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*6. References*

(1) Environmental Protection Agency, ''A Guide for Determining Compliance with the Clean Air Act Standards for Radionuclides Emissions from NRC-Licensed and Non-DOE Federal Facilities'', EPA 520/1–89–002, October 1989.

(2) Environmental Protection Agency, ''User's Guide for the COMPLY Code'', EPA 520/1–89–003, October 1989.

(3) Environmental Protection Agency, ''Background Information Document: Procedures Approved for Demonstrating Compliance with 40 CFR Part 61, Subpart I'', EPA 520/1–89–001, January 1989.

(4) National Council on Radiation Protection and Measurement, ''Screening Techniques for Determining Compliance with Environmental Standards'' NCRP Commentary No. 3, Revision of January 1989 with addendum of October, 1989.

[54 FR 51711, Dec. 15, 1989]

# PART 62—APPROVAL AND PROMULGATION OF STATE PLANS FOR DESIGNATED FACILITIES AND POLLUTANTS

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62.107 Identification of sources.

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62.350 Identification of plan—negative declaration.

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62.352 Identification of plan—negative declaration.

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62.354 Identification of plan—negative declaration.

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62.600 Identification of plan.
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62.620 Identification of plan—negative declaration.

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62.630 Identification of plan.
62.631 Identification of sources.
62.632 Effective date.

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62.640 Identification of plan—negative declaration.

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62.650 Identification of plan.

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62.660 Identification of plan—negative declaration.

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62.855 Identification of sources.

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62.865 Identification of sources.
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62.875 Identification of plan—negative declaration.

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62.1100 Identification of plan.

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62.1101 Identification of sources.

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62.1102 Identification of sources.

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62.1103 Identification of plan—negative declaration.

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62.1104 Identification of sources.

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62.1115 Identification of sources.

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62.1125 Identification of plan—negative declaration.

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62.1130 Identification of sources.

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62.1352 Effective date.

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62.1360 Identification of plan.
62.1361 Identification of sources.
62.1362 Effective date.

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62.1370 Identification of plan—negative declaration.

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62.1380 Identification of Plan—Negative Declaration.

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62.1501 Identification of sources.

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62.1600 Identification of plan—negative declaration.

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62.1625 Identification of plan—negative declaration.

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62.1650 Identification of plan—negative declaration.

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62.1700 Identification of plan—negative declaration.

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62.1850 Identification of plan—negative declaration.

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62.1875 Identification of plan.

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62.1900 Identification of plan—negative declaration.

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62.1925 Identification of plan—negative declaration.

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62.1950 Identification of plan.
62.1951 Identification of sources.
62.1952 Effective date.

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62.1960 Identification of plan—negative declaration.

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62.1975 Identification of plan.
62.1976 Identification of sources.
62.1977 Effective date.

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62.1980 Identification of plan—negative declaration.

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62.1985 Identification of plan—negative declaration.

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62.1990 Identification of plan—negative declaration.

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62.2100 Identification of plan—negative declaration.

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62.2101 Identification of plan—negative declaration.

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62.2110 Identification of plan—negative declaration.

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62.2120 Identification of plan—negative declaration.

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62.2130 Identification of plan—negative declaration.

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62.2140 Identification of plan—negative declaration.

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62.2145 Identification of plan—negative declaration.

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62.2150 Identification of plan—negative declaration.

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62.2155 Identification of plan—negative declaration.

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62.2350 Identification of plan.

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62.2351 Identification of sources.

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62.2352 Identification of source—negative declaration.

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62.2353 Identification of sources.
62.2354 Compliance schedules.

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62.2355 Identification of sources.

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62.2360 Identification of sources.

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62.2370 Identification of sources.

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62.2390 Identification of sources.

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62.2600 Identification of plan.

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62.2601 Identification of sources.

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62.2602 Identification of sources—negative declaration.

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62.2603 Identification of sources.
62.2604 [Reserved]

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62.2605 Identification of sources—negative declaration.

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62.2606 Identification of sources.

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62.2607 Identification of sources.

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62.2608 Identification of sources.

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62.2609 Identification of plan—negative declaration.

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62.2850 Identification of plan—negative declaration.

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62.3110 Identification of plan.

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62.3120 Identification of plan.

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62.3130 Identification of plan—negative declaration.

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62.3300 Identification of plan.

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62.3325 Identification of plan—negative declaration.

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62.3330 Identification of plan.
62.3331 Identification of sources.
62.3332 Effective date.

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62.3335 Identification of plan—negative declaration.

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62.3340 Identification of plan.
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62.3342 Effective date.

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62.3350 Identification of plan.

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62.3600 Identification of plan—negative declaration.

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62.3625 Identification of plan.

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62.3630 Identification of plan.
62.3631 Identification of sources.
62.3632 Effective date.

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62.3640 Identification of plan.
62.3641 Identification of sources.
62.3642 Effective date.

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62.3645 Identification of plan—negative declaration.

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62.3650 Identification of plan.
62.3651 Identification of sources.
62.3652 Effective date.

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62.3851 Identification of sources.

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62.3852 Identification of sources.

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62.3853 Identification of plan—negative declaration.

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62.3854 Identification of plan—negative declaration.

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62.3910 Identification of plan—negative declaration.

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62.3911 Identification of plan—negative declaration.

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62.3912 Identification of plan-negative declaration.

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62.3913 Identification of plan.

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62.3914 Identification of plan.

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62.3915 Identification of plan—negative declaration.

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62.3916 Identification of plan.

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62.3917 Identification of plan—negative declaration.

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62.3918 Identification of plan.

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62.4100 Identification of plan—negative declaration.

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62.4125 Identification of plan—negative declaration.

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62.4150 Identification of plan—negative declaration.

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62.4175 Identification of plan.

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62.4176 Identification of plan—negative declaration.

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62.4177 Identification of plan—negative declaration.

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62.4178 Identification of plan.

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62.4179 Identification of plan.

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62.4180 Identification of plan—negative declaration.

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62.4181 Identification of plan—negative declaration.

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62.4182 Identification of plan—negative declaration.

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62.4350 Identification of plan.

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62.4351 Identification of sources.

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62.4352 Identification of sources.

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62.4353 Identification of sources.

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62.4354 Identification of plan—negative declaration.

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62.4355 Identification of sources.

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62.4370 Identification of plan—negative declaration.

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62.4371 Identification of plan—negative declaration.

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62.4372 Identification of plan—negative declaration.

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62.4373 Identification of plan—negative declaration.
62.4374 Identification of plan—negative declaration.

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62.4620 Identification of plan.
62.4621 Emission standards and compliance schedules.
62.4622 Emission inventories, source surveillance, reports.
62.4623 Legal authority.

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62.4624 Identification of sources.

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62.4625 Identification of sources.
62.4626 Effective date.

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62.4627 Identification of sources.
62.4628 Effective date.

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62.4629 Identification of sources.
62.4630 Effective date.

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62.4632 Effective Date.

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62.4633 Identification of sources.

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62.4634 Effective date.

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62.4650 Identification of plan—negative declaration.

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62.4660 Identification of sources—negative declaration.

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62.4670 Identification of sources.
62.4671 Effective date.

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62.4680 Identification of sources.
62.4681 Effective date.

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PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

62.4845 Identification of plan.

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62.4875 Identification of sources—negative declaration.

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PLANTS

62.4900 Identification of sources.

TOTAL REDUCED SULFUR FROM EXISTING KRAFT PULP MILLS

62.4925 Identification of sources.

FLOURIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.4950 Identification of plan—negative declaration.

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.4975 Identification of sources.

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62.4980 Identification of Plan—negative declaration.

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62.4985 Identification of Plan—negative declaration.

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62.5100 Identification of plan.

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62.5101 Identification of sources.

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62.5102 Identification of sources.

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62.5103 Identification of sources.

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62.5110 Identification of plan.
62.5111 Identification of sources.
62.5112 Effective date.

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62.5120 Identification of plan—delegation of authority.
62.5121 Identification of sources.
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62.5127 Identification of plan—Negative Declaration

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62.5150 Identification of plan.
62.5151 Identification of sources.
62.5152 Effective date.

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62.5160 Identification of plan.
62.5161 Identification of sources.
62.5162 Effective date.

## Subpart W—Massachusetts

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

62.5340 Identification of Plan.

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.5350 Identification of plan—negative declaration.

SULFURIC ACID MIST EMISSIONS FROM EXISTING SULFURIC ACID PLANTS

62.5351 Identification of plan—negative declaration.

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILS

62.5375 Identification of plan—negative declaration.

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

62.5400 Identification of plan—negative declaration.

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.5425 Identification of sources.

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

62.5450 Identification of plan-negative declaration.

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

62.5475 Identification of Plan—negative declaration.

## Subpart X—Michigan

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.5600 Identification of plan—negative declaration.

## Subpart Y—Minnesota

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.5850 Identification of plan—negative declaration.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.5860 Identification of plan.
62.5861 Identification of sources.
62.5862 Effective date.

EXISTING LARGE MUNICIPAL WASTE COMBUSTORS

62.5870 Identification of plan.
62.5871 Identification of sources.
62.5872 Effective date.

## Subpart Z—Mississippi

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

62.6100 Identification of plan.

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PLANTS

62.6110 Identification of sources.

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.6120 Identification of sources.

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM REDUCTION PLANTS

62.6121 Identification of sources—negative declaration.

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS

62.6122 Identification of sources.

MUNICIPAL WASTE COMBUSTORS

62.6123 Identification of sources—negative declaration.

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

62.6124 Identification of sources.
62.6125 Identification of plan—negative declaration.

AIR EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSTION UNITS

62.6126 Identification of plan—negative declaration.

AIR EMISSIONS FROM COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION (CISWI) UNITS (SECTION 111(d)/129 PLAN)

62.6127 Identification of Sources.

## Subpart AA—Missouri

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

62.6350 Identification of plan.

FLUORIDE EMISSIONS FROM EXISTING PHOSPHATE FERTILIZER PLANTS

62.6351 Identification of sources.

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM REDUCTION PLANTS

62.6352 Identification of sources.

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PRODUCTION PLANTS

62.6353 Identification of sources.

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

62.6354 Identification of plan—negative declaration.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.6355 Identification of plan—negative declaration.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 35 MEGAGRAMS PER DAY OF MUNICIPAL SOLID WASTE

62.6356 Identification of plan—negative declaration.

AIR EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.6357 Identification of plan.

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

62.6358 Identification of plan.

AIR EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSTION UNITS

62.6359 Identification of plan—negative declaration.

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

62.6360 Identification of plan—negative declaration.

AIR EMISSIONS FROM EXISTING ''OTHER'' SOLID WASTE INCINERATION UNITS

62.6361 Identification of plan—negative declaration.

MERCURY EMISSIONS FROM COAL-FIRED ELECTRIC STEAM GENERATING UNITS

62.6362 Identification of plan.

## Subpart BB—Montana

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.6600 Identification of plan.
62.6601 Identification of sources.
62.6602 Effective date.

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

62.6610 Identification of plan.
62.6611 Identification of sources.
62.6612 Effective date.

FLUORIDE EMISSIONS FROM EXISTING PHOSPHATE FERTILIZER PLANTS

62.6613 Identification of plan—negative declaration.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.6620 Identification of plan—negative declaration.

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATORS.

62.6630 Identification of Plan—Negative Declaration.

## Subpart CC—Nebraska

FLUORIDE EMISSIONS FROM EXISTING PHOSPHATE FERTILIZER PLANTS

62.6850 Identification of plan—negative declaration.

SULFURIC ACID MIST EMISSIONS FROM EXISTING SULFURIC ACID PLANTS

62.6875 Identification plan—negative declaration.

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

62.6880 Identification of plan—negative declaration.

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM REDUCTION PLANTS

62.6910 Identification of plan—negative declaration.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.6911 Identification of plan—negative declaration.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 35 MEGAGRAMS PER DAY OF MUNICIPAL SOLID WASTE

62.6912 Identification of plan—negative declaration.

AIR EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.6913 Identification of plan.

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

62.6914 Identification of plan.

AIR EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSTION UNITS

62.6915 Identification of plan—negative declaration.

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

62.6916 Identification of plan—negative declaration.

## Subpart DD—Nevada

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILL

62.7100 Identification of plan.
62.7101 Identification of sources.
62.7102 Effective date.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.7120 Identification of plan—negative declaration.

EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSTION UNITS

62.7125 Identification of plan—negative declaration.

EMISSIONS FROM EXISTING COMMERCIAL/INDUSTRIAL SOLID WASTE INCINCERATION UNITS

62.7130 Identification of plan.

EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

62.7135 Identification of plan—negative declaration.

EMISSIONS FROM EXISTING OTHER SOLID WASTE INCINERATION UNITS

62.7140 Identification of plan—negative declaration.

## Subpart EE—New Hampshire

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

62.7325 Identification of plan.

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.7350 Identification of plan—negative declaration.

SULFURIC ACID MIST EMISSIONS FROM SULFURIC ACID PRODUCTION UNITS

62.7375 Identification of plan—negative declaration.

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

62.7400 Identification of sources—negative declaration.

EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.7405 Identification of plan-negative declaration.

TOTAL REDUCED SULFUR FROM EXISTING KRAFT PULP MILLS

62.7425 Identification of sources.

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

62.7450 Identification of sources.

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

62.7455 Identification of sources.

AIR EMISSIONS FROM EXISTING LARGE AND SMALL MUNICIPAL WASTE COMBUSTORS

62.7460 Identification of sources.

## Subpart FF—New Jersey

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.7600 Identification of plan—negative declaration.

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS

62.7601 Identification of plan—negative declaration.

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM REDUCTION PLANTS

62.7602 Identification of plan—negative declaration.

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING LARGE MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.7603 Identification of plan-delegation of authority.

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATOR UNITS

62.7604 Identification of plan—negative declaration.

AIR EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS, SMALL MUNICIPAL WASTE COMBUSTION UNITS, AND HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS.

62.7605 Identification of plan—delegation of authority.

## Subpart GG—New Mexico

62.7850 Identification of plan.

SULFURIC ACID MIST EMISSIONS FROM SULFURIC ACID PLANTS

62.7851 Identification of sources.

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM PLANTS

62.7852 Identification of plan—negative declaration.

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS

62.7853 Identification of plan—negative declaration.

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.7854 Identification of plan—negative declaration

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOILD WASTE LANDFILLS

62.7855 New Mexico Environmental Improvement Board.
62.7856 Albuquerque/Bernalillo County Air Quality Control Board.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.7857 Identification of plan—negative declaration.

EMISSIONS FROM EXISTING LARGE MUNICIPAL WASTE COMBUSTION UNITS

62.7860 Identification of sources—negative declaration.

EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTES INCINERATORS

62.7870 Identification of sources—negative declaration.

EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS

62.7880 Identification of sources—negative declaration.

EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION (CISWI) UNITS

62.7881 Identification of sources—negative declaration.

EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION (CISWI) UNITS

62.7890 Identification of sources—negative declarations.

## Subpart HH—New York

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.8100 Identification of plan—negative declaration.

SULFURIC ACID MIST EMISSIONS FROM EXISTING SULFURIC ACID PLANTS

62.8102 Identification of plan.

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.8103 Identification of plan.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.8104 Identification of plan.

METALS, ACID GASES, ORGANIC COMPOUNDS, PARTICULATES AND NITROGEN OXIDE EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

62.8105 Identification of plan.

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATOR UNITS

62.8106 Identification of plan—negative declaration.

AIR EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS WITH THE CAPACITY TO COMBUST AT LEAST 35 TONS PER DAY BUT NO MORE THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE OR REFUSE DERIVED FUEL AND CONSTRUCTED ON OR BEFORE AUGUST 30, 1999

62.8107 Identification of plan.

## Subpart II—North Carolina

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

62.8350 Identification of plan.

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PLANTS

62.8351 Identification of sources.

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

62.8352 Identification of sources.

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS

62.8353 Identification of sources.

AIR EMISSIONS FROM COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

62.8354 Identification of plan—negative declaration.

AIR EMISSIONS FROM COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION (CISWI) UNITS—SECTION 111(D)/129 PLAN

62.8355 Identification of sources.

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS (HMIWI)—SECTION 111(D)/129 PLAN

62.8356 Identification of plan—negative declaration.

## Subpart JJ—North Dakota

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.8600 Identification of plan.
62.8601 Identification of sources.
62.8602 Effective date.

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

62.8610 Identification of plan.
62.8611 Identification of sources.
62.8612 Effective date.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.8620 Identification of plan—negative declaration.

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATORS.

62.8630 Identification of Plan.
62.8631 Identification of Sources.
62.8632 Effective Date.

## Subpart KK—Ohio

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.8850 Identification of plan—negative declaration.

EMISSIONS FROM SMALL MUNICIPAL WASTE COMBUSTION UNITS WITH THE CAPACITY TO COMBUST AT LEAST 35 TONS PER DAY OF MUNICIPAL SOLID WASTE BUT NO MORE THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE AND COMMENCED CONSTRUCTION ON OR BEFORE AUGUST 30, 1999

62.8855 Identification of plan—negative declaration.

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS

62.8860 Identification of plan—disapproval.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.8870 Identification of plan.
62.8871 Identification of sources.
62.8872 Effective date.

EMISSIONS FROM HOSPITAL, MEDICAL, AND INFECTIOUS WASTE INCINERATORS (HMIWI)

62.8880 Identification of plan.

## Subpart LL—Oklahoma

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

62.9100 Identification of plan.

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PLANTS

62.9110 Identification of sources.

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.9120 Identification of plan—negative declaration.

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM PLANTS

62.9130 Identification of plan—negative declaration.

TOTAL REDUCED SULFUR FROM EXISTING KRAFT PULP MILLS

62.9140 Identification of source.

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.9150 Identification of sources.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.9160 Identification of sources.

AIR EMISSIONS FROM HAZARDOUS/MEDICAL/INFECTIOUS WASTE INCINERATORS

62.9170 Identification of sources.

EFFECTIVE DATE

62.9171 Effective date.

EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS

62.9180 Identification of sources—negative declaration.

EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

62.9190 Identification of sources.
62.9191 Effective date.

## Subpart MM—Oregon

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d))

62.9350 Identification of plan.

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM REDUCTION PLANTS

62.9360 Identification of sources.

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.9500 Identification of sources.

SULFURIC ACID MIST EMISSIONS FROM SULFURIC ACID PRODUCTION UNITS

62.9501 Identification of sources.

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTES

62.9505 Identification of sources.

CONTROL OF LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.9510 Identification of sources.

METALS, ACID GASES, ORGANIC COMPOUNDS, PARTICULATES AND NITROGEN OXIDE EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

62.9515 Identification of sources—Negative declaration.

## Subpart NN—Pennsylvania

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.9600 Identification of plan—negative declaration.

SULFURIC ACID MIST EMISSIONS FROM EXISTING SULFURIC ACID PLANTS

62.9601 Identification of plan.

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

62.9610 Identification of plan—negative declaration.
62.9611 Identification of plan—Pennsylvania.

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

62.9620 Identification of plan—negative declaration.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS (SECTION 111(d) PLAN)

62.9630 Identification of plan.
62.9631 Identification of sources.
62.9632 Effective date.
62.9633 Identification of plan—negative declaration.
62.9635 Identification of plan.
62.9636 Identification of sources.
62.9637 Effective date.

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH A UNIT CAPACITY GREATER THAN 250 TONS PER DAY

62.9640 Identification of plan.
62.9641 Identification of sources.
62.9642 Effective dates.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.9643 Identification of plan—negative declaration.
62.9644 Identification of plan—negative declaration.

EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS

62.9645 Identification of plan—negative declaration.
62.9646 Identification of plan—negative declaration.

EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS

62.9647 Identification of plan—negative declaration.

EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS (HMIWIs) (SECTION 111(d)/129 PLANS)

62.9650 Identification of plan.
62.9651 Identification of sources.
62.9652 Effective date.

EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS (HMIWIs) (SECTION 111(d)/129 PLAN)

62.9660 Identification of plan.
62.9661 Identification of sources.
62.9662 Effective date.

EMISSIONS FROM EXISTING COMMERCIAL/INDUSTRIAL SOLID WASTE INCINERATION UNITS

62.9670 Identification of plan—negative declaration.

EMISSIONS FROM EXISTING COMMERCIAL INDUSTRIAL SOLID WASTE INCINERATORS (CISWI) UNITS—SECTION 111(D)/129 FEDERAL PLAN DELEGATIONS

62.9675 Identification of plan—delegation of authority.
62.9676 Identification of sources.
62.9677 Effective date of delegation.
62.9680 Identification of plan—delegation of authority.
62.9681 Identification of sources.
62.9682 Effective date of delegation.

## Subpart OO—Rhode Island

62.9825 Identification of plan.

FLOURIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.9850 Identification of plan—negative declaration.

SULFURIC ACID MIST EMISSIONS FROM SULFURIC ACID PRODUCTION UNITS

62.9875 Identification of plan—negative declaration.

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

62.9900 Identification of plan—negative declaration.

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

62.9950 Identification of plan—negative declaration.

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

62.9970 Identification of plan—negative declaration.

MUNICIPAL WASTE COMBUSTOR EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.9975 Identification of plan—negative declaration.

AIR EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST AT LEAST 35 TONS PER DAY BUT NO MORE THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.9980 Identification of plan—negative declaration.

EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.9985 Identification of plan-negative declaration.

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

62.9990 Identification of sources.

AIR EMISSIONS FROM EXISTING OTHER SOLID WASTE INCINERATION UNITS

62.9995 Identification of Plan-Negative Declaration.

## Subpart PP—South Carolina

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

62.10100 Identification of plan.

SULFURIC ACID MIST FROM SULFURIC ACID PLANTS

62.10110 Identification of sources.

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS

62.10120 Identification of sources.

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.10130 Identification of plan—negative declaration.

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM REDUCTION PLANTS

62.10140 Identification of plan—negative declaration.

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.10150 Identification of sources.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.10160 Identification of sources.

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

62.10170 Identification of sources.

AIR EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSTION UNITS

62.10180 Identification of plan—negative declaration.

AIR EMISSIONS FROM COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION (CISWI) UNITS (SECTION 111(d)/129 PLAN)

62.10190 Identification of sources.

## Subpart QQ—South Dakota

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.10350 Identification of plan.
62.10351 Identification of sources.
62.10352 Effective date.

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

62.10360 Identification of plan.
62.10361 Identification of sources.
62.10362 Effective date.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.10370 Identification of plan—negative declaration.

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WATES INCINERATORS.

62.10380 Identification of Plan—Negative Declaration.

## Subpart RR—Tennessee

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.10602 Identification of sources—negative declaration.

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

62.10625 Identification of plan.

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

62.10626 Identification of plan.

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.10627 Identification of sources.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.10628 Identification of sources.

AIR EMISSIONS FROM COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

62.10629 Identification of plan—negative declaration.

AIR EMISSIONS FROM COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION (CISWI) UNIT—SECTION 111(D)/129 PLAN

62.10630 Identification of sources.

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS (HMIWI)—SECTION 111(D)/129 PLAN

62.10631 Identification of plan—negative declarations.
62.10632 Identification of sources.
62.10633 Identification of plan—negative declarations.

AIR EMISSIONS FROM EXISTING LARGE MUNICIPAL WASTE COMBUSTORS (MWC)—SECTION 111(D)/129 PLAN

62.10634 Identification of plan—negative declarations.≤

## Subpart SS—Texas

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

62.10850 Identification of plan.

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PLANTS

62.10860 Identification of sources.

TOTAL REDUCED SULFUR FROM EXISTING KRAFT PULP MILLS

62.10870 Identification of sources.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.10880 Identification of sources.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.10890 Identification of plan—negative declaration.

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTES INCINERATORS

62.10910 Identification of sources.
62.10911 Effective date.

## Subpart TT—Utah

FLUORIDE EMISSIONS FROM EXISTING PHOSPHATE FERTILIZER PLANTS

62.11100 Identification of plan-negative declaration.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.11110 Identification of plan.
62.11111 Identification of sources.
62.11112 Effective date.

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

62.11120 Identification of plan.
62.11121 Identification of sources.
62.11122 Effective date.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.11130 Identification of plan—negative declaration.

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATORS

62.11140 Identification of Plan—Negative Declaration.

## Subpart UU—Vermont

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.11350 Identification of plan—negative declaration.

SULFURIC ACID MIST EMISSIONS FROM SULFURIC ACID PRODUCTION UNITS

62.11375 Identification of plan—negative declaration.

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

62.11400 Identification of plan—negative declaration.

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

62.11425 Identification of plan—negative declaration.

MUNICIPAL WASTE COMBUSTOR EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.11450 Identification of plan—negative declaration.

MUNICIPAL WASTE COMBUSTOR EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST BETWEEN 35 AND 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.11460 Identification of Plan-negative declaration.

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

62.11475 Identification of Plan—negative declaration.

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

62.11480 Identification of Plan-negative declaration.

EMISSION FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.11485 Identification of Plan—negative declaration.

AIR EMISSIONS FROM EXISTING OTHER SOLID WASTE INCINERATION UNITS

62.11490 Identification of Plan-negative declaration.

## Subpart VV—Virginia

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.11600 Identification of plan—negative declaration.

SULFURIC ACID MIST EMISSIONS FROM EXISTING SULFURIC ACID PLANTS

62.11601 Identification of plan.

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

62.11610 Identification of plan.

62.11611–62.11619 [Reserved—plan not submitted]

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

62.11620 Identification of plan—negative declaration.

EMISSIONS FROM EXISTING COMMERCIAL INDUSTRIAL SOLID WASTE INCINERATORS (CISWI) UNITS (SECTION 111(d)/129 PLAN)

62.11621 Identification of plan.

62.11622 Identification of sources.

62.11623 Identification of plan.

EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS (HMIWI) UNITS—SECTION 111(D)/129 PLAN

62.11625 Identification of plan.

62.11626 Identification of sources.

62.11627 Effective date of plan.

EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTOR (MWC) UNITS—SECTION 111(D)/129 PLAN

62.11635 Identification of plan.

62.11636 Identification of sources.

62.11637 Effective date.

EMISSIONS FROM EXISTING LARGE MUNICIPAL WASTE COMBUSTOR (MWC) UNITS—SECTION 111(D)/129 PLAN

62.11640 Identification of plan.

62.11641 Identification of sources.

62.11642 Effective date of plan.

## Subpart WW—Washington

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.11850 Identification of plan—negative declaration.

PLANS FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

62.11860 Identification of plan.

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.11870 Identification of sources.

## Subpart XX—West Virginia

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.12100 Identification of plan—negative declaration.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.12110 Identification of plan—negative declaration.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS (SECTION 111(d)) PLAN

62.12125 Identification of plan.
62.12126 Identification of sources.
62.12127 Effective date.

EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS (HMIWIs) (SECTION 111(d)/129 PLAN)

62.12150 Identification of plan.
62.12151 Identification of sources.
62.12152 Effective date.

EMISSIONS FROM EXISTING COMMERCIAL INDUSTRIAL SOLID WASTE INCINERATORS (CISWI) UNITS (SECTION 111(d)/129 PLANS)

62.12155 Identification of plan.
62.12156 Identification of sources.
62.12157 Effective date.

EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS

62.12160 Identification of plan—negative declaration.

EMISSIONS FROM OTHER SOLID WASTE INCINERATOR UNITS

62.12165 Identification of plan—negative declaration.

## Subpart YY—Wisconsin

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.12350 Identification of plan—negative declaration.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.12360 Identification of plan—negative declaration.

## Subpart ZZ—Wyoming

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

62.12600 Identification of plan.
62.12601 Identification of sources.
62.12602 Effective date.

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

62.12610 Identification of plan.
62.12611 Identification of sources.
62.12612 Effective date.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.12620 Identification of plan—negative declaration.

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATORS.

62.12630 Identification of Plan—Negative Declaration.

## Subpart AAA—American Samoa

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.12900 Identification of plan—negative declaration.

## Subpart BBB—Puerto Rico

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.13100 Identification of plan—negative declaration.

SULFURIC ACID MIST EMISSIONS FROM SULFURIC ACID PRODUCTION PLANTS

62.13101 Identification of plan—negative declaration.

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM REDUCTION PLANTS

62.13102 Identification of plan—negative declaration.

TOTAL REDUCED SULFUR FROM KRAFT PULP MILLS

62.13103 Identification of plan—negative declaration.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.13104 Identification of plan—negative declaration.

AIR EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS WITH THE CAPACITY TO COMBUST AT LEAST 35 TONS PER DAY BUT NO MORE THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE OR REFUSE DERIVED FUEL AND CONSTRUCTED ON OR BEFORE AUGUST 30, 1999

62.13105 Identification of plan—negative declaration.

CONTROL OF AIR EMISSIONS OF DESIGNATED POLLUTANTS FROM EXISTING HOSPITAL, MEDICAL, AND INFECTIOUS WASTE INCINERATORS

62.13106 Identification of plan.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS (SECTION 111(d) PLAN)

62.13107 Identification of plan.

CONTROL OF AIR EMISSIONS OF DESIGNATED POLLUTANTS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

62.13108 Identification of plan.

## Subpart CCC—Virgin Islands

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.13350 Identification of plan—negative declaration.

SULFURIC ACID MIST EMISSIONS FROM SULFURIC ACID PRODUCTION PLANTS

62.13351 Identification of plan—negative declaration.

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS

62.13352 Identification of plan—negative declaration.

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM REDUCTION PLANTS

62.13353 Identification of plant—negative declaration.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.13354 Identification of plan—negative declaration.

AIR EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS WITH THE CAPACITY TO COMBUST AT LEAST 35 TONS PER DAY BUT NO MORE THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE OR REFUSE DERIVED FUEL AND CONSTRUCTED ON OR BEFORE AUGUST 30, 1999

62.13355 Identification of plan—negative declaration.

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS CONSTRUCTED ON OR BEFORE NOVEMBER 30, 1999 OR RECONSTRUCTED OR MODIFIED PRIOR TO JUNE 1, 2001

62.13356 Identification of plan—negative declaration.

## Subpart DDD—Northern Mariana Islands

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

62.13600 Identification of plan—negative declaration.

## Subpart EEE [Reserved]

## Subpart FFF—Federal Plan Requirements For Large Municipal Waste Combustors Constructed On Or Before September 20, 1994

62.14100 Scope and delegation of authority.
62.14101 Definitions.
62.14102 Affected facilities.
62.14103 Emission limits for municipal waste combustor metals, acid gases, organics, and nitrogen oxides.
62.14104 Requirements for municipal waste combustor operating practices.
62.14105 Requirements for municipal waste combustor operating training and certification.
62.14106 Emission limits for municipal waste combustor fugitive ash emissions.
62.14107 Emission limits for air curtain incinerators.
62.14108 Compliance schedules.
62.14109 Reporting and recordkeeping, and compliance and performance testing.

TABLE 1 TO SUBPART FFF OF PART 60—UNITS EXCLUDED FROM SUBPART FFF

TABLE 2 TO SUBPART FFF OF PART 60—NITROGEN OXIDES REQUIREMENTS FOR AFFECTED FACILITIES

TABLE 3 TO SUBPART FFF OF PART 60—MUNICIPAL WASTE COMBUSTOR OPERATING REQUIREMENTS

TABLE 4 TO SUBPART FFF OF PART 60—GENERIC COMPLIANCE SCHEDULE AND INCREMENTS OF PROGRESS (PRE-1987 MWCS)

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TABLE 6 TO SUBPART FFF OF PART 60—SITE-SPECIFIC COMPLIANCE SCHEDULES AND INCREMENTS OF PROGRESS

## Subpart GGG—Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction Prior to May 30, 1991 and Have Not Been Modified or Reconstructed Since May 30, 1991

62.14350 Scope and delegation of authority.
62.14351 Definitions.
62.14352 Designated facilities.
62.14353 Standards for municipal solid waste landfill emissions.
62.14354 Procedures, test methods, and monitoring.
62.14355 Reporting and recordkeeping requirements.
62.14356 Compliance schedules and increments of progress.
TABLE 1 TO SUBPART GGG TO PART 60—STATES THAT HAVE AN APPROVED AND EFFECTIVE STATE PLAN
TABLE 2 TO SUBPART GGG TO PART 60—STATES THAT SUBMITTED A NEGATIVE DECLARATION LETTER
TABLE 3 TO SUBPART GGG TO PART 60—GENERIC COMPLIANCE SCHEDULE AND INCREMENTS OF PROGRESS
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## Subpart HHH—Federal Plan Requirements for Hospital/ Medical/Infectious Waste Incinerators Constructed on or Before June 20, 1996

APPLICABILITY

62.14400 Am I subject to this subpart?
62.14401 How do I determine if my HMIWI is covered by an approved and effective State or Tribal plan?
62.14402 If my HMIWI is not listed on the Federal plan inventory, am I exempt from this subpart?
62.14403 What happens if I modify an existing HMIWI?

EMISSION LIMITS

62.14410 Are there different emission limits for different locations and sizes of HMIWI?
62.14411 What emission limits apply to my HMIWI?
62.14412 What stack opacity requirements apply?
62.14413 When do the emission limits and stack opacity requirements apply?

OPERATOR TRAINING AND QUALIFICATION

62.14420 Am I required to have a trained and qualified operator?
62.14421 How does an operator become trained and qualified?
62.14422 What are the requirements for a training course that is not part of a State-approved program?
62.14423 What are the qualification requirements for operators who do not participate in a State-approved program?
62.14424 What documentation must I maintain onsite?
62.14425 When must I review the documentation?

WASTE MANAGEMENT PLAN

62.14430 Must I prepare a waste management plan?
62.14431 What must my waste management plan include?
62.14432 When must my waste management plan be completed?

INSPECTION REQUIREMENTS

62.14440 Which HMIWI are subject to inspection requirements?
62.14441 When must I inspect my small rural HMIWI?
62.14442 What must my inspection include?
62.14443 When must I do repairs?

PERFORMANCE TESTING AND MONITORING REQUIREMENTS

62.14450 What are the testing requirements for small rural HMIWI?
62.14451 What are the testing requirements for HMIWI that are not small rural?
62.14452 What test methods and procedures must I use?
62.14453 What must I monitor?
62.14454 How must I monitor the required parameters?
62.14455 What if my HMIWI goes outside of a parameter limit?

REPORTING AND RECORDKEEPING REQUIREMENTS

62.14460 What records must I maintain?
62.14461 For how long must I maintain records?
62.14462 Where must I keep the records?
62.14463 What reporting requirements must I satisfy?
62.14464 When must I submit reports?
62.14465 Who must sign all submitted reports?

COMPLIANCE SCHEDULE

62.14470 When must I comply with this subpart if I plan to continue operation of my HMIWI?
62.14471 When must I comply with this subpart if I plan to shut down?

62.14472 When must I comply with this subpart if I plan to shut down and later restart?

PERMITTING OBLIGATION

62.14480 Does this subpart require me to obtain an operating permit under title V of the Clean Air Act and implementing regulations?
62.14481 When must I submit a title V permit application for my HMIWI?

DEFINITIONS

62.14490 Definitions.

DELEGATION OF AUTHORITY

62.14495 What authorities will be retained by the EPA Administrator?

TABLE 1 TO SUBPART HHH OF PART 62—EMISSION LIMITS FOR SMALL RURAL, SMALL, MEDIUM, AND LARGE HMIWI
TABLE 2 TO SUBPART HHH OF PART 62—TOXIC EQUIVALENCY FACTORS
TABLE 3 TO SUBPART HHH OF PART 62—OPERATING PARAMETERS TO BE MONITORED AND MINIMUM MEASUREMENT AND RECORDING FREQUENCIES

**Subpart III—Federal Plan Requirements for Commercial and Industrial Solid Waste Incineration Units That Commenced Construction On or Before November 30, 1999**

INTRODUCTION

62.14500 What is the purpose of this subpart?
62.14505 What are the principal components of this subpart?

APPLICABILITY

62.14510 Am I subject to this subpart?
62.14515 Can my CISWI unit be covered by both a State plan and this subpart?
62.14520 How do I determine if my CISWI unit is covered by an approved and effective State or Tribal plan?
62.14521 If my CISWI unit is not listed in the Federal plan inventory, am I exempt from this subpart?
62.14525 Can my combustion unit be exempt from this subpart?
62.14530 What if I have a chemical recovery unit that is not listed in § 62.14525(n)?
62.14531 When must I submit any records required pursuant to an exemption allowed under § 62.14525?

COMPLIANCE SCHEDULE AND INCREMENTS OF PROGRESS

62.14535 When must I comply with this subpart if I plan to continue operation of my CISWI unit?
62.14536 What steps are required to request an extension of the initial compliance date if I plan to continue operation of my CISWI unit?
62.14540 When must I complete each increment of progress?
62.14545 What must I include in each notification of achievement of an increment of progress?
62.14550 When must I submit a notification of achievement of the first increment of progress?
62.14555 What if I do not meet an increment of progress?
62.14560 How do I comply with the increment of progress for submittal of a control plan?
62.14565 How do I comply with the increment of progress for achieving final compliance?
62.14570 What must I do if I plan to permanently close my CISWI unit?
62.14575 What must I do if I close my CISWI unit and then restart it?

WASTE MANAGEMENT PLAN

62.14580 What is a waste management plan?
62.14585 When must I submit my waste management plan?
62.14590 What should I include in my waste management plan?

OPERATOR TRAINING AND QUALIFICATION

62.14595 What are the operator training and qualification requirements?
62.14600 When must the operator training course be completed?
62.14605 How do I obtain my operator qualification?
62.14610 How do I maintain my operator qualification?
62.14615 How do I renew my lapsed operator qualification?
62.14620 What site-specific documentation is required?
62.14625 What if all the qualified operators are temporarily not accessible?

EMISSION LIMITATIONS AND OPERATING LIMITS

62.14630 What emission limitations must I meet and by when?
62.14635 What operating limits must I meet and by when?
62.14640 What if I do not use a wet scrubber to comply with the emission limitations?
62.14645 What happens during periods of startup, shutdown, and malfunction?

PERFORMANCE TESTING

62.14650 How do I conduct the initial and annual performance test?
62.14655 How are the performance test data used?

INITIAL COMPLIANCE REQUIREMENTS

62.14660 How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

62.14665 By what date must I conduct the initial performance test?

CONTINUOUS COMPLIANCE REQUIREMENTS

62.14670 How do I demonstrate continuous compliance with the emission limitations and the operating limits?
62.14675 By what date must I conduct the annual performance test?
62.14680 May I conduct performance testing less often?
62.14685 May I conduct a repeat performance test to establish new operating limits?

MONITORING

62.14690 What monitoring equipment must I install and what parameters must I monitor?
62.14695 Is there a minimum amount of monitoring data I must obtain?

RECORDKEEPING AND REPORTING

62.14700 What records must I keep?
62.14705 Where and in what format must I keep my records?
62.14710 What reports must I submit?
62.14715 When must I submit my waste management plan?
62.14720 What information must I submit following my initial performance test?
62.14725 When must I submit my annual report?
62.14730 What information must I include in my annual report?
62.14735 What else must I report if I have a deviation from the operating limits or the emission limitations?
62.14740 What must I include in the deviation report?
62.14745 What else must I report if I have a deviation from the requirement to have a qualified operator accessible?
62.14750 Are there any other notifications or reports that I must submit?
62.14755 In what form can I submit my reports?
62.14760 Can reporting dates be changed?

AIR CURTAIN INCINERATORS THAT BURN 100 PERCENT WOOD WASTES, CLEAN LUMBER AND/OR YARD WASTE

62.14765 What is an air curtain incinerator?
62.14770 When must I achieve final compliance?
62.14795 How do I achieve final compliance?
62.14805 What must I do if I close my air curtain incinerator and then restart it?
62.14810 What must I do if I plan to permanently close my air curtain incinerator and not restart it?
62.14815 What are the emission limitations for air curtain incinerators that burn 100 percent wood wastes, clean lumber and/or yard waste?
62.14820 How must I monitor opacity for air curtain incinerators that burn 100 percent wood wastes, clean lumber and/or yard waste?
62.14825 What are the recordkeeping and reporting requirements for air curtain incinerators that burn 100 percent wood wastes, clean lumber and/or yard waste?

TITLE V REQUIREMENTS

62.14830 Does this subpart require me to obtain an operating permit under title V of the Clean Air Act?
62.14835 When must I submit a title V permit application for my existing CISWI unit?

DELEGATION OF AUTHORITY

62.13838 What authorities are withheld by the EPA Administrator?

DEFINITIONS

62.14840 What definitions must I know?

TABLES

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TABLE 2 TO SUBPART III OF PART 62—OPERATING LIMITS FOR WET SCRUBBERS
TABLE 3 TO SUBPART III OF PART 62—TOXIC EQUIVALENCY FACTORS
TABLE 4 TO SUBPART III OF PART 62—SUMMARY OF REPORTING REQUIREMENTS

## Subpart JJJ—Federal Plan Requirements for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999

INTRODUCTION

62.15000 What is the purpose of this subpart?
62.15005 What are the principal components of this subpart?

APPLICABILITY OF THIS SUBPART

62.15010 Is my municipal waste combustion unit covered by this subpart?
62.15015 Can my small municipal waste combustion unit be covered by both a State plan and this subpart?
62.15020 Can my small municipal waste combustion unit be exempt from this subpart?
62.15025 How do I determine if my small municipal waste combustion unit is covered by an approved and effective State or Tribal plan?
62.15030 What are my obligations under this subpart if I reduce my small municipal waste combustion unit's combustion capacity to less than 35 tons per day?
62.15035 Is my small municipal waste combustion unit subject to different requirements based on plant capacity?

COMPLIANCE SCHEDULE AND INCREMENTS OF PROGRESS

62.15040 What are the requirements for meeting increments of progress and achieving final compliance?
62.15045 When must I complete each increment of progress?
62.15050 What must I include in the notifications of achievement of my increments of progress?
62.15055 When must I submit the notifications of achievement of increments of progress?
62.15060 What if I do not meet an increment of progress?
62.15065 How do I comply with the increment of progress for submittal of a final control plan?
62.15070 How do I comply with the increment of progress for awarding contracts?
62.15075 How do I comply with the increment of progress for initiating onsite construction?
62.15080 How do I comply with the increment of progress for completing onsite construction?
62.15085 How do I comply with the increment of progress for achieving final compliance?
62.15090 What must I do if I close my municipal waste combustion unit and then restart my municipal waste combustion unit?
62.15095 What must I do if I plan to permanently close my municipal waste combustion unit and not restart it?

GOOD COMBUSTION PRACTICES: OPERATOR TRAINING

62.15100 What types of training must I do?
62.15105 Who must complete the operator training course? By when?
62.15110 Who must complete the plant-specific training course?
62.15115 What plant-specific training must I provide?
62.15120 What information must I include in the plant-specific operating manual?
62.15125 Where must I keep the plant-specific operating manual?

GOOD COMBUSTION PRACTICES: OPERATOR CERTIFICATION

62.15130 What types of operator certification must the chief facility operator and shift supervisor obtain and by when must they obtain it?
62.15135 After the required date for operator certification, who may operate the municipal waste combustion unit?
62.15140 What if all the certified operators must be temporarily offsite?

GOOD COMBUSTION PRACTICES: OPERATING REQUIREMENTS

62.15145 What are the operating practice requirements for my municipal waste combustion unit?
62.15150 What happens to the operating requirements during periods of startup, shutdown, and malfunction?

EMISSION LIMITS

62.15155 What pollutants are regulated by this subpart?
62.15160 What emission limits must I meet?
62.15165 What happens to the emission limits during periods of startup, shutdown, and malfunction?

CONTINUOUS EMISSION MONITORING

62.15170 What types of continuous emission monitoring must I perform?
62.15175 What continuous emission monitoring systems must I install for gaseous pollutants?
62.15180 How are the data from the continuous emission monitoring systems used?
62.15185 How do I make sure my continuous emission monitoring systems are operating correctly?
62.15190 Am I exempt from any 40 CFR part 60 appendix B or appendix F requirements to evaluate continuous emission monitoring systems?
62.15195 What is my schedule for evaluating continuous emission monitoring systems?
62.15200 What must I do if I choose to monitor carbon dioxide instead of oxygen as a diluent gas?
62.15205 What minimum amount of monitoring data must I collect with my continuous emission monitoring systems and is this requirement enforceable?
62.15210 How do I convert my 1-hour arithmetic averages into appropriate averaging times and units?
62.15215 What is required for my continuous opacity monitoring system and how are the data used?
62.15220 What additional requirements must I meet for the operation of my continuous emission monitoring systems and continuous opacity monitoring system?
62.15225 What must I do if my continuous emission monitoring system is temporarily unavailable to meet the data collection requirements?

