F.R. 52.1320(a)(2)
 FRM: 37 FR 10842 (5/31/72)
 PRM: None
 State Submission: 1/24/72
 State Proposal: Unknown
 State Final: (effective 3/24/67; revised 9/18/70)
 APDB File: MO-00
 Description: The EPA approved Regulation III (St. Louis Metropolitan Area) as part of the original SIP submission.

Difference Between the State and EPA-Approved Regulation

None.