

Environmental Protection Agency

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cause for the extension is demonstrated by the applicant.

(2) For the duration of the trial burn, the operating requirements must be sufficient to demonstrate compliance with the performance standards of §264.343 and must be in accordance with the approved trial burn plan;

(3) For the period immediately following completion of the trial burn, and only for the minimum period sufficient to allow sample analysis, data computation, and submission of the trial burn results by the applicant, and review of the trial burn results and modification of the facility permit by the Regional Administrator, the operating requirements must be those most likely to ensure compliance with the performance standards of §264.343, based on the Regional Administrator's engineering judgement.

(4) For the remaining duration of the permit, the operating requirements must be those demonstrated, in a trial burn or by alternative data specified in §270.19(c) of this chapter, as sufficient to ensure compliance with the performance standards of §264.343.

[46 FR 7678, Jan. 23, 1981, as amended at 47 FR 27532, June 24, 1982; 48 FR 14295, Apr. 1, 1983; 50 FR 4514, Jan. 31, 1985; 71 FR 40273, July 14, 2006]

§ 264.345 Operating requirements.

(a) An incinerator must be operated in accordance with operating requirements specified in the permit. These will be specified on a case-by-case basis as those demonstrated (in a trial burn or in alternative data as specified in §264.344(b) and included with part B of a facility's permit application) to be sufficient to comply with the performance standards of §264.343.

(b) Each set of operating requirements will specify the composition of the waste feed (including acceptable variations in the physical or chemical properties of the waste feed which will not affect compliance with the performance requirement of §264.343) to which the operating requirements apply. For each such waste feed, the permit will specify acceptable operating limits including the following conditions:

(1) Carbon monoxide (CO) level in the stack exhaust gas;

(2) Waste feed rate;

(3) Combustion temperature;

(4) An appropriate indicator of combustion gas velocity;

(5) Allowable variations in incinerator system design or operating procedures; and

(6) Such other operating requirements as are necessary to ensure that the performance standards of §264.343 are met.

(c) During start-up and shut-down of an incinerator, hazardous waste (except wastes exempted in accordance with §264.340) must not be fed into the incinerator unless the incinerator is operating within the conditions of operation (temperature, air feed rate, etc.) specified in the permit.

(d) Fugitive emissions from the combustion zone must be controlled by:

(1) Keeping the combustion zone totally sealed against fugitive emissions; or

(2) Maintaining a combustion zone pressure lower than atmospheric pressure; or

(3) An alternate means of control demonstrated (with part B of the permit application) to provide fugitive emissions control equivalent to maintenance of combustion zone pressure lower than atmospheric pressure.

(e) An incinerator must be operated with a functioning system to automatically cut off waste feed to the incinerator when operating conditions deviate from limits established under paragraph (a) of this section.

(f) An incinerator must cease operation when changes in waste feed, incinerator design, or operating conditions exceed limits designated in its permit.

[46 FR 7678, Jan. 23, 1981, as amended at 47 FR 27532, June 24, 1982; 50 FR 4514, Jan. 31, 1985]

§ 264.346 [Reserved]

§ 264.347 Monitoring and inspections.

(a) The owner or operator must conduct, as a minimum, the following monitoring while incinerating hazardous waste:

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(1) Combustion temperature, waste feed rate, and the indicator of combustion gas velocity specified in the facility permit must be monitored on a continuous basis.

(2) CO must be monitored on a continuous basis at a point in the incinerator downstream of the combustion zone and prior to release to the atmosphere.

(3) Upon request by the Regional Administrator, sampling and analysis of the waste and exhaust emissions must be conducted to verify that the operating requirements established in the permit achieve the performance standards of §264.343.

(b) The incinerator and associated equipment (pumps, valves, conveyors, pipes, etc.) must be subjected to thorough visual inspection, at least daily, for leaks, spills, fugitive emissions, and signs of tampering.

(c) The emergency waste feed cutoff system and associated alarms must be tested at least weekly to verify operability, unless the applicant demonstrates to the Regional Administrator that weekly inspections will unduly restrict or upset operations and that less frequent inspection will be adequate. At a minimum, operational testing must be conducted at least monthly.

(d) This monitoring and inspection data must be recorded and the records must be placed in the operating record required by §264.73 of this part and maintained in the operating record for five years.

[46 FR 7678, Jan. 23, 1981, as amended at 47 FR 27533, June 24, 1982; 50 FR 4514, Jan. 31, 1985; 71 FR 16907, Apr. 4, 2006]

§§ 264.348–264.350 [Reserved]

§264.351 Closure.

At closure the owner or operator must remove all hazardous waste and hazardous waste residues (including, but not limited to, ash, scrubber waters, and scrubber sludges) from the incinerator site.

[*Comment:* At closure, as throughout the operating period, unless the owner or operator can demonstrate, in accordance with §261.3(d) of this chapter, that the residue removed from the incinerator is not a hazardous waste, the owner or operator becomes

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a generator of hazardous waste and must manage it in accordance with applicable requirements of parts 262 through 266 of this chapter.]

[46 FR 7678, Jan. 23, 1981]

Subparts P–R [Reserved]

Subpart S—Special Provisions for Cleanup

§264.550 Applicability of Corrective Action Management Unit (CAMU) regulations.

(a) Except as provided in paragraph (b) of this section, CAMUs are subject to the requirements of §264.552.

(b) CAMUs that were approved before April 22, 2002, or for which substantially complete applications (or equivalents) were submitted to the Agency on or before November 20, 2000, are subject to the requirements in §264.551 for grandfathered CAMUs; CAMU waste, activities, and design will not be subject to the standards in §264.552, so long as the waste, activities, and design remain within the general scope of the CAMU as approved.

[67 FR 3024, Jan. 22, 2002]

§264.551 Grandfathered Corrective Action Management Units (CAMUs).

(a) To implement remedies under §264.101 or RCRA Section 3008(h), or to implement remedies at a permitted facility that is not subject to §264.101, the Regional Administrator may designate an area at the facility as a corrective action management unit under the requirements in this section. Corrective action management unit means an area within a facility that is used only for managing remediation wastes for implementing corrective action or cleanup at the facility. A CAMU must be located within the contiguous property under the control of the owner or operator where the wastes to be managed in the CAMU originated. One or more CAMUs may be designated at a facility.

(1) Placement of remediation wastes into or within a CAMU does not constitute land disposal of hazardous wastes.

(2) Consolidation or placement of remediation wastes into or within a