STACK TESTING

62.15230 What types of stack tests must I conduct?
62.15235 How are the stack test data used?
62.15240 What schedule must I follow for the stack testing?
62.15245 What test methods must I use to stack test?

62.15250 May I conduct stack testing less often?
62.15255 May I deviate from the 13-month testing schedule if unforeseen circumstances arise?

OTHER MONITORING REQUIREMENTS

62.15260 What other requirements must I meet for continuous monitoring?
62.15265 How do I monitor the load of my municipal waste combustion unit?
62.15270 How do I monitor the temperature of flue gases at the inlet of my particulate matter control device?
62.15275 How do I monitor the injection rate of activated carbon?
62.15280 What minimum amount of monitoring data must I collect with my continuous parameter monitoring systems and is this requirement enforceable?

RECORDKEEPING

62.15285 What records must I keep?
62.15290 Where must I keep my records and for how long?
62.15295 What records must I keep for operator training and certification?
62.15300 What records must I keep for stack tests?
62.15305 What records must I keep for continuously monitored pollutants or parameters?
62.15310 What records must I keep for municipal waste combustion units that use activated carbon?

REPORTING

62.15315 What reports must I submit and in what form?
62.15320 What are the appropriate units of measurement for reporting my data?
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AUTHORITY: 42 U.S.C. 7401 *et seq.*

SOURCE: 43 FR 51393, Nov. 3, 1978, unless otherwise noted.

## Subpart A—General Provisions

### § 62.01 Definitions.

As used in this part, all terms not defined herein shall have the meaning given to them in the Clean Air Act and in part 60 of this chapter.

### § 62.02 Introduction.

(a) This part sets forth the Administrator's approval and disapproval of State plans for the control of pollutants and facilities under section 111(d), and section 129 as applicable, of the Act, and the Administrator's promulgation of such plans or portions of plans thereof. Approval of a plan or any portion of a plan is based on a determination by the Administrator that it meets the requirements of section 111(d), and section 129 as applicable, of the Act and provisions of part 60 of this chapter.

(b)(1) If a State does not submit a complete, approvable plan, the Administrator may then promulgate a substitute plan or part of a plan. The promulgated provision, plus the approved parts of the State plan, constitute the applicable plan for purposes of the act.

(2) The part 60 subpart A of this chapter general provisions and appendices to part 60 apply to part 62, except as follows: 40 CFR 60.7(a)(1), 60.7(a)(3), and 60.8(a) and where special provisions set forth under the applicable subpart of this part shall apply instead of any conflicting provisions.

(c) The Administrator will promulgate substitute provisions for the disapproved regulatory provisions only. If a nonregulatory provision is disapproved, however, it will be noted in this part and a detailed explanation will be sent to the State.

(d) All approved regulatory provisions of each plan are incorporated by reference in this part. Section 62.12 provides information on availability of applicable plans. The Administrator and State and local agencies shall enforce (1) regulatory provisions of a plan approved or promulgated by the Administrator, and (2) all permit conditions or denials issued in carrying out the approved or promulgated regulations for the review of designated facilities.

(e) Each State's plan is dealt with in a separate subpart, with separate headings for different pollutants and facilities. The plans shall include an introductory section identifying the plan by name and the date of its submittal. Additional sections are included as necessary to specifically identify disapproved provisions, to set forth reasons for disapproval, and to set forth provisions of the plan promulgated by the Administrator. Except as otherwise specified, all supplemental information submitted to the Administrator with respect to any plan has been submitted by the Governor of the State.

(f) Revisions to applicable plans will be included in this part when approved or promulgated by the Administrator.

(g) Substitute plans promulgated by the Administrator for States that do not have approved plans are contained in separate subparts that appear after the subparts for States. These Federal plans include sections identifying the applicability of the plan, emission limits, compliance schedules, recordkeeping and reporting, performance testing, and monitoring requirements.

[43 FR 51393, Nov. 3, 1978, as amended at 63 FR 63201, Nov. 12, 1998; 68 FR 5158, Jan. 31, 2003]

### § 62.03 Extensions.

The Administrator may, whenever he determines necessary, extend the period for submission of any plan or plan revision or portion thereof.

### § 62.04 Approval status.

The approval status of each State's plan or portions thereof, are set forth in each subpart. All plans are approved unless specifically disapproved in the appropriate subpart.

### § 62.05 Legal authority.

(a) The Administrator's determination of the absence or inadequacy of legal authority required to be included in the plan is set forth in each subpart. This includes the legal authority of local agencies and State governmental agencies other than an air pollution control agency if such other agencies are assigned responsibility for carrying out a plan or portion thereof.

(b) No legal authority as such is promulgated by the Administrator. Where

required regulatory provisions are not included in the plan by the State because of inadequate authority, substitute provisions are promulgated by the Administrator.

### § 62.06 Negative declarations.

A State may submit to the Administrator a letter certifying that no designated facilities exist in the State if such is the case. The negative declaration will be in lieu of a plan.

### § 62.07 Emission standards, compliance schedules.

(a) In each subpart, emission standards and compliance schedules which have been disapproved by the Administrator are identified, and those promulgated by the Administrator are set forth.

(b) The Administrator's approval or promulgation of any compliance schedule shall not affect the responsibility of the owner or operator to comply with any applicable emission limitation on or after the date for final compliance specified in the applicable schedule.

### § 62.08 Emission inventories and source surveillance.

(a) Each subpart identifies the plan provisions for source surveillance which are disapproved, and sets forth the Administrator's promulgation of necessary provisions for requiring designated sources to maintain records, make reports, and submit information.

(b) The Administrator will not promulgate provisions for disapproved State or local agency procedures for testing, inspection, investigation, or detection. However, detailed critiques of such portions will be provided to the State.

### § 62.09 Revision of plans by Administrator.

After notice and opportunity for public hearing in each affected State, the Administrator may revise any provision of an applicable plan if:

(a) The provision was promulgated by the Administrator and

(b) The plan, as revised, will be consistent with the Act and with the requirements of part 60, subpart B of this chapter.

### § 62.10 Submission to Administrator.

Except as otherwise provided in § 60.23 of this chapter, all requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate and addressed to the appropriate Regional Office of the Environmental Protection Agency, to the attention of the Director, Air and Hazardous Materials Division (Environmental Programs Division in Region II). The Regional Offices are as follows:

| Region and jurisdiction covered | Address |
|---|---|
| I—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont. | JFK Federal Building, Boston, Mass. 02203. |
| II—New York, New Jersey, Puerto Rico, Virgin Islands. | Federal Office Building, 26 Federal Plaza, New York, N.Y. 10007. |
| III—Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia. | Air Protection Division, Mail Code 3AP00, 1650 Arch Street, Philadelphia, PA 19103–1129. |
| IV—Alabama, Florida, Georgia, Mississippi, Kentucky, North Carolina, South Carolina, Tennessee. | 345 Courtland NE., Atlanta, Ga. 30308. |
| V—Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin. | Mail Code A–17J, 77 West Jackson Blvd., Chicago, Il 60604–3590. |
| VI—Arkansas, Louisiana, New Mexico, Olkahoma, Texas. | 1st International Building, 1201 Elm St., Dallas, Tex. 75270. |
| VII—Iowa, Kansas, Missouri, Nebraska. | Air, RCRA, and Toxics Division, 901 N. 5th Street, Kansas City, KS 66101. |
| VIII—Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming. | Director, Air Program, Office of Partnerships and Regulatory Assistance, Mail Code 8P–AR, 1595 Wynkoop Street, Denver, CO 80202–1129. |
| IX—Arizona, California, Hawaii, Nevada, Guam, American Samoa. | 215 Fremont St., San Francisco, Calif. 94105. |
| X—Washington, Oregon, Idaho, Alaska. | 1200 6th Ave., Seattle, Wash. 98101. |

[43 FR 51393, Nov. 3, 1978, as amended at 62 FR 1834, Jan. 14, 1997; 68 FR 35729, June 17, 2003; 73 FR 24871, May 6, 2008; 74 FR 66923, Dec. 17, 2009]

### § 62.11 Severability.

The provisions promulgated in this part and the various applications thereof are distinct and severable. If

any provision of this part or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of such provision to other persons or circumstances which can be given effect without the invalid provision or application.

### § 62.12 Availability of applicable plans.

Copies of the applicable plans will be available for public inspection at the following locations:

(a) The offices of the Directors, Air and Hazardous Materials Divisions at EPA Regional Offices I, III–X, and the Director, Environmental Programs Division at EPA Regional Office II. The addresses and jurisdictions covered by these appear in § 62.10.

(b) Public Information Reference Unit, Library Systems Branch, EPA (PM 213), 401 M St., SW., Washington, DC 20460.

### § 62.13 Federal plans.

The Federal plans apply to owners and operators of affected facilities that are not covered by an EPA approved and currently effective State or Tribal plan. This Federal plan, or portions thereof, also applies to each affected facility located in any State or portion of Indian country whose approved State or Tribal plan for that area is subsequently vacated in whole or in part. Affected facilities are defined in each Federal plan.

(a) The substantive requirements of the municipal waste combustor Federal plan are contained in subpart FFF of this part. These requirements include emission limits, compliance schedules, testing, monitoring, and reporting and recordkeeping requirements.

(b) The substantive requirements of the municipal solid waste landfills Federal plan are contained in subpart GGG of this part. These requirements include emission limits, compliance schedules, testing, monitoring, and reporting and recordkeeping requirements.

(c) The substantive requirements of the hospital/ medical/infectious waste incinerator Federal plan are contained in subpart HHH of this part. These requirements include emission limits, compliance schedules, testing, monitoring and reporting and recordkeeping requirements.

(d) The substantive requirements of the commercial and industrial solid waste incineration units Federal plan are contained in subpart III of this part. These requirements include emission limits, compliance schedules, testing, monitoring, and reporting and recordkeeping requirements.

(e) The substantive requirements of the small municipal waste combustion unit Federal plan are contained in subpart JJJ of this part. These requirements include emission limits, compliance schedules, testing, monitoring, and reporting and recordkeeping requirements.

[63 FR 63201, Nov. 12, 1998, as amended at 65 FR 49881, Aug. 15, 2000; 68 FR 5158, Jan. 31, 2003; 68 FR 57539, Oct. 3, 2003]

## Subpart B—Alabama

AUTHORITY: Sec. 110(a) and 111(d), Clean Air Act (42 U.S.C. 7410(a) and 7411(d)).

SOURCE: 48 FR 31402, July 8, 1983, unless otherwise noted.

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

### § 62.100 Identification of plan.

(a) *Identification of plan.* Alabama Designated Facility Plan (Section (d) Plan).

(b) *The plan was officially submitted as follows.* (1) Control of sulfuric acid mist emissions from existing sulfuric acid production units, submitted on May 18, 1980;

(2) Control of fluoride emissions from existing phosphate fertilizer plants, submitted on April 10, 1978.

(3) Alabama Department of Environmental Management Plan For the Control of Landfill Gas Emissions at Existing Municipal Solid Waste Landfills, submitted on January 6, 1998, by the Alabama Department of Environmental Management.

(4) State of Alabama Plan for Implementation of 40 CFR part 60, Subpart Cb, For Existing Municipal Waste Combustors, submitted on September 11, 1998, by the Alabama Department of Environmental Management.

(5) Alabama Department of Environmental Management Plan for the Control of Hospital/Medical/Infectious Waste Incinerators, submitted on April 20, 1999, by the Alabama Department of Environmental Management.

(c) *Designated facilities*. The plan applies to existing facilities in the following categories of sources:

(1) Sulfuric acid plants;

(2) Phosphate fertilizer plants.

(3) Existing municipal solid waste landfills.

(4) Existing municipal waste combustors.

(5) Existing hospital/medical/infectious waste incinerators.

[48 FR 31402, July 8, 1983, as amended at 63 FR 54058, Oct. 8, 1998; 63 FR 63990, Nov. 18, 1998; 65 FR 18911, Apr. 10, 2000]

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PLANTS

**§ 62.101 Identification of sources.**

The plan applies to existing facilities at the following sulfuric acid plants:

(a) Acid plants operated by

(1) Reichhold Chemical Company in Tuscaloosa,

(2) Stauffer Chemical Company in Mobile, and

(3) Estech Chemical in Dothan.

(b) There are no oleum plants.

(c) There are not sulfur-burning plants.

(d) There are no bound sulfur feedstock plants.

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

**§ 62.102 Identification of sources.**

The plan currently does not identify any sources subject to its fluoride emission limits.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

**§ 62.103 Identification of sources.**

The plan applies to existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991, that accepted waste at any time since November 8, 1987, or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

[63 FR 54058, Oct. 8, 1998]

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§ 62.104 Identification of sources.**

The plan applies to existing facilities with a municipal waste combustor (MWC) unit capacity greater than 250 tons per day of municipal solid waste (MSW) at the following MWC sites:

(a) Solid Waste Disposal Authority of the City of Huntsville MWC, Huntsville, Alabama.

(b) [Reserved]

[63 FR 63990, Nov. 18, 1998]

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

**§ 62.105 Identification of sources.**

The plan applies to existing hospital/medical/infectious waste incinerators for which construction, reconstruction, or modification was commenced before June 20, 1996, as described in 40 CFR part 60, subpart Ce.

[65 FR 18911, Apr. 10, 2000]

AIR EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSTION UNITS

**§ 62.106 Identification of plan—negative declaration.**

Letter from the Alabama Department of Environmental Management submitted January 11, 2001, certifying that there are no small municipal waste combustion units subject to 40 CFR part 60, subpart BBBB.

[67 FR 273, Jan. 3, 2002]

AIR EMISSIONS FROM COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION (CISWI) UNITS (SECTION 111(d)/129 PLAN)

**§ 62.107 Identification of sources.**

The Plan applies to existing Commercial and Industrial Solid Waste Incineration Units that commenced construction on or before November 30, 1999.

[68 FR 4105, Jan. 28, 2003]

## Subpart C—Alaska

SOURCE: 44 FR 76281, Dec. 26, 1979, unless otherwise noted.

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

**§ 62.350 Identification of plan—negative declaration.**

The Alaska Department of Environmental Conservation submitted on June 9, 1977, certification that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B of this chapter.

ACID MIST FROM SULFURIC ACID PLANTS

**§ 62.351 Identification of plan—negative declaration.**

The Alaska Department of Environmental Conservation submitted on June 9, 1977, certification that there are no existing sulfuric acid plants in the State subject to part 60, subpart B of this chapter.

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS

**§ 62.352 Identification of plan—negative declaration.**

The Alaska Department of Environmental Conservation submitted on June 9, 1977, certification that there are no existing kraft pulp mills in the State subject to part 60, subpart B of this chapter.

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM REDUCTION PLANTS

**§ 62.353 Identification of plan—negative declaration.**

The Alaska Department of Environmental Conservation submitted on June 9, 1977, certification that there are no existing primary aluminum reduction plants in the State subject to part 60, subpart B of this chapter.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§ 62.354 Identification of plan—negative declaration.**

Letter from the Department of Environmental Conservation submitted June 30, 1997 certifying that there are no existing municipal waste combustor units in the State of Alaska that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33466, May 24, 2000]

## Subpart D—Arizona

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

SOURCE: Sections 62.600 through 62.602 appear at 64 FR 50771, Sept. 20, 1999, unless otherwise noted.

**§ 62.600 Identification of plan.**

The Arizona Department of Environmental Quality submitted on June 17, 1997 and June 29, 1999 the State of Arizona's Section 111(d) Plan for Existing Municipal Solid Waste Landfills.

**§ 62.601 Identification of sources.**

The plan applies to all existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991, as described in 40 CFR part 60, subpart Cc.

**§ 62.602 Effective date.**

The effective date of EPA approval of the plan is November 19, 1999.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.620 Identification of plan—negative declaration.

Letter from the Department of Environmental Quality submitted June 7, 1996 certifying that there are no existing municipal waste combustor units in the State of Arizona that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33466, May 24, 2000]

EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

SOURCE: Sections 62.630 through 62.632 appear at 65 FR 38744, June 22, 2000, unless otherwise noted.

### § 62.630 Identification of plan.

The Arizona Department of Environmental Quality submitted on November 16, 1999 the State of Arizona's section 111(d)/129 Plan for Existing Hospital/Medical/Infectious Waste Incinerators (HMIWI). The submitted plan does not apply to sources located in Pima and Pinal counties.

### § 62.631 Identification of sources.

The plan applies to existing HMIWI for which construction was commenced on or before June 20, 1996, as described in 40 CFR part 60, subpart Ce.

### § 62.632 Effective date.

The effective date of EPA approval of the plan is August 21, 2000.

EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSTION UNITS

### § 62.640 Identification of plan—negative declaration.

Letter from the Arizona Department of Environmental Quality, submitted on March 15, 2001, certifying that there are no small municipal waste combustion units subject to part 60, subpart BBBB, of this chapter.

[66 FR 67098, Dec. 28, 2001]

EMISSIONS FROM EXISTING COMMERCIAL/INDUSTRIAL SOLID WASTE INCINERATION UNITS

### § 62.650 Identification of plan.

(a) The Arizona Department of Environmental Quality submitted on April 25, 2003, a letter certifying that there are no existing commercial/industrial solid waste incineration units within the Department's jurisdiction that are subject to 40 CFR part 60, subpart DDDD.

(b) The Maricopa County Environmental Services Department submitted on February 4, 2003, a letter certifying that there are no existing commercial/industrial solid waste incineration units within the Department's jurisdiction that are subject to 40 CFR part 60, subpart DDDD.

(c) The Pima County Air Quality District submitted on February 5, 2003, a letter certifying that there are no existing commercial/industrial solid waste incineration units within the District's jurisdiction that are subject to 40 CFR part 60, subpart DDDD.

(d) The Pinal County Air Quality Control District submitted on January 24, 2003, a letter certifying that there are no existing commercial/industrial solid waste incineration units within the District's jurisdiction that are subject to 40 CFR part 60, subpart DDDD.

[68 FR 49364, Aug. 18, 2003]

EMISSIONS FROM EXISTING OTHER SOLID WASTE INCINERATION UNITS

### § 62.660 Identification of plan—negative declaration.

Letter from the Pima County Department of Environmental Quality, submitted on April 14, 2008, certifying that there are no existing other solid waste incineration units in its jurisdiction subject to 40 CFR part 60, subpart FFFF, of this chapter.

[74 FR 13123, Mar. 26, 2009]

## Subpart E—Arkansas

SOURCE: 47 FR 20491, May 12, 1982, unless otherwise noted.

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

### § 62.850 Identification of plan.

(a) Identification of plan: Arkansas Plan for the Control of Designated Pollutants from Existing Plants (Section 111(d) Plan).

(b) The plan was officially submitted as follows:

(1) Control of sulfuric acid mist from sulfuric acid plants, and fluoride emissions from phosphate fertilizer plants, submitted on July 11, 1979, having been adopted by the State on May 25, 1979, and letter dated August 6, 1981.

(2) Control of total reduced sulfur (TRS) emissions from existing kraft pulp mills submitted by the Governor on February 28, 1983, and adopted by the State on January 28, 1983.

(3) Revisions to the Plan adopted by the Arkansas Commission on Pollution Control and Ecology on July 24, 1992, effective August 30, 1992, and a negative declaration for phosphate fertilizer plants dated September 2, 1992, submitted by the Governor on September 14, 1992.

(4) Revisions to the Plan adopted by the Arkansas Commission on Pollution Control and Ecology on May 30, 1997, effective July 1, 1997, and submitted by the Governor on August 18, 1997.

(c) Designated facilities: The plan applies to existing facilities in the following categories of sources:

(1) Sulfuric acid plants.

(2) Kraft pulp mills.

[47 FR 20491, May 12, 1982, as amended at 49 FR 35773, Sept. 12, 1984; 63 FR 11608, Mar. 10, 1998]

### § 62.852 [Reserved]

FLUORIDE EMISSIONS FROM EXISTING PHOSPHATE FERTILIZER PLANTS

### § 62.854 Identification of plan—negative declaration.

On September 24, 1992, the Arkansas Department of Pollution Control and Ecology submitted a negative declaration, signed by the Chief of the Air Division on September 2, 1992, certifying that there are no existing phosphate fertilizer plants in the State of Arkansas subject to part 60, subpart B, of this chapter.

[63 FR 11608, Mar. 10, 1998]

SULFURIC ACID MIST EMISSIONS FROM EXISTING SULFURIC ACID PLANTS

### § 62.855 Identification of sources.

(a) The plan applies to existing facilities at the following existing sulfuric acid plant:

(1) El Dorado Chemical Company in El Dorado, Arkansas.

(2) [Reserved]

(b) [Reserved]

[63 FR 11608, Mar. 10, 1998]

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

### § 62.865 Identification of sources.

(a) The plan applies to existing facilities at the following kraft pulp mill plants:

(1) International Paper Company in Camden, Arkansas.

(2) International Paper Company in Pine Bluff, Arkansas.

(3) Green Bay Packaging, Arkansas Kraft Division in Morrilton, Arkansas.

(4) Gaylord Container Corporation in Pine Bluff, Arkansas.

(5) Georgia-Pacific Corporation in Crossett, Arkansas.

(6) Georgia-Pacific Corporation in Ashdown, Arkansas.

(7) Potlatch Corporation of McGehee, Arkansas.

(b) [Reserved]

[49 FR 35773, Sept. 12, 1984, as amended at 63 FR 11608, Mar. 10, 1998]

### § 62.866 Compliance schedule.

The Compliance Schedules were submitted on December 16, 1985, by the Governor to control total reduced Sulfur emissions from the seven kraft pulp mills identified in § 62.865(a). The schedules specify final compliance dates and enforceable increments to be as expeditiously as practicable but not more than six years from approval of the state regulations; i.e., October 12, 1990.

[51 FR 40803, Nov. 10, 1986]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.875 Identification of plan—negative declaration.

Letter from the Department of Pollution Control and Ecology submitted July 1, 1997 certifying that there are no existing municipal waste combustor units in the State of Arkansas that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33466, May 24, 2000]

## Subpart F—California

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

AUTHORITY: Sec. 111 of the Clean Air Act, as amended (42 U.S.C. 7411).

SOURCE: 47 FR 28100, June 29, 1982, unless otherwise noted.

### § 62.1100 Identification of plan.

(a) State of California Designated Facility Plan (Section 111(d) Plan).

(b) The plan was officially submitted as follows:

(1) Control of fluoride emissions from existing facilities at phosphate fertilizer plants, submitted on February 26 and July 16, 1979 and April 7, 1980 having been adopted by the Districts on December 1 and 6, 1979 and January 9, 1979. A letter clarifying the plan was submitted on March 27, 1979. Revisions to the plan were submitted on September 23, 1980 and February 5 and July 6, 1981.

(2) Control of sulfuric acid mist from existing facilities at sulfuric acid production units, submitted on February 26, July 16, and September 7, 1979 and April 7, 1980, having been adopted by the Districts on December 1 and 6, 1978 and January 9, 1979. Revisions to the plan were submitted on October 31, 1980, February 18, and May 1, 1981.

(3) Control of total reduced sulfur (TRS) emissions from existing kraft pulping mills submitted as follows:

(i) 9–25–79; submittal of existing rules; (*a*) Bay Area Air Quality Management District (AQMD) Rule 1, Regulation 12—Kraft Pulp Mills.

(*b*) Humboldt County Air Pollution Control District Regulation 1; Rule 130—Definitions, Rule 240—Permit to Operate, Rule 450—Sulfide Emissions from Kraft Pulp Mills.

(*c*) Shasta County Air Pollution Control District Rule 3:2—Specific Air Contaminants.

(ii) 3–21–80; Clarification of Bay Area Rule 1, Regulation 12—Kraft Pulp Mills.

(iii) 4–7–80; Summary of district rules and State laws that meet the requirements of 40 CFR, parts 60.23–60.26 for Designated Facilities in general.

(iv) 5–29–80; revision of Bay Area AQMD Rule 1, Regulation 12—Kraft Pulp Mills.

(v) 9–5–80; Evidence of public hearing and annual report schedule defined for Bay Area Rule 1, Regulation 12—Kraft Pulp Mills.

(vi) 11–4–81; (*a*) Humboldt County APCD Rules 130—Definitions; 240—Permit to Operate; and 450—Kraft Pulp Mills amended (7–28–81).

(*b*) Shasta County APCD Rule 3:2—Specific Contaminants amended (8–4–81).

(*c*) A summary of compliance of all districts with the requirements set forth in 40 CFR 60.23 through 60.26.

(*d*) A list of witnesses appearing at Humboldt and Shasta Counties public hearings and a summary of testimonies Statewide emissions inventory of all TRS sources in the State.

(4) [Reserved]

(5) State of California's Section 111(d) Plan For Existing Municipal Solid Waste Landfills, submitted on September 26, 1997, June 26, 1998, November 9, 1998, and July 14, 1999 by the California Air Resources Board.

(i) Revision to the State of California's Section 111(d) Plan for Existing Municipal Solid Waste Landfills, submitted by the California Air Resources Board on December 20, 2000.

(ii) [Reserved]

(6) State of California's Section 129/111(d) Plan for Existing Large Municipal Waste Combustors, submitted by the California Air Resources Board on September 23, 1998, with supplemental materials submitted on May 2, 2002.

(c) Designated facilities: The plans apply to existing facilities in the following categories of sources:

(1) Existing phosphate fertilizer plants.

(2) Existing sulfuric acid production units.

(3) Existing kraft pulp mills.

(4) [Reserved]

(5) Existing municipal solid waste landfills.

(6) Existing large municipal waste combustors.

[47 FR 28100, June 29, 1982, as amended at 47 FR 47384, Oct. 26, 1982; 64 FR 51451, Sept. 23, 1999; 66 FR 48356, Sept. 20, 2001; 68 FR 34333, June 9, 2003]

FLUORIDE EMISSIONS FROM EXISTING PHOSPHATE FERTILIZER PLANTS

### § 62.1101 Identification of sources.

The plan applies to existing facilities at the following phosphate fertilizer plants:

(a) Occidental Chemical Company in San Joaquin County.

(b) Simplot Company in Kings County.

(c) Valley Nitrogen Products, Inc., in Fresno County.

SULFURIC ACID MIST EMISSIONS FROM EXISTING SULFURIC ACID PRODUCTION UNITS

### § 62.1102 Identification of sources.

The plan applies to existing facilities at the following sulfuric acid production units:

(a) Allied Chemical Corporation in Alameda County.

(b) Monsanto Company in Alameda County.

(c) Occidental Chemical Company in Fresno County.

(d) Stauffer Chemical Company in Alameda County.

(e) Valley Nitrogen Products, Inc. in Kern County.

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM REDUCTION PLANTS

### § 62.1103 Identification of plan—negative declaration.

TOTAL REDUCED SULPHUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

### § 62.1104 Identification of sources.

The plan applies to existing facilities at the following kraft pulp mills:

(a) Louisiana Pacific, Antioch, Contra Costa County Pulp Mill.

(b) Louisiana Pacific Corp., Samoa Complex.

(c) Crown Simpson Pulp Company, Fairhaven.

(d) Simpson Paper Company, Shasta County Pulp Mill.

[47 FR 47385, Oct. 26, 1982]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.1115 Identification of sources.

The plan applies to existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991, as described in 40 CFR part 60, subpart Cc.

[64 FR 51451, Sept. 23, 1999]

EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSTION UNITS

### § 62.1125 Identification of plan—negative declaration.

Letter from the California Air Resources Board, submitted on July 20, 2001, certifying that there are no small municipal waste combustion units subject to part 60, subpart BBBB, of this chapter.

[66 FR 67098, Dec. 28, 2001]

EMISSIONS FROM LARGE EXISTING MUNICIPAL WASTE COMBUSTION UNITS

### § 62.1130 Identification of sources.

The plan applies to existing large municipal waste combustors that were constructed on or before September 20, 1994, as described in 40 CFR part 60, subpart Cb.

[68 FR 34334, June 9, 2003]

## Subpart G—Colorado

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.1350 Identification of plan.

''111(d) Plan for Existing Municipal Solid Waste Landfills Existing in Colorado'' and the associated State regulations in Part A of Colorado Regulation No. 6, submitted by the State on April 13, 1998.

[63 FR 40373, July 29, 1998]

### § 62.1351 Identification of sources.

The plan applies to all existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991 that accepted waste at any time since November 8, 1987 or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

[63 FR 40373, July 29, 1998]

### § 62.1352 Effective date.

The effective date of the plan for municipal solid waste landfills is September 28, 1998.

[63 FR 40373, July 29, 1998]

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

SOURCE: Sections 62.1360 through 62.1362 appear at 65 FR 38740, June 22, 2000, unless otherwise noted.

### § 62.1360 Identification of plan.

Section 111(d) Plan for Hospital/Medical/Infectious Waste Incinerators and the associated State regulation in part A of Colorado Regulation No. 6, submitted by the State on December 22, 1998 and October 4, 1999.

### § 62.1361 Identification of sources.

The plan applies to all existing hospital/medical/infectious waste incinerators for which construction was commenced on or before June 20, 1996, as described in 40 CFR part 60, subpart Ce.

### § 62.1362 Effective date.

The effective date for the portion of the plan applicable to existing hospital/medical/infectious waste incinerators is August 21, 2000.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.1370 Identification of plan—negative declaration.

Letter from the Department of Public Health and Environment submitted July 30, 1996 certifying that there are no existing municipal waste combustor units in the State of Colorado that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33466, May 24, 2000]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATORS

### § 62.1380 Identification of Plan—Negative Declaration.

Letter from the Department of Public Health and Environment submitted May 6, 2002 certifying that there are no existing commercial and industrial solid waste incinerators in the State of Colorado that are subject to part 60, subpart DDDD, of this chapter.

[68 FR 54373, Sept. 17, 2003]

## Subpart H—Connecticut

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

### § 62.1500 Identification of Plan.

(a) *Identification of Plan.* Connecticut Plan for the Control of Designated Pollutants from Existing Plants (section 111(d) Plan).

(b) The plan was officially submitted as follows:

(1) Plan for Implementing the Municipal Waste Combustor Guidelines and New Source Performance Standards, submitted on October 1, 1999.

(2) Revisions to Plan for Implementing the Municipal Waste Combustor Guidelines and New Source Performance Standards, submitted by the Connecticut Department of Environmental Protection on October 15, 2001

and including Connecticut DEP's revised regulation 22a–174–38. Certain provisions of the revised regulation 22a–174–38 submitted with the MWC Plan are stricken from the regulatory text. The stricken provisions include standards for MWC units constructed after September 20, 1994, more stringent mercury emission standards, and shutdown provisions for mass burn refractory MWC units.

(3) Revision to Plan to implement the Large and Small Municipal Waste Combustors, submitted on September 16, 2004.

(c) The Plan applies to existing sources in the following categories:

(1) Existing municipal waste combustor units greater than 250 tons per day.

(2) Small municipal waste combustors with a design combustion capacity of 35 to 250 tons per day of municipal solid waste.

[65 FR 21358, Apr. 21, 2000, as amended at 66 FR 63313, Dec. 6, 2001; 70 FR 9229, Feb. 25, 2005]

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDES FROM EXISTING LARGE AND SMALL MUNICIPAL WASTE COMBUSTORS

### § 62.1501 Identification of sources.

(a) The plan applies to the following existing municipal waste combustor facilities:

(1) Bridgeport RESCO in Bridgeport.

(2) Ogden Martin Systems of Bristol.

(3) Resource Recovery Systems of Mid-Connecticut in Hartford.

(4) Riley Energy Systems of Lisbon.

(5) American Ref-Fuel Company of Southeastern Connecticut in Preston.

(6) Connecticut Resource Recovery Authority/Covanta Projects of Wallingford, L.P. in Wallingford.

(b) [Reserved]

[65 FR 21358, Apr. 21, 2000, as amended at 70 FR 9229, Feb. 25, 2005]

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.1600 Identification of plan—negative declaration.

The State Department of Environmental Protection submitted on November 30, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the state subject to part 60, subpart B of this chapter.

[44 FR 54052, Sept. 18, 1979]

SULFURIC ACID MIST EMISSIONS FROM SULFURIC ACID PRODUCTION UNITS

### § 62.1625 Identification of plan—negative declaration.

The State Department of Environmental Protection submitted on November 30, 1977, a letter certifying that there are no existing sulfuric acid plants in the state subject to part 60, subpart B of this chapter.

[44 FR 54052, Sept. 18, 1979]

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

### § 62.1650 Identification of plan—negative declaration.

The State Department of Environmental Protection submitted on December 28, 1988, a letter certifying that there are no existing kraft pulp mills in the State subject to part 60, subpart B of this chapter.

[54 FR 9046 Mar. 3, 1989]

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

### § 62.1700 Identification of plan—negative declaration.

The State Department of Environmental Protection submitted on December 28, 1988, a letter certifying that there are no existing primary aluminum reduction plants in the State subject to part 60, subpart B of this chapter.

[54 FR 9046 Mar. 3, 1989]

## Subpart I—Delaware

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.1850 Identification of plan—negative declaration.

The Delaware Department of Natural Resources and Environmental Control submitted on November 7, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the State

subject to part 60, subpart B of this chapter.

[45 FR 43412, June 27, 1980]

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PLANTS

### § 62.1875 Identification of plan.

(a) Title of plan: State implementation plan for control of sulfuric acid mist from existing sulfuric acid plants.

(b) The plan was officially submitted on September 8, 1978 with amendments submitted on December 29, 1980.

(c) Identification of Sources: The plan includes the following sulfuric acid plants:

(1) Allied Chemical Company, Claymont (New Castle County).

[47 FR 10536, Mar. 11, 1982]

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

### § 62.1900 Identification of plan—negative declaration.

The Delaware Department of Natural Resources and Environmental Control submitted on September 8, 1982, a letter certifying that there are no kraft pulp mills in the State subject to part 60, subpart B of this chapter.

[48 FR 10652, Mar. 14, 1983]

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM REDUCTION PLANTS

### § 62.1925 Identification of plan—negative declaration.

The Delaware Department of Natural Resources and Environmental Control submitted on September 8, 1982, a letter certifying that there are no primary aluminum reduction plants in the State subject to part 60, subpart B of this chapter.

[48 FR 10652, Mar. 14, 1983]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS (SECTION 111(d) PLAN)

SOURCE: Sections 62.1950 through 62.1952 appear at 64 FR 50457, Sept. 17, 1999, unless otherwise noted.

### § 62.1950 Identification of plan.

Section 111(d) plan for municipal solid waste landfills and the associated Delaware Department of Natural Resources, Division of Air and Waste Management, Regulation No. 20, Section 28, as submitted on April 23, 1998.

### § 62.1951 Identification of sources.

The plan applies to all Delaware existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991 and that accepted waste at any time since November 8, 1987, or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, Subpart Cc.

### § 62.1952 Effective date.

The effective date of the plan for municipal solid waste landfills is November 16, 1999.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.1960 Identification of plan—negative declaration.

Letter from the Department of Natural Resources and Environmental Control submitted March 26, 1996 certifying that there are no existing municipal waste combustor units in the State of Delaware that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33466, May 24, 2000]

EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS (HMIWI) (SECTION 111(d)/129 PLAN)

SOURCE: Sections 62.1975 through 62.1977 appear at 65 FR 20090, Apr. 14, 2000, unless otherwise noted.

### § 62.1975 Identification of plan.

Section 111(d)/129 plan for HMIWI and the associated Delaware Department of Natural Resources, Division of Air and Waste Management, Regulation No. 20, section 29, as submitted on September 17, 1998.

### § 62.1976 Identification of sources.

The plan applies to all Delaware existing HMIWI for which construction was commenced on or before June 20, 1996.

### § 62.1977 Effective date.

The effective date of the plan for hospital/medical/infectious waste incinerators is June 13, 2000.

EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS

### § 62.1980 Identification of plan—negative declaration.

Letter from the Delaware Department of Natural Resources and Environmental Control submitted November 16, 2001, certifying that there are no existing small municipal waste combustion units within the State of Delaware that are subject to 40 CFR part 60, subpart BBBB.

[68 FR 51, Jan. 2, 2003]

EMISSIONS FROM EXISTING COMMERCIAL/INDUSTRIAL SOLID WASTE INCINERATION UNITS

### § 62.1985 Identification of plan—negative declaration.

Letter from the Delaware Department of Natural Resources and Environmental Control submitted November 16, 2001, certifying that there are no existing commercial/industrial solid waste incineration units within the State of Delaware that are subject to 40 CFR part 60, subpart DDDD.

[68 FR 49, Jan. 2, 2003]

EMISSIONS FROM EXISTING OTHER SOLID WASTE COMBUSTION UNITS

### § 62.1990 Identification of plan—negative declaration.

Letter from the Delaware Department of Natural Resources and Environmental Control submitted June 26, 2006, certifying that there are no existing other solid waste incinerator units within the State of Delaware that are subject to 40 CFR part 60, subpart FFFF.

[72 FR 37633, July 11, 2007]

## Subpart J—District of Columbia

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.2100 Identification of plan—negative declaration.

The Department of Environmental Services submitted on December 12, 1977 a letter certifying that there are no existing phosphate fertilizer plants in the District subject to part 60, subpart B of this chapter.

[45 FR 43412, June 27, 1980]

SULFURIC ACID MIST EMISSIONS FROM EXISTING SULFURIC ACID PLANTS

### § 62.2101 Identification of plan—negative declaration.

The Director, Department of Environmental Services submitted on March 7, 1978 a letter certifying there are no existing sulfuric acid production units in the District subject to part 60, subpart B of this chapter.

[46 FR 41783, Aug. 18, 1981]

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

### § 62.2110 Identification of plan—negative declaration.

The Mayor of the District of Columbia submitted on July 16, 1980 a letter certifying there are no existing primary kraft pulp mills in the District subject to part 60, subpart B of this chapter.

[46 FR 41783, Aug. 18, 1981]

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

### § 62.2120 Identification of plan—negative declaration.

The Mayor of the District of Columbia submitted on May 29, 1980 a letter certifying there are no existing primary aluminum plants in the District subject to part 60, subpart B of this chapter.

[46 FR 41783, Aug. 18, 1981]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§ 62.2130 Identification of plan—negative declaration.**

Letter from the Department of Consumer and Regulatory Affairs submitted July 6, 1992 certifying that there are no existing municipal waste combustor units in the District of Columbia that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33466, May 24, 2000]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

**§ 62.2140 Identification of plan—negative declaration.**

Letter from the Department of Consumer and Regulatory Affairs submitted September 11, 1997, certifying that there are no existing municipal solid waste landfills in the District of Columbia that are subject to 40 CFR part 60, subpart Cc.

[68 FR 55, Jan. 2, 2003]

EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS

**§ 62.2145 Identification of plan—negative declaration.**

Letter from the District of Columbia Department of Health, Environmental Health Administration, submitted November 27, 2001, certifying that there are no existing small municipal waste combustion units within the District of Columbia that are subject to 40 CFR part 60, subpart BBBB.

[68 FR 51, Jan. 2, 2003]

EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATOR (HMIWI) UNITS

**§ 62.2150 Identification of plan—negative declaration.**

Letter from the Department of Health, Environmental Health Administration, submitted to EPA on June 25, 1999, certifying that there are no known existing HMIWI units in the District of Columbia.

[68 FR 53, Jan. 2, 2003]

EMISSIONS FROM EXISTING COMMERCIAL/INDUSTRIAL SOLID WASTE INCINERATION UNITS

**§ 62.2155 Identification of plan—negative declaration.**

Letter from the District of Columbia Department of Health, Environmental Health Administration, submitted November 27, 2001, certifying that there are no existing commercial/industrial solid waste incineration units within the District of Columbia that are subject to 40 CFR part 60, subpart DDDD.

[68 FR 49, Jan. 2, 2003]

## Subpart K—Florida

AUTHORITY: Secs. 110(a) and 111(d), Clean Air Act (42 U.S.C. 7410(a) and 7411(d)).

SOURCE: 48 FR 31402, July 8, 1983, unless otherwise noted.

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

**§ 62.2350 Identification of plan.**

(a) *Identification of plan.* Florida Designated Facility Plan (Section 111(d) Plan).

(b) *The plan was officially submitted as follows.* (1) Control of sulfuric acid mist emissions from existing sulfuric acid production units, submitted on December 14, 1978.

(2) Control of total reduced sulfur (TRS) emissions from existing kraft pulp mills and tall oil plants (both new and existing) submitted on May 24, 1985, and revision submitted on June 10, 1986, by the Florida Department of Environmental Regulation (FDER). No action is taken on sections 17–2.600(4)(c)7 and 8.

(3) The final compliance date to achieve the TRS emission limits for the black liquor evaporation system, the batch digester system and the continuous digester system for St. Joe Paper Company in Port St. Joe is September 14, 1989.

(4) The final compliance date to achieve TRS emission limits for the

No. 5 Multiple Effect Evaporation System, batch digester system and Kamyr digester system for Container Corporation of America in Fernandina Beach, Florida is June 1, 1990.

(5) Control of metals, acid gases, organic compounds and nitrogen oxide emissions from existing municipal waste combustors was submitted by the Florida Department of Environmental Protection on November 18, 1996.

(6) State of Florida Department of Environmental Protection Section 111(d) State Plan For Municipal Solid Waste Landfills, submitted on October 28, 1998, by the Florida Department of Environmental Protection.

(7) State of Florida Department of Environmental Protection Section 111(d) State Plan for Hospital/Medical/Infectious Waste Incinerators, submitted on September 16, 1999, by the Florida Department of Environmental Protection.

(c) *Designated facilities*. The plan applies to existing facilities in the following categories of sources:

(1) Sulfuric acid plants.

(2) Kraft pulp mills.

(3) Existing municipal waste combusters.

(4) Existing municipal solid waste landfills.

(5) Existing hospital/medical/infectious waste incinerators.

[48 FR 31402, July 8, 1983, as amended at 53 FR 30053, Aug. 10, 1988; 54 FR 40003, Sept. 29, 1989; 54 FR 48102, Nov. 21, 1989; 62 FR 60787, Nov. 13, 1997; 64 FR 29964, June 4, 1999; 65 FR 68908, Nov. 15, 2000]

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PLANTS

### § 62.2351 Identification of sources.

The plan applies to existing facilities at the following sulfuric acid plants:

(a) Acid plants operated by:

(1) Occidental Petroleum Company in Hamilton County,

(2) AMAX Phosphate Inc. in Manatee County,

(3) Conserv Chemical in Nichols,

(4) Farmland Industry in Bartow County,

(5) W. R. Grace Company in Polk County,

(6) Royster Fertilizer in Polk County,

(7) USS Agrichemicals in Polk County,

(8) Central Farmers Co-Op in Polk County,

(9) Agrico Chemical Company in Polk County,

(10) Gardinier, Inc. in Hillsborough County, and

(11) ESTECH in Polk County.

(b) There are no oleum plants.

(c) There are no sulfur-burning plants.

(d) There are no bound sulfur feedstock plants.

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM REDUCTION PLANTS

### § 62.2352 Identification of source—negative declaration.

The Florida Department of Environmental Regulation submitted on April 22, 1985, a letter certifying that there are no existing primary aluminum reduction plants in the State subject to part 60, subpart B of this chapter.

[50 FR 26204, June 25, 1985]

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS AND TALL OIL PLANTS

### § 62.2353 Identification of sources.

The plan applies to existing facilities at the following existing kraft pulp plants and tall oil plants:

(a) Alton Packaging Corporation in Jacksonville

(b) Buckeye Cellulose Corporation in Perry

(c) Champion International Corporation (Formerly St. Regis Paper Company) in Cantonment

(d) Container Corporation of America in Fernandina Beach

(e) Georgia-Pacific Corporation in Palatka

(f) Jacksonville Kraft Paper Company in Jacksonville

(g) St. Joe Paper Company in Port St. Joe

(h) Southwest Forest Industries in Panama City

(i) Arizona Chemical Company (Tall Oil Plant) in Panama City

(j) Sylvachem Corporation (Tall Oil Plant) in Port St. Joe

[53 FR 30053, Aug. 10, 1988]

### § 62.2354 Compliance schedules.

The State of Florida has provided that the individual source compliance schedules would be developed and submitted by the affected sources to the State following plan adoption; and that the increments of progress pursuant to 40 CFR 60.21(h) would be specified at that time; this is an acceptable procedure pursuant to 40 CFR 60.24(e)(2). However, the State must submit these schedules to EPA for approval; and these schedules must meet the public hearing requirements of 40 CFR 60.23 or ones deemed equivalent by the Administrator pursuant to 40 CFR 60.23(g).

