



## **NYS Combustion Regulations (including Wood and Oil)**

On Feb 21, 2021, NYS promulgated new regulations for stationary combustion devices that affect all stationary combustion devices. Key provisions of this regulation include:

1. All stationary combustion installations, including gas, wood, and oil-fired devices must perform an annual tune-up.
2. No new hand-fed bituminous coal-fired combustion devices can be installed, and no existing bituminous coal-fired units can be significantly modified.
3. By Feb 25, 2025, solid-fired (including wood) combustion devices with greater than or equal to 1 million Btu heat input cannot emit more than 0.1 pounds of particulate matter per million Btu heat input. (Note that typically wood-fired boilers do not meet this standard unless they have a particulate control device such as bag filters or electrostatic precipitators. A single cyclone is unlikely to meet this standard.)

If you are not in compliance or unsure of your compliance status, you will want to begin to assess your situation moving toward compliance as soon as possible. You can contact the SBEAP program at the New York State Pollution Prevention Institute (NYSP2I). There is no provision for an extension, but you will want to contact DEC as soon as possible if you think you have compliance/schedule issues.

4. By Feb 25, 2025, oil-fired combustion devices with greater than or equal to 50 million Btu heat input cannot emit more than 0.1 pounds of particulate matter per million Btu heat input.
5. Combustion devices that are required to meet the particulate standard in #3 and #4 above must demonstrate compliance with a stack test before the Feb 25, 2025, compliance deadline. A stack test protocol, using DEC approved methods, must be submitted to DEC at least 30 days before the test and preferably 60 days in case DEC requires any changes. (Consultants can be hired to provide a testing protocol for DEC's approval, conduct the test, and write the report.)
6. Opacity may not be greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity. If you typically see no visible emissions coming from the stack, you are in compliance. If you see visible emissions, you will likely need to have someone that is trained to "read opacity" determine if the stack opacity is in compliance. The stack testing consultant who conducts the emissions test may be certified and be able to do this during the stack test.
7. The stack test protocol, stack test report, and the last 5 years of annual inspection records must be maintained on-site.
8. Outdoor boilers have additional requirements. New boilers (those installed on or after April 15, 2011) must be certified as meeting emissions requirements by the manufacturer before purchase and installation. Only seasoned wood, natural gas, oil, non-glossy, non-colored paper and other fuels specifically approved by DEC can be burned. Stack heights must be at least 15 feet and 2 feet above the roof. All boilers must be at least 100 feet from the property line. Boilers greater than 250,000 BTUs/hr must be at least 200 feet from the property line, 300 feet from residentially zoned property lines, and 1000 feet from any school.

**Contact the SBEAP for free, confidential technical assistance.**

**Small Business Environmental Assistance Program**  
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