

**§ 265.341**

**40 CFR Ch. I (7-1-09 Edition)**

**§ 265.341 Waste analysis.**

In addition to the waste analyses required by § 265.13, the owner or operator must sufficiently analyze any waste which he has not previously burned in his incinerator to enable him to establish steady state (normal) operating conditions (including waste and auxiliary fuel feed and air flow) and to determine the type of pollutants which might be emitted. At a minimum, the analysis must determine:

- (a) Heating value of the waste;
- (b) Halogen content and sulfur content in the waste; and
- (c) Concentrations in the waste of lead and mercury, unless the owner or operator has written, documented data that show that the element is not present.

[*Comment:* As required by § 265.73, the owner or operator must place the results from each waste analysis, or the documented information, in the operating record of the facility.]

**§§ 265.342-265.344 [Reserved]**

**§ 265.345 General operating requirements.**

During start-up and shut-down of an incinerator, the owner or operator must not feed hazardous waste unless the incinerator is at steady state (normal) conditions of operation, including steady state operating temperature and air flow.

**§ 265.346 [Reserved]**

**§ 265.347 Monitoring and inspections.**

The owner or operator must conduct, as a minimum, the following monitoring and inspections when incinerating hazardous waste:

- (a) Existing instruments which relate to combustion and emission control must be monitored at least every 15 minutes. Appropriate corrections to maintain steady state combustion conditions must be made immediately either automatically or by the operator. Instruments which relate to combustion and emission control would normally include those measuring waste feed, auxiliary fuel feed, air flow, incinerator temperature, scrubber flow, scrubber pH, and relevant level controls.

- (b) The complete incinerator and associated equipment (pumps, valves, conveyors, pipes, etc.) must be inspected at least daily for leaks, spills, and fugitive emissions, and all emergency shutdown controls and system alarms must be checked to assure proper operation.

[46 FR 7678, Jan. 23, 1981, as amended at 47 FR 27533, June 24, 1982]

**§§ 265.348-265.350 [Reserved]**

**§ 265.351 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.

[*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 his incinerator is not a hazardous waste, the owner or operator becomes a generator of hazardous waste and must manage it in accordance with all applicable requirements of parts 262 through 266 of this chapter.]

**§ 265.352 Interim status incinerators burning particular hazardous wastes.**

- (a) Owners or operators of incinerators subject to this subpart may burn EPA Hazardous Wastes FO20, FO21, FO22, FO23, FO26, or FO27 if they receive a certification from the Assistant Administrator for Solid Waste and Emergency Response that they can meet the performance standards of subpart O of part 264 when they burn these wastes.

- (b) The following standards and procedures will be used in determining whether to certify an incinerator:

(1) The owner or operator will submit an application to the Assistant Administrator for Solid Waste and Emergency Response containing applicable information in §§ 270.19 and 270.62 demonstrating that the incinerator can meet the performance standards in subpart O of part 264 when they burn these wastes.

(2) The Assistant Administrator for Solid Waste and Emergency Response will issue a tentative decision as to whether the incinerator can meet the