[53 FR 30053, Aug. 10, 1988]

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.2355 Identification of sources.

The plan applies to existing facilities with a municipal waste combustor (MWC) unit capacity greater than 250 tons per day of municipal solid waste (MSW).

[62 FR 60787, Nov. 13, 1997]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.2360 Identification of sources.

The plan applies to existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991, that accepted waste at any time since November 8, 1987, or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

[64 FR 29964, June 4, 1999]

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

### § 62.2370 Identification of sources.

The plan applies to existing hospital/medical/infectious waste incinerators for which construction, reconstruction, or modification was commenced before June 20, 1996, as described in 40 CFR part 60, subpart Ce.

[65 FR 68908, Nov. 15, 2000]

AIR EMISSIONS FROM COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION (CISWI) UNITS (SECTION 111(d)/129 PLAN)

### § 62.2380 Identification of sources.

The Plan applies to existing Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999.

[68 FR 17885, Apr. 14, 2003]

AIR EMISSIONS FROM SMALL MUNICIPAL WASTE COMBUSTION (SMWC) UNITS—SECTION 111(D)/129 PLAN

### § 62.2390 Identification of sources.

The Plan applies to existing Small Municipal Waste Combustion Units that Commenced Construction On or Before August 30, 1999.

[72 FR 5942, Feb. 8, 2007]

## Subpart L—Georgia

AUTHORITY: Secs. 110(a) and 111(d), Clean Air Act (42 U.S.C. 7410(a) and 7411(d)).

SOURCE: 48 FR 31402, July 8, 1983, unless otherwise noted.

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

### § 62.2600 Identification of plan.

(a) *Identification of plan.* Georgia Designated Facility Plan (Section 111(d) Plan).

(b) *The plan was officially submitted as follows.* (1) Control of sulfuric acid mist emissions from existing sulfuric acid production units, submitted on January 31, 1978;

(2) Control of total reduced sulfur emissions from existing facilities at kraft pulp mills, submitted on January 8, 1982.

(3) A compliance schedule for sources subject to the plan for the control of total reduced sulfur emissions from existing kraft pulp mills and a starting date for such rule, submitted on June 3, 1988.

(4) State of Georgia Plan for Implementation of 40 CFR Part 60, Subpart Cb, For Existing Municipal Waste Combustors, submitted on November 13, 1997, by the Georgia Department of Natural Resources.

(5) State of Georgia Plan for Implementation of 40 CFR Part 60, Subpart Cc, For Existing Municipal Solid Waste Landfills, submitted on January 20, 1998, by the Georgia Department of Natural Resources.

(6) State of Georgia Plan for Implementation of 40 CFR Part 60, Subpart Ce, for Hospital/Medical/Infectious Waste Incinerators Constructed on or Before June 20, 1996, submitted on September 15, 1998, by the Georgia Department of Natural Resources.

(c) *Designated facilities*. The plan applies to existing facilities in the following categories of sources:

(1) Sulfuric acid plants;

(2) Kraft pulp mills.

(3) Existing municipal waste combustors.

(4) Existing municipal solid waste landfills.

(5) Existing hospital/medical/infectious waste incinerators.

[48 FR 31402, July 9, 1983, as amended at 63 FR 27496, May 19, 1998; 63 FR 63416, Nov. 13, 1998; 65 FR 10024, Feb. 25, 2000]

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PLANTS

### § 62.2601 Identification of sources.

The plan applies to existing facilities at the following sulfuric acid plants:

(a) Sulfur-burning plants operated by:

(1) American Cyanamid Company in Savannah, and

(2) Cities Service Company in Augusta.

(b) Oleum plant of Cities Service Company in Augusta.

(c) There are no bound sulfur feedstock plants.

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.2602 Identification of sources—negative declaration.

The Georgia Environmental Protection Division submitted on July 14, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B, of this chapter.

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS

### § 62.2603 Identification of sources.

The plan applies to existing facilities at the following kraft pulp mills:

(a) Continental Can in Augusta,

(b) Continental Can in Port Wentworth,

(c) Brunswick in Brunswick,

(d) Georgia Kraft in Rome,

(e) Georgia Kraft in Macon,

(f) Gilman in St. Marys,

(g) Great Southern in Cedar Springs,

(h) Interstate in Riceboro,

(i) ITT Rayonier in Jesup,

(j) Owens-Illinois in Valdosta, and

(k) Union Camp in Savannah.

### § 62.2604 [Reserved]

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM REDUCTION PLANTS

### § 62.2605 Identification of sources—negative declaration.

The Georgia Environmental Protection Division submitted a letter on October 19, 1983, certifying that there are no existing primary aluminum reduction plants in the State of Georgia subject to 40 CFR part 60, subpart B, of this chapter.

[49 FR 3855, Jan. 31, 1984]

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.2606 Identification of sources.

The plan applies to existing facilities with a municipal waste combustor (MWC) unit capacity greater than 250 tons per day of municipal solid waste (MSW) at the following MWC sites:

(1) Savannah Energy Systems Company, Savannah, Georgia.

(2) [Reserved]

[63 FR 27496, May 19, 1998]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.2607 Identification of sources.

The plan applies to existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991, that accepted waste at any time since November 8, 1987, or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

[63 FR 63416, Nov. 13, 1998]

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

### § 62.2608 Identification of sources.

The plan applies to existing hospital/medical/infectious waste incinerators for which construction, reconstruction, or modification was commenced before June 20, 1996, as described in 40 CFR Part 60, Subpart Ce.

[65 FR 10024, Feb. 25, 2000]

AIR EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSTION UNITS

### § 62.2609 Identification of plan—negative declaration.

Letter from the Georgia Department of Natural Resources submitted December 13, 2001, certifying that there are no small municipal waste combustion units subject to 40 CFR part 60, subpart BBBB.

[67 FR 273, Jan. 3, 2002]

## Subpart M—Hawaii

EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSTION UNITS

### § 62.2850 Identification of plan—negative declaration.

Letter from the State of Hawaii Department of Health, submitted on March 13, 2001, certifying that there are no small municipal waste combustion units subject to part 60, subpart BBBB, of this chapter.

[66 FR 67098, Dec. 28, 2001]

## Subpart N—Idaho

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

### § 62.3100 Identification of plan—negative declaration.

The State of Idaho Department of Health and Welfare submitted on February 23, 1981, certification that there are no existing primary aluminum plants in the State subject to part 60, subpart B of this chapter.

[47 FR 47250, Oct. 25, 1982]

METALS, ACID GASES, ORGANIC COMPOUNDS, PARTICULATES AND NITROGEN OXIDE EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

### § 62.3110 Identification of plan.

(a) The Idaho Division of Environmental Quality submitted to the Environmental Protection Agency a State Plan for the control of air emissions from Hospital/Medical/Infectious Waste Incinerators on December 16, 1999.

(b) Identification of Sources: The Idaho State Plan applies to all existing HMIWI facilities for which construction was commenced on or before June 20, 1996, as described in 40 CFR part 60, subpart Ce. (This plan does not apply to facilities on tribal lands).

(c) The effective date for the portion of the plan applicable to existing Hospital/Medical/Infectious Waste Incinerators is June 20, 2000.

[65 FR 21361, Apr. 21, 2000]

CONTROL OF NON-METHANE ORGANIC COMPOUNDS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.3120 Identification of plan.

(a) The Idaho Division of Environmental Quality submitted to the Environmental Protection Agency a State Plan for the control of air emissions from Municipal Solid Waste Landfills on December 16, 1999.

(b) Identification of Sources: The Idaho State Plan applies to all existing Municipal Solid Waste Landfills which commenced construction, reconstruction, or modification before May 30, 1991, as described in 40 CFR part 60,

subpart Cc. (This plan does not apply to facilities on tribal lands).

(c) The effective date for the portion of the plan applicable to existing Municipal Solid Waste Landfills is May 30, 2000.

[65 FR 16323, Mar. 28, 2000]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.3130 Identification of plan—negative declaration.

Letter from the Department of Health and Welfare submitted October 28, 1996 certifying that there are no existing municipal waste combustor units in the State of Idaho that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33466, May 24, 2000]

## Subpart O—Illinois

SULFURIC ACID MIST EMISSIONS FROM EXISTING SULFURIC ACID PRODUCTION PLANTS

### § 62.3300 Identification of plan.

(a) Title of Plan: ''Illinois Plan for the Control of Sulfuric Acid Mist from Existing Contract Process Sulfuric Acid Plants.''

(b) The plan was officially submitted on August 10, 1978.

(c) Identification of sources: The plan includes the following sulfuric acid production plants:

(1) Beker Industries in LaSalle County.

(2) U.S.I. Chemical Company in Douglas County.

(3) Mobil Chemical Company in Bureau County.

(4) Swift Chemical Company in Cook County.

(5) American Cyanamid Company in Will County.

(6) Amax Zinc Company in St. Clair County.

(7) Monsanto Company in St. Clair County.

(8) Smith Douglas—Division of Border Chemical in Livingston County.

[46 FR 57896, Nov. 27, 1981]

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS

### § 62.3325 Identification of plan—negative declaration.

The Illinois Environmental Protection Agency submitted on July 23, 1979, a letter certifying that there are no existing kraft pulp mills in the State subject to part 60, subpart B of this chapter.

[46 FR 57896 Nov. 27, 1981]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.3330 Identification of plan.

The Illinois Plan for implementing the Federal Municipal Solid Waste Landfill Emission Guidelines to control air emissions from existing landfills in the State was submitted on July 21, 1998. The Illinois rules for Municipal Solid Waste Landfills are primarily found in Title 35: Environmental Protection; Subtitle B: Air Pollution; Chapter I: Pollution Control Board; Subchapter C: Emission Standards and Limitations for Stationary Sources; Part 220: Nonmethane Organic Compounds of the Illinois Administrative Code (35 IAC). Part 220 was adopted by the IPCB on June 17, 1998 and filed in the principal office on that day. Part 220 was published in the *Illinois Register* on July 10, 1998 at 22 *Ill. Reg.* 11790 and became effective on July 31, 1998. As part of the same rulemaking action, the IPCB amended 35 IAC Part 201: Permits and General Provisions; Subpart A: Definitions; Section 201.103 (a) by adding the following abbreviations: Mg = megagrams, M(3) = cubic meters, NMOC = nonmethane organic compounds, and yr = year. In Section 201.103 (b) the conversion factor for 1000 gal was changed from 3.785 cubic meters to 3.785 M(3). In Subpart C: Prohibitions, Section 201.146 was amended by adding paragraph (ggg) which states that municipal solid waste landfills with a maximum total design capacity of less than 2.5 million Mg or 2.5 million M(3) are not required to install a gas collection and control system pursuant to 35 Ill. Adm. Code 220 or 800 through 849 or Section 9.1 of the [Illinois Environmental Protection] Act.

These amendments were published in the *Illinois Register* on July 10, 1998 at 22 *Ill. Reg.* 11824 and became effective on July 31, 1998.

[63 FR 64632, Nov. 23, 1998]

### § 62.3331 Identification of sources.

The plan applies to all existing municipal solid waste landfills for which construction, reconstruction or modification was commenced before May 30, 1991 that accepted waste at any time since November 8, 1987 or that have additional capacity available for future waste deposition, as consistent with 40 CFR part 60.

[63 FR 64632, Nov. 23, 1998]

### § 62.3332 Effective date.

The effective date of the plan for municipal solid waste landfills is January 22, 1999.

[63 FR 64632, Nov. 23, 1998]

EMISSIONS FROM SMALL MUNICIPAL WASTE COMBUSTION UNITS WITH THE CAPACITY TO COMBUST AT LEAST 35 TONS PER DAY OF MUNICIPAL SOLID WASTE BUT NO MORE THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE AND COMMENCED CONSTRUCTION ON OR BEFORE AUGUST 30, 1999

### § 62.3335 Identification of plan—negative declaration.

On June 25, 2001, the State of Illinois certified to the satisfaction of the United States Environmental Protection Agency that no major sources categorized as small Municipal Waste Combustors are located in the State of Illinois.

[66 FR 59713, Nov. 30, 2001]

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING HOSPITAL / MEDICAL INFECTIOUS WASTE INCINERATORS

SOURCE: Sections 62.3340 through 62.3342 appear at 64 FR 36605, July 7, 1999, unless otherwise noted.

### § 62.3340 Identification of plan.

Illinois submitted, on May 28, 1999, a State Plan for implementing the Emission Guidelines affecting Hospital/Medical Infectious Waste Incinerators (HMIWI). The enforceable mechanism for this plan is 35 Ill. Adm. Code 229. The rule was adopted by the Illinois Pollution Control Board on May 6, 1999. The rule became effective on May 15, 1999, and was published in the Illinois Register on May 28, 1999 at 23 Ill. Reg. 6477

### § 62.3341 Identification of sources.

The Illinois State Plan for existing Hospital/Medical/Infectious Waste Incinerators (HMIWI) applies to all HMIWIs for which construction commenced either on or before June 20, 1996.

### § 62.3342 Effective Date.

The effective date of the Illinois State Plan for existing Hospital/Medical/Infectious Waste Incinerators is September 7, 1999.

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.3350 Identification of plan.

Illinois submitted ''State Plan to Implement Emission Guidelines for Large Municipal Waste Combustors'' on June 23, 1997. The plan applies specifically to Robbins Resource Recovery Center (RRRC), located in Robbins, Illinois. The enforceable mechanism for this source is special condition 18(c) of operating permit number 88120055, issued to RRRC by Illinois on June 2, 1997.

[62 FR 67572, Dec. 29, 1997]

## Subpart P—Indiana

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.3600 Identification of plan—negative declaration.

The State Board of Health submitted on April 18, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B of this chapter.

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

### § 62.3625 Identification of plan.

(a) *Title of plan.* ''Fluoride Emission Limitations for Existing Primary Aluminum Plants.''

(b) The plan was officially submitted on January 7, 1981 by the Technical Secretary of the Indiana Air Pollution Control Board.

(c) The State on July 17, 1981, submitted Alcoa methods 4075A, 4076A, 913A, 914E and 914F as alternate test methods.

(d) On October 17, 2002, and January 22, 2003, the State notified EPA that it is revising the control strategy for this plan. Rule 326 IAC 11–5 is removed as the control strategy for this plan and the Federal NESHAP for controlling fluoride emissions from primary aluminum reduction plants promulgated on October 7, 1997 (62 FR 52384), and codified at 40 CFR part 63, subpart LL is the revised control strategy for this plan.

[46 FR 57896, Nov. 27, 1981, as amended at 46 FR 57897, Nov. 27, 1981; 68 FR 11474, Mar. 11, 2003]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

SOURCE: Sections 62.3630 through 62.3631 appear at 65 FR 16327, Mar. 28, 2000, unless otherwise noted.

### § 62.3630 Identification of plan.

''Section 111(d) Plan for Municipal Solid Waste Landfills'' and the associated State regulations found in Title 326: Air Pollution Control Board of the Indiana Administrative Code (IAC), Article 8. Volatile Organic Compound Rules, Rule 8. Municipal Solid Waste Landfills Located in Clark, Floyd, Lake and Porter Counties and Rule 8.1. Municipal Solid Waste Landfills Not Located in Clark, Floyd, Lake and Porter Counties added at 21 Indiana Register 31, filed with the Secretary of State September 8, 1997, effective October 8, 1997, submitted by the State to EPA on September 30, 1999. Also included in this plan are rules submitted to EPA on November 21, 1995 and February 14, 1996: Title 326 IAC Article 8. Volatile Organic Compound Rules, Rule 8. Municipal Solid Waste Landfills adopted at 19 Indiana Register 1050, filed with the Secretary of State December 19, 1995, effective January 18, 1996.

### § 62.3631 Identification of sources.

The plan applies to all existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991 that accepted waste at any time since November 8, 1987 or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

### § 62.3632 Effective date.

The effective date of the plan for municipal solid waste landfills is May 30, 2000.

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING HOSPITAL/MEDICAL INFECTIOUS WASTE INCINERATORS

SOURCE: Sections 62.3640 through 62.3642 appear at 64 FR 70599, Dec. 17, 1999, unless otherwise noted.

### § 62.3640 Identification of plan.

Indiana submitted, September 30, 1999, a State Plan for implementing the Emission Guidelines affecting Hospital/Medical Infectious Waste Incinerators (HMIWI). The enforceable mechanism for this plan is 326 Indiana Administrative Code 11–6. The rule was adopted by the Indiana Pollution Control Board on September 2, 1998. The rule was published in the Indiana Register on March 1, 1999, and became effective on March 11, 1999.

### § 62.3641 Identification of sources.

The Indiana State Plan for existing Hospital/Medical/Infectious Waste Incinerators (HMIWI) applies to all HMIWIs for which construction commenced either on or before June 20, 1996.

### § 62.3642 Effective Date.

The Federal effective date of the Indiana State Plan for existing Hospital/

Medical/Infectious Waste Incinerators is February 15, 2000.

EMISSIONS FROM SMALL MUNICIPAL WASTE COMBUSTION UNITS WITH THE CAPACITY TO COMBUST AT LEAST 35 TONS PER DAY OF MUNICIPAL SOLID WASTE BUT NO MORE THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE AND COMMENCED CONSTRUCTION ON OR BEFORE AUGUST 30, 1999

### § 62.3645 Identification of plan—negative declaration.

On November 7, 2001, and December 3, 2001, the State of Indiana certified to the satisfaction of the United States Environmental Protection Agency that no sources categorized as small Municipal Waste Combustors are located in the State of Indiana.

[67 FR 10622, Mar. 8, 2002]

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.3650 Identification of plan.

(a) On September 30, 1999, Indiana submitted the State plan for implementing the Federal Large Municipal Waste Combustor (MWC) Emission Guidelines to control emissions from existing MWCs with the capacity to combust greater than 250 tons per day of municipal solid waste. The enforceable mechanism for this plan is a State rule codified in 326 Indiana Administrative Code (IAC) 11–7. The rule was adopted on September 2, 1998, filed with the Secretary of State on January 18, 1999, and became effective on February 17, 1999. The rule was published in the *Indiana Register* on March 1, 1999 (22 IR 1967).

(b) On August 24, 2007 (with corrections submitted on July 29, 2008), Indiana submitted a revised State plan as required by Sections 129(a)(5) and 129(b)(2) of the Act. The revised (Phase II) State plan implements amendments to 40 CFR part 60, subpart Cb published in the FEDERAL REGISTER on May 10, 2006. The Phase II State plan includes an amendment to State Rule 326 IAC 11–7 that was adopted by Indiana on February 7, 2007.

[73 FR 56982, Oct. 1, 2008]

### § 62.3651 Identification of sources.

The plan applies to all existing MWCs with the capacity to combust greater than 250 tons per day of municipal solid waste, and for which construction, reconstruction, or modification was commenced on or before September 20, 1994, as consistent with 40 CFR Part 60, subpart Cb.

[73 FR 56983, Oct. 1, 2008]

### § 62.3652 Effective date.

The effective date of Phase I of the approval of the Indiana State plan for MWCs with the capacity to combust greater than 250 tons per day of municipal solid waste was January 18, 2000.

Phase II of the State plan revision is effective December 1, 2008.

[73 FR 56983, Oct. 1, 2008]

CONTROL OF AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATOR UNITS

### § 62.3660 Identification of plan.

On December 20, 2002, Indiana submitted a plan to control emissions from Commercial and Industrial Solid Waste Incinerators (CISWI). The Indiana plan incorporates by reference substantial portions of 40 CFR part 60, subpart DDDD, Emission Guidelines and Compliance Times for CISWI units built on or before November 30, 1999.

[68 FR 35183, June 12, 2003]

## Subpart Q—Iowa

SOURCE: 50 FR 52921, Dec. 27, 1985, unless otherwise noted.

STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

### § 62.3840 Standards of Performance for New Stationary Sources.

Rule 567–23.1(5), Emission guidelines, which adopts by reference 40 CFR part 60, subpart A and appendices A–C, and F, as amended through July 23, 2001, is approved.

[68 FR 40533, July 8, 2003]

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

**§ 62.3850 Identification of plan.**

(a) *Identification of plan*. Iowa Plan for Control of Designated Pollutants from Existing Facilities (Section 111(d) Plan).

(b) The plan was officially submitted as follows:

(1) Control of sulfuric acid mist from existing facilities at sulfuric acid production plants, effective on June 16, 1971, having been submitted by the State on February 23, 1978. Additional information was provided in letters of February 7, 1983; May 13, 1985; and June 12, 1985.

(2) Control of fluoride emissions from existing facilities at phosphate fertilizer plants, effective on August 29, 1979, having been submitted by the State on October 19, 1979. Additional information was provided in letters of February 7, 1983; May 13, 1985; and June 12, 1985.

(3) Control of sulfur dioxide and sulfuric acid mist from sulfuric acid manufacturing plants in Polk County were adopted on October 26, 1993, and submitted on March 23, 1994.

(c) *Designated facilities*. The plan applies to existing facilities in the following categories of sources:

(1) Sulfuric acid production plants.

(2) Phosphate fertilizer plants.

[50 FR 52921, Dec. 27, 1985, as amended at 60 FR 31092, June 13, 1995]

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PRODUCTION PLANTS

**§ 62.3851 Identification of sources.**

(a) The plan applies to existing facilities at the following sulfuric acid production plants:

(1) Agrico Chemical Company, Fort Madison, Iowa

(2) Koch Sulfur Products Company, Dubuque, Iowa

FLUORIDE EMISSIONS FROM EXISTING PHOSPHATE FERTILIZER PLANTS

**§ 62.3852 Identification of sources.**

(a) The plan applies to existing facilities at the following phosphate fertilizer plants:

(1) Agrico Chemical Company, Fort Madison, Iowa.

(2) Chevron Chemical Company, Fort Madison, Iowa.

(3) Occidental Chemical Company, Buffalo, Iowa.

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

**§ 62.3853 Identification of plan—negative declaration.**

Letter from Executive Director of Iowa Department of Environmental Quality submitted on February 7, 1983, certifying that there are no kraft pulp mills in the State of Iowa subject to part 60, subpart B of this chapter.

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM REDUCTION PLANTS

**§ 62.3854 Identification of plan—negative declaration.**

Letter from the Iowa Department of Water, Air and Waste Management submitted on May 13, 1985, certifying that there are no primary aluminum reduction plants in the State of Iowa subject to part 60, subpart B of this chapter.

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

**§ 62.3910 Identification of plan—negative declaration.**

Letter from Executive Director of Iowa Department of Environmental Quality submitted on February 7, 1983, certifying that there are no kraft pulp mills in the State of Iowa, subject to part 60, subpart B of this chapter.

[49 FR 43058, Oct. 26, 1984]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§ 62.3911 Identification of plan—negative declaration.**

Letter from the Administrator of the Environmental Protection Division of the Department of Natural Resources submitted June 4, 1991, certifying that there are no existing municipal waste

combustors in the state of Iowa subject to this 111(d) requirement.

[56 FR 56321, Nov. 4, 1991]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 35 MEGAGRAMS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.3912 Identification of plan-negative declaration.

Letter from the Iowa Department of Natural Resources submitted December 27, 1996, certifying that there are no municipal waste combustors in the state of Iowa subject to part 60, subpart Cb of this chapter.

[62 FR 41873, Aug. 4, 1997]

AIR EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.3913 Identification of plan.

(a) *Identification of plan*. Iowa plan for control of landfill gas emissions from existing municipal solid waste landfills and associated state regulations submitted on December 22, 1997.

(b) *Identification of sources*. The plan applies to all existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991, that accepted waste at any time since November 8, 1987, or that have additional capacity available for future waste deposition, and have design capacities greater than 2.5 million megagrams and nonmethane organic emissions greater than 50 megagrams per year, as described in 40 CFR part 60, subpart Cc.

(c) *Effective date*. The effective date of the plan for municipal solid waste landfills is June 22, 1998.

(d) Amended plan for the control of air emissions from municipal solid waste landfills submitted by the Iowa Department of Natural Resources on September 19, 2001. The effective date of the amended plan is February 11, 2002.

[63 FR 20103, Apr. 23, 1998, as amended at 66 FR 64154, Dec. 12, 2001]

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

### § 62.3914 Identification of plan.

(a) *Identification of plan*. Iowa plan for the control of air emissions from hospital/medical/infectious waste incinerators submitted by the Iowa Department of Natural Resources on January 29, 1999.

(b) *Identification of sources*. The plan applies to existing hospital/medical/infectious waste incinerators constructed on or before June 20, 1996.

(c) *Effective date*. The effective date of the plan is August 16, 1999.

(d) Amended plan for the control of air emissions from hospital/medical/infectious waste incinerators submitted by the Iowa Department of Natural Resources on September 19, 2001. The effective date of the amended plan is February 11, 2002.

[64 FR 32427, June 17, 1999, as amended at 66 FR 64152, Dec. 12, 2001]

AIR EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSTION UNITS

### § 62.3915 Identification of plan—negative declaration.

Letter from the Iowa Department of Natural Resources submitted March 21, 2001, certifying that there are no small municipal waste combustion units subject to 40 CFR part 60, subpart BBBB.

[66 FR 46961, Sept. 10, 2001]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

### § 62.3916 Identification of Plan.

(a) *Identification of plan*. The Iowa Department of Natural Resources approved this revision to the 567 Iowa Administrative Code, 23.1(5)(455B) to the State of Iowa section 111(d) plan for the purpose of adopting by reference subpart III of 40 CFR part 62, the commercial and industrial solid waste incineration rule, which became effective on April 21, 2004. For purposes of this adoption by reference, references that refer to EPA's authority will be IDNR's authority except for § 62.14838, ''What authorities are withheld by the EPA

Administrator?'' This revision was submitted on June 29, 2004.

(b) *Identification of sources*. The plan applies to all applicable existing Commercial and Industrial Solid Waste Incineration Units for which construction commenced on or before November 30, 1999.

(c) *Effective date*. The effective date of the plan is October 25, 2004.

[69 FR 51958, Aug. 24, 2004]

AIR EMISSIONS FROM EXISTING ''OTHER'' SOLID WASTE INCINERATION UNITS

### § 62.3917 Identification of plan—negative declaration.

Letter from the Iowa Department of Natural Resources submitted March 8, 2007, certifying that there are no commercial and industrial solid waste incineration units subject to 40 CFR part 60, subpart EEEE.

[72 FR 25979, May 8, 2007]

MERCURY EMISSIONS FROM COAL-FIRED ELECTRIC STEAM GENERATING UNITS

### § 62.3918 Identification of plan.

(a) *Identification of plan*. Section 111(d) plan and associated State regulations as adopted in the Iowa Administrative Bulletin on June 7, 2006, page 1811 and associated amendments on February 28, 2007, page 1157.

(b) *Identification of sources*. The plan applies to all new and existing mercury budget units meeting the applicability requirements in Iowa's State rule 567–34.301.

(c) *Effective date*. The effective date for the portion of the plan applicable to mercury budget units as described in Iowa State rule 567–34.301 is January 25, 2008.

[72 FR 72955, Dec. 26, 2007]

## Subpart R—Kansas

SOURCE: 49 FR 7234, Feb. 28, 1984, unless otherwise noted.

FLUORIDE EMISSIONS FROM EXISTING PHOSPHATE FERTILIZER PLANTS

### § 62.4100 Identification of plan—negative declaration.

Letter from the Director of the Department of Health and Environment submitted on August 2, 1978, certifying that there are no phosphate fertilizer manufacturing facilities in the State of Kansas.

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

### § 62.4125 Identification of plan—negative declaration.

Letter from the Director of the Department of Health and Environment submitted on July 17, 1979, certifying that there are no kraft pulp mills in the State of Kansas.

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM REDUCTION PLANTS

### § 62.4150 Identification of plan—negative declaration.

Letter from the Director, Division of Environment, Kansas Department of Health and Environments submitted on May 23, 1984, certifying that there are no primary aluminum reduction plants on the State of Kansas, subject to part 60, subpart B of this chapter.

[49 FR 43058, Oct. 26, 1984]

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PRODUCTION PLANTS

### § 62.4175 Identification of plan.

(a) *Identification of plan*. State of Kansas Implementation Plan for Control of Sulfuric Acid Mist from Existing Sulfuric Acid Plants.

(b) The Plan was officially submitted on February 6, 1986.

(c) *Identification of sources*. The Plan applies to existing facilities at the following existing sulfuric acid plant:

(1) Koch Sulfur Products, DeSoto, Kansas.

[51 FR 37275, Oct. 21, 1986]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.4176 Identification of plan—negative declaration.

Letter from the Director of the Bureau of Air and Waste Management of the Department of Health and Environment submitted July 3, 1991, certifying that there are no existing municipal waste combustors in the state of Kansas subject to this 111(d) requirement.

[56 FR 56321, Nov. 4, 1991]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 35 MEGAGRAMS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.4177 Identification of plan—negative declaration.

Letter from the Kansas Department of Health submitted April 26, 1996, certifying that there are no municipal waste combustors in the state of Kansas subject to part 60, subpart Cb of this chapter.

[62 FR 41874, Aug. 4, 1997]

AIR EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.4178 Identification of plan.

(a) *Identification of plan.* Kansas plan for control of landfill gas emissions from existing municipal solid waste landfills and associated state regulations submitted on December 1, 1997.

(b) *Identification of sources.* The plan applies to all existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991, that accepted waste at any time since November 8, 1987, or that have additional capacity available for future waste deposition, and have design capacities greater than 2.5 million megagrams and nonmethane organic emissions greater than 50 megagrams per year, as described in 40 CFR part 60, subpart Cc.

(c) *Effective date.* The effective date of the plan for municipal solid waste landfills is May 19, 1998.

[63 FR 13532, Mar. 20, 1998]

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

### § 62.4179 Identification of plan.

(a) Identification of plan. Kansas plan for the control of air emissions from hospital/medical/infectious waste incinerators submitted by the Kansas Department of Health and Environment on May 4, 2000.

(b) Identification of sources. The plan applies to existing hospital/medical/infectious waste incinerators constructed on or before June 20, 1996.

(c) Effective date. The effective date of the plan is September 12, 2000.

(d) Amended plan for the control of air emissions from hospital/medical/infectious waste incinerators submitted by the Kansas Department of Health and Environment on October 25, 2001. This plan revision establishes a final compliance date of September 15, 2002, for two incinerators in Johnson and Wyandotte Counties, Kansas. The effective date of the amended plan is February 19, 2002.

[65 FR 43704, July 14, 2000, as amended at 66 FR 65450, Dec. 19, 2001]

AIR EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSTION UNITS

### § 62.4180 Identification of plan—negative declaration.

Letter from the Kansas Department of Health and Environment submitted February 13, 2001, certifying that there are no small municipal waste combustion units subject to 40 CFR part 60, subpart BBBB.

[66 FR 46961, Sept. 10, 2001]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

### § 62.4181 Identification of plan—negative declaration.

Letter from the Kansas Department of Health and Environment submitted November 16, 2001, certifying that there are no commercial and industrial solid

waste incineration units subject to 40 CFR part 60, subpart DDDD.

[67 FR 4181, Jan. 29, 2002]

AIR EMISSIONS FROM EXISTING ''OTHER'' SOLID WASTE INCINERATION UNITS

**§ 62.4182 Identification of plan—negative declaration.**

Letter from the Kansas Department of Health and Environment submitted December 7, 2006, certifying that there are no ''other'' solid waste incineration units subject to 40 CFR part 60, subpart EEEE.

[72 FR 25980, May 8, 2007]

## Subpart S—Kentucky

SOURCE: 47 FR 22956, May 26, 1982, unless otherwise noted.

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

**§ 62.4350 Identification of plan.**

(a) *Identification of plan*. Kentucky Designated Facility Plan (Section 111(d) Plan).

(b) The plan was officially submitted as follows:

(1) Control of sulfuric acid mist emissions from existing facilities at sulfuric acid plants, total reduced sulfur emissions from existing facilities at kraft pulp mills, fluoride emissions from existing facilities at primary aluminum reduction plants, officially submitted on December 15, 1981.

(2) Commonwealth of Kentucky's Section 111(d) Plan For Existing Municipal Solid Waste Landfills, submitted on December 3, 1998, by the Kentucky Division for Air Quality.

(c) *Designated facilities*. The plan applies to existing facilities in the following categories of sources:

(1) Sulfuric acid plants.

(2) Kraft pulp mills.

(3) Primary aluminum reduction plants.

(4) Existing municipal solid waste landfills.

[47 FR 22956, May 26, 1982, as amended at 64 FR 19293, Apr. 20, 1999]

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PLANTS

**§ 62.4351 Identification of sources.**

The plan applies to existing facilities at the following sulfuric acid plant: E.I. du Pont sulfuric acid plant in Wurtland, Ky.

TOTAL REDUCED SULFUR FROM EXISTING KRAFT PULP MILLS

**§ 62.4352 Identification of sources.**

The plan applies to existing facilities at the following kraft pulp mills:

(a) Westvaco Corp., Fine Papers Division, Wickliffe, Ky.

(b) Willamette Industries, Corrugated Medium Mill and Bleached Pulp Mill, Hawesville, Kentucky.

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM REDUCTION PLANTS

**§ 62.4353 Identification of sources.**

The plan applies to existing facilities at the following primary aluminum reduction plants:

(a) National Southwire Aluminum, Hawesville, Ky.

(b) Anaconda Company, Aluminum Division, Henderson, Ky.

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

**§ 62.4354 Identification of plan—negative declaration.**

The Kentucky Department for Natural Resources and Environmental Protection certified in a letter dated August 25, 1978, that Kentucky has no designated facilities in this source category.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

**§ 62.4355 Identification of sources.**

The plan applies to existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991, that accepted waste at any time since November 8, 1987, or that have additional capacity available for future

waste deposition, as described in 40 CFR part 60, subpart Cc.

[64 FR 19293, Apr. 20, 1999]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.4370 Identification of plan—negative declaration.

Letter from the Department for Environmental Protection submitted December 18, 1996 certifying that there are no existing municipal waste combustor units in the State of Kentucky that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33466, May 24, 2000]

AIR EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSTION UNITS

### § 62.4371 Identification of plan—negative declaration.

Letter from the Kentucky Department for Environmental Protection submitted March 5, 2001, certifying that there are no small municipal waste combustion units subject to 40 CFR part 60, subpart BBBB.

[67 FR 273, Jan. 3, 2002]

AIR EMISSIONS FROM COMMERCIAL AND INDUSTRAIL SOLID WASTE INCENERATION UNITS

### § 62.4372 Identification of plan—negative declaration.

Letters from the Commonwealth of Kentucky Department for Environmental Protection, and from the Jefferson County, Kentucky, Air Pollution Control District were submitted on March 5, 2001, and April 21, 2003, certifying that there are no Commercial and Industrial Solid Waste Incineration units subject to 40 CFR part 60, subpart DDDD.

[68 FR 48320, Aug. 14, 2003]

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS (HMIWI)—SECTION 111(D)/129 PLAN

### § 62.4373 Identification of plan—negative declaration.

Letter from Jefferson County Air Pollution Control District, KY, submitted on September 29, 1998, certifying that there are no Hospital/Medical/Infectious Waste Incinerator units subject to 40 CFR part 60, subpart Ce in its jurisdiction.

[74 FR 27721, June 11, 2009]

### § 62.4374 Identification of plan—negative declaration.

Letter from Kentucky Division of Air Quality submitted on Dec. 1, 2000, certifying that there are no Hospital/Medical/Infectious Waste Incinerator units subject to 40 CFR part 60, subpart Ce in its jurisdiction.

[74 FR 27720, June 11, 2009]

## Subpart T—Louisiana

SOURCE: 44 FR 54053, Sept. 18, 1979, unless otherwise noted.

PLAN FOR CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

### § 62.4620 Identification of plan.

(a) *Identification of plan.* Louisiana Plan for Control of Designated Pollutants from Existing Facilities (111(d) Plan).

(b) The plan was officially submitted as follows:

(1) Control of sulfuric acid mist from sulfuric acid plants, and fluoride emissions from existing facilities at phosphate fertilizer plants, submitted on July 18, 1978, having been adopted by the State November 30, 1977, and letter dated February 16, 1982.

(2) Control of fluoride emissions from existing facilities at primary aluminum plants, submitted on January 12, 1981, having been adopted by the State on December 11, 1980.

(3) Control of total reduced sulfur from existing facilities at kraft pulp mill plants, submitted in December

1979, having been adopted November 27, 1979, and letter dated February 16, 1982.

(4) Control of landfill gas emissions from existing municipal solid waste landfills, submitted on December 9, 1996 (LAC 33.III.3003.B, Table 2), and revised on December 20, 1998 (LAC 33.III.3003.C.4).

(5) Control of air emissions from designated hazardous/medical/infectious waste incinerators, submitted by the Louisiana Department of Environmental Quality on December 30, 1998 (LAC 33.III.3003.C.5).

(6) Control of air emissions from existing commercial and industrial solid waste incineration units, submitted by the Louisiana Department of Environmental Quality on February 18, 2003 (LAC 33:III.3003.B.6).

(7) Control of mercury emissions from coal-fired electric steam generating units and coal-fired electric generating units as defined in 40 CFR 60.24(h)(8): Clean Air Act Section 111(d) Plan for Coal-Fired Electrical Steam Generating Units, submitted by the Louisiana Department of Environmental Quality on October 25, 2006 (LAC 33:III.3003.A).

(c) *Designated facilities*. The plan applies to existing facilities in the following categories of sources:

(1) Sulfuric acid plants.

(2) Phosphate fertilizer plants.

(3) Primary aluminum plants.

(4) Kraft pulp mills.

(5) Municipal solid waste landfills.

(6) Hazardous/medical/infectious waste incinerators.

(7) Commercial and industrial solid waste incineration units.

(8) Coal-fired electric steam generating units and coal-fired electric generating units as defined in 40 CFR 60.24(h)(8).

[47 FR 20491–20493, May 12, 1982, as amended at 62 FR 45732, Aug. 29, 1997; 64 FR 32433, June 17, 1999; 69 FR 9953, Mar. 3, 2004; 72 FR 46164, Aug. 17, 2007]

### § 62.4621 Emission standards and compliance schedules.

(a) The requirements of § 60.24(b)(2) of this chapter are not met since the test methods and procedures for determining compliance with the sulfuric acid mist emission standards are not specified.

(b) Emissions from sulfuric acid plants must be measured by the methods in appendix A to part 60, or by equivalent or alternative methods as defined in § 60.2 (t) and (u) respectively.

### § 62.4622 Emission inventories, source surveillance, reports.

(a) The requirements of § 60.25(a) of this chapter are not met since the emission inventories do not provide information as specified in appendix D to part 60.

(b) The requirements of § 60.25(c) of this chapter are not met since the plan does not provide for the disclosure of emission data, as correlated with applicable emission standards, to the general public.

(c) *Regulation for public availability of emission data*. (1) Any person who cannot obtain emission data from the agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (c)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator,

on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1–June 30 and July 1–December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the State designated by the Regional Administrator.

### § 62.4623 Legal authority.

(a) The requirements of § 60.26(a) of this chapter are not met since the plan does not provide adequate legal authority for the State to make emission data, as correlated with applicable emissions standards, available to the general public.

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PLANTS

### § 62.4624 Identification of sources.

Identification of sources: The plan includes the following sulfuric acid plants:

(1) Agrico Chemical Company in St. James Parish.

(2) Allied Chemical Corporation in Ascension and Iberville Parishes.

(3) Beker Industries in St. Charles Parish.

(4) Cities Services Oil Company in Calcasieu Parish.

(5) E. I. du Pont de Nemours & Company, Inc. in Ascension Parish.

(6) Freeport Chemical Company in St. James Parish.

(7) Freeport Chemical Company in Plaquemines Parish.

(8) Olin Corporation in Caddo Parish.

(9) Stauffer Chemical Company in East Baton Rouge Parish.

[44 FR 54053, Sept. 18, 1979. Redesignated at 47 FR 20491, May 12, 1982]

FLUORIDE EMISSIONS FROM EXISTING PHOSPHATE FERTILIZER PLANTS

### § 62.4625 Identification of sources.

(a) The Plan applies to existing facilities at the following phosphate fertilizer plants:

(1) Agrico Chemical Company at Donaldsville, Louisiana.

(2) Allied Chemical Corporation at Geismar, Louisiana.

(3) Beker Industries at Taft, Louisiana.

(4) Freeport Chemical at Uncle Sam, Louisiana.

(5) Monsanto at Luling, Louisiana.

[47 FR 20491, May 12, 1982]

### § 62.4626 Effective date.

(a) The effective date of the portion of the plan applicable to phosphate fertilizer plants is July 12, 1982.

[47 FR 20491, May 12, 1982]

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

### § 62.4627 Identification of sources.

The plan applies to existing facilities at the following primary aluminum plants:

(1) The Kaiser Plant at Chalmette, Louisiana.

(2) The CONALCO Plant at Lake Charles, Louisiana.

[47 FR 20492, May 12, 1982]

### § 62.4628 Effective date.

The effective date of this portion of the State's plan is July 12, 1982.

[47 FR 20492, May 12, 1982]

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

### § 62.4629 Identification of sources.

The plan applies to existing facilities at the following kraft pulp mill plants:

(1) Boise at DeRidder, La.

(2) Boise at Elizabeth, La.

(3) Continental at Hodge, La.

(4) Crown-Zellerbach at Bogalusa, La.

(5) Crown-Zellerbach at St. Francisville, La.

(6) Georgia-Pacific at Port Hudson, La.

(7) International Paper at Bastrop, La.

(8) Olinkraft at West Monroe, La.
(9) Pineville Kraft at Pineville, La.
(10) Western Kraft at Compte, La.

[47 FR 20493, May 12, 1982]

### § 62.4630 Effective date.

The effective date of the portion of the plan applicable to kraft pulp mills is July 12, 1982.

[47 FR 20493, May 12, 1982]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.4631 Identification of Sources.

The plan applies to all existing municipal solid waste landfills with design capacities greater than 2.5 million megagrams and non-methane organic emissions greater than 50 megagrams per year as described in 40 CFR part 60, subpart Cc.

[62 FR 54591, Oct. 21, 1997]

### § 62.4632 Effective Date.

The effective date of the portion of the plan applicable to existing municipal solid waste landfills is October 28, 1997.

[62 FR 54591, Oct. 21, 1997]

AIR EMISSIONS FROM HAZARDOUS/MEDICAL/INFECTIOUS WASTE INCINERATORS

### § 62.4633 Identification of sources.

The plan applies to existing hazardous/medical/infectious waste incinerators for which construction, reconstruction, or modification was commenced before June 20, 1996, as described in 40 CFR part 60, subpart Ce.

[64 FR 32433, June 17, 1999]

EFFECTIVE DATE

### § 62.4634 Effective date.

The effective date for the portion of the plan applicable to existing hazardous/medical/infectious waste incinerators is August 16, 1999.

[64 FR 32433, June 17, 1999]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.4650 Identification of plan—negative declaration.

Letter From the Department of Environmental Quality submitted May 21, 1996 certifying that there are no existing municipal waste combustor units in the State of Louisiana that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33466, May 24, 2000]

EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS

### § 62.4660 Identification of sources—negative declaration.

Letter from the Louisiana Department of Environmental Quality dated December 20, 2002, certifying that there are no existing small municipal waste combustion units in the State of Louisiana subject to 40 CFR part 60, subpart BBBB.

[68 FR 35302, June 13, 2003]

EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

SOURCE: 69 FR 9954, Mar. 3, 2004, unless otherwise noted.

### § 62.4670 Identification of sources.

The plan applies to the following existing commercial and industrial solid waste incineration units:

(a) BASF Corporation, Geismar, Louisiana.

(b) DSM Copolymer, Baton Rouge, Louisiana.

(c) LA Skid & Pallet Co., Baton Rouge, Louisiana.

(d) Shell Chemicals, Norco, Louisiana.

### § 62.4671 Effective date.

The effective date of this portion of the State's plan applicable to existing commercial and industrial solid waste incineration units is May 3, 2004.

MERCURY EMISSIONS FROM COAL-FIRED ELECTRIC STEAM GENERATING UNITS

### § 62.4680 Identification of sources.

The plan applies to Coal-fired electric steam generating units and coal-fired electric generating units as defined in 40 CFR 60.24(h)(8) including the following existing coal-fired electric generating units:

(a) Big Cajun 2 (Unit 1) at New Roads, LA.

(b) Big Cajun 2 (Unit 2) at New Roads, LA.

(c) Big Cajun 2 (Unit 3) at New Roads, LA.

(d) Rodemacher (Unit 2) at Lena, LA.

(e) R.S. Nelson (Unit 6) at Westlake, LA.

(f) Dolet Hills at Mansfield, LA.

[72 FR 46164, Aug. 17, 2007]

### § 62.4681 Effective date.

The effective date for the portion of the plan applicable to mercury budget units at coal-fired electric steam generating units and coal-fired electric generating units as defined in 40 CFR 60.24(h)(8) is effective October 16, 2007.

[72 FR 46164, Aug. 17, 2007]

## Subpart U—Maine

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

### § 62.4845 Identification of plan.

(a) *Identification of plan.* Maine Plan for the Control of Designated Pollutants from Existing Plants (Section 111(d) Plan).

(b) The plan was officially submitted as follows:

(1) Control of sulfuric acid mist emissions from existing sulfuric acid production units, submitted on November 10, 1988.

(2) Control of total reduced sulfur (TRS) emissions from existing kraft pulp mills, submitted on February 15, 1990.

(3) A revision to the plan to control TRS from existing kraft pulp mills, which extends the final compliance date for brown stock washers to January 1, 1997, was submitted on April 27, 1994.

(4) Control of metals, acid gases, organic compounds and nitrogen oxide emissions from existing municipal waste combustors, submitted on April 15, 1998.

(5) A revision to the plan controlling TRS from existing kraft pulp mills to incorporate the pulp and paper maximum achievable control technology (MACT) requirements that impact TRS emission sources such as brownstock washer systems, low volume high concentration (LVHC) systems, steam strippers, and waste water treatment plants. Changes have also been made to clarify venting allowances and recordkeeping and reporting requirements.

(6) A revision to the plan controlling TRS from existing kraft pulp mills which extends the final compliance date for brownstock washers to April 17, 2007, was submitted on June 23, 2004.

(c) *Designated facilities.* The plan applies to existing facilities in the following categories of sources:

(1) Sulfuric acid plants.

(2) Kraft pulp mills.

(3) Existing municipal waste combustors.

[54 FR 22896, May 30, 1989, as amended at 55 FR 38548, Sept. 19, 1990; 59 FR 50507, Oct. 4, 1994; 63 FR 68397, Dec. 11, 1998; 68 FR 23211, May 1, 2003; 70 FR 22268, Apr. 29, 2005]

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

### § 62.4875 Identification of sources—negative declaration.

The State Department of Environmental Protection submitted on October 3, 1988, a letter certifying that there are no existing primary aluminum reduction plants in the State subject to part 60, subpart B of this chapter.

[54 FR 9046 Mar. 3, 1989]

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PLANTS

### § 62.4900 Identification of sources.

The plan applies to the following existing sulfuric acid plants:

(a) Delta Chemical in Searsport, Maine.

[54 FR 22896, May 30, 1989]

TOTAL REDUCED SULFUR FROM EXISTING KRAFT PULP MILLS

**§ 62.4925 Identification of sources.**

(a) The plan applies to the following existing kraft pulp mills:

(1) International Paper Company in Jay.

(2) S.D. Warren Company in Westbrook.

(3) Boise Cascade in Rumford.

(4) James River Corporation in Old Town.

(5) Georgia-Pacific Corporation in Woodland.

(6) Lincoln Pulp and Paper Company in Lincoln.

[55 FR 38548, Sept. 19, 1990]

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

**§ 62.4950 Identification of plan—negative declaration.**

The State Department of Environmental Protection submitted on April 19, 1978, a letter certifying that there are no existing phosphate fertilizer plants in the state subject to part 60, subpart B of this chapter.

[44 FR 54052, Sept 18, 1979. Redesignated at 54 FR 22896, May 30, 1989]

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§ 62.4975 Identification of sources.**

The plan applies to the following existing municipal waste combustor facilities:

(a) Penobscot Energy Recovery Company, Orrington, Maine.

(b) Maine Energy Recovery Company, Biddeford, Maine.

(c) Regional Waste Systems, Inc., Portland, Maine.

[63 FR 68397, Dec. 11, 1998]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

**§ 62.4980 Identification of Plan—negative declaration.**

On January 24, 2002, the Maine Department of Environmental Protection submitted a letter certifying that there are no existing commercial and industrial solid waste incineration units in the state subject to the emission guidelines under part 60, subpart DDDD of this chapter.

[67 FR 39629, June 10, 2002]

AIR EMISSIONS FROM EXISTING HOPITAL/MEDICAL INFECTIOUS WASTE INCINERATORS.

**§ 62.4985 Identification of Plan—negative declaration.**

On May 2, 2005, the Maine Department of Environmental Protection submitted a letter certifying that there are no existing hospital/medical/infectious waste incinerators in the state subject to the emission guidelines under part 60, subpart Ce of this chapter.

[70 FR 48656, Aug. 19, 2005]

## Subpart V—Maryland

AUTHORITY: Clean Air Act, sec. 111(d).

SOURCE: 49 FR 8613, Mar. 8, 1984, unless otherwise noted.

PLAN FOR CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

**§ 62.5100 Identification of plan.**

(a) *Identification of plan.* Maryland Plan for Control Designated Pollutants from Existing Facilities (Section 111(d) plan).

(b) The plan was officially submitted as follows:

(1) Control of sulfuric acid mist from sulfuric acid plants, submitted by the Secretary of Health and Mental Hygiene, State of Maryland on August 30, 1978.

(2) Control of TRS emissions from kraft pulp mills, submitted by the Governor of Maryland on May 18, 1981, and

approval of a compliance schedule, submitted by the State of Maryland on September 24, 1982.

(3) Control of fluoride emissions from primary aluminum reduction plants, submitted by the Secretary of Health and Mental Hygiene, State of Maryland on January 26, 1984.

(c) *Designated facilities*. The plan applies to existing facilities in the following categories of sources:

(1) Sulfuric acid plants;

(2) Kraft pulp mills.

(3) Primary aluminum reduction plants.

(d) *Submittal of plan revisions*—On April 2, 1992, Maryland submitted revisions to COMAR 26.11.14.05A. and .05B. governing the testing, monitoring, and reporting of total reduced sulfur (TRS) emissions from kraft pulp mills.

[49 FR 8613, Mar. 8, 1984, as amended at 50 FR 9628, Mar. 11, 1985; 64 FR 59650, Nov. 3, 1999]

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PLANTS

### § 62.5101 Identification of sources.

(a) The plan applies to the following existing sulfuric acid plants:

(1) Olin Corporation, Baltimore City, Maryland.

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

### § 62.5102 Identification of sources.

(a) The plan applies to existing facilities at the following kraft pulp mills:

(1) Westvaco Fine Papers Divisions, Luke, Maryland.

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM REDUCTION PLANTS

### § 62.5103 Identification of sources.

(a) The plan applies to the following existing primary aluminum reduction plants:

(1) Eastalco Aluminum Plant, Frederick, Maryland.

[50 FR 9628, Mar. 11, 1985]

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH A UNIT CAPACITY GREATER THAN 250 TONS PER DAY

### § 62.5110 Identification of plan.

(a)111(d)/129 plan for municipal waste combustors (MWCs) with a unit capacity greater than 250 tons per day (TPD) and the associated Code of Maryland Regulation (COMAR 26.11.08), as submitted by the Air and Radiation Management Administration, Maryland Department of the Environment, on December 4, 1997, and as amended on October 7, 1998.

(b) On October 24, 2007, Maryland submitted a revised State plan (Phase II) and related COMAR 26.11.08.01, .02, and .08 amendments as required by 40 CFR part 60, subpart Cb, amended May 10, 2006.

[64 FR 19922, Apr. 23, 1999, as amended at 73 FR 18970, Apr. 8, 2008]

### § 62.5111 Identification of sources.

The plan applies to all existing MWC facilities with a MWC unit capacity greater than 250 TPD of municipal solid waste.

[64 FR 19922, Apr. 23, 1999]

### § 62.5112 Effective date.

(a)The effective date of the 111(d)/129 plan is June 22, 1999.

(b)The plan revision (Phase II) is effective June 9, 2008.

[64 FR 19922, Apr. 23, 1999, as amended at 73 FR 18970, Apr. 8, 2008]

EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTOR (MWC) UNITS—SECTION 111(D)/129 FEDERAL PLAN DELEGATION

### § 62.5120 Identification of plan—delegation of authority.

On May 12, 2005, EPA signed a Memorandum of Agreement (MOA) that defines policies, responsibilities, and procedures pursuant to 40 CFR 62 subpart JJJ (the ''Federal plan'') by which it will be administered by the MDE for existing small MWC units. On May 25, 2005, the MDE Secretary signed the

MOA, thus agreeing to its terms and conditions.

[70 FR 46776, Aug. 11, 2005]

### § 62.5121 Identification of sources.

The MOA and related Federal plan apply to all affected small MWC units for which construction commenced on or before August 30, 1999.

[70 FR 46776, Aug. 11, 2005]

### § 62.5122 Effective date of delegation.

The delegation became fully effective on May 25, 2005, the date the MOA was signed by the MDE Secretary.

[70 FR 46776, Aug. 11, 2005]

EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATOR (CISWI) UNITS—NEGATIVE DECLARATION

### § 62.5127 Identification of plan—Negative Declaration

May 12, 2005 Maryland Department of the Environment letter certifying that existing CISWI units, subject to 40 CFR part 60, subpart DDDD, have been permanently shut down and have been dismantled in the state.

[70 FR 53569, Sept. 9, 2005]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS (SECTION 111(d) PLAN)

SOURCE: Sections 62.5150 through 62.5152 appear at 64 FR 48717, Sept. 8, 1999, unless otherwise noted.

### § 62.5150 Identification of plan.

On March 23, 1999, the Maryland Department of the Environment submitted to the Environmental Protection Agency a 111(d) Plan to implement and enforce the requirements of 40 CFR part 60, subpart Cc, Emissions Guidelines for Municipal Solid Waste Landfills.

### § 62.5151 Identification of sources.

The plan applies to all Maryland existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991 and that accepted waste at any time since November 8, 1987, or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

### § 62.5152 Effective date.

The effective date of the plan for municipal solid waste landfills is November 8, 1999.

EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS (HMIWIS)(SECTION 111(d)/129 PLAN)

SOURCE: Sections 62.5160 through 62.5162 appear at 65 FR 53608, Sept. 5, 2000, unless otherwise noted.

### § 62.5160 Identification of plan.

Section 111(d)/129 plan for HMIWIs and the associated Code of Maryland (COMAR) 26.11.08 regulations, as submitted on April 14, 2000.

### § 62.5161 Identification of sources.

The plan applies to all existing HMIWIs located in Maryland for which construction was commenced on or before June 20, 1996.

### § 62.5162 Effective date.

The effective date of the plan is October 20, 2000.

## Subpart W—Massachusetts

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

### § 62.5340 Identification of Plan.

(a) *Identification of Plan.* Massachusetts Plan for the Control of Designated Pollutants from Existing Plants (Section 111(d) Plan).

(b) The plan was officially submitted as follows:

(1) Control of metals, acid gases, organic compounds and nitrogen oxide emissions from existing municipal waste combustors, originally submitted on January 11, 1999 and amended on November 16, 2001. The Plan does not include: the site assignment provisions of 310 CMR 7.08(2)(a); the definition of ''materials separation plan'' at 310 CMR 7.08(2)(c); and the materials separation plan provisions at 310 CMR 7.08(2)(f)(7).

(2) [Reserved]

(c) *Designated facilities*. The plan applies to existing sources in the following categories of sources:

(1) Municipal waste combustors.

(2) [Reserved]

[67 FR 62896, Oct. 9, 2002]

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

**§ 62.5350 Identification of plan—negative declaration.**

The State Department of Environmental Quality Engineering submitted on April 12, 1978, a letter certifying that there are no existing phosphate fertilizer plants in the state subject to part 60, subpart B of this chapter.

[44 FR 54052, Sept 18, 1979]

SULFURIC ACID MIST EMISSIONS FROM EXISTING SULFURIC ACID PLANTS

**§ 62.5351 Identification of plan—negative declaration.**

On February 18, 1986, the Commonwealth of Massachusetts submitted a letter certifying that there are no existing sulfuric acid plants in the Commonwealth of Massachusetts.

[51 FR 40801, Nov. 10, 1986]

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

**§ 62.5375 Identification of plan—negative declaration.**

The State Department of Environmental Quality Engineering submitted on July 31, 1979, a letter certifying that there are no existing kraft pulp mills in the State subject to part 60, subpart B of this chapter.

[54 FR 9047, Mar. 3, 1989]

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

**§ 62.5400 Identification of plan—negative declaration.**

The State Department of Environmental Quality Engineering submitted on January 18, 1989, a letter certifying that there are no existing primary aluminum reduction plants in the State subject to part 60, subpart B of this chapter.

[54 FR 9047, Mar. 3, 1989]

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§ 62.5425 Identification of sources.**

(a) The plan applies to the following existing municipal waste combustor facilities:

(1) Fall River Municipal Incinerator in Fall River.

(2) Covanta Haverhill, Inc., in Haverhill.

(3) American Ref-Fuel of SEMASS, L.P. in Rochester.

(4) Wheelabrator Millbury Inc., in Millbury.

(5) Wheelabrator Saugus, J.V., in Saugus.

(6) Wheelabrator North Andover Inc., in North Andover.

(b) [Reserved]

[67 FR 62896, Oct. 9, 2002]

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

**§ 62.5450 Identification of plan-negative declaration.**

On August 23, 2005, the Massachusetts Department of Environmental Protection submitted a letter certifying that there are no existing hospital/medical/infectious waste incinerators in the state subject to the emission guidelines under part 60, subpart Ce of this chapter.

[70 FR 58330, Oct. 6, 2005]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

**§ 62.5475 Identification of Plan—negative declaration.**

On August 23, 2005, the Massachusetts Department of Environmental Protection submitted a letter certifying that there are no existing commercial and industrial solid waste incineration units in the State subject to the emission guidelines under part 60, subpart DDDD of this chapter.

[70 FR 61046, Oct. 20, 2005]

## Subpart X—Michigan

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.5600 Identification of plan—negative declaration.

The State Department of Resources submitted on April 18, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B of this chapter.

## Subpart Y—Minnesota

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.5850 Identification of plan—negative declaration.

The State Pollution Control Agency submitted on April 7, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B of this chapter.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.5860 Identification of plan.

''Section 111(d) Plan for Municipal Solid Waste Landfills,'' submitted by the State on March 4, 1997.

[63 FR 40052, July 27, 1998]

### § 62.5861 Identification of sources.

The plan applies to all existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991 that accepted waste at any time since November 8, 1987 or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

[63 FR 40052, July 27, 1998]

### § 62.5862 Effective date.

The effective date of the plan for municipal solid waste landfills is September 25, 1998.

[63 FR 40053, July 27, 1998]

EXISTING LARGE MUNICIPAL WASTE COMBUSTORS

### § 62.5870 Identification of plan.

''Section 111(d) Plan for Implementing the Large Municipal Waste Combustor Emission Guidelines,'' submitted by the State on April 28, 1998. The rules being approved as part of this plan are being approved for their applicability to large municipal waste combustors in Minnesota and should apply only to these sources.

[63 FR 43083, Aug. 12, 1998]

### § 62.5871 Identification of sources.

The plan applies to all existing municipal waste combustor units with the design capacity of $93.75*10^6$ Btu/hr or more. This is the same as having an applicability threshold of the capacity to process 250 tons per day or more of municipal solid waste.

[63 FR 43083, Aug. 12, 1998]

### § 62.5872 Effective date.

The effective date of the plan for existing large waste combustors is October 13, 1998.

[63 FR 43083, Aug. 12, 1998]

## Subpart Z—Mississippi

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

SOURCE: 47 FR 29235, July 6, 1982, unless otherwise noted.

### § 62.6100 Identification of plan.

(a) *Identification of plan.* Untitled (Section 111(d) Plan).

(b) The plan was officially submitted as follows:

(1) Control of sulfuric acid mist emissions from existing facilities at sulfuric acid plants, submitted on September 17, 1981.

(2) Control of total reduced sulfur emissions from existing kraft pulp mills, submitted on October 30, 1987.

(3) Adopted State Plan for Control of Air Emissions from Existing Hospital/Medical/Infectious Waste Incinerators, submitted on May 5, 1999, by the Mississippi Department of Environmental Quality.

(c) *Designated facilities*. The plan applies to existing facilities in the following categories of sources:

(1) Sulfuric acid plants.

(2) Phosphate fertilizer plants.

(3) Kraft pulp mills.

(4) Existing hospital/medical/infectious waste incinerators.

[47 FR 29235, July 6, 1982, as amended at 54 FR 7771, Feb. 23, 1989; 65 FR 18255, Apr. 7, 2000]

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PLANTS

### § 62.6110 Identification of sources.

The plan applies to existing plants at the following locations: Sulfur burning plant and oleum plant of Mississippi Chemical Corporation in Pascagoula.

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.6120 Identification of sources.

The plan applies to existing facilities at the following phosphate fertilizer plants.

(1) Mississippi Chemical Corporation in Pascagoula.

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM REDUCTION PLANTS

### § 62.6121 Identification of sources—negative declaration.

The Mississippi Bureau of Pollution Control submitted on March 6, 1985, a letter certifying that there are no existing primary aluminum reduction plants in the State subject to part 60, subpart B of this chapter.

[50 FR 26204, June 25, 1985]

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS

### § 62.6122 Identification of sources.

The plan applies to existing facilities at the following kraft pulp mills:

(a) Georgia-Pacific Corporation, Monticello.

(b) International Paper Company, Moss Point.

(c) International Paper Company, Natchez.

(d) International Paper Company, Vicksburg.

[54 FR 7771, Feb. 23, 1989]

MUNICIPAL WASTE COMBUSTORS

### § 62.6123 Identification of sources—negative declaration.

The Mississippi Bureau of Pollution Control submitted on August 6, 1991, a letter certifying that there are no municipal waste combustors in the State subject to part 60, subpart B of this chapter.

[57 FR 43405, Sept. 21, 1992]

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

### § 62.6124 Identification of sources.

The plan applies to existing hospital/medical/infectious waste incinerators for which construction, reconstruction, or modification was commenced before June 20, 1996, as described in 40 CFR part 60, subpart Ce.

[65 FR 18255, Apr. 7, 2000]

### § 62.6125 Identification of plan—negative declaration.

Letter from the Department of Environmental Quality submitted September 24, 1997 certifying that there are no existing municipal waste combustor units in the State of Mississippi that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33466, May 24, 2000]

AIR EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSTION UNITS

### § 62.6126 Identification of plan—negative declaration.

Letter from the Mississippi Department of Environmental Quality submitted March 27, 2002, certifying that there are no small municipal waste combustion units subject to 40 CFR part 60, subpart BBBB.

[67 FR 67317, Nov. 5, 2002]

AIR EMISSIONS FROM COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION (CISWI) UNITS (SECTION 111(d)/129 PLAN)

### § 62.6127 Identification of Sources.

The Plan applies to existing Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999.

[68 FR 25293, May 12, 2003]

## Subpart AA—Missouri

SOURCE: 51 FR 8828, Mar. 14, 1986, unless otherwise noted.

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

### § 62.6350 Identification of plan.

(a) *Identification of plan.* Missouri Plan for Control of Designated Pollutants from Existing Facilities (Section 111(d) Plan).

(b) The plan was officially submitted as follows:

(1) Control of fluoride emissions from existing facilities at phosphate fertilizer plants, and fluoride emissions from existing facilities at primary aluminum reduction plants, submitted on September 22, 1981, having been adopted by the State on June 17 and June 21, 1981. A letter conveying additional information regarding this plan was submitted on January 3, 1985.

(2) Control of sulfuric acid mist from existing facilities at sulfuric acid production plants, submitted on March 12, 1979, having been adopted by the State in 1967 and 1971. A letter providing additional information regarding this plan was submitted on January 3, 1985.

(3) A revision to Missouri's 111(d) plan for Sulfuric Acid Mist from Existing Sulfuric Acid Production Plants which was effective on August 30, 1996. This revision incorporates the 111(d) requirements from two existing regulations into a new consolidated regulation.

(4) A revision to Missouri's 111(d) plan for sulfuric acid mist production was state effective on May 30, 2004. This revision approves the renumbering of the rule. The effective date of the amended plan is April 12, 2006.

(c) *Designated facilities.* The plan applies to existing facilities in the following categories of sources:

(1) Phosphate fertilizer plants.

(2) Primary aluminum reduction plants.

(3) Sulfuric acid production plants.

[51 FR 8828, Mar. 14, 1986, as amended at 63 FR 45729, Aug. 27, 1998; 71 FR 12626, Mar. 13, 2006]

FLUORIDE EMISSIONS FROM EXISTING PHOSPHATE FERTILIZER PLANTS

### § 62.6351 Identification of sources.

The plan applies to existing facilities at the following phosphate fertilizer plant:

Farmers Chemical Company, Joplin, Missouri

FLOURIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM REDUCTION PLANTS

### § 62.6352 Identification of sources.

The plan applies to existing facilities at the following primary aluminum reduction plant:

Noranda Aluminum, Inc., New Madrid, Missouri

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PRODUCTION PLANTS

### § 62.6353 Idenification of sources.

The plan applies to existing facilities at the following sulfuric acid production plant:

W.R. Grace and Company, Joplin, Missouri

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

### § 62.6354 Identification of plan—negative declaration.

Letter from the Director of the Missouri Department of Natural Resources submitted on May 14, 1982, certifying that there are no kraft pulp mills in the State subject to part 60, subpart B of this chapter.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.6355 Identification of plan—negative declaration.

Letter from the Director of the Air Pollution Control Program of the Department of Natural Resources submitted May 23, 1991, certifying that there are no existing municipal waste combustors in the state of Missouri subject to this 111(d) requirement.

[56 FR 56321, Nov. 4, 1991]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 35 MEGAGRAMS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.6356 Identification of plan—negative declaration.

Letter from the Air Pollution Control Program of the Department of Natural Resources submitted June 3, 1996, certifying that there are no municipal waste combustors in the state of Missouri subject to part 60, subpart Cb of this chapter.

[62 FR 41874, Aug. 4, 1997]

AIR EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.6357 Identification of plan.

(a) *Identification of plan.* Missouri plan for control of landfill gas emissions from existing municipal solid waste landfills and associated state regulations submitted on January 26, 1998.

(b) *Identification of sources.* The plan applies to all existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991, that accepted waste at any time since November 8, 1987, or that have additional capacity available for future waste deposition, and have design capacities greater than 2.5 million megagrams and nonmethane organic emissions greater than 50 megagrams per year, as described in 40 CFR part 60, subpart Cc.

(c) *Effective date.* The effective date of the plan for municipal solid waste landfills is June 23, 1998.

(d) Amended plan for the control of air emissions from Municipal Solid Waste Landfills submitted by the Missouri Department of Natural Resources on September 8, 2000. The effective date of the amended plan is January 16, 2001.

[63 FR 20321, Apr. 24, 1998, as amended at 65 FR 68905, Nov. 15, 2000]

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

### § 62.6358 Identification of plan.

(a) *Identification of plan.* Missouri plan for the control of air emissions from hospital/medical/infectious waste incinerators submitted by the Missouri Department of Natural Resources on June 15, 1999.

(b) *Identification of sources.* The plan applies to existing hospital/medical/infectious waste incinerators constructed on or before June 20, 1996.

(c) *Effective date.* The effective date of the plan is October 18, 1999.

(d) Amended plan for the control of air emissions from Hospital/Medical/Infectious Waste Incinerators submitted by the Missouri Department of Natural Resources on July 13, 2001. The effective date of the amended plan is December 11, 2001.

[64 FR 45187, Aug. 19, 1999, as amended at 66 FR 52062, Oct. 12, 2001]

AIR EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSION UNITS

### § 62.6359 Identification of plan—negative declaration.

Letter from the Missouri Department of Natural Resources submitted March 22, 2001, certifying that there are no small municipal waste combustion units subject to 40 CFR part 60, subpart BBBB.

[66 FR 46961, Sept. 10, 2001]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

**§62.6360 Identification of plan—negative declaration.**

Letter from the Missouri Department of Natural Resources submitted May 9, 2001, certifying that there are no commercial and industrial solid waste incineration units subject to 40 CFR part 60, subpart DDDD.

[67 FR 4181, Jan. 29, 2002]

AIR EMISSIONS FROM EXISTING ''OTHER'' SOLID WASTE INCINERATION UNITS

**§62.6361 Identification of plan—negative declaration.**

Letter from the Missouri Department of Natural Resources submitted April 7, 2006, certifying that there are no ''other'' solid waste incineration units subject to 40 CFR part 60, subpart EEEE.

[72 FR 25980, May 8, 2007]

MERCURY EMISSIONS FROM COAL-FIRED ELECTRIC STEAM GENERATING UNITS

**§62.6362 Identification of plan.**

(a) *Identification of plan.* Section 111(d) plan and associated State regulation 10 CSR 10–6.368, Control of Mercury Emissions From Electric Generating Units, as adopted in Missouri's Code of State Regulations on April 30, 2007.

(b) *Identification of sources.* The plan applies to all new and existing mercury budget units meeting the applicability requirements in Missouri's State rule 10 CSR 10–6.368.

(c) *Effective date.* The effective date for the portion of the plan applicable to mercury budget units as described in Missouri State rule 10 CSR 10–6.368 is February 19, 2008.

[73 FR 3197, Jan. 17, 2008]

## Subpart BB—Montana

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

**§62.6600 Identification of plan.**

''Section 111(d) Plan for Municipal Solid Waste Landfills'' and the associated State regulations in sections 17.8.302(1)(j) and 17.8.340 of the Administrative Rules of Montana, submitted by the State on July 2, 1997.

[63 FR 36861, July 8, 1998]

**§62.6601 Identification of sources.**

The plan applies to all existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991 that accepted waste at any time since November 8, 1987 or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

[63 FR 36861, July 8, 1998]

**§62.6602 Effective date.**

The effective date of the plan for municipal solid waste landfills is September 8, 1998.

[63 FR 36861, July 8, 1998]

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

SOURCE: Sections 62.6610 through 62.6612 appear at 65 FR 38740, June 22, 2000, unless otherwise noted.

**§62.6610 Identification of plan.**

Section 111(d) Plan for Hospital/Medical/Infectious Waste Incinerators and the associated State regulation in sections 17.8.302(1)(k) and 17.8.340 of the Administrative Rules of Montana, submitted by the State on January 19, 1999.

**§62.6611 Identification of sources.**

The plan applies to all existing hospital/medical/infectious waste incinerators for which construction was commenced on or before June 20, 1996, as described in 40 CFR part 60, subpart Ce.

### § 62.6612 Effective date.

The effective date for the portion of the plan applicable to existing hospital/medical/infectious waste incinerators is August 21, 2000.

FLUORIDE EMISSIONS FROM EXISTING PHOSPHATE FERTILIZER PLANTS

### § 62.6613 Identification of plan—negative declaration.

The Montana Department of Environmental Quality certified in a letter dated February 14, 2001, that there are no phosphate fertilizer plants in Montana that meet the definition of affected facility under any of the subparts T, U, V, W or X. Additionally, there are no phosphate fertilizer plants in Montana that meet the definition of affected facility under any of the subparts T, U, V, W, or X, constructed before October 22, 1974, and that have not reconstructed or modified since 1974.

[66 FR 42439, Aug. 13, 2001]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.6620 Identification of plan—negative declaration.

Letter from the Department of Environmental Quality submitted June 3, 1997 certifying that there are no existing municipal waste combustor units in the State of Montana that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33467, May 24, 2000]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATORS

### § 62.6630 Identification of Plan—Negative Declaration.

Letter from the Department of Environmental Quality submitted January 28, 2002 certifying that there are no existing commercial and industrial solid waste incinerators in the State of Montana that are subject to part 60, subpart DDDD, of this chapter.

[68 FR 54374, Sept. 17, 2003]

## Subpart CC—Nebraska

SOURCE: 49 FR 7234, Feb. 28, 1984, unless otherwise noted.

FLUORIDE EMISSIONS FROM EXISTING PHOSPHATE FERTILIZER PLANTS

### § 62.6850 Identification of plan—negative declaration.

Letter from the Director of the Department of Environmental Control submitted on May 4, 1977, certifying that there are no phosphate fertilizer plants in the State of Nebraska.

SULFURIC ACID MIST EMISSIONS FROM EXISTING SULFURIC ACID PLANTS

### § 62.6875 Identification of plan—negative declaration.

Letter from the Chief of the Air Pollution Control Division of the Department of Environmental Control submitted on December 9, 1977, certifying that there are no existing sulfuric acid plants in the State of Nebraska.

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

### § 62.6880 Identification of plan—negative declaration.

Letter from the Chief of the Air Pollution Control Division of the Department of Environmental Control submitted on March 16, 1984, certifying that there are no existing kraft pulp mills in the State of Nebraska, subject to part 60, subpart B of this chapter.

[49 FR 43058, Oct. 26, 1984]

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM REDUCTION PLANTS

### § 62.6910 Identification of plan—negative declaration.

Letter from the Chief of the Air Pollution Control Division of the Department of Environmental Control submitted on March 16, 1984, certifying that there are no existing primary aluminum reduction plants in the State of Nebraska, subject to part 60, subpart B of this chapter.

[49 FR 43058, Oct. 26, 1984]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.6911 Identification of plan—negative declaration.

Letter from the Chief of the Air Quality Division of the Department of Environmental Control submitted April 1, 1991, certifying that there are no existing municipal waste combustors in the state of Nebraska subject to this 111(d) requirement.

[56 FR 56321, Nov. 4, 1991]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 35 MEGAGRAMS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.6912 Identification of plan—negative declaration.

Letter from the Air Quality Section of the Nebraska Department of Environmental Quality submitted May 13, 1996, certifying that there are no municipal waste combustors in the state of Nebraska subject to part 60, subpart Cb of this chapter.

[62 FR 41874, Aug. 4, 1997]

AIR EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.6913 Identification of plan.

(a) *Identification of plan*. Nebraska plan for control of landfill gas emissions from existing municipal solid waste landfills and associated state regulations submitted on January 6, 1998.

(b) *Identification of sources*. The plan applies to all existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991, that accepted waste at any time since November 8, 1987, or that have additional capacity available for future waste deposition, and have design capacities greater than 2.5 million megagrams and nonmethane organic emissions greater than 50 megagrams per year, as described in 40 CFR part 60, subpart Cc.

(c) *Effective date*. The effective date of the plan for municipal solid waste landfills is June 22, 1998.

[63 FR 20101, Apr. 23, 1998]

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

### § 62.6914 Identification of plan.

(a) *Identification of plan*. Nebraska plan for the control of air emissions from hospital/medical/infectious waste incinerators submitted by the Nebraska Department of Environmental Quality on July 30, 1999.

(b) *Identification of sources*. The plan applies to existing hospital/medical/infectious waste incinerators constructed on or before June 20, 1996.

(c) *Effective date*. The effective date of the plan is January 18, 2000.

[64 FR 62117, Nov. 16, 1999]

AIR EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSTION UNITS

### § 62.6915 Identification of plan—negative declaration.

Letter from the Nebraska Department of Environmental Quality submitted June 8, 2001, certifying that there are no small municipal waste combustion units subject to 40 CFR part 60, subpart BBBB.

[66 FR 46961, Sept. 10, 2001]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

### § 62.6916 Identification of plan—negative declaration.

Letter from the Nebraska Department of Environmental Quality submitted June 8, 2001, certifying that there are no commercial and industrial solid waste incineration units subject to 40 CFR part 60, subpart DDDD.

[67 FR 4181, Jan. 29, 2002; 67 FR 13272, Mar. 22, 2002]

## Subpart DD—Nevada

SOURCE: 64 FR 50768, Sept. 20, 1999, unless otherwise noted.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.7100 Identification of plan.

(a) The Washoe County Department of Health submitted on May 7, 1997 a letter certifying that there are no existing municipal solid waste landfills in Washoe County subject to 40 CFR part 60, subpart Cc.

(b) The Nevada Division of Environmental Protection submitted on June 3, 1998 and May 21, 1999 the State of Nevada's Section 111(d) Plan for Existing Municipal Solid Waste Landfills.

### § 62.7101 Identification of sources.

The plan applies to all existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991, as described in 40 CFR part 60, subpart Cc.

### § 62.7102 Effective date.

The effective date of EPA approval of the plan is November 19, 1999.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.7120 Identification of plan—negative declaration.

Letter from the Nevada Division of Environmental Protection submitted March 26, 1997 certifying that there are no existing municipal waste combustor units in the State of Nevada that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33467, May 24, 2000]

EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSTION UNITS

### § 62.7125 Identification of plan—negative declaration.

Letter from the Nevada Division of Environmental Protection, submitted on March 26, 1997, certifying that there are no existing municipal waste combustion units subject to part 60, subpart BBBB, of this chapter.

[66 FR 67098, Dec. 28, 2001]

EMISSIONS FROM EXISTING COMMERCIAL/INDUSTRIAL SOLID WASTE INCINERATION UNITS

### § 62.7130 Identification of plan.

(a) The Clark County Department of Air Quality Management submitted on February 27, 2003, a letter certifying that there are no existing commercial/industrial solid waste incineration units in Clark County that are subject to 40 CFR part 60, subpart DDDD.

(b) The Washoe County District Health Department Air Quality Management Division submitted on January 28, 2003, a letter certifying that there are no existing commercial/industrial solid waste incineration units in Washoe County that are subject to 40 CFR part 60, subpart DDDD.

(c) The Nevada Division of Environmental Protection submitted on October 16, 2003, a letter certifying that there are no existing commercial/industrial solid waste incineration units in its jurisdiction that are subject to 40 CFR part 60, subpart DDDD.

[68 FR 49365, Aug. 18, 2003, as amended at 68 FR 68740, Dec. 10, 2003]

EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

### § 62.7135 Identification of plan—negative declaration.

Letter from the Nevada Division of Environmental Protection, submitted on May 26, 1998, certifying that there are no existing hospital/medical/infectious waste incineration units subject to 40 CFR part 60, subpart Ce, of this chapter.

[68 FR 58614, Oct. 10, 2003]

EMISSIONS FROM EXISTING OTHER SOLID WASTE INCINERATION UNITS

### § 62.7140 Identification of plan—negative declaration.

Letter from the Nevada Division of Environmental Protection, submitted on December 19, 2006, certifying that there are no existing other solid waste incineration units subject to 40 CFR part 60, subpart FFFF, of this chapter.

[72 FR 61535, Oct. 31, 2007]

## Subpart EE—New Hampshire

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

### § 62.7325 Identification of plan.

(a) *Identification of plan*. New Hampshire Plan for the Control of Designated Pollutants from Existing Plants (Section 111(d) Plan).

(b) The plan was officially submitted as follows:

(1) Control of total reduced sulfur (TRS) emissions from existing kraft pulp mills, submitted on January 3, 1992.

(2) Control of air emissions from existing hospital/medical/infectious waste incinerators, submitted on June 2, 1999.

(3) Control of air emissions from existing commercial and industrial solid waste incineration units, submitted on August 12, 2002.

(4) Control of air emissions from existing large and small municipal waste combustors, submitted on August 16, 2002.

(c) *Designated facilities*. The plan applies to existing facilities in the following categories of sources:

(1) Kraft pulp mills.

(2) Hospital/medical/infectious waste incinerators.

(3) Commercial and industrial solid waste incineration units

(4) Municipal waste combustors. (i) Large MWCs with a capacity greater than 250 tons per day.

(ii) Small MWCs with a capacity of 250 tons per day or less.

[57 FR 56858, Dec. 1, 1992, as amended at 65 FR 6012, Feb. 8, 2000; 68 FR 6632,6635, Feb. 10, 2003]

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.7350 Identification of plan—negative declaration.

The State Air Pollution Control Agency submitted on November 29, 1978, a letter certifying that there are no existing phosphate fertilizer plants in the state subject to part 60, subpart B of this chapter.

[44 FR 54052, Sept 18, 1979]

SULFURIC ACID MIST EMISSIONS FROM SULFURIC ACID PRODUCTION UNITS

### § 62.7375 Identification of plan—negative declaration.

The State Air Pollution Control Agency submitted on November 29, 1978, a letter certifying that there are no existing sulfuric acid plants in the state subject to part 60, subpart B of this chapter.

[44 FR 54052, Sept 18, 1979]

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

### § 62.7400 Identification of sources—negative declaration.

The State Air Pollution Control Agency submitted on January 3, 1989, a letter certifying that there are no existing primary aluminum reduction plants in the State subject to part 60, subpart B of this chapter.

[54 FR 9047, Mar. 3, 1989]

EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.7405 Identification of plan-negative declaration.

On July 22, 1998, the New Hampshire Department of Environmental Services submitted a letter certifying that there are no existing municipal solid waste landfills in the state subject to the emission guidelines under part 60, subpart B of this chapter.

[68 FR 10661, Mar. 6, 2003]

TOTAL REDUCED SULFUR FROM EXISTING KRAFT PULP MILLS

### § 62.7425 Identification of sources.

(a) The plan applies to the following existing kraft pulp mill:

(1) James River Corporation in Berlin.

(2) [Reserved]

(b) [Reserved]

[57 FR 56858, Dec. 1, 1992]

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

### § 62.7450 Identification of sources.

(a) The plan applies to existing hospital/medical/infectious waste incinerators for which construction commenced on or before June 20, 1996.

(b) [Reserved]

[65 FR 6012, Feb. 8, 2000]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

### § 62.7455 Identification of sources.

(a) The plan applies to the following existing commercial and solid waste incineration unit:

(1) D.D. Bean and Sons, Inc. in Jaffrey.

(2) [Reserved]

(b) [Reserved]

[68 FR 6635, Feb. 10, 2003]

AIR EMISSIONS FROM EXISTING LARGE AND SMALL MUNICIPAL WASTE COMBUSTORS

### § 62.7460 Identification of sources.

(a) The plan applies to the following existing large municipal waste combustor:

(1) The Wheelabrator Concord Co., L.P. in Penacook.

(2) [Reserved]

(b) The plan applies to the following existing small municipal waste combustor:

(1) The Wheelabrator Claremont Co., L.P. in Claremont.

(2) [Reserved]

[68 FR 6632, Feb. 10, 2003]

## Subpart FF—New Jersey

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.7600 Identification of plan—negative declaration.

The New Jersey Department of Environmental Protection submitted, on May 20, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B of this chapter.

[44 FR 41180, July 16, 1979]

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS

### § 62.7601 Identification of plan—negative declaration.

The New Jersey Department of Environmental Protection submitted, on October 18, 1979, a letter certifying that there are no existing kraft pulp mills in the State subject to part 60, subpart B of this chapter.

[45 FR 80826, Dec. 8, 1980; 46 FR 27342, May 19, 1981]

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM REDUCTION PLANTS

### § 62.7602 Identification of plan—negative declaration.

The New Jersey Department of Environmental Protection submitted, on September 29, 1980, a letter certifying that there are no existing primary aluminum plants in the State subject to part 60 subpart B of this chapter.

[46 FR 30479, June 9, 1981]

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING LARGE MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.7603 Identification of plan—delegation of authority.

(a) On November 9, 1999, the New Jersey Department of Environmental Protection (NJDEP) submitted to the Environmental Protection Agency (EPA) a request for delegation of authority to implement and enforce the Federal Plan (40 CFR part 62, subpart FFF) for Large Municipal Waste Combustors (MWC).

(b) Identification of sources: The Federal Plan applies to existing facilities with a MWC unit capacity greater than 250 tons per day of municipal solid waste.

(c) On January 17, 2001, EPA prepared and signed a Memoranda of Agreement (MOA) between the EPA and the

NJDEP that defines the policies, responsibilities, and procedures pursuant to 40 CFR part 62, subpart FFF and 40 CFR part 60, subpart Cb, by which the Federal Plan for large MWCs will be administered by both the NJDEP and EPA. On January 24, 2001, Robert C. Shinn, Commissioner NJDEP, signed the MOA, therefore agreeing to the terms and conditions of the MOA and accepting responsibility to enforce and implement the policies, responsibilities, and procedures of the Federal Plan for large MWCs.

[68 FR 10662, Mar. 6, 2003]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATOR UNITS

### § 62.7604 Identification of plan—negative declaration.

Letter from the New Jersey Department of Environmental Protection, submitted March 4, 2004, certifying that there are no commercial and industrial solid waste incinerators in the State of New Jersey subject to part 60, subpart DDDD of this chapter.

[69 FR 57188, Sept. 24, 2004]

AIR EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS, SMALL MUNICIPAL WASTE COMBUSTION UNITS, AND HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS.

### § 62.7605 Identification of plan—delegation of authority.

(a) Letter from the New Jersey Department of Environmental Protection (NJDEP), submitted May 13, 2005, requesting delegation of authority from EPA to implement and enforce the following three Federal plans: Municipal Solid Waste Landfills (MSW Landfills), Hospital/Medical/Infectious Waste Incinerators (HMIWI) and Small Municipal Waste Combustion Units (Small MWCs). The Federal plans will be administered by both NJDEP and EPA, pursuant to the following: ''Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction Prior to May 30, 1991 and Have Not Been Modified or Reconstructed Since May 30, 1991,'' 40 CFR part 62, subpart GGG; ''Federal Plan Requirements for Hospital/Medical/Infectious Waste Incinerators Constructed on or Before June 20, 1996,'' 40 CFR part 62, subpart HHH; and ''Federal Plan Requirements for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999,'' 40 CFR part 62, subpart JJJ.

(b) Identification of sources: The three Federal plans apply to existing facilities as follows: MSW Landfills which commenced construction, reconstruction, or modification before May 30, 1991 and a MSW Landfill that has accepted waste at any time since November 8, 1987 or the landfill has additional capacity for future waste deposition; HMIWIs that combust any amount of hospital, medical or infectious waste and that commenced construction on or before June 20, 1996; and Small MWCs with a capacity to combust at least 35 tons per day of municipal solid waste or refuse-derived fuel but no more than 250 tons per day of municipal solid waste or refuse-derived fuel and if the Small MWC commenced construction on or before August 30, 1999.

(c) On April 24, 2006, EPA prepared and signed Memorandums of Agreement (MOAs) between EPA and NJDEP that define the policies, responsibilities and procedures pursuant to the three Federal plans identified in (a) above by which the Federal plans will be administered by both NJDEP and EPA. On May 15, 2006, Lisa P. Jackson, NJDEP Commissioner, signed the MOAs, therefore agreeing to the terms and conditions of the MOAs and accepting responsibility to enforce and implement the policies, responsibilities, and procedures for MSW Landfills, HMIWIs and Small MWCs.

(d) The delegation became fully effective on May 15, 2006, the date the MOAs were signed by the NJDEP Commissioner.

[72 FR 1670, Jan. 16, 2007]

## Subpart GG—New Mexico

SOURCE: 47 FR 10005, Mar. 9, 1982, unless otherwise noted.

### § 62.7850 Identification of plan.

(a) *Title of plan.* ''State of New Mexico Designated Facility Plan'' (§ 111(d)).

(b) The plan was officially submitted as follows:

(1) Sulfuric acid plants on May 15, 1981.

(c) Affected facilities: The plan includes the following facilities:

(1) Sulfuric acid plants.

SULFURIC ACID MIST EMISSIONS FROM SULFURIC ACID PLANTS

### § 62.7851 Identification of sources.

(a) The plan includes the following sources:

(1) Kerr-McGee Nuclear Corporation in McKinley County.

(2) Climax Chemical Corporation in Lea County.

(b) Negative declaration for Bernalillo County.

Letter from the City of Albuquerque Air Pollution Control Division dated November 23, 2004, certifying that there are no existing sulfuric acid plants subject to 40 CFR 60 subpart Cd in Bernalillo County on lands under the jurisdiction of the Albuquerque/Bernalillo County Air Quality Control Board.

[47 FR 10005, Mar. 9, 1982, as amended at 70 FR 57764, Oct. 4, 2005]

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM PLANTS

### § 62.7852 Identification of plan—negative declaration.

The New Mexico Environmental Improvement Division and the Albuquerque Air Pollution Control Division submitted letters of July 8, 1980 and September 23, 1980, respectively, certifying that there are no existing primary aluminum plants in the State subject to part 60, subpart B of this chapter.

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS

### § 62.7853 Identification of plan—negative declaration.

(a) Letter from the New Mexico Environmental Improvement Division dated November 5, 1979 certifying that there are no existing kraft pulp mills in the State subject to part 60 subpart B of this chapter.

(b) Letters from the City of Albuquerque Air Pollution Control Division dated July 8, 1980, and November 23, 2004, certifying that there are no existing kraft pulp mills subject to 40 CFR 60 subpart B in Bernalillo County on lands under the jurisdiction of the Albuquerque/Bernalillo County Air Quality Control Board.

[70 FR 57764, Oct. 4, 2005]

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.7854 Identification of plan—negative declaration.

(a)The State Department of Health and Social Services submitted on October 31, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B of this chapter.

(b) Letter from the City of Albuquerque Air Pollution Control Division dated November 23, 2004, certifying that there are no phosphate fertilizer plants subject to 40 CFR 60 subpart B in Bernalillo County on lands under the jurisdiction of the Albuquerque/Bernalillo County Air Quality Control Board.

[43 FR 51393, Nov. 3, 1978. Redesignated at 47 FR 10005, Mar. 9, 1982, as amended at 70 FR 57764, Oct. 4, 2005]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.7855 New Mexico Environmental Improvement Board.

(a) *Identification of Plan*. Control of landfill gas emissions from existing municipal solid waste landfills, submitted on January 7, 1997.

(b) *Identification of Sources*. The plan applies to all existing municipal solid waste landfills with design capacities greater than or equal to 2.5 million megagrams and non-methane organic emissions greater than or equal to 50 megagrams per year as described in 40 CFR part 60, subpart Cc, under the jurisdiction of the New Mexico State Environmental Improvement Board.

[71 FR 67809, Nov. 24, 2006]

### § 62.7856 Albuquerque/Bernalillo County Air Quality Control Board.

(a) *Identification of Plan*. Albuquerque-Bernalillo County Municipal

Solid Waste Landfill Designated Pollutant Plan, as adopted by the Albuquerque/Bernalillo County Air Quality Control Board on November 9, 2005.

(b) *Identification of Sources.* The plan applies to all existing municipal solid waste landfills under the jurisdiction of the Albuquerque/Bernalillo County Air Quality Control Board that commenced construction prior to May 30, 1991, and have not been modified or reconstructed since May 30, 1991, and are subject to the requirements of 40 CFR part 60, subpart Cc.

[71 FR 67809, Nov. 24, 2006]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§ 62.7857 Identification of plan—negative declaration.**

Letter from the Environment Department submitted January 10, 1997 certifying that there are no existing municipal waste combustor units in the State of New Mexico that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33467, May 24, 2000]

EMISSIONS FROM EXISTING LARGE MUNICIPAL WASTE COMBUSTION UNITS

**§ 62.7860 Identification of sources—negative declaration.**

Letter from the City of Albuquerque Air Pollution Control Division dated September 10, 2002, certifying that there are no existing municipal waste combustion units in Bernalillo County on lands under the jurisdiction of the Albuquerque/Bernalillo county Air Quality Control Board subject to 40 CFR part 60, subpart Cb.

[68 FR 35302, June 13, 2003]

EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTES INCINERATORS

**§ 62.7870 Identification of sources—negative declaration.**

Letters from the New Mexico Environment Department and the City of Albuquerque Environmental Health Department dated September 14, 1998, and January 25, 2002, respectively, certifying that there are no existing Hospital/Medical/Infectious Waste Incinerators subject to 40 CFR part 60, subpart Ce, under their jurisdictions in the State of New Mexico.

[68 FR 35302, June 13, 2003]

EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS

**§ 62.7880 Identification of sources—negative declaration.**

Letters from the New Mexico Environment Department and the City of Albuquerque Environmental Health Department dated November 13, 2001, and September 10, 2002, respectively, certifying that there are no existing small municipal waste combustion units subject to 40 CFR part 60, subpart BBBB under their jurisdictions in the State of New Mexico.

[68 FR 35302, June 13, 2003]

EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION (CISWI) UNITS

**§ 62.7890 Identification of sources—negative declarations.**

(a) Letter from the New Mexico Environment Department dated November 13, 2001 certifying that there are no existing commercial and industrial solid waste incinerators subject to 40 CFR part 60, subpart DDDD under its jurisdiction in the State of New Mexico (excluding tribal lands and Bernalillo County).

(b) Letter from the City of Albuquerque Environmental Health Department dated September 10, 2002, certifying that there are no existing commercial and industrial solid waste incinerators subject to 40 CFR part 60, subparts CCCC and DDDD under its jurisdiction in Bernalillo County on lands under the jurisdiction of the Albuquerque/Bernalillo County Air Quality Control Board.

[70 FR 36849, June 27, 2005]

## Subpart HH—New York

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.8100 Identification of plan—negative declaration.

The New York State Department of Environmental Conservation submitted, on May 12, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B of this chapter.

[44 FR 41180, July 16, 1979]

SULFURIC ACID MIST EMISSIONS FROM EXISTING SULFURIC ACID PLANTS

### § 62.8102 Identification of plan.

(a) [Reserved]

(b) The plan was officially submitted and approved as follows:

(1) Part 224—''Sulfuric Acid and Nitric Acid Plants'' of Title 6 of the New York Code of Rules and Regulations effective May 10, 1984.

(2) Supplemental information submitted on March 29, 1985.

(c) Identification of sources. The plan includes the following plants:

(1) PVS Chemicals, Inc., Buffalo.

(2) Eastman Kodak Company, Rochester.

(d) The plan is approved with the provision that for existing sources any variance or compliance date extension from the provisions of part 224, ''Sulfuric Acid and Nitric Acid Plants,'' or any text method other than specified in 40 CFR part 60, appendix A, approved by the Commissioner of Environmental Conservation must be submitted and approved as a plan revision.

[50 FR 41137, Oct. 9, 1985]

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.8103 Identification of plan.

(a) The New York State Department of Environmental Conservation submitted to the Environmental Protection Agency a ''State Plan for implementation and enforcement of 40 CFR part 60, subpart Cb, Emissions Guidelines for Large Municipal Waste Combustors'' on December 15, 1997 and supplemented on June 22, 1998.

(b) Identification of sources: The plan applies to existing facilities with a municipal waste combustor unit capacity greater than 250 tons per day of municipal solid waste.

(c) On October 7, 1998 and supplemented on November 5, 1998, the New York State Department of Environmental Conservation submitted revisions to the State Plan which incorporates emission limits and compliance schedules as amended by EPA on August 25, 1997 (65 FR 45116).

[63 FR 41429, Aug. 4, 1998, as amended at 64 FR 6237, Feb. 9, 1999]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.8104 Identification of plan.

(a) The New York State Department of Environmental Conservation submitted to the Environmental Protection Agency a ''State Plan for implementation and enforcement of 40 CFR part 60, subpart Cc, Emissions Guidelines for Municipal Solid Waste Landfills'' on October 8, 1998.

(b) Identification of sources: The plan applies to all existing municipal solid waste landfills for which construction, reconstruction or modification was commenced before May 30, 1991 that accepted waste at any time since November 8, 1987 or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

[64 FR 38586, July 19, 1999]

METALS, ACID GASES, ORGANIC COMPOUNDS, PARTICULATES AND NITROGEN OXIDE EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

### § 62.8105 Identification of plan.

(a) The New York State Department of Environmental Conservation submitted to the Environmental Protection Agency a ''State Plan for implementation and enforcement of 40 CFR

part 60, subpart CE, Emissions Guidelines for Hospitals/Medical/Infectious Waste Incinerators'' on September 9, 1998 and supplemented on March 11, May 12, and May 15, 1999.

(b) Identification of sources: The plan applies to all existing HMIWI facilities for which construction was commenced on or before June 20, 1996, as described in 40 CFR Part 60, Subpart Ce.

(c) The effective date for the portion of the plan applicable to existing Hospital/Medical/Infectious Waste Incinerators is October 8, 1999.

[64 FR 43094, Aug. 9, 1999]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATOR UNITS

### § 62.8106 Identification of plan—negative declaration.

Letter from the New York State Department of Environmental Conservation, submitted February 1, 2001, certifying that there are no commercial and industrial solid waste incinerators in the State of New York subject to part 60, subpart DDDD of this chapter.

[66 FR 41148, Aug. 7, 2001]

AIR EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS WITH THE CAPACITY TO COMBUST AT LEAST 35 TONS PER DAY BUT NO MORE THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE OR REFUSE DERIVED FUEL AND CONSTRUCTED ON OR BEFORE AUGUST 30, 1999

### § 62.8107 Identification of plan.

(a) On October 22, 2002, the New York State Department of Environmental Conservation submitted to the Environmental Protection Agency ''Section 111(d)/129 State Plan for Implementation of Municipal Waste Combustor Emission Guidelines [Title 40 CFR Part 60, Subparts B and BBBB]''

(b) Identification of sources: The plan applies to all existing Small Municipal Waste Combustion Units with the capacity to combust at least 35 tons per day but no more than 250 tons per day of municipal solid waste or refuse derived fuel and constructed on or before August 30, 1999.

(c) The effective date for the portion of the plan applicable to existing municipal waste combustor units is May 12, 2003.

[68 FR 11981, Mar. 13, 2003]

## Subpart II—North Carolina

AUTHORITY: Secs. 110(a) and 111(d), Clean Air Act (42 U.S.C. 7410(a) and 7411(d)).

SOURCE: 48 FR 31403, July 8, 1983, unless otherwise noted.

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

### § 62.8350 Identification of plan.

(a) *Identification of plan.* North Carolina Designated Facility Plan (Section 111(d) Plan).

(b) The plan was officially submitted as follows:

(1) Control of sulfuric acid mist emissions from existing sulfuric acid production units, submitted on October 27, 1978, and November 14, 1979.

(2) Control of fluoride emissions from existing primary aluminum plants, submitted on April 16, and August 24, 1981.

(3) Control of total reduced sulfur emissions from existing facilities at kraft pulp mills, submitted on May 2, 1980, and September 24, 1982.

(4) The following revisions to Title 15 of the North Carolina Administrative Code (15 NCAC) were submitted to EPA on July 18, 1986, following adoption by the North Carolina Environmental Management Commission on November 8, 1984: Revised regulations 2D.0517—Emissions From Plants Producing Sulfuric Acid, 2D.0528—Total Reduced Sulfur From Kraft Pulp Mills, and 2D.0529—Fluoride Emissions From Primary Aluminum Reduction Plants.

(5) A change to regulation 15 NCAC 2D.0528, Total Reduced Sulfur from Kraft Pulp Mills, was submitted to EPA April 14, 1987, following adoption by the North Carolina Environmental Management Commission on April 9, 1987.

(6) Revisions to regulations 15 NCAC 2D.0528(c), (f), (g), and (h)—Total Reduced Sulfur from Kraft Pulp Mills, and 2D.0529 (a) and (c)—Flouride Emissions from Primary Aluminum Reduction Plants, were submitted by the

North Carolina Department of Natural Resources and Community Development on May 2, 1988, following adoption by the North Carolina Environmental Management Commission on April 14, 1988.

(7) Regulation 1–144, Particulate Matter and Reduced Sulfur Emissions from Pulp and Paper Mills, except 1–144(f) and (g) for the Western North Carolina portion of the North Carolina SIP submitted on June 14, 1990.

(c) *Designated facilities*. The plan applies to existing facilities in the following categories of sources:

(1) Sulfuric acid plants.

(2) Primary aluminum plants.

(3) Kraft pulp mills.

[48 FR 31403, July 8, 1983, as amended at 51 FR 41788, Nov. 19, 1986; 53 FR 31863, Aug. 22, 1988; 53 FR 49882, Dec. 12, 1988; 57 FR 4738, Feb. 7, 1992]

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PLANTS

**§ 62.8351 Identification of sources.**

The plan applies to existing facilities at the following sulfuric acid plants:

(a) Sulfur-burning plants operated by:

(1) Texasgulf Inc. in Beaufort County,

(2) Swift Agricultural Chemical Company in Brunswick County,

(3) USS Agri-Chemicals in Brunswick County,

(4) Wright Chemical Corporation in Columbus County, and

(5) Northeast Chemical Company in New Hanover County.

(b) There are no oleum plants.

(c) There are no bound sulfur feedstock plants.

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

**§ 62.8352 Identification of sources.**

(a) The plan applies to the following existing primary aluminum plant facilities.

(1) Two potlines of prebake cells at the Badin (Stanly County) plant of the Aluminum Corporation of America.

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS

**§ 62.8353 Identification of sources.**

The plan applies to existing facilities at the following kraft pulp mills:

(a) Federal Paper Board in Riegelwood,

(b) Hoerner-Waldorf in Roanoke Rapids,

(c) Champion International in Canton,

(d) Weyerhaeuser in New Bern, and

(e) Weyerhaeuser in Plymouth.

[43 FR 51393, Nov. 3, 1978, as amended at 57 FR 4738, Feb. 7, 1992]

AIR EMISSIONS FROM COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

**§ 62.8354 Identification of plan—negative declaration.**

Letters from Forsyth County, Mecklenburg County, and Buncombe County, North Carolina were submitted on November 25, 2002, January 22, 2003 and November 6, 2002, respectively, certifying that there are no Commercial and Industrial Solid Waste Incineration units subject to 40 CFR part 60, subpart DDDD.

[70 FR 9230, Feb. 25, 2005]

AIR EMISSIONS FROM COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION (CISWI) UNITS—SECTION 111(D)/129 PLAN

**§ 62.8355 Identification of sources.**

The Plan applies to existing Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999.

[70 FR 56856, Sept. 29, 2005]

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS (HMIWI)—SECTION 111(D)/129 PLAN

**§ 62.8356 Identification of plan—negative declaration.**

Letter from Forsyth County Environmental Affairs Department, NC, submitted on June 2, 1999, certifying that there are no Hospital/Medical/Infectious Waste Incinerator units subject

to 40 CFR part 60, subpart Ce in its jurisdictions.

[74 FR 27721, June 11, 2009]

## Subpart JJ—North Dakota

SOURCE: 62 FR 65619, Dec. 15, 1997, unless otherwise noted.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.8600 Identification of plan.

''Section 111(d) Plan for Municipal Solid Waste Landfills'' and the associated State regulation in section 33–15–12–02 of the North Dakota Administrative Code, submitted by the State on September 11, 1997.

### § 62.8601 Identification of sources.

The plan applies to all existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991 that accepted waste at any time since November 8, 1987 or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

### § 62.8602 Effective date.

The effective date of the plan for municipal solid waste landfills is February 13, 1998.

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

SOURCE: Sections 62.8610 through 62.8612 appear at 64 FR 44421, Aug. 16, 1999, unless otherwise noted.

### § 62.8610 Identification of Plan.

Section 111(d) Plan for Hospital/Medical/Infectious Waste Incinerators and the associated State regulation in section 33–15–12–02 of the North Dakota Administrative Code submitted by the State on October 6, 1998.

### § 62.8611 Identification of Sources.

The plan applies to all existing hospital/medical/infectious waste incinerators for which construction was commenced on or before June 20, 1996, as described in 40 CFR part 60, subpart Ce.

### § 62.8612 Effective Date.

The effective date for the portion of the plan applicable to existing hospital/medical/infectious waste incinerators is July 12, 1999.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.8620 Identification of plan—negative declaration.

Letter from the Department of Health submitted May 1, 1996 certifying that there are no existing municipal waste combustor units in the State of North Dakota that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33467, May 24, 2000]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATORS

### § 62.8630 Identification of Plan.

Section 111(d)/129 Plan for Commercial and Industrial Solid Waste Incinerators and the associated State regulation in section 33–15–12–02 of the North Dakota Administrative Code submitted by the State on May 1, 2003.

[68 FR 54374, Sept. 17, 2003]

### § 62.8631 Identification of Sources.

The plan applies to all existing commercial and industrial solid waste incinerators for which construction was commenced on or before November 30, 1999, as described in 40 CFR part 60, subpart DDDD.

[68 FR 54374, Sept. 17, 2003]

### § 62.8632 Effective Date.

The effective date of the plan applicable to existing commercial and industrial solid waste incinerators is November 17, 2003.

[68 FR 54374, Sept. 17, 2003]

## Subpart KK—Ohio

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.8850 Identification of plan—negative declaration.

The Ohio Environmental Protection Agency submitted on December 1, 1977, (resubmitted on April 1, 1985, and April 25, 1985) a letter certifying that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B of this chapter.

[50 FR 41137, Oct. 9, 1985]

EMISSIONS FROM SMALL MUNICIPAL WASTE COMBUSTION UNITS WITH THE CAPACITY TO COMBUST AT LEAST 35 TONS PER DAY OF MUNICIPAL SOLID WASTE BUT NO MORE THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE AND COMMENCED CONSTRUCTION ON OR BEFORE AUGUST 30, 1999

### § 62.8855 Identification of plan—negative declaration.

On July 25, 2002, the State of Ohio certified to the satisfaction of the United States Environmental Protection Agency that no sources categorized as small Municipal Waste Combustors are located in the State of Ohio.

[67 FR 61272, Sept. 30, 2002]

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS

### § 62.8860 Identification of plan—disapproval.

On December 7, 1984, and April 23, 1986, Ohio submitted its plan for controlling total reduced sulfur from existing kraft pulp mills, including Rules 3745–73–01, 02, 03, and 04. The plan is being disapproved because:

(a) The requirements of § 60.24(f) of this chapter are not met because the State failed to justify the application of emission standards less stringent than the Federal emission standards. Additionally, USEPA does not have a bubble policy applicable to 111(d) plans.

(b) The plan does not contain monitoring requirements to ensure proper operation and maintenance of the affected facility as required by § 60.25(b) of this chapter.

[55 FR 19884, May 14, 1990]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.8870 Identification of plan.

The Ohio State Implementation Plan for implementing the Federal Municipal Solid Waste Landfill Emission Guidelines including Ohio Administrative Code (OAC) Rules 3745–76–01 through 3745–76–15 was submitted on March 30, 1998.

[63 FR 42238, Aug. 7, 1998]

### § 62.8871 Identification of sources.

The plan applies to all existing municipal solid waste landfills for which construction, reconstruction or modification was commenced before May 30, 1991 that accepted waste at any time since November 8, 1987 or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

[63 FR 42238, Aug. 7, 1998]

### § 62.8872 Effective date.

The effective date of the plan for municipal solid waste landfills is October 6, 1998.

[63 FR 42238, Aug. 7, 1998]

EMISSIONS FROM HOSPITAL, MEDICAL, AND INFECTIOUS WASTE INCINERATORS (HMIWI)

### § 62.8880 Identification of plan.

(a) *Identification of plan.* Ohio rules to Control Emissions from Hospital, Medical, and Infectious Waste Incinerators (HMIWI), submitted by the Ohio EPA on October 18, 2005. Rules 3745–75–01, 3745–75–02, 3745–75–03, 3745–75–04, 3745–75–05, and 3745–75–06 of the Ohio Administrative Code, effective in the state March 23, 2004, with the exception of rules 3745–75–02(I)(1), 3745–75–02(I)(2), 3745–75–02(I)(4), and 3745–75–02(I)(7).

(b) *Identification of sources.* The plan applies to existing hospital/medical/infectious waste incinerators for which construction, reconstruction, or modification was commenced on or before

June 20, 1996, as described in 40 CFR part 60, subpart Ce.

(c) *Effective date*. The effective date of the plan is August 6, 2007.

[72 FR 36607, July 5, 2007]

## Subpart LL—Oklahoma

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

### § 62.9100 Identification of plan.

(a) *Identification of plan*. Oklahoma Plan for Control of Designated Pollutants from Existing Facilities (Section 111(d) Plan).

(b) The plan was officially submitted as follows:

(1) Control of sulfuric acid mist from existing sulfuric acid production plants submitted on December 5, 1985, with the corresponding regulation submitted by the Governor of Oklahoma on March 31, 1986.

(2) Control of total reduced sulfur from existing kraft pulp mills was submitted on November 17, 1987, and supplemented on June 1, 1988.

(3) Oklahoma State Plan for Existing Large Municipal Waste Combustors, submitted on July 10, 1998, by the Oklahoma Department of Environmental Quality.

(4) Control of landfill gas emissions from existing municipal solid waste landfills, submitted by the Oklahoma Department of Environmental Quality on December 18, 1998.

(5) Control of air emissions from designated hazardous/medical/infectious waste incinerators, submitted by the Oklahoma Department of Environmental Quality on November 17, 1999 (OAC 252:100–17, Part 7).

(c) *Designated facilities*. The plan applies to existing facilities in the following categories of sources.

(1) Sulfuric acid production plants.

(2) Kraft pulp mills.

(3) Existing municipal waste combustors.

(4) Municipal solid waste landfills.

(5) Hazardous/medical/infectious waste incinerators.

(6) Commercial and industrial solid waste incineration units.

[52 FR 3229, Feb. 3, 1987, as amended at 54 FR 24905, June 12, 1989; 63 FR 59890, Nov. 6, 1998; 64 FR 13519, Mar. 19, 1999; 65 FR 25449, May 2, 2000; 70 FR 57769, Oct. 4, 2005]

EDITORIAL NOTE: At 70 FR 57769, Oct. 4, 2005, § 62.9100(b)(6) was added without amendatory instruction. For the convenience of the user, the added text is set forth as follows:

### § 62.9100 Identification of plan.

* * * * *

(b) * * *

(6) Control of air emissions from existing commercial and industrial solid waste incineration units, submitted by the Oklahoma Department of Environmental Quality on June 29, 2005. (OAC 252:100–17, Part 9)

* * * * *

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PLANTS

### § 62.9110 Identification of sources.

(a) *Identification of sources*. The plan includes the following sulfuric acid production plants.

(1) National Zinc Co. in Bartlesville, Oklahoma.

(2) Tulsa Chemical Co. in Tulsa, Oklahoma.

[52 FR 3230, Feb. 3, 1987]

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.9120 Identification of plan—negative declaration.

The State Department of Health submitted on October 25, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B of this chapter.

[43 FR 51393, Nov. 3, 1978. Redesignated at 52 FR 3229, Feb. 3, 1987]

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM PLANTS

### § 62.9130 Identification of plan—negative declaration.

The Oklahoma State Department of Health submitted a letter on March 3, 1983, certifying that there are no existing primary aluminum reduction

plants in the State of Oklahoma subject to 40 CFR part 60, subpart B, of this chapter.

[48 FR 29854, June 29, 1983. Redesignated at 52 FR 3229, Feb. 3, 1987]

TOTAL REDUCED SULFUR FROM EXISTING KRAFT PULP MILLS

**§ 62.9140 Identification of source.**

The plan includes the following kraft pulp mill:

(a) Weyerhaeuser Paper Company in Valliant, Oklahoma.

[54 FR 24905, June 12, 1989]

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§ 62.9150 Identification of sources.**

The plan applies to existing facilities with a municipal waste combustor (MWC) unit capacity greater than 250 tons per day of municipal solid waste (MSW) at the following MWC site: Ogden-Martin Systems of Tulsa, Incorporated, 2122 South Yukon Avenue, Tulsa, OK 74107.

[63 FR 59890, Nov. 6, 1998]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

**§ 62.9160 Identification of sources.**

The plan applies to existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991, that accepted waste at any time since November 8, 1987, or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

[64 FR 13519, Mar. 19, 1999]

AIR EMISSIONS FROM HAZARDOUS/MEDICAL/INFECTIOUS WASTE INCINERATORS

**§ 62.9170 Identification of sources.**

The plan applies to existing hazardous/medical/infectious waste incinerators for which construction, reconstruction, or modification was commenced before June 20, 1996, as described in 40 CFR part 60, subpart Ce.

[65 FR 25449, May 2, 2000]

EFFECTIVE DATE.

**§ 62.9171 Effective date.**

The effective date for the portion of the plan applicable to existing hazardous/medical/infectious waste incinerators is July 3, 2000.

[65 FR 25449, May 2, 2000]

EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS

**§ 62.9180 Identification of sources—negative declaration.**

Letter from the Oklahoma Department of Environmental Quality dated October 2, 2001, certifying that there are no existing small municipal waste combustion units subject to 40 CFR part 60, subpart BBBB, under its jurisdiction in the State of Oklahoma.

[68 FR 35303, June 13, 2003]

EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

SOURCE: Sections 62.9190 and 62.9191 appear at 70 FR 57769, Oct. 4, 2005, unless otherwise noted.

**§ 62.9190 Identification of sources.**

(a) The plan applies to the following existing commercial and industrial solid waste incineration units:

(a) A&A Enterprises, Ardmore, Oklahoma.

(b) Henryetta Pallet Company, Henryetta, Oklahoma.

(c) Oklahoma AAA Pallet Co., Inc., Oklahoma City, Oklahoma.

(d) Simer Pallet Recycling, Inc., Chickasha, Oklahoma.

**§ 62.9191 Effective date.**

The effective date of this portion of the State's plan applicable to existing commercial and industrial solid waste incineration units is December 5, 2005.

## Subpart MM—Oregon

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

### § 62.9350 Identification of plan.

(a) *Identification of plan*. Oregon Designated Facility Plan (Section 111(d) Plan).

(b) The plan was officially submitted as follows:

(1) Control of fluoride emissions from phosphate fertilizer plants, submitted by the Oregon State Department of Environmental Quality on June 1, 1977.

(2) Control of sulfuric acid mist emissions from sulfuric acid production units, submitted by the Oregon State Department of Environmental Quality on January 27, 1978.

(3) Control of fluoride emissions from primary aluminum reduction plants, submitted by the Oregon State Department of Environmental Quality on January 13, 1981 and August 9, 1982.

(4) Control of metals, acid gases, organic compounds and nitrogen oxide emissions from existing municipal waste combustors was submitted by Oregon Department of Environmental Quality on December 31, 1996.

(5) Control of landfill gas emission from existing Municipal Solid Waste Landfill plan was submitted by Oregon Department of Environmental Quality on May 14, 1997.

(6) Control of metals, acid gases, organic compounds, particulates and nitrogen oxide emissions from existing Hospital/Medical/Infectious Waste Incinerators was submitted by the Oregon Department of Environmental Quality on October 20, 1998, and November 6, 1998.

(c) *Designated facilities*. The plan applies to existing facilities in the following categories of sources:

(1) Phosphate fertilizer plants.

(2) Sulfuric acid production units.

(3) Primary aluminum reduction plants.

(4) Existing municipal waste combustors.

(5) Existing municipal solid waste landfills.

(6) Existing Hospital/Medical/Infectious Waste Incinerators.

[48 FR 11118, Mar. 16, 1983, as amended at 62 FR 36997, July 10, 1997; 63 FR 34818, June 26, 1998; 65 FR 21362, Apr. 21, 2000]

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM REDUCTION PLANTS

### § 62.9360 Identification of sources.

The plan applies to existing facilities at the following primary aluminum reduction plants:

(a) Reynolds Metals Company in Troutdale, Oregon

(b) Martin-Marietta in The Dalles, Oregon.

[48 FR 11118, Mar. 16, 1983]

FLOURIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.9500 Identification of sources.

The Oregon State Department of Environmental Quality submitted on June 1, 1977, certification that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B of this chapter.

[44 FR 76281, Dec. 26, 1979. Redesignated and amended at 48 FR 11118, Mar. 16, 1983]

SULFURIC ACID MIST EMISSIONS FROM SULFURIC ACID PRODUCTION UNITS

### § 62.9501 Identification of sources.

The Oregon State Deparetment of Environmental Quality submitted on January 27, 1978, certification that there are no existing sulfuric acid plants in the State subject to part 60, subpart B of this chapter.

[44 FR 76281, Dec. 26, 1979. Redesignated and amended at 48 FR 11118, Mar. 16, 1983]

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.9505 Identification of sources.

The plan applies to existing facilities at the following municipal waste combustor sites:

(a) Ogden Martin Systems, Marion County, Oregon.

(b) [Reserved]

[62 FR 36997, July 10, 1997; 62 FR 48950, Sept. 18, 1997]

CONTROL OF LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.9510 Identification of sources.

The plan applies to all existing MSW landfill facilities in Oregon meeting the requirements as stated in their State regulations.

[63 FR 34818, June 26, 1998]

METALS, ACID GASES, ORGANIC COMPOUNDS, PARTICULATES AND NITROGEN OXIDE EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

### § 62.9515 Identification of sources—Negative declaration.

On October 20, 1998, and November 6, 1998, the Oregon Department of Environmental Quality submitted a letter certifying that there are no existing Hospital/Medical/Infectious Waste Incinerators in the State subject to the Emission Guidelines under part 60, subpart B, of this chapter.

[65 FR 21363, Apr. 21, 2000]

## Subpart NN—Pennsylvania

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.9600 Identification of plan—negative declaration.

(a) The Pennsylvania Department of Environmental Resources submitted on December 1, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B of this chapter.

(b) The Allegheny County Bureau of Air Pollution Control submitted a letter on August 18, 1978 certifying that there are no phosphate fertilizer plants in the County subject to part 60, subpart B of this chapter.

(c) The City of Philadelphia Air Management Services submitted on February 22, 1985, a letter certifying that there are no existing phosphate fertilizer plants in the City subject to part 60, subpart B of this chapter.

[47 FR 5900, Feb. 9, 1982, as amended at 50 FR 47734, Nov. 20, 1985]

SULFURIC ACID MIST EMISSIONS FROM EXISTING SULFURIC ACID PLANTS

### § 62.9601 Identification of plan.

(a) The Allegheny County Bureau of Air Pollution Control submitted a letter on August 18, 1978 certifying that there are no sulfuric acid plants in the County subject to part 60, subpart B of this chapter.

(b) A plan for the control of sulfuric acid mist emissions from existing sulfuric acid plants in the Commonwealth of Pennsylvania, submitted on May 30, 1978 and supplemented on August 17, 1981.

(c) The City of Philadelphia Air Management Services submitted on February 22, 1985, a letter certifying that there are no existing sulfuric acid plants in the City subject to part 60, subpart B of this chapter.

[47 FR 5900, Feb. 9, 1982, as amended at 50 FR 47735, Nov. 20, 1985]

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

### § 62.9610 Identification of plan—negative declaration

(a) The Allegheny County Bureau of Air Pollution Control submitted a letter on February 14, 1985, certifying that there are no kraft pulp mills in the County subject to part 60, subpart B of this chapter.

(b) The City of Philadelphia Air Management Services submitted on February 22, 1985, a letter certifying that there are no existing kraft pulp mills in the City subject to part 60, subpart B of this chapter.

[50 FR 47735, Nov. 20, 1985]

### § 62.9611 Identification of plan—Pennsylvania.

(a) *Title of Plan.* Commonwealth of Pennsylvania Plan under section 111(d) for Designated Pollutants from Existing Facilities—Kraft Pulp Mills.

(b) The plan was officially submitted by the Pennsylvania Department of Environmental Resources on July 19,

1988, with revisions submitted on January 11, 1991, and August 15, 1991.

(c) *Identification of sources.* The Plan includes the following kraft pulp mills:

(1) Appleton Papers—Roaring Spring, Blair County

(2) P.H. Gladfelter—Spring Grove, York County

(3) Penntech Papers—Johnsonburg, Elk County

[64 FR 57784, Oct. 27, 1999]

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

### § 62.9620 Identification of plan—negative declaration.

The Secretary, Department of Environmental Resources submitted on November 3, 1980, a letter certifying there are no primary aluminum plants in the Commonwealth of Pennsylvania subject to part 60, subpart B of this chapter.

[46 FR 41783, Aug. 18, 1981]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS (SECTION 111(d) PLAN)

### § 62.9630 Identification of plan.

Section 111(d) plan for municipal solid waste landfills and the associated Allegheny County Health Department Regulation in Article XXI, § 2105.73, as submitted on October 23, 1997, by the Commonwealth of Pennsylvania.

[64 FR 13077, Mar. 17, 1999]

### § 62.9631 Identification of sources.

The plan applies to all Allegheny County, Pennsylvania, existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991 and that has accepted waste at any time since November 8, 1987 or that has additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

[64 FR 13077, Mar. 17, 1999]

### § 62.9632 Effective date.

The effective date of the plan for municipal solid waste landfills is April 16, 1999.

[64 FR 13078, Mar. 17, 1999]

### § 62.9633 Identification of plan—negative declaration.

Letter from the City of Philadelphia, Department of Public Health, submitted February 27, 1996, certifying that there are no existing municipal solid waste landfills in the City of Philadelphia that are subject to 40 CFR part 60, subpart Cc.

[68 FR 55, Jan. 2, 2003]

### § 62.9635 Identification of plan.

Section 111(d) plan for municipal solid waste landfills, as submitted on July 1, 1997, and as amended through April 9, 2003 by the Pennsylvania Department of Environmental Protection. The plan excludes the geographical areas under the authority of Allegheny County and the City of Philadelphia.

[68 FR 74870, Dec. 29, 2003]

### § 62.9636 Identification of sources.

The plan applies to existing Pennsylvania landfills for which construction, reconstruction, or modification was commenced before May 30, 1991, that accepted waste at any time since November 8, 1987, or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

[68 FR 74870, Dec. 29, 2003]

### § 62.9637 Effective date.

The effective date of the plan for municipal solid waste landfills is January 28, 2004.

[68 FR 74870, Dec. 29, 2003]

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH A UNIT CAPACITY GREATER THAN 250 TONS PER DAY

SOURCE: Sections 62.9640 through 62.9642 appear at 64 FR 45884, Aug. 23, 1999, unless otherwise noted.

### § 62.9640 Identification of plan.

The 111(d)/129 plan for municipal waste combustors (MWC) units with a capacity greater than 250 tons per day (TPD) and the associated Pennsylvania

Department of Environmental Protection operating permits that were submitted to EPA on April 27, 1998, and as amended on September 8, 1998, and July 7, 2000, including supplemental information dated August 15, 2000. All affected facilities must achieve full compliance with all 111(d)/129 plan requirements on or before December 19, 2000.

[66 FR 43511, Aug. 20, 2001]

### § 62.9641 Identification of sources.

The plan applies to all existing MWC facilities with a MWC unit capacity greater than 250 TPD of municipal solid waste.

### § 62.9642 Effective dates.

(a) The effective date of the submitted 1998 111(d)/129 plan is October 22, 1999.

(b) The effective date of the submitted 2000 111(d)/129 plan revision is October 4, 2001.

[66 FR 43511, Aug. 20, 2001]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

SOURCE: Sections 62.9643 and 62.9644 appear at 65 FR 33467, May 24, 2000, unless otherwise noted.

### § 62.9643 Identification of plan—negative declaration.

Letter from the Allegheny County Health Department submitted March 14, 1996 certifying that there are no existing municipal waste combustor units in Allegheny County that are subject to part 60, subpart Cb, of this chapter.

### § 62.9644 Identification of plan—negative declaration.

Letter from the City of Philadelphia Department of Public Health submitted February 14, 1997 certifying that there are no existing municipal waste combustor units in the City of Philadelphia that are subject to part 60, subpart Cb, of this chapter.

EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS

SOURCE: 68 FR 51, Jan. 2, 2003, unless otherwise noted.

### § 62.9645 Identification of plan—negative declaration.

Letter from the Allegheny County Health Department submitted November 21, 2001, certifying that there are no existing small municipal waste combustion units within Allegheny County, Pennsylvania that are subject to 40 CFR part 60, subpart BBBB.

### § 62.9646 Identification of plan—negative declaration.

Letter from the City of Philadelphia, Department of Public Health, submitted February 9, 2001, certifying that there are no existing small municipal waste combustion units within the City of Philadelphia, Pennsylvania that are subject to 40 CFR part 60, subpart BBBB.

EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS

### § 62.9647 Identification of plan—negative declaration.

October 30, 2003 letter from the Pennsylvania Department of Environmental Protection, Bureau of Air Quality, certifying that there are no existing small municipal waste combustion units within Pennsylvania, excluding Allegheny and Philadelphia counties, that are subject to 40 CFR part 60, subpart BBBB.

[69 FR 10167, Mar. 4, 2004]

EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS (HMIWIS) (SECTION 111(d)/129 PLAN)

SOURCE: Sections 62.9650 through 62.9652 appear at 67 FR 22359, May 3, 2002, unless otherwise noted.

### § 62.9650 Identification of plan.

Section 111(d)/129 plan for designated HMIWIs and the associated state issued air quality construction and operating permits, as submitted on October 26, 1998, amended December 3, 1999, May 4, August 9, and October 22, 2001.

### § 62.9651 Identification of sources.

The plan applies to all existing HMIWIs located in Pennsylvania, excluding Allegheny County, for which construction was commenced on or before June 20, 1996.

### § 62.9652 Effective date.

The effective date of the plan is June 17, 2002.

EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS (HMIWIS) (SECTION 111(d)/129 PLAN)

SOURCE: Sections 62.9660 through 62.9662 appear at 65 FR 18252, Apr. 7, 2000, unless otherwise noted.

### § 62.9660 Identification of plan.

Section 111(d)/129 plan for HMIWIs and the associated Allegheny County Health Department (ACHD) regulations, as submitted on June 24, 1999.

### § 62.9661 Identification of sources.

The plan applies to all Allegheny County, Pennsylvania existing HMIWI for which construction was commenced on or before June 20, 1996.

### § 62.9662 Effective date.

The effective date of the plan is June 6, 2000.

[65 FR 18252, Apr. 7, 2000; 65 FR 34104, May 26, 2000]

EMISSIONS FROM EXISTING COMMERCIAL/INDUSTRIAL SOLID WASTE INCINERATION UNITS

### § 62.9670 Identification of plan—negative declaration.

Letter from the City of Philadelphia, Department of Public Health, submitted February 9, 2001, certifying that there are no existing commercial/industrial solid waste incineration units within the City of Philadelphia, Pennsylvania that are subject to 40 CFR part 60, subpart DDDD.

[68 FR 49, Jan. 2, 2003]

EMISSIONS FROM EXISTING COMMERCIAL INDUSTRIAL SOLID WASTE INCINERATORS (CISWI) UNITS—SECTION 111(D)/129 FEDERAL PLAN DELEGATIONS

SOURCE: Sections 62.9675 through 62.9677 and 62.9680 through 62.9682 appear at 70 FR 10492, Mar. 4, 2005, unless otherwise noted.

### § 62.9675 Identification of plan—delegation of authority.

On October 14, 2004, EPA signed a Memoranda of Agreement (MOA) that defines policies, responsibilities, and procedures pursuant to 40 CFR part 62, Subpart III (the ''Federal plan'') by which the Federal plan will be administered by the PADEP on behalf of EPA.

### § 62.9676 Identification of sources.

The MOA and related Federal plan apply to all affected CISWI units for which construction commenced on or before November 30, 1999.

### § 62.9677 Effective date of delegation.

The delegation became fully effective on November 24, 2004 the date the MOA was signed by the PADEP Secretary.

### § 62.9680 Identification of plan—delegation of authority.

On October 14, 2004, EPA signed a Memoranda of Agreement (MOA) that defines policies, responsibilities, and procedures pursuant to 40 CFR part 62, Subpart III (the ''Federal plan'') by which the Federal plan will be administered by the Allegheny County Health Department (ACHD) on behalf of EPA.

### § 62.9681 Identification of sources.

The MOA and related Federal plan apply to all affected CISWI units for which construction commenced on or before November 30, 1999.

### § 62.9682 Effective date of delegation.

The delegation became fully effective on October 19, 2004 the date the MOA was signed by the ACHD Director.

## Subpart OO—Rhode Island

### § 62.9825 Identification of plan.

(a) *Identification of Plan*. Rhode Island Plan for the Control of Designated Pollutants from Existing Plants (Section 111(d) Plan).

(b) The plan was officially submitted as follows:

(1) Control of air emissions from existing hospital/medical/infectious waste incinerators, submitted on August 2, 2000.

(2) [Reserved]

(c) *Designated facilities*. The plan applies to existing facilities in the following categories of sources:

(1) Hospital/medical/infectious waste incinerators.

(2) [Reserved]

[66 FR 21096, Apr. 27, 2001]

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

**§ 62.9850 Identification of plan—negative declaration.**

The State Department of Environmental Management submitted on November 14, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the state subject to part 60, subpart B of this chapter.

[44 FR 54052, Sept. 18, 1979]

SULFURIC ACID MIST EMISSIONS FROM SULFURIC ACID PRODUCTION UNITS

**§ 62.9875 Identification of plan—negative declaration.**

The State Department of Environmental Management submitted on November 14, 1977, a letter certifying that there are no existing sulfuric acid plants in the state subject to part 60, subpart B of this chapter.

[44 FR 54052, Sept. 18, 1979]

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

**§ 62.9900 Identification of plan—negative declaration.**

The State Department of Environmental Management submitted on July 26, 1979, a letter certifying that there are no existing kraft pulp mills in the State subject to part 60, subpart B of this chapter.

[54 FR 9047, Mar. 3, 1989]

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

**§ 62.9950 Identification of plan—negative declaration.**

The State Department of Environmental Management submitted on December 8, 1989, a letter certifying that there are no existing primary aluminum reduction plants in the State subject to part 60, subpart B of this chapter.

[54 FR 9047, Mar. 3, 1989]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

**§ 62.9970 Identification of plan—negative declaration.**

On January 8, 2002, the Rhode Island Department of Environmental Management submitted a letter certifying that there are no existing commercial and industrial solid waste incineration units in the state subject to the emission guidelines under part 60, subpart DDDD of this chapter.

[67 FR 17946, Apr. 12, 2002]

MUNICIPAL WASTE COMBUSTOR EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§ 62.9975 Identification of plan—negative declaration.**

On February 5, 1992, the Rhode Island Department of Environmental Management submitted a letter certifying that there are no existing municipal waste combustors in the State subject to the emission guidelines published on February 11, 1991 (56 FR 5514) pursuant to part 60, subpart B of this chapter.

[57 FR 44692, Sept. 29, 1992]

AIR EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST AT LEAST 35 TONS PER DAY BUT NO MORE THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§ 62.9980 Identification of plan—negative declaration.**

On January 8, 2002, the Rhode Island Department of Environmental Management submitted a letter certifying that there are no existing small municipal waste combustors in the state subject to the emission guidelines under part 60, subpart BBBB of this chapter.

[67 FR 17946, Apr. 12, 2002]

EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

**§ 62.9985 Identification of plan-negative declaration.**

On May 27, 1998, the Rhode Island Department of Environmental Management submitted a letter certifying that there are no existing municipal solid waste landfills in the state subject to the emission guidelines under part 60, subpart B of this chapter.

[68 FR 10664, Mar. 6, 2003]

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOURS WASTE INCINERATORS

**§ 62.9990 Identification of sources.**

(a) The plan applies to the following existing hospital/medical/infectious waste incinerators that were still operating as of the date of publication, and to any other unit for which construction commenced on or before June 20, 1996:

(1) Eleanor Slater Hospital/Zambarano Unit, Pascoag.

(2) Our Lady of Fatima Hospital, North Providence.

(3) Rhode Island Hospital, Providence.

(4) Roger Williams Hospital, Providence.

(b) [Reserved]

[66 FR 21096, Apr. 27, 2001]

AIR EMISSIONS FROM EXISTING OTHER SOLID WASTE INCINERATION UNITS

**§ 62. 9995 Identification of Plan-Negative Declaration.**

On November 5, 2006, the Rhode Island Department of Environmental Management submitted a letter certifying that there are no existing other solid waste incineration units in the state subject to the emission guidelines under part 60, subpart EEEE of this chapter.

[72 FR 17027, Apr. 6, 2007]

## Subpart PP—South Carolina

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

SOURCE: 47 FR 29236, July 6, 1982, unless otherwise noted.

**§ 62.10100 Identification of plan.**

(a) *Identification of plan.* South Carolina Designated Facility Plan (Section 111(d) Plan).

(b) The plan was officially submitted as follows:

(1) Implementation Plan for Control of Designated Pollutants, including sulfuric acid mist from sulfuric acid plants and total reduced sulfur from kraft pulp mills, submitted on December 22, 1981.

(2) A revision to South Carolina's 111(d) plan for total reduced sulfur which was submitted on December 13, 1984. This revision approved an alternate emission limit for the digesters and an extended compliance schedule for the evaporators at Stone Container Corporation.

(3) South Carolina Implementation Plan for Existing Large Municipal Waste Combustors, submitted on January 14, 1998, by the South Carolina Department of Health and Environmental Control.

(4) South Carolina Implementation Plan for Existing Municipal Solid Waste Landfills, submitted on April 12, 1999, by the South Carolina Department of Health and Environmental Control.

(5) South Carolina Designated Facility Plan (Section 111(d)/129) for Hospital/Medical/Infectious Waste Incinerators, submitted on September 19, 2000, by the South Carolina Department of Health and Environmental Control.

(c) *Designated facilities*. The plan applies to existing facilities in the following categories sources:

(1) Sulfuric acid plants.

(2) Kraft pulp mills.

(3) Existing municipal waste combustors.

(4) Existing municipal solid waste landfills.

(5) Existing hospital/medical/infectious waste incinerators.

[47 FR 29236, July 6, 1982, as amended at 50 FR 33037, Aug. 16, 1985; 63 FR 40048, July 27, 1998; 64 FR 46151, Aug. 24, 1999; 66 FR 48567, Sept. 21, 2001]

SULFURIC ACID MIST FROM SULFURIC ACID PLANTS

### § 62.10110 Identification of sources.

The plan applies to existing plants at the following locations:

(1) Sulfur-burning plants of W. R. Grace and Company's plant in Charleston.

(2) There are no bound sulfur or oleum plants.

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS

### § 62.10120 Identification of sources.

The plan applies to existing facilities at the following kraft pulp mills:

(1) Westvaco in North Charleston.

(2) International Paper Company in Georgetown.

(3) Bowater Carolina Company in Catawba.

(4) Stone Container Corporation in Florence.

[47 FR 29236, July 6, 1982, as amended at 50 FR 33037, Aug. 16, 1985]

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.10130 Identification of plan—negative declaration.

The South Carolina Department of Health and Environmental Control submitted on November 2, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B, of this chapter.

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM REDUCTION PLANTS

### § 62.10140 Identification of plan—negative declaration.

The South Carolina Department of Health and Environmental Control submitted on May 3, 1983, a letter certifying that there are no existing primary aluminum plants in the State which are subject to part 60 subpart B of this chapter.

[50 FR 33037, Aug. 16, 1985]

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.10150 Identification of sources.

The plan applies to existing facilities with a municipal waste combustor (MWC) unit capacity greater than 250 tons per day of municipal solid waste (MSW) at the following MWC sites:

(a) Foster Wheeler Charleston Resource Recovery Facility, Charleston, South Carolina.

(b) [Reserved]

[63 FR 40049, July 27, 1998]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.10160 Identification of sources.

The plan applies to existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991, that accepted waste at any time since November 8, 1987, or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

[64 FR 46151, Aug. 24, 1999]

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

**§ 62.10170 Identification of sources.**

The plan applies to existing hospital/medical/infectious waste incinerators for which construction, reconstruction, or modification was commenced before June 20, 1996, as described in 40 CFR part 60, subpart Ce.

[66 FR 48567, Sept. 21, 2001]

AIR EMISSIONS FROM SMALL EXISTING MUNICIPAL WASTE COMBUSTION UNITS

**§ 62.10180 Identification of plan—negative declaration.**

Letter from the South Carolina Department of Health and Environmental Control submitted November 6, 2001, certifying that there are no small municipal waste combustion units subject to 40 CFR part 60, subpart BBBB.

[67 FR 273, Jan. 3, 2002]

AIR EMISSIONS FROM COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION (CISWI) UNITS (SECTION 111(d)/129 PLAN)

**§ 62.10190 Identification of Sources.**

The Plan applies to existing Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999.

[69 FR 9557, Mar. 1, 2004]

## Subpart QQ—South Dakota

SOURCE: 64 FR 29799, June 3, 1999, unless otherwise noted.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

**§ 62.10350 Identification of plan.**

''Section 111(d) State Plan for Municipal Solid Waste Landfills'' and the State's implementing regulations in Sections 74:36:07:34 through 74:36:07:42 of the Administrative Rules of South Dakota (ARSD), submitted by the State on May 2, 1997 with amendments to the plan submitted on May 6, 1999.

**§ 62.10351 Identification of sources.**

The plan applies to all existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991 that accepted waste at any time since November 8, 1987 or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

**§ 62.10352 Effective date.**

The effective date of the plan for municipal solid waste landfills is August 2, 1999.

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

SOURCE: Sections 62.10360 through 62.10362 appear at 65 FR 38740, June 22, 2000, unless otherwise noted.

**§ 62.10360 Identification of plan.**

Section 111(d) Plan for Hospital/Medical/Infectious Waste Incinerators and the associated State regulation, chapter 74:36:07 section 74:36:07:06.01 of the Administrative Rules of South Dakota, submitted by the State on February 7, 2000.

**§ 62.10361 Identification of sources.**

The plan applies to all existing hospital/medical/infectious waste incinerators for which construction was commenced on or before June 20, 1996, as described in 40 CFR part 60, Subpart Ce.

**§ 62.10362 Effective date.**

The effective date for the portion of the plan applicable to existing hospital/medical/infectious waste incinerators is August 21, 2000.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§ 62.10370 Identification of plan—negative declaration.**

Letter from the Department of Environment and Natural Resources submitted June 20, 1997 certifying that there are no existing municipal waste combustor units in the State of South

Dakota that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33467, May 24, 2000]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATORS

### § 62.10380 Identification of Plan—Negative Declaration.

Letter from the Department of Environment and Natural Resources submitted February 28, 2002 certifying that there are no existing commercial and industrial solid waste incinerators in the State of South Dakota that are subject to part 60, subpart DDDD, of this chapter.

[68 FR 54374, Sept. 17, 2003]

## Subpart RR—Tennessee

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.10602 Identification of sources—negative declaration.

The Tennessee Department of Health and Environment on April 4, 1985, submitted a letter certifying that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B of this chapter.

[50 FR 26204, June 25, 1985]

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

### § 62.10625 Identification of plan.

On June 25, 1993, the State submitted revisions to the Tennessee State Implementation Plan (SIP). These were revisions to the process gaseous emission standards. These revisions incorporate changes to Rule 1200–3–7–.07, subparagraphs (4)(a) and (4)(b) of the Tennessee SIP which bring this into conformance with the requirements of 40 CFR part 62, subpart I.

[61 FR 29667, June 12, 1996]

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

### § 62.10626 Identification of plan.

(a) Identification of plan. Tennessee Designated Facility Plan (Section 111(d) plan).

(b) The plan was officially submitted as follows:

(1) Metropolitan Nashville and Davidson County Tennessee's Implementation Plan For Municipal Waste Combustors, submitted on December 24, 1996, by the State of Tennessee Department of Environment and Conservation.

(2) Metropolitan Nashville and Davidson County Tennessee's Plan For Implementing the Municipal Solid Waste Landfill Emission Guidelines, submitted on December 24, 1996, by the State of Tennessee Department of Environment and Conservation.

(3) State of Tennessee Plan for Implementing the Municipal Solid Waste Landfill Emission Guideline Requirements of 40 CFR part 60, subpart Cc, submitted on January 8, 1999, by the Tennessee Department of Environment and Conservation.

(4) Knox County Department of Air Quality Management Implementation Plan: Federal Emission Guidelines Municipal Solid Waste Landfills, submitted on July 29, 1999, by the State of Tennessee Department of Environment and Conservation.

(5) Chattanooga-Hamilton County Air Pollution Control Bureau Clean Air Act Section 111(d) Plan for Municipal Solid Waste Landfills, submitted on April 26, 1999, by the State of Tennessee Department of Environment and Conservation.

(6) City of Memphis Implementation Plan: Federal Emission Guidelines Hospital/Medical/Infectious Waste Incinerators (HMIWI), submitted on February 16, 2006, by the Memphis and Shelby County Health Department.

(c) *Designated facilities*. The plan applies to existing facilities in the following categories of sources:

(1) Existing municipal waste combustors.

(2) Existing municipal solid waste landfills.

(3) Existing Hospital/Medical/Infectious Waste Incinerators

[63 FR 70026, Dec. 18, 1998, as amended at 64 FR 52663, Sept. 30, 1999; 65 FR 8857, 8859, Feb. 23, 2000; 74 FR 27447, June 10, 2009]

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.10627 Identification of sources.

The plan applies to existing facilities with a municipal waste combustor (MWC) unit capacity greater than 250 tons per day of municipal solid waste (MSW) at the following MWC sites:

(a) Nashville Thermal Transfer Corporation, Nashville, Tennessee.

[63 FR 70026, Dec. 18, 1998]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.10628 Identification of sources.

The plan applies to existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991, that accepted waste at any time since November 8, 1987, or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

[63 FR 70027, Dec. 18, 1998]

AIR EMISSIONS FROM COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

### § 62.10629 Identification of plan—negative declaration.

Letters from Chattanooga-Hamilton County, Knox County, and Memphis-Shelby County, Tennessee were submitted on April 23, 2003, November 17, 2002 and October 7, 2002, respectively, certifying that there are no Commercial and Industrial Solid Waste Incineration units subject to 40 CFR part 60, subpart DDDD.

[70 FR 9230, Feb. 25, 2005]

AIR EMISSIONS FROM COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION (CISWI) UNITS—SECTION 111(D)/129 PLAN

### § 62.10630 Identification of sources.

The Plan applies to existing Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999, in Nashville/Davidson County.

[70 FR 10893, Mar. 7, 2005]

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS (HMIWI)—SECTION 111(D)/129 PLAN

### § 62.10631 Identification of plan—negative declarations.

Letters from Knox County Department of Air Quality Management and Nashville/Davidson County Metropolitan Health Department, TN, submitted on Dec. 16, 2002, and Jan. 21, 1998, respectively, certifying that there are no Hospital/Medical/Infectious Waste Incinerator units subject to 40 CFR part 60, subpart Ce in their jurisdictions.

[74 FR 27721, June 11, 2009]

### § 62.10632 Identification of sources.

The Plan applies to all existing HMWI facilities at St. Jude Children's Hospital in the City of Memphis, for which construction was commenced on or before June 20, 1996.

[74 FR 27447, June 10, 2009]

### § 62.10633 Identification of plan—negative declaration.

Letter from Tennessee Division of Air Pollution Control submitted on December 15, 2001, certifying that there are no Hospital/Medical/Infectious Waste Incinerator units subject to 40 CFR parts 60, subpart Ce in its jurisdiction.

[74 FR 27720, June 11, 2009]

AIR EMISSIONS FROM EXISTING LARGE MUNICIPAL WASTE COMBUSTORS (MWC)—SECTION 111(D)/129 PLAN

**§ 62.10634 Identification of plan—negative declarations.**

Letters from Nashville/Davidson County Metropolitan Health Department, Knox County Department Air Quality Management, and Memphis-Shelby County Health Department, Tennessee submitted on August 16, 2004, March 25, 2008, and February 20, 2008, certifying that there are no large MWC units subject to 40 CFR part 60, subpart Cb in their respective jurisdictions.

[74 FR 27723, June 11, 2009]

## Subpart SS—Texas

SOURCE: 61 FR 55576, Oct. 28, 1996, unless otherwise noted.

PLAN FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

**§ 62.10850 Identification of Plan.**

(a) *Identification of plan*. Texas Plan for Control of Designated Pollutants from Existing Facilities (111(d)Plan).

(b) The plan was officially submitted as follows:

(1) Control of sulfuric acid mist from existing sulfuric acid production plants as adopted by the Texas Air Control Board (TACB) on May 12, 1989, and submitted by the Governor in a letter dated August 21, 1989.

(2) Control of total reduced sulfur from existing kraft pulp mills as adopted by the Texas Air Control Board (TACB) on May 12, 1989, and submitted by the Governor in a letter dated August 21, 1989.

(3) Control of landfill gas emissions from existing municipal solid waste landfills, submitted by the Governor on November 3, 1998.

(4) Control of air emissions from designated hospital/medical/infectious waste incinerators submitted by the Governor in a letter dated June 2, 2000.

(c) *Designated facilities*. The plan applies to existing facilities in the following categories of sources:

(1) Sulfuric acid production plants.

(2) Kraft Pulp Mills.

(3) Municipal solid waste landfills

(4) Hospital/medical/infectious waste incinerators.

[61 FR 55576, Oct. 28, 1996, as amended at 64 FR 32430, June 17, 1999; 66 FR 49836, Oct. 1, 2001]

SULFURIC ACID MIST FROM EXISTING SULFURIC ACID PLANTS

**§ 62.10860 Identification of sources.**

(a) *Identification of sources*. The plan includes the following sulfuric acid production plants:

(1) Diamond-Shamrock Corporation in Sunray, Texas.

(2) Amoco Oil Company in Texas City, Texas.

(3) E.I. duPont de Nemours & Company, Inc. in La Porte, Texas.

(4) Mobil Mining and Minerals in Pasadena, Texas.

(5) Rohm and Haas, Texas Inc. in Deer Park, Texas.

(6) Stauffer Chemical Company in Baytown, Texas.

(7) Stauffer Chemical Company in Houston, Texas.

(8) Olin Corporation in Beaumont, Texas.

(9) Stauffer Chemical Company in Pasadena, Texas.

(10) Stauffer Chemical Company in Fort Worth, Texas.

TOTAL REDUCED SULFUR FROM EXISTING KRAFT PULP MILLS

**§ 62.10870 Identification of source.**

(a) Identification of sources. The plan includes the following kraft pulp mills:

(1) Simpson Paper Company in Pasadena, Texas.

(2) Champion International in Sheldon, Texas.

(3) Temple-Eastex, Inc. in Evadale, Texas.

(4) Champion International in Lufkin, Texas.

(5) International Paper Company in Domino, Texas.

(6) Inland-Orange, Inc. in Orange, Texas.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

**§62.10880 Identification of sources.**

The plan applies to existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991, that accepted waste at any time since October 8, 1993, or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

[64 FR 32430, June 17, 1999]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§62.10890 Identification of plan—negative declaration.**

Letter from the Texas Natural Resource Conservation Commission submitted May 13, 1997 certifying that there are no existing municipal waste combustor units in the State of Texas that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33467, May 24, 2000]

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTES INCINERATORS

**§62.10910 Identification of sources.**

The plan applies to existing hospital/medical/infectious waste incinerators for which construction, reconstruction, or modification was commenced before June 20, 1996, as described in 40 CFR part 60, subpart Ce.

[66 FR 49836, Oct. 1, 2001]

**§62.10911 Effective date.**

The effective date for the portion of the plan applicable to existing hospital/medical/infectious waste incinerators is November 30, 2001.

[66 FR 49836, Oct. 1, 2001]

## Subpart TT—Utah

FLUORIDE EMISSIONS FROM EXISTING PHOSPHATE FERTILIZER PLANTS

**§62.11100 Identification of plan—negative declaration.**

The Utah Department of Environmental Quality certified in a letter dated January 30, 2002 that there are no phosphate fertilizer plants in Utah that meet the definition of affected facility under 40 CFR part 60, subpart T, U, V, W or X, Standards of Performance for the Phosphate Fertilizer Industry. Additionally, there are no phosphate fertilizer plants in Utah that meet the definition of affected facility under 40 CFR part 62, subpart T, U, V, W or X, constructed before October 22, 1974, and that have not reconstructed or modified since 1974.

(Note: the State referenced part 62 in the second sentence. We believe they meant part 60).

[67 FR 35444, May 20, 2002]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

**§62.11110 Identification of plan.**

''Utah State Plan for Implementation of Emission Controls for Existing Designated Facilities, Section I. Municipal Solid Waste Landfills'' and the associated State regulations in R307–20–2 and R307–21 of the Utah Air Conservation Regulations, submitted by the State on April 2, 1997 with amendments to the plan submitted on October 31, 1997.

[63 FR 2156, Jan. 14, 1998]

**§62.11111 Identification of sources.**

The plan applies to all existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991 that accepted waste at any time since November 8, 1987 or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

[63 FR 2156, Jan. 14, 1998]

### § 62.11112 Effective date.

The effective date of the plan for municipal solid waste landfills is March 16, 1998.

[63 FR 2156, Jan. 14, 1998]

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

SOURCE: Sections 62.11120 through 62.11122 appear at 65 FR 38740, June 22, 2000, unless otherwise noted.

### § 62.11120 Identification of plan.

Section 111(d) Plan for Hospital/Medical/Infectious Waste Incinerators and the associated State regulation R307–220–3 and R307–222 of the Utah Air Conservation Regulations, submitted by the State on March 2, 1999 and October 25, 1999.

### § 62.11121 Identification of sources.

The plan applies to all existing hospital/medical/infectious waste incinerators for which construction was commenced on or before June 20, 1996, as described in 40 CFR part 60, subpart Ce.

### § 62.11122 Effective date.

The effective date for the portion of the plan applicable to existing hospital/medical/infectious waste incinerators is August 21, 2000.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.11130 Identification of plan—negative declaration.

Letter from the Department of Environmental Quality submitted June 16, 1997 certifying that there are no existing municipal waste combustor units in the State of Utah that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33467, May 24, 2000]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATORS

### § 62.11140 Identification of Plan—Negative Declaration.

Letter from the Department of Environmental Quality submitted April 23, 2002 certifying that there are no existing commercial and industrial solid waste incinerators in the State of Utah that are subject to part 60, subpart DDDD, of this chapter.

[68 FR 54374, Sept. 17, 2003]

## Subpart UU—Vermont

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.11350 Identification of plan—negative declaration.

The State Agency of Environmental Conservation submitted on April 11, 1978, a letter certifying that there are no existing phosphate fertilizer plants in the state subject to part 60, subpart B of this chapter.

[44 FR 54052, Sept. 18, 1979]

SULFURIC ACID MIST EMISSIONS FROM SULFURIC ACID PRODUCTION UNITS

### § 62.11375 Identification of plan—negative declaration.

The State Agency of Environmental Conservation submitted on April 11, 1978, a letter certifying that there are no existing sulfuric acid plants in the state subject to part 60, subpart B of this chapter.

[44 FR 54053, Sept. 18, 1979]

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

### § 62.11400 Identification of plan—negative declaration.

The State Agency of Environmental Conservation submitted on August 2, 1979, a letter certifying that there are no existing kraft pulp mills in the State subject to part 60, subject B of this chapter.

[54 FR 9047, Mar. 3, 1989]

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

**§ 62.11425 Identification of plan—negative declaration.**

The State Agency of Environmental Conservation submitted on January 4, 1989, a letter certifying that there are no existing primary aluminum reduction plants in the State subject to part 60, subpart B of this chapter.

[54 FR 9047, Mar. 3, 1989]

MUNICIPAL WASTE COMBUSTOR EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§ 62.11450 Identification of plan—negative declaration.**

On September 18, 1992, the Vermont Agency of Natural Resources submitted a letter certifying that there are no existing municipal waste combustors in the State subject to the emission guidelines published on February 11, 1991 (56 FR 5514) pursuant to part 60, subpart B of this chapter.

[57 FR 44692, Sept. 29, 1992]

MUNICIPAL WASTE COMBUSTOR EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST BETWEEN 35 AND 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§ 62.11460 Identification of Plan-negative declaration.**

On June 5, 2001, the Vermont Agency of Natural Resources submitted a letter certifying that there are no existing small municipal waste combustors in the state subject to the emission guidelines under part 60, subpart B of this chapter.

[66 FR 52537, Oct. 16, 2001]

AIR EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

**§ 62.11475 Identification of Plan—negative declaration.**

On April 16, 1999, the Vermont Agency of Natural Resources submitted a letter certifying that there are no existing hospital/medical/infectious waste incinerators in the state subject to the emission guidelines under Part 60, Subpart B of this chapter.

[64 FR 62119, Nov. 16, 1999]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

**§ 62.11480 Identification of Plan-negative declaration.**

On June 5, 2001, the Vermont Agency of Natural Resources submitted a letter certifying that there are no existing commercial and industrial solid waste incineration units in the state subject to the emission guidelines under part 60, subpart DDDD of this chapter.

[66 FR 63940, Dec. 11, 2001]

EMISSION FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

**§ 62.11485 Identification of Plan—negative declaration.**

On August 20, 1996, the Vermont Department of Environmental Conservation submitted a letter certifying that there are no existing municipal solid waste landfills in the state subject to the emission guidelines under part 60, subpart B of this chapter.

[68 FR 27913, May 22, 2003]

AIR EMISSIONS FROM EXISTING OTHER SOLID WASTE INCINERATION UNITS

**§ 62.11490 Identification of Plan-negative declaration.**

On June 30, 2006, the Vermont Department of Environmental Conservation submitted a letter certifying that there are no existing other solid waste incineration units in the state subject to the emission guidelines under part 60, subpart EEEE of this chapter.

[71 FR 53974, Sept. 13, 2006]

## Subpart VV—Virginia

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.11600 Identification of plan—negative declaration.

The Secretary of Commerce and Resources, Office of the Governor submitted on May 13, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B of this chapter.

[45 FR 43412, June 27, 1980]

SULFURIC ACID MIST EMISSIONS FROM EXISTING SULFURIC ACID PLANTS

### § 62.11601 Identification of plan.

(a) *Title of plan*. Commonwealth of Virginia State Implementation Plan under section 111(d) of the Clean Air Act for the Designated Facility—Sulfuric Acid Plants.

(b) The plan was officially submitted by the Secretary of Commerce and Resources, Commonwealth of Virginia, on September 29, 1978.

(c) [Reserved]

(d) *Identification of sources*. The plan includes the following sulfuric acid plants:

Allied Chemical, Hopewell
Allied Chemical, Front Royal
Du Pont, James River
Smith Douglas, Chesapeake
U.S. Army Ammo Plant, Radford
Weaver Fertilizer, Norfolk

(e) A variance issued to the E. I. du Pont de Nemours and Company James River Sulfuric Acid Plant located in Chesterfield County, Virginia exempting the plant from section 4.51(c)(2) until December 15, 1981, submitted on October 21, 1980 by the Virginia Secretary of Commerce and Resources.

(f) [Reserved]

(g) Section 4.51(c)(2) is replaced with Rule 4–21 (Emission Standards from Sulfuric Acid Production Units), section 120–04–2104 (Standard for Sulfuric Acid Mist), effective February 1, 1985. This revision was submitted on February 14, 1985 by the Commonwealth of Virginia.

[46 FR 55973, Nov. 13, 1981, as amended at 46 FR 55975, Nov. 13, 1981; 60 FR 50105, Sept. 28, 1995]

TOTAL REDUCED SULFUR EMISSIONS FROM EXISTING KRAFT PULP MILLS

### § 62.11610 Identification of plan.

(a) *Title of Plan*. Commonwealth of Virginia State Implementation Plan under section 111(d) plan for the Designated Facility—Kraft Pulp Mills.

(b) The plan was officially submitted by the Executive Director of the Department of Virginia Department of Air Pollution Control, on May 15, 1990.

(c) Identification of sources. The Plan includes the following Kraft Pulp Mills:

(1) Chesapeake Corporation, West Point;

(2) Stone Container Corporation, Hopewell;

(3) Union Camp Corporation, Franklin; and

(4) Westvaco Corporation, Covington.

(d) On June 20, 2005, the Commonwealth of Virginia submitted changes to its 111(d) Plan. The changes consist of amendments to 9 VAC 5, Chapter 40, Part II, Article 13, Sections 5–40–1660, 5–40–1670 (definitions of Agreement (removed), Cross recovery furnace (revised), Neutral sulfite semichemical pulping operation (added), New design recovery furnace (added), Pulp and paper mill (added), Semichemical pulping process (added), Straight kraft recovery furnace (revised), Total reduced sulfur (revised)), 5–40–1690, 5–40–1750, 5–40–1770B. and C., 5–40–1780D., and 5–40–1810. The State effective date is April 1, 1999.

[63 FR 47437, Sept. 8, 1998; 63 FR 54058, Oct. 8, 1998, as amended at 72 FR 59019, Oct. 18, 2007]

### §§ 62.11611–62.11619 [Reserved—plan not submitted]

FLUORIDE EMISSIONS FROM EXISTING PRIMARY ALUMINUM PLANTS

### § 62.11620 Identification of plan—negative declaration.

The Commonwealth of Virginia, Office of the Governor, submitted on July 9, 1980, a letter certifying that there

are no designated facilities in the Commonwealth subject to the emission guidelines set forth in the Final Guideline Document for the Control of Fluoride Emissions from Existing Primary Aluminum Plants.

[46 FR 41783, Aug. 18, 1981]

EMISSIONS FROM EXISTING COMMERCIAL INDUSTRIAL SOLID WASTE INCINERATORS (CISWI) UNITS (SECTION 111(d)/129 PLAN)

SOURCE: Sections 62.11621 through 62.11623 appear at 69 FR 29661, May 25, 2004, unless otherwise noted.

**§ 62.11621 Identification of plan.**

Section 111(d)/129 CISWI plan submitted on September 8, 2003, including related supplemental information submitted on August 11, and September 30, 2003, and April 6, 2004.

**§ 62.11622 Identification of sources.**

The plan applies to all affected CISWI units for which construction commenced on or before November 30, 1999.

**§ 62.11623 Identification of plan.**

Effective date of the plan is July 26, 2004.

EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS (HMIWI) UNITS—SECTION 111(D)/129 PLAN

SOURCE: Sections 62.11625 through 62.11627 appear at 69 FR 54756, Sept. 10, 2004, unless otherwise noted.

**§ 62.11625 Identification of plan.**

Section 111(d)/129 HMIWI plan submitted on August 25, 2003, including related supplemental information submitted on August 11, 2003, and April 6 and July 23, 2004.

**§ 62.11626 Identification of sources.**

The plan applies to all affected HMIWI units for which construction commenced on or before June 20, 1996.

**§ 62.11627 Effective date of plan.**

Effective date of the plan is November 9, 2004.

EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTOR (MWC) UNITS—SECTION 111(D)/129 PLAN

SOURCE: Sections 62.11635 through 62.11637 appear at 70 FR 39931, July 12, 2005, unless otherwise noted.

**§ 62.11635 Identification of plan.**

Section 111(d)/129 plan for small MWC units with capacities 35 to 250 tons per day, and the associated Virginia Air Pollution Control Board Regulations (Rule 4–46, and other supporting rules identified in the plan), submitted to EPA on September 2, 2003, including supplemental information submitted on August 11 and September 30, 2003; April 6, 2004; and April 18, 2005.

**§ 62.11636 Identification of sources.**

The affected facility to which the plan applies is each small MWC unit for which construction commenced on or before August 30, 1999.

**§ 62.11637 Effective date.**

The effective date of the plan for small MWC units is September 12, 2005.

EMISSIONS FROM EXISTING LARGE MUNICIPAL WASTE COMBUSTOR (MWC) UNITS—SECTION 111(D)/129 PLAN

SOURCE: Sections 62.11640 through 62.11642 appear at 69 FR 63078, Oct. 29, 2004, unless otherwise noted.

**§ 62.11640 Identification of plan.**

Section 111(d) /129 plan for large MWC units with a capacity greater than 250 tons per day (TPD) and the associated Virginia Air Pollution Control Board Regulations (Rule 4–54, and other supporting rules identified in the plan), submitted to EPA on August 18, 2003, including supplemental information submitted on August 11 and September 30, 2003; and April 6, and August 25, 2004.

**§ 62.11641 Identification of sources.**

The affected facility to which the plan applies is each large MWC unit for which construction commenced on or before September 20, 1994.

### § 62.11642 Effective date.

The effective date of the plan for large MWC units is December 28, 2004.

## Subpart WW—Washington

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.11850 Identification of plan—negative declaration.

The Washington State Department of Ecology submitted on August 29, 1979, certification that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B of this chapter.

[44 FR 76281, Dec. 26, 1979]

PLANS FOR THE CONTROL OF DESIGNATED POLLUTANTS FROM EXISTING FACILITIES (SECTION 111(d) PLAN)

### § 62.11860 Identification of Plan.

(a) *Identification of Plan*. Washington State Designated Facility Plan (Section 111(d) Plan).

(b) The plan was officially submitted as follows:

(1) Control of metals, acid gases, organic compounds and nitrogen oxide emissions from existing municipal waste combustors was submitted by State of Washington Department of Ecology on January 4, 1999.

(2) [Reserved]

(c) *Designated Facilities*. The plan applies to existing facilities in the following category of sources:

(1) Existing municipal waste combustors.

(2) [Reserved]

[64 FR 41294, July 30, 1999]

METALS, ACID GASES, ORGANIC COMPOUNDS AND NITROGEN OXIDE EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO COMBUST GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.11870 Identification of sources.

The plan applies to existing facilities at the following municipal waste combustor sites:

(1) Spokane Regional Solid Waste System, Spokane, WA.

(2) [Reserved]

[64 FR 41294, July 30, 1999]

## Subpart XX—West Virginia

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.12100 Identification of plan—negative declaration.

The West Virginia Air Pollution Control Commission submitted on October 25, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B of this chapter.

[45 FR 43412, June 27, 1980]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.12110 Identification of plan—negative declaration.

Letter from the Division of Environmental Protection submitted March 11, 1996 certifying that there are no existing municipal waste combustor units in the State of West Virginia that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33467, May 24, 2000]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS (SECTION 111(d) PLAN)

SOURCE: Sections 62.12125 through 62.12127 appear at 66 FR 28379, May 23, 2001, unless otherwise noted.

### § 62.12125 Identification of plan.

West Virginia 111(d) plan for municipal solid waste landfills, including delegation of Federal plan (64 FR 60689) compliance schedule and reporting requirements, as submitted to the Environmental Protection Agency on May 29, 1998, and as amended on May 15, 2000, and December 20, 2000.

### § 62.12126 Identification of sources.

The plan applies to all existing West Virginia municipal solid waste landfills for which construction, reconstruction, or modification was commenced before

May 30, 1991 and that accepted waste at any time since November 8, 1987, or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

### § 62.12127 Effective date.

The effective date of the plan for municipal solid waste landfills is July 23, 2001.

EMISSIONS FROM EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS (HMIWIS) (SECTION 111(d)/129 PLAN)

### § 62.12150 Identification of plan.

(a)Section 111(d)/129 plan for HMIWIs and the associated West Virginia (WV) Department of Environmental Protection regulations, as submitted on August 18, 1999, and as amended on April 19, 2000.

(b) On May 11, 2009, the West Virginia Department of Environmental Protection submitted a State plan revision (#1) that consolidates all existing section 111(d)/129 incinerator regulatory requirements into one modified rule, WV45CSR18.

[43 FR 51393, Nov. 3, 1978, as amended at 74 FR 38348, Aug. 3, 2009]

### § 62.12151 Identification of sources.

The plan applies to all existing WV HMIWI for which construction was commenced on or before June 20, 1996.

### § 62.12152 Effective date.

(a)The effective date of the plan is July 28, 2000.

(b) Plan revision #1 is effective October 2, 2009.

[43 FR 51393, Nov. 3, 1978, as amended at 74 FR 38348, Aug. 3, 2009]

EMISSIONS FROM EXISTING COMMERCIAL INDUSTRIAL SOLID WASTE INCINERATORS (CISWI) UNITS (SECTION 111(d)/129 PLANS)

### § 62.12155 Identification of plan.

(a)Section 111(d)/129 CISWI plan submitted on November 29, 2001, amended September 25, 2002, and January 22, 2003.

(b) On May 11, 2009, the West Virginia Department of Environmental Protection submitted a State plan revision (#1) that consolidates all existing section 111(d)/129 incinerator regulatory requirements into one modified rule, WV45CSR18.

[68 FR 17741, Apr. 11, 2003, as amended at 74 FR 38346, Aug. 3, 2009]

### § 62.12156 Identification of sources.

The plan applies to the Dupont CISWI unit located in Wood County, West Virginia.

[68 FR 17741, Apr. 11, 2003]

### § 62.12157 Effective date.

(a)The effective date of the plan is June 10, 2003.

(b) Plan revision #1 is effective October 2, 2009.

[68 FR 17741, Apr. 11, 2003, as amended at 74 FR 38346, Aug. 3, 2009]

EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS

### § 62.12160 Identification of plan—negative declaration.

Letter from the West Virginia Department of Environmental Protection, Division of Air Quality, submitted July 3, 2001, certifying that there are no existing small municipal waste combustion units within the State of West Virginia that are subject to 40 CFR part 60, subpart BBBB.

[68 FR 28774, May 27, 2003]

EMISSIONS FROM OTHER SOLID WASTE INCINERATOR UNITS

### § 62.12165 Identification of plan—negative declaration.

Letter from the West Virginia Department of Environmental Protection submitted June 2, 2006, certifying that there are no existing other solid waste incinerator units within the State of West Virginia that are subject to 40 CFR part 60, subpart FFFF.

[72 FR 37633, July 11, 2007]

## Subpart YY—Wisconsin

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.12350 Identification of plan—negative declaration.

The State Department of Natural Resources submitted on May 24, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B of this chapter.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.12360 Identification of plan—negative declaration.

Letter from the Department of Natural Resources submitted September 26, 1997 certifying that there are no existing municipal waste combustor units in the State of Wisconsin that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33467, May 24, 2000]

## Subpart ZZ—Wyoming

SOURCE: 63 FR 29646, June 1, 1998, unless otherwise noted.

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

### § 62.12600 Identification of plan.

Section 35, ''Municipal Solid Waste Landfills,'' of the Wyoming Air Quality Standards and Regulations and associated documentation submitted by the State on February 13, 1998.

### § 62.12601 Identification of sources.

The plan applies to all existing municipal solid waste landfills for which construction, reconstruction, or modification was commenced before May 30, 1991 that accepted waste at any time since November 8, 1987 or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart CC.

### § 62.12602 Effective date.

The effective date of the plan for municipal solid waste landfills is July 31, 1998.

AIR EMISSIONS FROM HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS

SOURCE: Sections 62.12610 through 62.12612 appear at 65 FR 38740, June 22, 2000, unless otherwise noted.

### § 62.12610 Identification of plan.

Section 111(d) Plan for Hospital/Medical/Infectious Waste Incinerators and the associated State regulation, Chapter 4, section 5, of the Wyoming Air Quality Standards and Regulations, submitted by the State on September 7, 1999 and November 9, 1999.

### § 62.12611 Identification of sources.

The plan applies to all existing hospital/medical/infectious waste incinerators for which construction was commenced on or before June 20, 1996, as described in 40 CFR part 60, subpart Ce.

### § 62.12612 Effective date.

The effective date for the portion of the plan applicable to existing hospital/medical/infectious waste incinerators is August 21, 2000.

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

### § 62.12620 Identification of plan—negative declaration.

Letter from the Department of Environmental Quality submitted October 29, 1996 certifying that there are no existing municipal waste combustor units in the State of Wyoming that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33468, May 24, 2000]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATORS

**§ 62.12630 Identification of Plan—Negative Declaration.**

Letter from the Department of Environmental Quality submitted December 16, 2002 certifying that there are no existing commercial and industrial solid waste incinerators in the State of Wyoming that are subject to part 60, subpart DDDD, of this chapter.

[68 FR 54374, Sept. 17, 2003]

## Subpart AAA—American Samoa

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§ 62.12900 Identification of plan—negative declaration.**

Letter from the American Samoa Environmental Protection Agency, submitted on January 20, 1998, certifying that there are no municipal waste combustion units subject to part 60, subpart Cb, of this chapter.

[68 FR 58614, Oct. 10, 2003]

## Subpart BBB—Puerto Rico

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

**§ 62.13100 Identification of plan—negative declaration**

The Commonwealth Environmental Quality Board submitted, on January 31, 1978, a letter certifying that there are no existing phosphate fertilizer plants in Commonwealth subject to part 60, subpart B of this chapter.

[44 FR 41180, July 16, 1979]

SULFURIC ACID MIST EMISSIONS FROM SULFURIC ACID PRODUCTION PLANTS

**§ 62.13101 Identification of plan—negative declaration.**

The Commonwealth Environmental Quality Board submitted, on January 31, 1978, a letter certifying that there are no existing sulfuric acid plants in the Commonwealth subject to part 60, subpart B of this chapter.

[45 FR 37432, June 3, 1980; 46 FR 27342, May 19, 1981]

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM REDUCTION PLANTS

**§ 62.13102 Identification of plan—negative declaration.**

The Commonwealth of Puerto Rico submitted on April 28, 1981, a letter certifying that there are no existing primary aluminum plants in the Commonwealth subject to part 60 subpart B of this chapter.

[46 FR 43834, Sept. 1, 1981]

TOTAL REDUCED SULFUR FROM KRAFT PULP MILLS

**§ 62.13103 Identification of plan—negative declaration.**

The Commonwealth of Puerto Rico submitted on April 28, 1981, a letter certifying that there are no existing kraft pulp mills in the Commonwealth subject to part 60 subpart B of this chapter.

[46 FR 43834, Sept. 1, 1981]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§ 62.13104 Identification of plan—negative declaration.**

Letter from the Office of the Governor submitted December 12, 1996 certifying that there are no existing municipal waste combustor units in the Territory of Puerto Rico that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33468, May 24, 2000]

AIR EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS WITH THE CAPACITY TO COMBUST AT LEAST 35 TONS PER DAY BUT NO MORE THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE OR REFUSE DERIVED FUEL AND CONSTRUCTED ON OR BEFORE AUGUST 30, 1999

### § 62.13105 Identification of plan—negative declaration.

Letter from the Puerto Rico Environmental Quality Board, submitted August 2, 2001, certifying that there are no existing small municipal waste combustion units in the Commonwealth of Puerto Rico subject to part 60, subpart BBBB of this chapter.

[66 FR 54718, Oct. 30, 2001]

CONTROL OF AIR EMISSIONS OF DESIGNATED POLLUTANTS FROM EXISTING HOSPITAL, MEDICAL, AND INFECTIOUS WASTE INCINERATORS

### § 62.13106 Identification of plan.

(a) The Puerto Rico Environmental Quality Board submitted to the Environmental Protection Agency on February 20, 2001, a ''State Plan for implementation and enforcement of 40 CFR part 60, subpart Ce, Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators.

(b) Identification of sources: The plan applies to all applicable existing hospital/medical/infectious waste incinerators for which construction commenced on or before June 20, 1996.

[67 FR 41181, June 17, 2002]

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS (SECTION 111(d) PLAN)

### § 62.13107 Identification of plan.

(a) The Puerto Rico Environmental Quality Board submitted to the Environmental Protection Agency a ''State Plan for implementation and enforcement of 40 CFR part 60, subpart Cc, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills on February 20, 2001.''

(b) Identification of sources: The plan applies to all applicable existing municipal solid waste landfills for which construction, reconstruction, or modification commenced before May 30, 1991; and for which waste has been accepted at any time since November 8, 1987 or that have added capacity for future waste deposition.

[67 FR 46600, July 16, 2002]

CONTROL OF AIR EMISSIONS OF DESIGNATED POLLUTANTS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

### § 62.13108 Identification of plan.

(a) The Puerto Rico Environmental Quality Board submitted to the Environmental Protection Agency on May 20, 2003, a ''State Plan'' for implementation and enforcement of 40 CFR part 60, subpart DDDD, Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units. The State Plan includes revisions to Rule 102 and Rule 405 of the Puerto Rico Regulations for the Control of Atmospheric Pollution, entitled, ''Definitions'' and ''Incineration'', respectively. Revised Rules 102 and 405 were adopted on June 4, 2003 and effective on July 4, 2003.

(b) Identification of sources: The plan applies to all applicable existing Commercial and Industrial Solid Waste Incineration Units for which construction commenced on or before November 30, 1999.

[69 FR 11539, Mar. 11, 2004]

## Subpart CCC—Virgin Islands

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

### § 62.13350 Identification of plan—negative declaration.

The Territory Department of Conservation and Cultural Affairs submitted, on November 3, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the Territory subject to part 60, subpart B of this chapter.

[44 FR 41181, July 16, 1979]

SULFURIC ACID MIST EMISSIONS FROM SULFURIC ACID PLANTS

**§ 62.13351 Identification of plan—negative declaration.**

The Territory Department of Conservation and Cultural Affairs submitted, on November 8, 1977, a letter certifying that there are no existing sulfuric acid plants in the Territory subject to part 60, subpart B of this chapter.

[45 FR 37432, June 3, 1980; 46 FR 27342, May 19, 1981]

TOTAL REDUCED SULFUR EMISSIONS FROM KRAFT PULP MILLS

**§ 62.13352 Identification of plan—negative declaration.**

The Virgin Islands Department of Conservation and Cultural Affairs submitted, on July 31, 1979, a letter certifying that there are no existing kraft pulp mills in the Territory subject to part 60, subpart B of this chapter.

[45 FR 80826, Dec. 8, 1980; 46 FR 27342, May 19, 1981]

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM REDUCTION PLANTS

**§ 62.13353 Identification of plan—negative declaration.**

The Virgin Islands Department of Conservation and Cultural Affairs submitted, on July 21, 1980, a letter certifying that there are no primary aluminum plants in the Territory subject to part 60, subpart B of this chapter.

[46 FR 30497, June 9, 1981]

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§ 62.13354 Identification of plan—negative declaration.**

Letter from the Department of Planning and Natural Resources submitted September 29, 1997 certifying that there are no existing municipal waste combustor units in the Territory of Virgin Islands that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33468, May 24, 2000]

AIR EMISSIONS FROM EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS WITH THE CAPACITY TO COMBUST AT LEAST 35 TONS PER DAY BUT NO MORE THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE OR REFUSE DERIVED FUEL AND CONSTRUCTED ON OR BEFORE AUGUST 30, 1999

**§ 62.13355 Identification of plan—negative declaration.**

Letter from the Virgin Islands Department of Planning and Natural Resources, submitted July 17, 2002, certifying that there are no existing small municipal waste combustion units in the Territory of the United States Virgin Islands subject to part 60, subpart BBBB of this chapter.

[67 FR 76119, Dec. 11, 2002]

AIR EMISSIONS FROM EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS CONSTRUCTED ON OR BEFORE NOVEMBER 30, 1999 OR RECONSTRUCTED OR MODIFIED PRIOR TO JUNE 1, 2001

**§ 62.13356 Identification of plan—negative declaration.**

Letter from the Virgin Islands Department of Planning and Natural Resources, submitted October 25, 2002, certifying that there are no existing commercial and industrial solid waste incineration units in the Territory of the United States Virgin Islands subject to part 60, subpart DDDD of this chapter.

[68 FR 9022, Feb. 27, 2003]

## Subpart DDD—Northern Mariana Islands

EMISSIONS FROM EXISTING MUNICIPAL WASTE COMBUSTORS WITH THE CAPACITY TO BURN GREATER THAN 250 TONS PER DAY OF MUNICIPAL SOLID WASTE

**§ 62.13600 Identification of plan—negative declaration.**

Letter from the Commonwealth of the Northern Mariana Islands Division of Environmental Quality, submitted on January 27, 1998, certifying that

there are no municipal waste combustion units subject to part 60, subpart Cb, of this chapter.

[68 FR 58614, Oct. 10, 2003]

## Subpart EEE [Reserved]

## Subpart FFF—Federal Plan Requirements for Large Municipal Waste Combustors Constructed on or Before September 20, 1994

SOURCE: 63 FR 63202, Nov. 12, 1998, unless otherwise noted.

### § 62.14100 Scope and delegation of authority.

(a) This subpart contains emission requirements and compliance schedules for the control of pollutants from certain municipal waste combustors in accordance with section 111(d) and section 129 of the Clean Air Act and 40 CFR part 60, subparts B and Cb. This municipal waste combustor Federal plan applies to each affected facility as defined in § 62.14102 that is not covered by an EPA approved and currently effective State or Tribal plan. This Federal plan, or portions thereof, also applies to each affected facility in any State whose approved State plan is subsequently vacated in whole or in part. This Federal plan, or portions thereof, also applies to each affected facility located in Indian country if the approved Tribal plan for that area is subsequently vacated in whole or in part.

(b) The following authorities shall be retained by the EPA Administrator and not transferred to the State upon delegation of authority to the State to implement and enforce the Federal plan:

(1) An alternative emission standard;

(2) Major alternatives to test methods;

(3) Major alternatives to monitoring;

(4) Waiver of recordkeeping; and

(5) Waiver of training requirement for chief facility operators, shift supervisors, and control room operators who have obtained provisional certification on or before the effective date of this subpart, as provided in § 62.14105(d)(2) of this subpart.

### § 62.14101 Definitions.

Terms used but not defined in this subpart have the meaning given to them in the Clean Air Act and 40 CFR part 60, subparts A, B, and Eb.

*Contract* means a legally binding agreement or obligation that cannot be canceled or modified without substantial financial loss.

*De-rate* means to make a permanent physical change to the municipal waste combustor unit that reduces the maximum combustion capacity of the unit to less than or equal to 250 tons per day of municipal solid waste. A permit restriction or a change in the method of operation does not qualify as de-rating. (See the procedures specified in 40 CFR 60.58b(j) of subpart Eb for calculating municipal waste combustor unit capacity.)

*EPA approved State plan* means a State plan that EPA has reviewed and approved based on the requirements in 40 CFR part 60, subpart B to implement and enforce 40 CFR part 60, subpart Cb. An approved State plan becomes effective on the date specified in the notice published in the FEDERAL REGISTER announcing EPA's approval.

*Municipal waste combustor plant* means one or more affected facilities (as defined in § 62.14102) at the same location.

*Protectorate* means American Samoa, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Northern Mariana Islands, and the Virgin Islands.

*State* means any of the 50 United States and the protectorates of the United States.

*State plan* means a plan submitted pursuant to section 111(d) and section 129(b)(2) of the Clean Air Act and 40 CFR part 60, subpart B that implements and enforces 40 CFR part 60, subpart Cb.

*Tribal plan* means a plan submitted by a Tribal Authority pursuant to 40 CFR parts 9, 35, 49, 50, and 81 that implements and enforces 40 CFR part 60, subpart Cb.

### § 62.14102 Affected facilities.

(a) The affected facility to which this subpart applies is each municipal waste combustor unit with a capacity to combust greater than 250 tons per day

of municipal solid waste for which construction was commenced on or before September 20, 1994 that is not regulated by an EPA approved and currently effective State or Tribal plan. Table 1 of this subpart lists those units regulated by an EPA approved State plan. Notwithstanding the exclusions in table 1 of this subpart, this subpart applies to affected facilities not regulated by an EPA approved and currently effective State or Tribal plan.

(b) A municipal waste combustor unit regulated by an EPA approved and currently effective State or Tribal plan is not regulated by this subpart.

(c) Any municipal waste combustor unit that has the capacity to combust more than 250 tons per day of municipal solid waste and is subject to a Federally enforceable permit limiting the maximum amount of municipal solid waste that may be combusted in the unit to less than 11 tons per day is not subject to this subpart if the owner or operator:

(1) Notifies the EPA Administrator of an exemption claim;

(2) Provides a copy of the Federally enforceable permit that limits the firing of municipal solid waste to less than 11 tons per day; and

(3) Keeps records of the amount of municipal solid waste fired on a daily basis.

(d) Physical or operational changes made to an existing municipal waste combustor unit primarily for the purpose of complying with the emission requirements of this subpart are not considered in determining whether the unit is a modified or reconstructed facility under 40 CFR part 60, subpart Ea or subpart Eb.

(e) A qualifying small power production facility, as defined in section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C)), that burns homogeneous waste (such as automotive tires or used oil, but not including refuse-derived fuel) for the production of electric energy is not subject to this subpart if the owner or operator of the facility notifies the EPA Administrator of this exemption and provides data documenting that the facility qualifies for this exemption.

(f) A qualifying cogeneration facility, as defined in section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B)), that burns homogeneous waste (such as automotive tires or used oil, but not including refuse-derived fuel) for the production of electric energy and steam or forms of useful energy (such as heat) that are used for industrial, commercial, heating, or cooling purposes, is not subject to this subpart if the owner or operator of the facility notifies the EPA Administrator of this exemption and provides data documenting that the facility qualifies for this exemption.

(g) Any unit combusting a single-item waste stream of tires is not subject to this subpart if the owner or operator of the unit:

(1) Notifies the EPA Administrator of an exemption claim; and

(2) Provides data documenting that the unit qualifies for this exemption.

(h) Any unit required to have a permit under section 3005 of the Solid Waste Disposal Act is not subject to this subpart.

(i) Any materials recovery facility (including primary or secondary smelters) that combusts waste for the primary purpose of recovering metals is not subject to this subpart.

(j) Any cofired combustor, as defined under 40 CFR 60.51b of subpart Eb that meets the capacity specifications in paragraph (a) of this section is not subject to this subpart if the owner or operator of the cofired combustor:

(1) Notifies the EPA Administrator of an exemption claim;

(2) Provides a copy of the Federally enforceable permit (specified in the definition of cofired combustor in this section); and

(3) Keeps a record on a calendar quarter basis of the weight of municipal solid waste combusted at the cofired combustor and the weight of all other fuels combusted at the cofired combustor.

(k) Air curtain incinerators, as defined under 40 CFR 60.51b, that meet the capacity specifications in paragraph (a) of this section, and that combust a fuel stream composed of 100 percent yard waste are exempt from all provisions of this subpart except the opacity standard under §62.14107, and

the testing procedures and the reporting and recordkeeping provisions under § 62.14109.

(l) Air curtain incinerators that meet the capacity specifications in paragraph (a) of this section and that combust municipal solid waste other than yard waste are subject to all provisions of this subpart.

(m) Pyrolysis/combustion units that are an integrated part of a plastics/rubber recycling unit (as defined in 40 CFR 60.51b) are not subject to this subpart if the owner or operator of the plastics/rubber recycling unit keeps records of the weight of plastics, rubber, and/or rubber tires processed on a calendar quarter basis; the weight of chemical plant feedstocks and petroleum refinery feedstocks produced and marketed on a calendar quarter basis; and the name and address of the purchaser of the feedstocks. The combustion of gasoline, diesel fuel, jet fuel, fuel oils, residual oil, refinery gas, petroleum coke, liquefied petroleum gas, propane, or butane produced by chemical plants or petroleum refineries that use feestocks produced by plastics/rubber recycling units are not subject to this subpart.

(n) Cement kilns firing municipal solid waste are not subject to this subpart.

[63 FR 63202, Nov. 12, 1998; 64 FR 17219, Apr. 8, 1999]

### § 62.14103 Emission limits for municipal waste combustor metals, acid gases, organics, and nitrogen oxides.

(a) The emission limits for municipal waste combustor metals are specified in paragraphs (a)(1) through (a)(3) of this section.

(1) The owner or operator of an affected facility must not cause to be discharged into the atmosphere from that affected facility any gases that contain: particulate matter in excess of 27 milligrams per dry standard cubic meter, corrected to 7 percent oxygen; and opacity in excess of 10 percent (6-minute average).

(2) The owner or operator of an affected facility must not cause to be discharged into the atmosphere from that affected facility any gases that contain: cadmium in excess of 0.040 milligrams per dry standard cubic meter, corrected to 7 percent oxygen; and lead in excess of 0.44 milligrams per dry standard cubic meter, corrected to 7 percent oxygen.

(3) The owner or operator of an affected facility must not cause to be discharged into the atmosphere from that affected facility any gases that contain mercury in excess of 0.080 milligrams per dry standard cubic meter or 15 percent of the potential mercury emission concentration (85-percent reduction by weight), corrected to 7 percent oxygen, whichever is less stringent.

(b) The emission limits for municipal waste combustor acid gases, expressed as sulfur dioxide and hydrogen chloride, are specified in paragraphs (b)(1) and (b)(2) of this section.

(1) The owner or operator of an affected facility must not cause to be discharged into the atmosphere from that affected facility any gases that contain sulfur dioxide in excess of 29 parts per million by volume or 25 percent of the potential sulfur dioxide emission concentration (75-percent reduction by weight or volume), corrected to 7 percent oxygen (dry basis), whichever is less stringent. Compliance with this emission limit is based on a 24-hour daily geometric mean.

(2) The owner or operator of an affected facility must not cause to be discharged into the atmosphere from that affected facility any gases that contain hydrogen chloride in excess of 29 parts per million by volume or 5 percent of the potential hydrogen chloride emission concentration (95-percent reduction by weight or volume), corrected to 7 percent oxygen (dry basis), whichever is less stringent.

(c) The owner or operator of an affected facility must not cause to be discharged into the atmosphere from that affected facility any gases that contain municipal waste combustor organics, expressed as total mass dioxins/furans, in excess of the emission limits specified in either paragraph (c)(1) or (c)(2) of this section, as applicable.

(1) The emission limit for affected facilities that employ an electrostatic precipitator-based emission control system is 60 nanograms per dry standard cubic meter (total mass), corrected to 7 percent oxygen.

(2) The emission limit for affected facilities that do not employ an electrostatic precipitator-based emission control system is 30 nanograms per dry standard cubic meter (total mass), corrected to 7 percent oxygen.

(d) The owner or operator of an affected facility must not cause to be discharged into the atmosphere from that affected facility any gases that contain nitrogen oxides in excess of the emission limits listed in table 2 of this subpart for affected facilities. Table 2 of this subpart provides emission limits for the nitrogen oxides concentration level for each type of affected facility.

### § 62.14104 Requirements for municipal waste combustor operating practices.

(a) The owner or operator of an affected facility must not cause to be discharged into the atmosphere from that affected facility any gases that contain carbon monoxide in excess of the emission limits listed in table 3 of this subpart. Table 3 provides emission limits for the carbon monoxide concentration level for each type of affected facility.

(b) The owner or operator of an affected facility must comply with the municipal waste combustor operating practice requirements listed in 40 CFR 60.53b(b) and (c) of subpart Eb. For calculating the steam (or feedwater) flow required under 40 CFR 60.58(i)(6)(i), proceed in accordance with ASME PTC 4.1–1964 (Reaffirmed 1991), Power Test Codes: Test Code for Steam Generating Units (with 1968 and 1969 Addenda). For design, construction, installation, calibration, and use of nozzles and orifices required in 40 CFR 60.58(i)(6)(ii), proceed in accordance with the recommendations in ASME Interim Supplement 19.5 on Instruments and Apparatus: Application, Part II of Fluid Meters, 6th Edition (1971). The Director of the Federal Register approves these incorporations by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a copy from the American Society of Mechanical Engineers, Service Center, 22 Law Drive, Post Office Box 2900, Fairfield, NJ 07007. You may inspect a copy at the Office of Air Quality Planning and Standards Air Docket, EPA, Mutual Building, Room 540, 411 West Chapel Hill Street, Durham, NC 27701, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

[63 FR 63202, Nov. 12, 1998, as amended at 69 FR 18803, Apr. 9, 2004]

### § 62.14105 Requirements for municipal waste combustor operator training and certification.

The owner or operator of an affected facility must comply with the municipal waste combustor operator training and certification requirements listed in paragraphs (a) through (g) of this section. For affected facilities, compliance with the municipal waste combustor operator training and certification requirements specified under paragraphs (a), (b), (d), and (g) of this section must be no later than 12 months after the effective date of this subpart.

(a) Each chief facility operator and shift supervisor must obtain and maintain a current provisional operator certification from either the American Society of Mechanical Engineers QRO–1–1994 or a State certification program in Connecticut and Maryland (if the affected facility is located in either of the respective States). If ASME certification is chosen, proceed in accordance with ASME QRO–1–1994, Standard for the Qualification and Certification of Resource Recovery Facility Operators. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a copy from the American Society of Mechanical Engineers, Service Center, 22 Law Drive, Post Office Box 2900, Fairfield, NJ 07007. You may inspect a copy at the Office of Air Quality Planning and Standards Air Docket, EPA, Mutual Building, Room 540, 411 West Chapel Hill Street, Durham, NC 27701 or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(b) Each chief facility operator and shift supervisor must have completed full certification or must have scheduled a full certification exam with either the American Society of Mechanical Engineers QRO–1–1994 or a State certification program in Connecticut and Maryland (if the affected facility is located in either of the respective States). If ASME certification is chosen, proceed in accordance with ASME QRO–1–1994, Standard for the Qualification and Certification of Resource Recovery Facility Operators. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a copy from the American Society of Mechanical Engineers, Service Center, 22 Law Drive, Post Office Box 2900, Fairfield, NJ 07007. You may inspect a copy at the Office of Air Quality Planning and Standards Air Docket, EPA, Mutual Building, Room 540, 411 West Chapel Hill Street, Durham, NC 27701 or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(c) The owner or operator of an affected facility must not allow the facility to be operated at any time unless one of the following persons is on duty at the affected facility: a fully certified chief facility operator; a provisionally certified chief facility operator who is scheduled to take the full certification exam no later than 12 months after the effective date of this subpart; a fully certified shift supervisor; or a provisionally certified shift supervisor who is scheduled to take the full certification exam no later than 12 months after the effective date of this subpart. If one of the persons listed in this paragraph must leave the affected facility during their operating shift, a provisionally certified control room operator who is onsite at the affected facility may fulfill the requirement in this paragraph.

(d)(1) Each chief facility operator, shift supervisor, and control room operator at an affected facility must complete the EPA municipal waste combustor operator training course or the State municipal waste combustor operator training course in Connecticut (if the affected facility is located in Connecticut).

(2) The requirement specified in this paragraph does not apply to chief facility operators, shift supervisors, and control room operators who have obtained full certification from the American Society of Mechanical Engineers on or before the effective date of this subpart. The owner or operator of an affected facility may request that the EPA Administrator waive the requirement specified in this paragraph for chief facility operators, shift supervisors, and control room operators who have obtained provisional certification from the American Society of Mechanical Engineers on or before the effective date of this subpart.

(e) The owner or operator of an affected facility must develop and update on a yearly basis a site-specific operating manual that must, at a minimum, address the elements of municipal waste combustor unit operation specified in paragraphs (e)(1) through (e)(11) of this section.

(1) A summary of the applicable standards under this subpart;

(2) A description of basic combustion theory applicable to a municipal waste combustor unit;

(3) Procedures for receiving, handling, and feeding municipal solid waste;

(4) Procedures for municipal waste combustor unit startup, shutdown, and malfunction;

(5) Procedures for maintaining proper combustion air supply levels;

(6) Procedures for operating the municipal waste combustor unit within the standards established under this subpart;

(7) Procedures for responding to periodic upset or off-specification conditions;

(8) Procedures for minimizing particulate matter carryover;

(9) Procedures for handling ash;

(10) Procedures for monitoring municipal waste combustor unit emissions; and

(11) Reporting and recordkeeping procedures.

(f) The owner or operator of an affected facility must establish a training program to review the operating manual according to the schedule specified in paragraphs (f)(1) and (f)(2) of this section with each person who has responsibilities affecting the operation of an affected facility including, but not limited to, chief facility operators, shift supervisors, control room operators, ash handlers, maintenance personnel, and crane/load handlers.

(1) Each person specified in paragraph (f) of this section must undergo initial training no later than the date specified in paragraph (f)(1)(i) or (f)(1)(ii) of this section, whichever is later.

(i) The date prior to the day the person assumes responsibilities affecting municipal waste combustor unit operation; or

(ii) The date 12 months after the effective date of this subpart.

(2) Annually, following the initial review required by paragraph (f)(1) of this section.

(g) The operating manual required by paragraph (e) of this section must be kept in a location readily accessible to each person required to undergo training under paragraph (f) of this section. The operating manual and records of training must be available for inspection by the EPA or its delegated enforcement agency upon request.

[63 FR 63202, Nov. 12, 1998, as amended at 69 FR 18803, Apr. 9, 2004]

### § 62.14106 Emission limits for municipal waste combustor fugitive ash emissions.

(a) The owner or operator of an affected facility must not cause to be discharged to the atmosphere from that affected facility visible emissions of combustion ash from an ash conveying system (including conveyor transfer points) in excess of 5 percent of the observation period (i.e., 9 minutes per 3-hour period), as determined by EPA Reference Method 22 observations as specified in 40 CFR 60.58b(k) of subpart Eb, except as provided in paragraphs (b) and (c) of this section.

(b) The emission limit specified in paragraph (a) of this section does not cover visible emissions discharged inside buildings or enclosures of ash conveying systems; however, the emission limit specified in paragraph (a) of this section does cover visible emissions discharged to the atmosphere from buildings or enclosures of ash conveying systems.

(c) The provisions specified in paragraph (a) of this section do not apply during maintenance and repair of ash conveying systems.

### § 62.14107 Emission limits for air curtain incinerators.

The owner or operator of an air curtain incinerator with the capacity to combust greater than 250 tons per day of municipal solid waste and that combusts a fuel feed stream composed of 100 percent yard waste and no other municipal solid waste materials must not (at any time) cause to be discharged into the atmosphere from that incinerator any gases that exhibit greater than 10-percent opacity (6-minute average), except that an opacity level of up to 35 percent (6-minute average) is permitted during startup periods during the first 30 minutes of operation of the unit.

### § 62.14108 Compliance schedules.

(a) The owner or operator of an affected facility must achieve the increments of progress specified in paragraphs (a)(1) through (a)(5) to retrofit air pollution control devices to meet the emission limits of this subpart. As specified in 40 CFR part 60, subpart B, the compliance schedules and increments of progress apply to each owner or operator of an affected facility who is taking longer than 1 year after the date of publication of this subpart FFF final rule to comply with the emission limits specified in this subpart.

(1) Submit a final control plan according to the requirements of § 62.14109(g).

(2) Award contract(s): Award contract(s) to initiate on-site construction, initiate on-site installation of emission control equipment, or incorporate process changes. The owner or operator must submit a signed copy of the contract(s) awarded according to the requirements of § 62.14109(h).

(3) Initiate on-site construction: Initiate on-site construction, initiate on-site installation of emission control

equipment, or initiate process changes needed to meet the emission limits as outlined in the final control plan.

(4) Complete on-site construction: Complete on-site construction and installation of emission control equipment or complete process changes.

(5) Achieve final compliance: Incorporate all process changes or complete retrofit construction as designed in the final control plan and connect the air pollution control equipment or process changes with the affected facility identified in the final control plan such that if the affected facility is brought on line, all necessary process changes or air pollution control equipment are operating fully. Within 180 days after the date the affected facility is required to achieve final compliance, the initial performance test must be conducted.

(b) The owner or operator of an affected facility must achieve the increments of progress specified in paragraphs (a)(1) through (a)(5) of this section according to the schedule specified in paragraphs (b)(1) through (b)(4) of this section, except as provided in paragraphs (c), (d), and (e) of this section.

(1) The owner or operator of an affected facility that commenced construction, modification, or reconstruction on or before June 26, 1987 and will take longer than 1 year after the date of publication of this subpart FFF (or 1 year after a revised construction permit or a revised operating permit is issued, if a permit modification is required) to comply with the emission limits of this subpart must achieve the increments of progress according to the schedule in table 4 of this subpart, except for those affected facilities specified in paragraphs (b)(3) and (b)(4) of this section.

(2) The owner or operator of an affected facility that began construction, modification, or reconstruction after June 26, 1987 must achieve the increments of progress according to the schedule in table 5 of this subpart to comply with the emission limits of this subpart, except for those affected facilities specified in paragraphs (b)(3) and (b)(4) of this section.

(3) The owner or operator of each specified affected facility in table 6 of this subpart must achieve the increments of progress according to the schedule in table 6 of this subpart.

(4) For affected facilities that are subject to the schedule requirements of paragraph (b)(1) or (b)(2) of this section, the owner or operator (or the State air pollution control authority) may submit for approval alternative dates for achieving increments 2, 3, and 4. The owner or operator (or the State air pollution control authority) that is submitting these alternative dates must meet the reporting requirements of § 62.14109(m).

(c) The owner or operator of an affected facility that has ceased operation but will reopen prior to the applicable final compliance date specified in paragraphs (b)(1) through (b)(4) of this section must meet the same compliance dates and increments of progress specified in paragraphs (b)(1) through (b)(4) of this section.

(d) The owner or operator of an affected facility that has ceased or ceases operation of an affected facility and restarts the affected facility after the compliance dates specified in paragraphs (b)(1) through (b)(4) of this section must comply with the emission limits, requirements for combustor operating practices, and operator training and certification requirements of this subpart upon the date the affected facility restarts. The initial performance tests required by § 62.14109(c) must be conducted within 180 days after the date the unit restarts.

(e) The owner or operator of an affected facility that will be de-rated prior to the applicable final compliance date instead of complying with the emission limits of this subpart must meet the same increments of progress and achieve the de-rating by the final compliance date (specified in paragraphs (b)(1) through (b)(4) of this section) that would be applicable to the affected facility if it did not de-rate. The owner or operator of an affected facility that will be de-rated must meet the reporting requirements of § 62.14109k. After de-rating is accomplished, the municipal waste combustor affected facility is no longer subject to this subpart.

**§62.14109 Reporting and recordkeeping and compliance and performance testing.**

(a) The owner or operator of an affected facility must comply with the reporting and recordkeeping provisions listed in 40 CFR 60.59b of subpart Eb, except as provided in paragraphs (a)(1) through (a)(3) of this section.

(1) The siting requirements under 40 CFR 60.59b(a), (b)(5), and (d)(11) of subpart Eb and the notification of construction requirements under 40 CFR 60.59b(b) and (c) of subpart Eb do not apply.

(2) 40 CFR 60.54b, 60.56b, and 60.58b(g)(5)(iii) of subpart Eb do not apply to this subpart (see §§62.14105 and 62.14107 of this subpart).

(b) The owner or operator of an affected facility must comply with the compliance and performance testing methods and procedures listed in 40 CFR 60.58b of subpart Eb, except as provided in paragraphs (c) and (d) of this section.

(c) The initial performance test must be completed within 180 days after the date of final compliance specified in §62.14108, rather than the date for the initial performance test specified in 40 CFR 60.58b of subpart Eb.

(d) The owner or operator of an affected facility may follow the alternative performance testing schedule for dioxin/furan emissions specified in paragraph (d)(1) of this section.

(1) If all performance tests for all affected facilities at the MWC plant over a 2-year period indicate that dioxin/furan emissions are less than or equal to 15 nanograms per dry standard cubic meter total mass, corrected to 7 percent oxygen for all affected facilities located within a municipal waste combustor plant, the owner or operator of the municipal waste combustor plant may elect to conduct annual performance tests for one affected facility (i.e., unit) per year at the municipal waste combustor plant. At a minimum, a performance test for dioxin/furan emissions shall be conducted annually (no more than 12 months following the previous performance test) for one affected facility at the municipal waste combustor plant. Each year a different affected facility at the municipal waste combustor plant shall be tested, and the affected facilities at the plant shall be tested in sequence (e.g., unit 1, unit 2, unit 3, as applicable). If each annual performance test continues to indicate a dioxin/furan emission level less than or equal to 15 nanograms per dry standard cubic meter (total mass), the owner or operator may continue conducting a performance test on only one affected facility per year. If any annual performance test indicates a dioxin/furan emission level greater than 15 nanograms per dry standrd cubic meter (total mass), performance tests thereafter shall be conducted annually on all affected facilities at the plant until and unless all annual performance tests for all affected facilities at the plant over a 2-year period indicate a dioxin/furan emission level less than or equal to 15 nanograms per dry standard cubic meter (total mass).

(2) The owner or operator who is following the alternative performance testing schedule for dioxin/furan emissions specified in paragraph (d)(1) of this section may choose an alternative testing sequence (e.g., unit 1, 3, 2, 4) for affected facilities at the municipal waste combustor plant. The owner or operator must submit a request to EPA for approval of the alternative testing sequence. After approval, the alternative testing sequence is effective until a different testing sequence is received and approved by EPA.

(e) The owner or operator of an affected facility that is taking longer than 1 year after the date of publication of this subpart FFF final rule to comply with the emission limits of this subpart must submit notification to the EPA Regional Office within 10 business days of completing each increment. Each notification must indicate which increment of progress specified in §62.14108(a)(1) through (a)(5) has been achieved. The notification must be signed by the owner or operator of the affected facility.

(f) The owner or operator of an affected facility that is taking longer than 1 year after the date of publication of this subpart FFF to comply with the emission limits of this subpart who fails to meet any increment of progress specified in §62.14108(a)(1) through (a)(5) according to the applicable schedule in §62.14108 must submit

notification to the EPA Regional Office within 10 business days of the applicable date in § 62.14108 that the owner or operator failed to meet the increment.

(g) The owner or operator of an affected facility that is taking longer than 1 year after the date of publication of this subpart FFF to comply with the emission limits of this subpart must submit a final control plan by the date specified in § 62.14108(b) with the notification required by § 62.14109(e). The final control plan must, at a minimum, include a description of the air pollution control devices or process changes that will be employed for each unit to comply with the emission limits and other requirements of this subpart.

(h) The owner or operator of an affected facility that is taking longer than 1 year after the date of publication of this subpart FFF to comply with the emission limits of this subpart must submit a signed copy of the contract or contracts awarded according to the requirements of § 62.14108(a)(2) with the notification required by § 62.14109(e).

(i) The owner or operator of an affected facility that is taking longer than 1 year after the date of publication of this subpart FFF to comply with the emission limits of this subpart must keep on site a copy of the final control plan required by § 62.14109(g).

(j) The owner or operator of an affected facility that plans to cease operation of the affected facility on or before December 19, 2000 rather than comply with the emission limits of this subpart by the applicable compliance date specified in § 62.14108 must submit a notification by the date specified for the final control plan according to the schedule specified in paragraphs § 62.14108(b)(1) through (b)(4), as applicable. (Affected facilities that cease operation on or before December 19, 2000 rather than comply with the emission limits of this subpart by the compliance date specified in § 62.14108 are not required to submit a final control plan.) The notification must state the date by which the affected facility will cease operation. If the cease operation date is later than 1 year after the date of publication of this subpart FFF, the owner or operator must enter into a legally binding closure agreement with EPA by the date the final control plan is due. The agreement must specify the date by which operation will cease.

(k) The owner or operator of an affected facility that plans to de-rate the affected facility on or before December 19, 2000 rather than comply with the emission limits of this subpart by the compliance date specified in § 62.14108 must submit a final control plan as required by paragraph (g) of this section and submit notification of increments of progress as required by paragraphs (e) and (f) of this section and § 62.14108(e) of this subpart.

(1) The final control plan must, at a minimum, include the information in paragraphs (k)(1)(i) and (k)(1)(ii) of this section rather than the information in paragraph (g) of this section.

(i) A description of the physical changes that will be made to accomplish the de-rating.

(ii) Calculations of the current maximum combustion capacity and the planned maximum combustion capacity after the de-rating. (See the procedures specified in 40 CFR 60.58b(j) of subpart Eb for calculating municipal waste combustor unit capacity.)

(2) The owner or operator must submit a signed copy of the contract or contracts awarded to initiate the de-rating with the notification required by paragraph (e) of this section.

(l) The owner or operator of an affected facility that is ceasing operation more than 1 year following the date of publication of this subpart FFF must submit performance test results for dioxin/furan emissions conducted during or after 1990 for each affected facility by the date 1 year after the date of publication of this subpart FFF. The performance test shall be conducted according to the procedure in paragraph (b) of this section.

(m) The owner or operator (or the State air pollution control authority) that is submitting alternative dates for increments 2, 3, and 4 according to § 62.14108(b)(4) must submit the alternative dates by the date specified for the final control plan according to the schedule specified in paragraphs § 62.14108 (b)(1) and (b)(2), as applicable.

The owner or operator (or the State air pollution control authority) must submit a justification if any of the alternative dates are later than the increment dates in tables 4 or 5 of this subpart. The owner or operator must also submit the alternative dates and justification to the State.

[63 FR 63202, Nov. 12, 1998; 64 FR 17219, Apr. 8, 1999]

TABLE 1 TO SUBPART FFF OF PART 62—MUNICIPAL WASTE COMBUSTOR UNITS (MWC UNITS) EXCLUDED FROM SUBPART FFF [1]

| State | MWC units |
|---|---|
| Alabama | Existing facilities with an MWC unit capacity greater than 250 tons per day of municipal solid waste at the following MWC sites:<br>(a) Solid Waste Disposal Authority of the City of Huntsville, Alabama. |
| Florida | Existing MWC units with capacity to combust more than 250 tons per day of municipal solid waste. |
| Georgia | Existing facilities with a MWC unit capacity greater than 250 tons per day of municipal solid waste at the following MWC sites:<br>(a) Savannah Energy Systems Company, Savannah, Georgia. |
| Illinois | Existing MWC units located at Robbins Resource Recovery Center, Robbins, Illinois. |
| Maine | Existing facilities with an MWC unit capacity greater than 250 tons per day of municipal solid waste at the following MWC sites:<br>(a) Penobscot Energy Recovery Company, Orrington, Maine.<br>(b) Maine Energy Recovery Company, Biddeford, Maine.<br>(c) Regional Waste Systems, Inc., Portland, Maine. |
| Maryland | Existing MWC facilities with an MWC unit capacity greater than 250 tons per day of municipal solid waste. |
| Minnesota | All MWC units with unit capacities greater than 93.75 million British thermal units per hour on a heat input basis (250 tons per day) located in Minnesota. |
| New York | Existing MWC units with capacity to combust more than 250 tons per day of municipal solid waste. |
| Oklahoma | Existing MWC facilities with an MWC unit capacity greater than 250 tons per day of municipal solid waste at the following MWC site:<br>Ogden-Martin Systems of Tulsa, Incorporated, 2122 South Yukon Avenue, Tulsa, Oklahoma. |
| Oregon | Existing facilities at the following MWC sites:<br>(a) Ogden Martin Systems, Marion County, Oregon.<br>(b) Coos County, Coos Bay, Oregon. |
| Pennsylvania | Existing MWC facilities with an MWC unit capacity greater than 250 tons per day of municipal solid waste at the following MWC site:<br>(a) American Ref-fuel of Delaware Valley, LP (formerly Delaware County Resource Recovery facility), City of Chester, PA.<br>(b) Harrisburg Materials, Energy, Recycling and Recovery Facility, City of Harrisburg, PA.<br>(c) Lancaster County Solid Waste Management Authority, Conoy Township, Lancaster County, PA.<br>(d) Montenay Montgomery Limited Partnership, Plymouth Township, Montgomery County, PA.<br>(e) Wheelabrator Falls, Inc., Falls Township, Bucks County, PA.<br>(f) York County Solid Waste and Refuse Authority, York, PA. |
| South Carolina | Existing facilities with a MWC unit capacity greater than 250 tons per day of municipal solid waste at the following MWC sites:<br>(a) Foster Wheeler Charleston Resource Recovery Facility, Charleston, South Carolina. |
| Tennessee | Existing MWC units with capacity to combust more than 250 tons per day of municipal solid waste. |

[1] Notwithstanding the exclusions in table 1 of this subpart, this subpart applies to affected facilities not regulated by an EPA approved and currently effective State or Tribal plan.

[63 FR 63202, Nov. 12, 1998, as amended at 65 FR 33468, May 24, 2000]

TABLE 2 TO SUBPART FFF OF PART 62—NITROGEN OXIDES REQUIREMENTS FOR AFFECTED FACILITIES

| Municipal waste combustor technology | Nitrogen oxides emission limit (parts per million by volume) [a] |
|---|---|
| Mass burn waterwall | 205. |
| Mass burn rotary waterwall | 250. |
| Refuse-derived fuel combustor | 250. |
| Fluidized bed combustor | 180. |
| Mass burn refractory combustors | No limit. |

[a] Corrected to 7 percent oxygen, dry basis.

TABLE 3 TO SUBPART FFF OF PART 62—MUNICIPAL WASTE COMBUSTOR OPERATING REQUIREMENTS

| Municipal waste combustor technology | Carbon monoxide emissions level (parts per million by volume) [a] | Averaging time (hrs) [b] |
|---|---|---|
| Mass burn waterwall | 100 | 4 |
| Mass burn refractory | 100 | 4 |
| Mass burn rotary refractory | 100 | 24 |
| Mass burn rotary waterwall | 250 | 24 |
| Modular starved air | 50 | 4 |
| Modular excess air | 50 | 4 |
| Refuse-derived fuel stoker | 200 | 24 |
| Fluidized bed, mixed fuel (wood/refuse-derived fuel) | 200 | [c] 24 |
| Bubbling fluidized bed combustor | 100 | 4 |
| Circulating fluidized bed combustor | 100 | 4 |
| Pulverized coal/refuse-derived fuel mixed fuel-fired combustor | 150 | 4 |
| Spreader stoker coal/refuse-derived fuel mixed fuel-fired combustor | 200 | 24 |

[a] Measured at the combustor outlet in conjunction with a measurement of oxygen concentration, corrected to 7 percent oxygen, dry basis. Calculated as an arithmetic average.
[b] Averaging times are 4-hour or 24-hour block averages.
[c] 24-hour block average, geometric mean.

[69 FR 42121, July 14, 2004]

TABLE 4 TO SUBPART FFF OF PART 62—GENERIC COMPLIANCE SCHEDULE AND INCREMENTS OF PROGRESS (PRE-1987 MWCS) [A B]

| Affected facilities | Increment 1 Submit final control plan | Increment 2 Award contracts | Increment 3 Begin on-site construction | Increment 4 Complete on-site construction | Increment 5 Final compliance |
|---|---|---|---|---|---|
| Affected facilities that commenced construction, modification, or reconstruction on or before June 26, 1987 (All pollutants). | January 11, 1999 | 05/18/99 | 11/16/99 | 11/19/00 | 12/19/00 |

[a] Table 4 or 5 of this subpart applies to MWC units subject to the Federal plan except those with site-specific compliance schedules shown in Table 6 of this subpart.
[b] As an alternative to this schedule, the owner or operator may close the affected facility by December 19, 2000, complete the retrofit while the affected facility is closed, and achieve final compliance upon restarting. See §§ 62.14108(c), 62.14108(d), and 62.14109(i) of this subpart.

TABLE 5 TO SUBPART FFF OF PART 62—GENERIC COMPLIANCE SCHEDULES AND INCREMENTS OF PROGRESS

[Post-1987 MWCs] [a b]

| Affected facilities | Increment 1 Submit final control plan | Increment 2 Award contracts | Increment 3 Begin on-site construction | Increment 4 Complete on-site construction | Increment 5 Final compliance |
|---|---|---|---|---|---|
| Affected facilities that commenced construction modification, or reconstruction after June 26, 1987: | | | | | |
| 1. Emission limits for Hg, dioxin/furan | NA[c] | NA[c] | NA[c] | NA[c] | 11/12/99 or 1 year after permit issuance [d,e] |
| 2. Emission limits for $SO_2$, HCl, PM, Pb, Cd, opacity CO, $NO_X$. | January 11, 1999. | 05/18/99 | 11/16/99 | 11/19/00 | 12/19/00. |

[a] Table 4 or 5 of this subpart applies to MWC units subject to the Federal plan except those with site-specific compliance schedules shown in table 6 of this subpart.
[b] As an alternative to this schedule, the unit may close by December 19, 2000, complete retrofit while closed, and achieve final compliance upon restarting. See §§ 62.14108(c), 62.14108(d), and 62.14109(i) of this subpart.
[c] Because final compliance is achieved in 1 year, no increments of progress are required.

[d] Permit issuance is issuance of a revised construction permit or revised operating permit, if a permit modification is required to retrofit controls.
[e] Final compliance must be achieved no later than December 19, 2000, even if the date "1 year after permit issuance" exceeds December 19, 2000.

[63 FR 63202, Nov. 12, 1998, as amended at 65 FR 33468, May 24, 2000]

TABLE 6 TO SUBPART FFF OF PART 62—SITE-SPECIFIC COMPLIANCE SCHEDULES AND INCREMENTS OF PROGRESS [A]

| Affected facilities at the following MWC sites | City, State | Increment 1 Submit final control plan | Increment 2 Award contracts | Increment 3 Begin on-site construction | Increment 4 Complete on-site construction | Increment 5 Final compliance [c] |
|---|---|---|---|---|---|---|
| Stanislaus Resource Recovery Facility. | Crows Landing, California. | January 11, 1999. | 01/19/00 | 05/19/00 | 11/19/00 | 12/19/00 |
| Southeast Resource Recovery Facility. | Long Beach, California. | January 11, 1999. | 04/30/99 | 10/31/99 | 04/30/00 | 12/19/00 |
| All large MWC units | Maine | January 11, 1999. | 01/01/99 | 07/01/99 | 09/01/00 | 12/19/00 |
| Baltimore Resco | Baltimore, Maryland | January 11, 1999. | January 11, 1999. | January 11, 1999. | 09/01/00 | 12/19/00 |
| All large MWC units | New Jersey [b] | January 11, 1999. | 05/18/99 | 11/14/99 | 11/19/00 | 12/19/00 |
| American Ref-Fuel | Delaware County, Pennsylvania. | 11/01/98 | 05/18/99 | 11/14/99 | 11/19/00 | 12/19/00 |
| Montenay Energy Resource. | Montgomery County, Pennsylvania. | 11/01/98 | 05/18/99 | 11/14/99 | 11/19/00 | 12/19/00 |
| I–95 Energy/Resource Recovery Facility. | Lorton, Virginia | January 11, 1999. | 10/15/99 | 03/01/00 | 11/19/00 | 12/19/00 |
| New Hanover County, Unit 3A. | Wilmington, North Carolina. | 09/15/99 | 03/01/00 | 07/01/00 | 11/19/00 | 12/19/00 |

[a] These schedules have been reviewed and determined to be acceptable by EPA.
[b] This schedule applies to HC1 $SO_2$, PM, Pb, Cd, CO, and $NO_X$. However, owners and operators of large MWC units in New Jersey have the option of reserving the portion of their control plan that addresses $NO_X$. Owners and operators must submit the reserved portion to EPA by December 15, 1999.
[c] The owner or operator of an affected facility that began construction, modification, or reconstruction after June 26, 1987 must achieve final compliance with the mercury and dioxins/furans limits within 1 year after promulgation of subpart FFF (i.e., by 11/12/99) or 1 year after permit issuance. Permit issuance is issuance of a revised construction permit or revised operating permit if a permit modification is required to retrofit controls. Final compliance must be achieved no later than December 19, 2000, even if the date "1 year after permit issuance" exceeds December 19, 2000.

[63 FR 63202, Nov. 12, 1998; 64 FR 17219, Apr. 8, 1999, as amended at 65 FR 33469, May 24, 2000]

## Subpart GGG—Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction Prior to May 30, 1991 and Have Not Been Modified or Reconstructed Since May 30, 1991

SOURCE: 64 FR 60703, Nov. 8, 1999, unless otherwise noted.

### §62.14350 Scope and delegation of authority.

(a) This subpart contains emission requirements and compliance schedules for the control of designated pollutants from certain municipal solid waste landfills in accordance with section 111(d) of the Clean Air Act and 40 CFR part 60, subpart B. This municipal solid waste landfills Federal plan applies to each designated facility as defined in §62.14352 of this subpart that is not covered by an EPA approved and currently effective State or Tribal plan.

(b) The following authorities shall be retained by the Administrator and not transferred to the State or Tribe upon delegation of authority to the State or Tribe to implement and enforce the Federal plan pursuant to sections 101(a)(3) and 111 of the Clean Air Act:

(1) Approval of alternative methods to determine site-specific NMOC concentration ($C_{NMOC}$) or site-specific methane generation rate constant (k) used in calculating the annual NMOC emission rate (as provided in 40 CFR 60.754(a)(5) of subpart WWW),

(2) Alternative emission standards,

(3) Major alternatives[1] to test methods,

(4) Major alternatives to monitoring, or

(5) Waivers of recordkeeping.

**§ 62.14351 Definitions.**

Terms used but not defined in this subpart have the meaning given them in the Clean Air Act and 40 CFR part 60, subparts A, B, and WWW.

*Achieve final compliance* means to connect and operate the collection and control system as specified in the final control plan. Within 180 days after the date the landfill is required to achieve final compliance, the initial performance test must be conducted.

*Award contract* means the MSW landfill owner or operator enters into legally binding agreements or contractual obligations that cannot be canceled or modified without substantial financial loss to the MSW landfill owner or operator. The MSW landfill owner or operator may award a number of contracts to install the collection and control system. To meet this increment of progress, the MSW landfill owner or operator must award a contract or contracts to initiate on-site construction or installation of the collection and control system.

*Complete on-site construction* means that all necessary collection system components and air pollution control devices identified in the final control plan are on site, in place, and ready for operation.

*Design capacity* means the maximum amount of solid waste a landfill can accept, as indicated in terms of volume or mass in the most recent permit issued by the State, local, or Tribal agency responsible for regulating the landfill, plus any in-place waste not accounted for in the most recent permit. If the owner or operator chooses to convert the design capacity from volume to mass or from mass to volume to demonstrate its design capacity is less than 2.5 million megagrams or 2.5 million cubic meters, the calculation must include a site-specific density, which must be recalculated annually.

*EPA approved State plan* means a State plan that EPA has approved based on the requirements in 40 CFR part 60, subpart B to implement and enforce 40 CFR part 60, subpart Cc. An approved State plan becomes effective on the date specified in the notice published in the FEDERAL REGISTER announcing EPA's approval.

*Federal Indian Reservation* means for purposes of the Clean Air Act, all land within the limits of any Indian reservation under the jurisdiction of the United States government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation.

*Final control plan (Collection and control system design plan)* means a plan that describes the collection and control system that will capture the gas generated within an MSW landfill. The collection and control system design plan must be prepared by a professional engineer and must describe a collection and control system that meets the requirements of 40 CFR 60.752(b)(2)(ii). The final control plan must contain engineering specifications and drawings of the collection and control system. The final control plan must include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions of 40 CFR 60.753 through 60.758 proposed by the owner or operator. The final control plan must either conform with the specifications for active collection systems in 40 CFR 60.759 or include a demonstration that shows that based on the size of the landfill and the amount of waste expected to be accepted, the system is sized properly to collect the gas, control emissions of NMOC to the required level and meet the operational standards for a landfill.

*Indian Country* means all land within the limits of any Indian reservation under the jurisdiction of the United States government, notwithstanding the issuance of any patent, and including rights-of-way running through the

[1] Major changes to test methods or to monitoring are modifications made to a federally enforceable test method or to a federal monitoring requirement. These changes would involve the use of unproven technology or procedures or an entirely new method (which is sometimes necessary when the required test method or monitoring requirement is unsuitable).

reservation; all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a State; and all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

*Initiate on-site construction* means to begin any of the following: installation of the collection and control system to be used to comply with the emission limits as outlined in the final control plan; physical preparation necessary for the installation of the collection and control system to be used to comply with the final emission limits as outlined in the final control plan; or, alteration of an existing collection and control system to be used to comply with the final emission limits as outlined in the final control plan.

*Modification* means an increase in the permitted volume design capacity of the landfill by either horizontal or vertical expansion based on its permitted design capacity as of May 30, 1991. Modification does not occur until the owner or operator commences construction on the horizontal or vertical expansion.

*Municipal solid waste landfill* or *MSW landfill* means an entire disposal facility in a contiguous geographical space where household waste is placed in or on land. A municipal solid waste landfill may also receive other types of RCRA Subtitle D wastes such as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. Portions of a municipal solid waste landfill may be separated by access roads. A municipal solid waste landfill may be publicly or privately owned.

*Negative declaration* letter means a letter to EPA declaring that there are no existing MSW landfills in the State or that there are no existing MSW landfills in the State that must install collection and control systems according to the requirements of 40 CFR part 60, subpart Cc. The negative declaration letter must include the design capacities of any existing MSW landfills with a design capacity less than 2.5 million megagrams or 2.5 million cubic meters.

*Protectorate* means American Samoa, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Northern Mariana Islands, and the Virgin Islands.

*State* means any of the 50 United States and the protectorates of the United States.

*State plan* means a plan submitted pursuant to section 111(d) of the Clean Air Act and 40 CFR part 60, subpart B that implements and enforces 40 CFR part 60, subpart Cc. State plans include plans developed by States, local agencies, and protectorates.

*Tribal plan* means a plan submitted by a Tribal Authority pursuant to 40 CFR parts 9, 35, 49, 50, and 81 that implements and enforces 40 CFR part 60, subpart Cc.

### § 62.14352 Designated facilities.

(a) The designated facility to which this subpart applies is each municipal solid waste landfill in all States, protectorates, and Indian Country that meets the conditions of paragraphs (a)(1) and (a)(2) of this section, except for landfills exempted by paragraphs (b) and (c) of this section.

(1) The municipal solid waste landfill commenced construction, reconstruction, or modification before May 30, 1991 (landfills that commence construction, modification, or reconstruction on or after May 30, 1991 are subject to 40 CFR part 60, subpart WWW), and

(2) The municipal solid waste landfill has accepted waste at any time since November 8, 1987 or the landfill has additional capacity for future waste deposition.

(b) A municipal solid waste landfill regulated by an EPA approved and currently effective State or Tribal plan is not subject to the requirements of this subpart. States that have an approved and effective State plan are listed in table 1 of this subpart. Notwithstanding the exclusions in table 1 of this subpart, any MSW landfill located in a State or portion of Indian country that does not have an EPA approved and currently effective State or Tribal plan is subject to the requirements of this subpart.

(c) A municipal solid waste landfill located in a State, locality, or portion of Indian country that submitted a negative declaration letter is not subject to the requirements of this subpart other than the requirements in the definition of design capacity to recalculate the site-specific density annually and in § 62.14355 to submit an amended design capacity report in the event that the recalculated design capacity is equal to or greater than 2.5 million megagrams and 2.5 million cubic meters. However, if the existing municipal solid waste landfill already has a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, then it is subject to the requirements of the Federal plan. States, localities, or portions of Indian country that submitted negative declaration letters are listed in table 2 of this subpart.

(d) Physical or operational changes made to an existing municipal solid waste landfill solely to comply with an emission guideline are not considered a modification or reconstruction and would not subject an existing municipal solid waste landfill to the requirements of 40 CFR part 60, subpart WWW.

(e) For purposes of obtaining an operating permit under title V of the Clean Air Act, the owner or operator of a municipal solid waste landfill subject to this subpart with a design capacity less than 2.5 million megagrams or 2.5 million cubic meters is not subject to the requirement to obtain an operating permit for the landfill under part 70 or 71 of this chapter, unless the landfill is otherwise subject to either part 70 or 71. For purposes of submitting a timely application for an operating permit under part 70 or 71, the owner or operator of a municipal solid waste landfill subject to this subpart with a design capacity greater than or equal to 2.5 million megagrams and 2.5 million cubic meters on January 7, 2,000 and not otherwise subject to either part 70 or 71, becomes subject to the requirements of § 70.5(a)(1)(i) or § 71.5(a)(1)(i) of this chapter April 6, 2000, even if the initial design capacity report is submitted earlier. In addition, the owner or operator of a municipal solid waste landfill subject to this subpart with a design capacity less than 2.5 million megagrams or 2.5 million cubic meters on January 7, 2000, and not otherwise subject to either part 70 or 71, but whose design capacity subsequently increases to equal or exceed 2.5 million megagrams and 2.5 million cubic meters by a change that is not a modification or reconstruction becomes subject to the requirements of § 70.5(a)(1)(i) or § 71.5(a)(1)(i) of this chapter upon the date the amended design capacity report is due.

(f) When a municipal solid waste landfill subject to this subpart is closed, the owner or operator is no longer subject to the requirement to maintain an operating permit under part 70 or 71 of this chapter for the landfill if the landfill is not otherwise subject to the requirements of either part 70 or 71 and if either of the following conditions are met:

(1) The landfill was never subject to the requirement for a control system under § 62.14353 of this subpart; or

(2) The owner or operator meets the conditions for control system removal specified in 40 CFR 60.752(b)(2)(v).

### § 62.14353 Standards for municipal solid waste landfill emissions.

(a) The owner or operator of a designated facility having a design capacity less than 2.5 million megagrams or 2.5 million cubic meters must comply with the requirements of 40 CFR 60.752(a) in addition to the applicable reporting and recordkeeping requirements specified in this subpart.

(b) The owner or operator of a designated facility having a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters must comply with the requirements of 40 CFR 60.752(b) in addition to the applicable reporting and recordkeeping requirements specified in this subpart.

### § 62.14354 Procedures, test methods, and monitoring.

(a) The owner or operator of a designated facility having a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters must calculate the landfill nonmethane organic compounds emission rate using the procedures listed in 40 CFR 60.754, as applicable, to determine

whether the landfill nonmethane organic compounds emission rate equals or exceeds 50 megagrams per year.

(b) The owner or operator of a designated facility with a gas collection and control system used to comply with §62.14353(b) must comply with the operational standards in 40 CFR 60.753; the test procedures in 40 CFR 60.754(b) and (d); the compliance provisions in 40 CFR 60.755; and the monitoring provisions in 40 CFR 60.756, unless alternative procedures have been approved.

### §62.14355 Reporting and recordkeeping requirements.

(a) The owner or operator of a designated facility must comply with the recordkeeping and reporting provisions listed in 40 CFR 60.757 and 60.758, except as provided for under paragraphs (a)(1) and (a)(2) of this section.

(1) The initial design capacity report for a designated facility is due within 90 days of the effective date of this subpart. Existing MSW landfills with a design capacity less than 2.5 million megagrams or 2.5 million cubic meters that are located in States that submitted a negative declaration letter are not required to submit an initial design capacity report provided that the MSW landfill's design capacity was included in the negative declaration letter.

(2) The initial nonmethane organic compounds emission rate report for a designated facility is due within 90 days of the effective date of this subpart.

(b) The owner or operator of a designated facility must submit notification to the EPA Regional Office within 10 business days of completing each increment of progress. Each notification must indicate which increment of progress specified in §62.14356(a)(1) through (a)(5) of this subpart has been achieved. The notification must be signed by the owner or operator of the landfill.

(1) For the first increment of progress, the final control plan (collection and control system design plan) must be submitted in addition to the notification. A copy of the design plan must also be kept on site at the landfill.

(2) For the second increment of progress, a signed copy of the contract(s) awarded must be submitted in addition to the notification.

(c) The owner or operator of a designated facility who fails to meet any increment of progress specified in §62.14356(a)(1) through (a)(5) of this subpart according to the applicable schedule in §62.14356 of this subpart must submit notification that the owner or operator failed to meet the increment to the EPA Regional Office within 10 business days of the applicable date in §62.14356.

(d) The owner or operator (or the State or Tribal air pollution control authority) that is submitting alternative dates for increments 2 and 3 according to §62.14356(d) of this subpart must do so by the date specified for submitting the final control plan. The date for submitting the final control plan is specified in §62.14356(c)(1) and (c)(2) of this subpart, as applicable. The owner or operator (or the State or Tribal air pollution control authority) must submit a justification if any of the alternative dates are later than the increment dates in table 3 of this subpart. In addition to submitting the alternative dates to the appropriate EPA Regional Office, the owner or operator must also submit the alternative dates to the State.

### §62.14356 Compliance schedules and increments of progress.

(a) *Increments of progress*. The owner or operator of a designated facility that has a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters and a nonmethane organic compound emission rate greater than or equal to 50 megagrams per year must achieve the increments of progress specified in paragraphs (a)(1) through (a)(5) of this section to install air pollution control devices to meet the emission standards specified in §62.14353(b) of this subpart. (Refer to §62.14351 for a definition of each increment of progress.)

(1) Submit control plan: Submit a final control plan (collection and control system design plan) according to the requirements of §62.14353(b) of this subpart and 40 CFR 60.752(b)(2).

(2) Award contract(s): Award contract(s) to initiate on-site construction or initiate on-site installation of emission collection and/or control equipment.

(3) Initiate on-site construction: Initiate on-site construction or initiate on-site installation of emission collection and/or control equipment as described in the EPA-approved final control plan.

(4) Complete on-site construction: Complete on-site construction and installation of emission collection and/or control equipment.

(5) Achieve final compliance: Complete construction in accordance with the design specified in the EPA-approved final control plan and connect the landfill gas collection system and air pollution control equipment such that they are fully operating. The initial performance test must be conducted within 180 days after the date the facility is required to achieve final compliance.

(b) *Compliance date.* For each designated facility that has a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters and a nonmethane organic compound emission rate greater than or equal to 50 Mg per year, planning, awarding of contracts, and installation of municipal solid waste landfill air emission collection and control equipment capable of meeting the standards in §62.14353(b) must be accomplished within 30 months after the date the initial emission rate report (or the annual emission rate report) first shows that the nonmethane organic compounds emission rate equals or exceeds 50 megagrams per year.

(c) *Compliance schedules.* The owner or operator of a designated facility that has a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters and a nonmethane organic compound emission rate greater than or equal to 50 megagrams per year must achieve the increments of progress specified in paragraphs (a)(1) through (a)(5) of this section according to the schedule specified in paragraph (c)(1) or (c)(2) of this section, unless a site-specific schedule is approved by EPA.

(1) The owner or operator of a designated facility must achieve the increments of progress according to the schedule in table 3 of this subpart, except for those affected facilities specified in paragraph (c)(2) of this section. Once this subpart becomes effective on January 7, 2000, any designated facility to which this subpart applies will remain subject to the schedule in table 3 if a subsequently approved State or Tribal plan contains a less stringent schedule, (*i.e.*, a schedule that provides more time to comply with increments 1, 4 and/or 5 than does this Federal plan).

(2) The owner or operator of the specified designated facility in table 4 of this subpart must achieve the increments of progress according to the schedule in table 4 of this subpart.

(d) For designated facilities that are subject to the schedule requirements of paragraph (c)(1) of this section, the owner or operator (or the State or Tribal air pollution control authority) may submit to the appropriate EPA Regional Office for approval alternative dates for achieving increments 2 and 3.

TABLE 1 TO SUBPART GGG OF PART 62—STATES THAT HAVE AN APPROVED AND EFFECTIVE STATE PLAN [A]

| State plan | Effective date of state plan [b] |
|---|---|
| Alabama | 12/07/98 |
| Allegheny County, Pennsylvania | 04/16/99 |
| Arizona | 11/19/99 |
| California | 11/22/99 |
| Colorado | 09/28/98 |
| Delaware | 11/16/99 |
| Florida | 08/03/99 |
| Georgia | 01/12/99 |
| Illinois | 01/22/99 |
| Iowa | 06/22/98 |
| Kansas | 05/19/98 |
| Kentucky | 06/21/99 |
| Louisiana | 10/28/97 |
| Maryland | 11/8/99 |
| Minnesota | 09/25/98 |
| Missouri | 06/23/98 |
| Montana | 09/08/98 |
| Nashville, Tennessee | 02/16/99 |
| Nebraska | 06/23/98 |
| Nevada | 11/19/99 |
| New Mexico | 02/10/98 |
| New York | 09/17/99 |
| North Dakota | 02/13/98 |
| Ohio | 10/06/98 |
| Oklahoma | 05/18/99 |
| Oregon | 08/25/98 |
| South Carolina | 10/25/99 |
| South Dakota | 08/02/99 |
| Tennessee | 11/29/99 |

| State plan | Effective date of state plan [b] |
|---|---|
| Texas | 08/16/99 |
| Utah | 03/16/98 |
| Wyoming | 07/31/98 |

[a] This table is provided as a matter of convenience and is not controlling in determining whether a MSW landfill is subject to the Federal plan. A MSW landfill is subject to this Federal plan if it commenced construction before May 30, 1991 and has not been modified or reconstructed on or after that date and is not covered by an approved and currently effective State or Tribal plan.

[b] The State plan is expected to become effective on the date indicated. However, if the State plan does not become effective on the date indicated, the Federal plan applies until the State plan becomes effective.

TABLE 2 TO SUBPART GGG OF PART 62—STATES THAT SUBMITTED A NEGATIVE DECLARATION LETTER [A]

| State, locality, or portion of Indian country | Date of negative declaration |
|---|---|
| District of Columbia | 09/11/97 |
| New Hampshire | 07/22/98 |
| Philadelphia, Pennsylvania | 02/27/96 |
| Rhode Island | 05/27/98 |
| Vermont | 08/20/96 |

[a] A MSW landfill with a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters located in an area for which a negative declaration letter was submitted is subject to the Federal plan, notwithstanding the negative declaration letter and this table 2.

TABLE 3 TO SUBPART GGG OF PART 62—GENERIC COMPLIANCE SCHEDULE AND INCREMENTS OF PROGRESS [A]

| Increment | Date |
|---|---|
| Increment 1—Submit final control plan | 1 year after initial NMOC emission rate report or the first annual emission rate report showing NMOC emissions ≥ 50 Mg/yr.[b] |
| Increment 2—Award Contracts | 20 months after initial NMOC emission rate report or the first annual emission rate report showing NMOC emissions ≥ 50 Mg/yr.[b] |
| Increment 3—Begin on-site construction | 24 months after initial NMOC emission rate report or the first annual emission rate report showing NMOC emissions ≥ 50 Mg/yr.[b] |
| Increment 4—Complete on-site construction | 30 months after initial NMOC emission rate report or the first annual emission rate report showing NMOC emissions ≥ 50 Mg/yr.[b] |
| Increment 5—Final compliance | 30 months after initial NMOC emission rate report or the first annual emission rate report showing NMOC emissions ≥ 50 Mg/yr.[b] |

[a] Table 3 of subpart GGG applies to landfills with design capacities ≥2.5 million megagrams and 2.5 million cubic meters that are subject to this subpart except those with site-specific compliance schedules shown in table 4 of subpart GGG.

[b] NMOC = nonmethane organic compounds Mg/yr = megagrams per year

TABLE 4 TO SUBPART GGG OF PART 62—SITE-SPECIFIC COMPLIANCE SCHEDULES AND INCREMENTS OF PROGRESS [RESERVED]

## Subpart HHH—Federal Plan Requirements for Hospital/Medical/Infectious Waste Incinerators Constructed on or Before June 20, 1996

SOURCE: 65 FR 49881, Aug. 15, 2000, unless otherwise noted.

APPLICABILITY

### § 62.14400 Am I subject to this subpart?

(a) You are subject to this subpart if paragraphs (a)(1), (2), and (3) of this section are all true:

(1) You own or operate an HMIWI that is not covered by an EPA approved and effective State or Tribal plan;

(2) Construction of the HMIWI commenced on or before June 20, 1996; and

(3) You do not meet any of the exemptions in paragraph (b) of this section.

(b) The following exemptions apply:

| If you . . . | And you . . . | And you . . . | Then you . . . |
|---|---|---|---|
| (1) Own or operate an HMIWI that combusts only pathological waste, low-level radioactive waste, and/or chemothera-peutic waste (all defined in 40 CFR 62.14490). | Notify the EPA Administrator (or delegated enforcement authority) of an exemption claim. | Keep records on a calendar quarter basis of the periods of time when only pathological waste, low-level radio active waste, and/or chemo therapeutic waste is combusted, and you submit such records to the EPA Administrator (or delegated enforcement authority) upon request,. | Are not subject to the other sections of this subpart during periods when only pathological, low-level radioactive, and/or chemotherapeutic wastes are combusted. |
| (2) Own or operate a co-fired combustor (defined in 40 CFR 62.14490). | Notify the EPA Administrator (or delegated enforcement authority) of an exemption claim and you provide an estimate of the relative weight of hospital waste, medical/infectious waste, and other fuels and/or wastes to be combusted. | Keep records on a calendar quarter basis of the weight of hospital waste and medical/infectious waste combusted as well as the weight of all other fuels and wastes combusted at the co-fired combustor, and these records reflect that the source continues to meet the definition of co-fired combustor in 40 CFR 62.14490, and you submit such records to the EPA Administrator (or delegated enforcement authority) upon request. | Are not subject to the other sections of this subpart. |
| (3) Own or operate a combustor that must have a permit under Section 3005 of the Solid Waste Disposal Act. | ..... | ..... | Are not subject to this subpart. |
| (4) Own or operate a combustor which meets the applicability requirements of 40 CFR part 60 subpart Cb, Ea, or Eb (standards or guidelines for certain municipal waste combustors). | ..... | ..... | Are not subject to this subpart. |
| (5) Own or operate a pyrolysis unit (defined in 40 CFR 62.14490) processing hospital waste and/or medical/infectious waste. | ..... | ..... | Are not subject to this subpart. |
| (6) Own or operate a cement kiln firing hospital waste and/or medical/infectious waste. | ..... | ..... | Are not subject to this subpart. |

(c) Owners or operators of sources that qualify for the exemptions in paragraphs (b)(1) or (b)(2) of this section must submit records required to support their claims of exemption to the EPA Administrator (or delegated enforcement authority) upon request. Upon request by any person under the regulation at part 2 of this chapter (or a comparable law or regulation governing a delegated enforcement authority), the EPA Administrator (or delegated enforcement authority) must request the records in (b)(1) or (b)(2) from an owner or operator and make such records available to the requestor to the extent required by part 2 of this chapter (or a comparable law governing a delegated enforcement authority). Records required under paragraphs (b)(1) and (b)(2) of this section must be maintained by the source for a period of at least 5 years. Notifications of exemption claims required under paragraphs (b)(1) and (b)(2) of this section must be maintained by the EPA or delegated enforcement authority for a period of at least 5 years. Any information obtained from an owner or operator of a source accompanied by a claim of confidentiality will be treated in accordance with the regulations in part 2 of this chapter (or a comparable law governing a delegated enforcement authority).

### § 62.14401 How do I determine if my HMIWI is covered by an approved and effective State or Tribal plan?

This part (40 CFR part 62) contains a list of all States and Tribal areas with approved Clean Air Act section 111(d)/129 plans in effect. However, this part is only updated once a year. Thus, if this part does not indicate that your State or Tribal area has an approved and effective plan, you should contact your State environmental agency's air director or your EPA Regional Office to determine if approval occurred since publication of the most recent version of this part.

### § 62.14402 If my HMIWI is not listed on the Federal plan inventory, am I exempt from this subpart?

Not necessarily. Sources subject to this subpart include, but are not limited to, the inventory of sources listed in Docket A–98–24 for the Federal plan.

### § 62.14403 What happens if I modify an existing HMIWI?

(a) If you commenced modification (defined in 40 CFR 62.14490) of an existing HMIWI after March 16, 1998, you are subject to 40 CFR part 60, subpart Ec (40 CFR 60.50c through 60.58c) and you are not subject to this subpart, except as provided in paragraph (b) of this section.

(b) If you made physical or operational changes to your existing HMIWI solely for the purpose of complying with this subpart, these changes are not considered a modification, and you are not subject to 40 CFR part 60, subpart Ec (40 CFR 60.50c through 60.58c). You remain subject to this subpart.

## EMISSION LIMITS

### § 62.14410 Are there different emission limits for different locations and sizes of HMIWI?

Yes, there are different emission limits for small rural, small, medium, and large HMIWI. To determine the size category of your HMIWI, consult the definitions in 40 CFR 62.14490.

### § 62.14411 What emission limits apply to my HMIWI?

You must operate your HMIWI in compliance with the emission limit requirements for your HMIWI size category listed in table 1 of this subpart.

### § 62.14412 What stack opacity requirements apply?

Your HMIWI (regardless of size category) must not discharge into the atmosphere from the stack any gases that exhibit greater than 10 percent opacity (6-minute block average).

### § 62.14413 When do the emission limits and stack opacity requirements apply?

The emission limits and stack opacity requirements of this subpart apply at all times except during periods of startup, shutdown, or malfunction, provided that no hospital waste or medical/infectious waste is charged to your HMIWI during periods of startup, shutdown, or malfunction.

## OPERATOR TRAINING AND QUALIFICATION

### § 62.14420 Am I required to have a trained and qualified operator?

You must have a fully trained and qualified HMIWI operator, either at your facility or able to be at your facility within 1 hour. The trained and qualified HMIWI operator may operate the HMIWI directly or be the direct supervisor of one or more HMIWI operators.

### § 62.14421 How does an operator become trained and qualified?

(a) The HMIWI operator can obtain training and qualification through a State-approved program or as provided in paragraph (b) of this section.

(b) If there are no State-approved training and qualification programs available or if your operator does not want to participate in a State-approved program, then your operator must complete a training course that includes the requirements in § 62.14422 and satisfy the qualification requirements in § 62.14423.

### § 62.14422 What are the requirements for a training course that is not part of a State-approved program?

A training course must include:

(a) Twenty-four hours of training that includes all of the following subjects:

(1) Environmental concerns, including pathogen destruction and types of emissions;

(2) Basic combustion principles, including products of combustion;

(3) Operation of the type of incinerator to be used by the operator, including proper startup, waste charging, and shutdown procedures;

(4) Combustion controls and monitoring;

(5) Operation of air pollution control equipment and factors affecting performance (if applicable);

(6) Methods to monitor pollutants (continuous emission monitoring systems and monitoring of HMIWI and air pollution control device operating parameters) and equipment calibration procedures (where applicable);

(7) Inspection and maintenance of the HMIWI, air pollution control devices, and continuous emission monitoring systems;

(8) Actions to correct malfunctions and conditions that may lead to malfunction;

(9) Bottom and fly ash characteristics and handling procedures;

(10) Applicable Federal, State, and local regulations;

(11) Work safety procedures;

(12) Prestartup inspections; and

(13) Recordkeeping requirements.

(b) An examination designed and administered by the instructor; and

(c) Reference material distributed to the attendees covering the course topics.

### § 62.14423 What are the qualification requirements for operators who do not participate in a State-approved program?

(a) Operators who do not participate in a State-approved program must satisfy paragraphs (a)(1) and (2) of this section:

(1) The operator must complete a training course that satisfies the requirements in § 62.14422; and

(2) The operator must have either 6 months experience as an HMIWI operator, 6 months experience as a direct supervisor of an HMIWI operator, or completion of at least two burn cycles under the observation and supervision of two qualified HMIWI operators.

(b) The operator's qualification is valid after paragraphs (a)(1) and (2) of this section are completed.

(c) To remain qualified, the operator must complete and pass an annual review or refresher course of at least 4 hours covering, at a minimum, the following:

(1) Update of regulations;

(2) Incinerator operation, including startup and shutdown procedures;

(3) Inspection and maintenance;

(4) Responses to malfunctions or conditions that may lead to malfunction; and

(5) Discussion of operating problems encountered by attendees.

(d) If the operator's qualification lapses, he or she must renew it by one of the following methods:

(1) For a lapse of less than 3 years, complete and pass a standard annual refresher course described in paragraph (c) of this section;

(2) For a lapse of 3 years or more, complete and pass a training course with the minimum criteria described in § 62.14422.

### § 62.14424 What documentation must I maintain onsite?

(a) You must maintain the following at the facility:

(1) Summary of the applicable standards under this subpart;

(2) Description of basic combustion theory applicable to an HMIWI;

(3) Procedures for receiving, handling, and charging waste;

(4) Procedures for startup, shutdown, and malfunction;

(5) Procedures for maintaining proper combustion air supply levels;

(6) Procedures for operating the HMIWI and associated air pollution control systems within the standards established under this subpart;

(7) Procedures for responding to malfunction or conditions that may lead to malfunction;

(8) Procedures for monitoring HMIWI emissions;

(9) Reporting and recordkeeping procedures; and

(10) Procedures for handling ash.

(b) You must keep the information listed in paragraph (a) of this section in a readily accessible location for all HMIWI operators. This information, along with records of training, must be available for inspection by the EPA or its delegated enforcement agent upon request.

### § 62.14425 When must I review the documentation?

(a) You must establish a program for reviewing the information listed in § 62.14424 annually with each HMIWI operator (defined in § 62.14490).

(b) You must conduct your initial review of the information listed in § 62.14424 by February 15, 2001, or prior to assumption of responsibilities affecting HMIWI operation, whichever is later.

(c) You must conduct subsequent reviews of the information listed in § 62.14424 annually.

WASTE MANAGEMENT PLAN

### § 62.14430 Must I prepare a waste management plan?

Yes. All HMIWI owners or operators must have a waste management plan.

### § 62.14431 What must my waste management plan include?

Your waste management plan must identify both the feasibility of, and the approach for, separating certain components of solid waste from the health care waste stream in order to reduce the amount of toxic emissions from incinerated waste. The waste management plan you develop may address, but is not limited to, paper, cardboard, plastics, glass, battery, or metal recycling, or purchasing recycled or recyclable products. Your waste management plan may include different goals or approaches for different areas or departments of the facility and need not include new waste management goals for every waste stream. When you develop your waste management plan it should identify, where possible, reasonably available additional waste management measures, taking into account the effectiveness of waste management measures already in place, the costs of additional measures, the emission reductions expected to be achieved, and any other potential environmental or energy impacts they might have. In developing your waste management plan, you must consider the American Hospital Association publication entitled ''Ounce of Prevention: Waste Reduction Strategies for Health Care Facilities.'' This publication (AHA Catalog No. 057007) is available for purchase from the American Hospital Association (AHA) Service, Inc., Post Office Box 92683, Chicago, Illinois 60675–2683.

### § 62.14432 When must my waste management plan be completed?

As specified in §§ 62.14463 and 62.14464, you must submit your waste management plan with your initial report, which is due 60 days after your initial performance test.

INSPECTION REQUIREMENTS

### § 62.14440 Which HMIWI are subject to inspection requirements?

Only small rural HMIWI (defined in § 62.14490) are subject to inspection requirements.

### § 62.14441 When must I inspect my small rural HMIWI?

(a) You must inspect your small rural HMIWI by August 15, 2001.

(b) You must conduct inspections as outlined in § 62.14442 annually (no more than 12 months following the previous annual equipment inspection).

### § 62.14442 What must my inspection include?

At a minimum, you must do the following during your inspection:

(a) Inspect all burners, pilot assemblies, and pilot sensing devices for proper operation, and clean pilot flame sensor as necessary;

(b) Check for proper adjustment of primary and secondary chamber combustion air, and adjust as necessary;

(c) Inspect hinges and door latches, and lubricate as necessary;

(d) Inspect dampers, fans, and blowers for proper operation;

(e) Inspect HMIWI door and door gaskets for proper sealing;

(f) Inspect motors for proper operation;

(g) Inspect primary chamber refractory lining, and clean and repair/replace lining as necessary;

(h) Inspect incinerator shell for corrosion and/or hot spots;

(i) Inspect secondary/tertiary chamber and stack, and clean as necessary;

(j) Inspect mechanical loader, including limit switches, for proper operation, if applicable;

(k) Visually inspect waste bed (grates), and repair/ seal, as necessary;

(l) For the burn cycle that follows the inspection, document that the incinerator is operating properly and make any necessary adjustments;

(m) Inspect air pollution control device(s) for proper operation, if applicable;

(n) Inspect waste heat boiler systems to ensure proper operation, if applicable;

(o) Inspect bypass stack components;

(p) Ensure proper calibration of thermocouples, sorbent feed systems and any other monitoring equipment; and

(q) Generally observe that the equipment is maintained in good operating condition.

### § 62.14443 When must I do repairs?

You must complete any necessary repairs within 10 operating days of the inspection unless you obtain written approval from the EPA Administrator (or delegated enforcement authority) establishing a different date when all necessary repairs of your HMIWI must be completed.

## PERFORMANCE TESTING AND MONITORING REQUIREMENTS

### § 62.14450 What are the testing requirements for small rural HMIWI?

(a) If you operate a small rural HMIWI (defined in § 62.14490), you must conduct an initial performance test for PM, opacity, CO, dioxin/furan, and Hg using the test methods and procedures outlined in § 62.14452.

(b) After the initial performance test is completed or is required to be completed under § 62.14470, whichever date comes first, if you operate a small rural HMIWI you must determine compliance with the opacity limit by conducting an annual performance test (no more than 12 months following the previous performance test) using the applicable procedures and test methods listed in § 62.14452.

(c) The 2,000 lb/wk limitation for small rural HMIWI does not apply during performance tests.

(d) The EPA Administrator may request a repeat performance test at any time.

### § 62.14451 What are the testing requirements for HMIWI that are not small rural?

(a) If you operate an HMIWI that is not a small rural HMIWI, you must conduct an initial performance test for PM, opacity, CO, dioxin/furan, HCl, Pb, Cd, and Hg using the test methods and procedures outlined in § 62.14452.

(b) After the initial performance test is completed or is required to be completed under § 62.14470, whichever date comes first, you must:

(1) Determine compliance with the opacity limit by conducting an annual performance test (no more than 12 months following the previous performance test) using the applicable procedures and test methods listed in § 62.14452.

(2) Determine compliance with the PM, CO, and HCl emission limits by conducting an annual performance test (no more than 12 months following the previous performance test) using the applicable procedures and test methods listed in § 62.14452. If all three performance tests over a 3-year period indicate compliance with the emission limit for a pollutant (PM, CO, or HCl), you may forego a performance test for that pollutant for the next 2 years. At a minimum, you must conduct a performance test for PM, CO, and HCl every third year (no more than 36 months following the previous performance test). If a performance test conducted every third year indicates compliance with the emission limit for a pollutant (PM, CO, or HCl), you may forego a performance test for that pollutant for an additional 2 years. If any performance test indicates noncompliance with the respective emission limit, you must conduct a performance test for that pollutant annually until all annual performance tests over a 3-year period indicate compliance with the emission limit.

(c) The EPA Administrator may request a repeat performance test at any time.

### §62.14452 What test methods and procedures must I use?

You must use the following test methods and procedures to conduct performance tests to determine compliance with the emission limits:

(a) All performance tests must consist of a minimum of three test runs conducted under representative operating conditions;

(b) The minimum sample time must be 1 hour per test run unless otherwise indicated in this section;

(c) You must use EPA Reference Method 1 of 40 CFR part 60, appendix A to select the sampling location and number of traverse points;

(d) You must use EPA Reference Method 3, 3A, or 3B of 40 CFR part 60, appendix A for gas composition analysis, including measurement of oxygen concentration. You must use EPA Reference Method 3, 3A, or 3B of 40 CFR part 60, appendix A simultaneously with each reference method;

(e) You must adjust pollutant concentrations to 7 percent oxygen using the following equation:

$$C_{adj} = C_{meas}\,(20.9 - 7)/(20.9 - \%O_2) \qquad \text{(Eq. 1)}$$

Where:

$C_{adj}$ = pollutant concentration adjusted to 7 percent oxygen;

$C_{meas}$ = pollutant concentration measured on a dry basis at standard conditions

(20.9–7) = 20.9 percent oxygen—7 percent oxygen (defined oxygen correction basis);

20.9 = oxygen concentration in air, percent; and

$\%O_2$ = oxygen concentration measured on a dry basis at standard conditions, percent.

(f) Except as provided in paragraph (l) of this section, you must use EPA Reference Method 5 or 29 of 40 CFR part 60, appendix A to measure particulate matter emissions;

(g) Except as provided in paragraph (l) of this section, you must use EPA Reference Method 9 of 40 CFR part 60, appendix A to measure stack opacity;

(h) Except as provided in paragraph (l) of this section, you must use EPA Reference Method 10 or 10B of 40 CFR part 60, appendix A to measure the CO emissions;

(i) Except as provided in paragraph (l) of this section, you must use EPA Reference Method 23 of 40 CFR part 60, appendix A to measure total dioxin/furan emissions. The minimum sample time must be 4 hours per test run. If you have selected the toxic equivalency standards for dioxin/furans under §62.14411, you must use the following procedures to determine compliance:

(1) Measure the concentration of each dioxin/furan tetra-through octa-congener emitted using EPA Reference Method 23;

(2) For each dioxin/furan congener measured in accordance with paragraph (i)(1) of this section, multiply the congener concentration by its corresponding toxic equivalency factor specified in Table 2 of this subpart;

(3) Sum the products calculated in accordance with paragraph (i)(2) of this section to obtain the total concentration of dioxins/furans emitted in terms of toxic equivalency.

(j) Except as provided in paragraph (l) of this section, you must use EPA Reference Method 26 of 40 CFR part 60, appendix A to measure HCl emissions. If you have selected the percentage reduction standards for HCl under §62.14411, compute the percentage reduction in HCl emissions ($\%R_{HCl}$) using the following formula:

$$(\%R_{HCl}) = \left(\frac{E_i - E_o}{E_i}\right) \times 100 \qquad \text{(Eq. 2)}$$

Where:

$\%R_{HCl}$ = percentage reduction of HCl emissions achieved;

$E_i$ = HCl emission concentration measured at the control device inlet, corrected to 7 percent oxygen (dry basis at standard conditions); and

$E_o$ = HCl emission concentration measured at the control device outlet, corrected to 7 percent oxygen (dry basis at standard conditions).

(k) Except as provided in paragraph (l) of this section, you must use EPA Reference Method 29 of 40 CFR part 60, appendix A to measure Pb, Cd, and Hg emissions. If you have selected the percentage reduction standards for metals under § 62.14411, compute the percentage reduction in emissions ($\%R_{metal}$) using the following formula:

$$\left(\%R_{metal}\right) = \left(\frac{E_i - E_o}{E_i}\right) \times 100 \qquad \text{(Eq. 3)}$$

Where:

$\%R_{metal}$ = percentage reduction of metal emission (Pb, Cd, or Hg) achieved;

$E_i$ = metal emission concentration (Pb, Cd, or Hg) measured at the control device inlet, corrected to 7 percent oxygen (dry basis at standard conditions); and

$E_o$ = metal emission concentration (Pb, Cd, or Hg) measured at the control device outlet, corrected to 7 percent oxygen (dry basis at standard conditions).

(l) If you are using a continuous emission monitoring system (CEMS) to demonstrate compliance with any of the emission limits under §§ 62.14411 or 62.14412, you must:

(1) Determine compliance with the appropriate emission limit(s) using a 12-hour rolling average, calculated each hour as the average of the previous 12 operating hours (not including startup, shutdown, or malfunction). Performance tests using EPA Reference Methods are not required for pollutants monitored with CEMS.

(2) Operate a CEMS to measure oxygen concentration, adjusting pollutant concentrations to 7 percent oxygen as specified in paragraph (e) of this section.

(3) Operate all CEMS in accordance with the applicable procedures under appendices B and F of 40 CFR part 60.

(m) Use of the bypass stack during a performance test will invalidate the performance test.

### § 62.14453 What must I monitor?

(a) If your HMIWI is a small rural HMIWI, or your HMIWI is equipped with a dry scrubber followed by a fabric filter, a wet scrubber, or a dry scrubber followed by a fabric filter and wet scrubber:

(1) You must establish the appropriate maximum and minimum operating parameters, indicated in Table 3, as site-specific operating parameters during the initial performance test to determine compliance with the emission limits; and

(2) After the date on which the initial performance test is completed or is required to be completed under § 62.14470, whichever comes first, your HMIWI must not operate above any of the applicable maximum operating parameters or below any of the applicable minimum operating parameters listed in Table 3 and measured as 3-hour rolling averages (calculated each hour as the average of the previous 3 operating hours), at all times except during startup, shutdown, malfunction, and performance tests.

(b) If your HMIWI is not a small rural HMIWI, and you are using an air pollution control device other than a dry scrubber followed by a fabric filter, a wet scrubber, or a dry scrubber followed by a fabric filter and a wet scrubber to comply with the emission limits under § 62.14411, you must petition the EPA Administrator for site-specific operating parameters to be established during the initial performance test and you must continuously monitor those parameters thereafter. You may not conduct the initial performance test until the EPA Administrator has approved the petition.

### §62.14454 How must I monitor the required parameters?

(a) You must install, calibrate (to manufacturers' specifications), maintain, and operate devices (or establish methods) for monitoring the applicable maximum and minimum operating parameters listed in Table 3 of this subpart such that these devices (or methods) measure and record values for the operating parameters at the frequencies indicated in Table 3 of this subpart at all times except during periods of startup and shutdown. For charge rate, the device must measure and record the date, time, and weight of each charge fed to the HMIWI. This must be done automatically, meaning that the only intervention from an operator during the process would be to load the charge onto the weighing device. For batch HMIWI, the maximum charge rate is measured on a daily basis (the amount of waste charged to the unit each day).

(b) For all HMIWI except small rural HMIWI, you must install, calibrate (to manufacturers' specifications), maintain, and operate a device or method for measuring the use of the bypass stack, including the date, time, and duration of such use.

(c) For all HMIWI except small rural HMIWI, if you are using controls other than a dry scrubber followed by a fabric filter, a wet scrubber, or a dry scrubber followed by a fabric filter and a wet scrubber to comply with the emission limits under §62.14411, you must install, calibrate (to manufacturers' specifications), maintain, and operate the equipment necessary to monitor the site-specific operating parameters developed pursuant to §62.14453(b).

(d) You must obtain monitoring data at all times during HMIWI operation except during periods of monitoring equipment malfunction, calibration, or repair. At a minimum, valid monitoring data must be obtained for 75 percent of the operating hours per day for 90 percent of the operating days per calendar quarter that your HMIWI is combusting hospital waste and/or medical/infectious waste.

### §62.14455 What if my HMIWI goes outside of a parameter limit?

(a) Operation above the established maximum or below the established minimum operating parameter(s) constitutes a violation of established operating parameter(s). Operating parameter limits do not apply during startup, shutdown, malfunction, and performance tests.

(b) Except as provided in paragraph (f) or (g) of this section, if your HMIWI is a small rural HMIWI,

| And your HMIWI . . . | Then you are in violation of . . . |
|---|---|
| Operates above the maximum charge rate (3-hour rolling average for continuous and intermittent HMIWI, daily average for batch HMIWI) and below the minimum secondary chamber temperature (3-hour rolling average) simultaneously. | The PM, CO, and dioxin/furan emission limits. |

(c) Except as provided in paragraph (f) or (g) of this section, if your HMIWI is equipped with a dry scrubber followed by a fabric filter:

| And your HMIWI . . . | Then you are in violation of . . . |
|---|---|
| (1) Operates above the maximum charge rate (3-hour rolling average for continuous and intermittent HMIWI, daily average for batch HMIWI) and below the minimum secondary chamber temperature (3-hour rolling average) simultaneously. | The CO emission limit. |
| (2) Operates above the maximum fabric filter inlet temperature (3-hour rolling average), above the maximum charge rate (3-hour rolling average for continuous and intermittent HMIWI, daily average for batch HMIWI), and below the minimum dioxin/furan sorbent flow rate (3-hour rolling average) simultaneously. | The dioxin/furan emission limit. |
| (3) Operates above the maximum charge rate (3-hour rolling average for continuous and intermittent HMIWI, daily average for batch HMIWI) and below the minimum HCl sorbent flow rate (3-hour rolling average) simultaneously. | The HCl emission limit. |
| (4) Operates above the maximum charge rate (3-hour rolling average for continuous and intermittent HMIWI, daily average for batch HMIWI) and below the minimum Hg sorbent flow rate (3-hour rolling average) simultaneously. | The Hg emission limit. |

| And your HMIWI . . . | Then you are in violation of . . . |
|---|---|
| (5) Uses the bypass stack (except during startup, shutdown, or malfunction) | The PM, dioxin/furan, HCl, Pb, Cd, and Hg emission limits. |

(d) Except as provided in paragraph (f) or (g) of this section, if your HMIWI is equipped with a wet scrubber:

| And your HMIWI . . . | Then you are in violation of . . . |
|---|---|
| (1) Operates above the maximum charge rate (3-hour rolling average for continuous and intermittent HMIWI, daily average for batch HMIWI) and below the minimum secondary chamber temperature (3-hour rolling average) simultaneously. | The CO emission limit. |
| (2) Operates above the maximum charge rate (3-hour rolling average for continuous and intermittent HMIWI, daily average for batch HMIWI) and below the minimum pressure drop across the wet scrubber (3-hour rolling average) or below the minimum horsepower or amperage to the system (3-hour rolling average) simultaneously. | The PM emission limit. |
| (3) Operates above the maximum charge rate (3-hour rolling average for continuous and intermittent HMIWI, daily average for batch HMIWI), below the minimum secondary chamber temperature (3-hour rolling average), and below the minimum scrubber liquor flow rate (3-hour rolling average) simultaneously. | The dioxin/furan emission limit. |
| (4) Operates above the maximum charge rate (3-hour rolling average for continuous and intermittent HMIWI, daily average for batch HMIWI) and below the minimum scrubber liquor pH (3-hour rolling average) simultaneously. | The HCl emission limit. |
| (5) Operates above the maximum flue gas temperature (3-hour rolling average) and above the maximum charge rate (3-hour rolling average for continuous and intermittent HMIWI, daily average for batch HMIWI) simultaneously. | The Hg emission limit. |
| (6) Uses the bypass stack (except during startup, shutdown, or malfunction) | The PM, dioxin/furan, HCl, Pb, Cd, and Hg emission limits. |

(e) Except as provided in paragraph (f) or (g) of this section, if your HMIWI is equipped with a dry scrubber followed by a fabric filter and a wet scrubber:

| And your HMIWI . . . | Then you are in violation of . . . |
|---|---|
| (1) Operates above the maximum charge rate (3-hour rolling average for continuous and intermittent HMIWI, daily average for batch HMIWI) and below the minimum secondary chamber temperature (3-hour rolling average) simultaneously. | The CO emission limit. |
| (2) Operates above the maximum fabric filter inlet temperature (3-hour rolling average), above the maximum charge rate (3-hour rolling average for continuous and intermittent HMIWI, daily average for batch HMIWI), and below the minimum dioxin/furan sorbent flow rate (3-hour rolling average) simultaneously. | The dioxin/furan emission limit. |
| (3) Operates above the maximum charge rate (3-hour rolling average for continuous and intermittent HMIWI, daily average for batch HMIWI) and below the minimum scrubber liquor pH (3-hour rolling average) simultaneously. | The HCl emission limit. |
| (4) Operates above the maximum charge rate (3-hour rolling average for continuous and intermittent HMIWI, daily average for batch HMIWI) and below the minimum Hg sorbent flow rate (3-hour rolling average) simultaneously. | The Hg emission limit. |
| (5) Uses the bypass stack (except during startup, shutdown, or malfunction) | The PM, dioxin/furan, HCl, Pb, Cd, and Hg emission limits. |

(f) You may conduct a repeat performance test within 30 days of violation of applicable operating parameter(s) to demonstrate that your HMIWI is not in violation of the applicable emission limit(s). You must conduct repeat performance tests pursuant to this paragraph using the identical operating parameters that indicated a violation under paragraph (b), (c), (d) or (e) of this section.

(g) If you are using a CEMS to demonstrate compliance with any of the emission limits in table 1 of this subpart or § 62.14412, and your CEMS indicates compliance with an emission limit during periods when operating parameters indicate a violation of an

emission limit under paragraphs (b), (c), (d), or (e) of this section, then you are considered to be in compliance with the emission limit. You need not conduct a repeat performance test to demonstrate compliance.

(h) You may conduct a repeat performance test in accordance with § 62.14452 at any time to establish new values for the operating parameters.

REPORTING AND RECORDKEEPING REQUIREMENTS

### § 62.14460 What records must I maintain?

You must maintain the following:

(a) Calendar date of each record;

(b) Records of the following data:

(1) Concentrations of any pollutant listed in table 1 and/or measurements of opacity;

(2) The HMIWI charge dates, times, and weights and hourly charge rates;

(3) Fabric filter inlet temperatures during each minute of operation, as applicable;

(4) Amount and type of dioxin/furan sorbent used during each hour of operation, as applicable;

(5) Amount and type of Hg sorbent used during each hour of operation, as applicable;

(6) Amount and type of HCl sorbent used during each hour of operation, as applicable;

(7) Secondary chamber temperatures recorded during each minute of operation;

(8) Liquor flow rate to the wet scrubber inlet during each minute of operation, as applicable,

(9) Horsepower or amperage to the wet scrubber during each minute of operation, as applicable;

(10) Pressure drop across the wet scrubber system during each minute of operation, as applicable;

(11) Temperature at the outlet from the wet scrubber during each minute of operation, as applicable;

(12) The pH at the inlet to the wet scrubber during each minute of operation, as applicable;

(13) Records of the annual equipment inspections, any required maintenance, and any repairs not completed within 10 operating days of an inspection or the time frame established by the EPA Administrator or delegated enforcement authority, as applicable;

(14) Records indicating use of the bypass stack, including dates, times, and durations; and

(15) If you are complying by monitoring site-specific operating parameters under § 62.14453(b), you must monitor all operating data collected.

(c) Identification of calendar days for which data on emission rates or operating parameters specified under paragraph (b)(1) through (15) of this section were not obtained, with an identification of the emission rates or operating parameters not measured, reasons for not obtaining the data, and a description of corrective actions taken;

(d) Identification of calendar days, times and durations of malfunctions, and a description of the malfunction and the corrective action taken.

(e) Identification of calendar days for which data on emission rates or operating parameters specified under paragraphs (b)(1) through (15) of this section exceeded the applicable limits, with a description of the exceedances, reasons for such exceedances, and a description of corrective actions taken.

(f) The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating parameters, as applicable.

(g) Records showing the names of HMIWI operators who have completed review of the documentation in § 62.14424 as required by § 62.14425, including the date of the initial review and all subsequent annual reviews;

(h) Records showing the names of the HMIWI operators who have completed the operator training requirements, including documentation of training and the dates of the training;

(i) Records showing the names of the HMIWI operators who have met the criteria for qualification under § 62.14423 and the dates of their qualification; and

(j) Records of calibration of any monitoring devices as required under § 62.14454.

### § 62.14461 For how long must I maintain records?

You must maintain the records specified under § 62.14460 for a period of at least 5 years.

### § 62.14462 Where must I keep the records?

You must maintain all records specified under § 62.14460 onsite in either paper copy or computer-readable format, unless an alternative format is approved by the EPA Administrator.

### § 62.14463 What reporting requirements must I satisfy?

You must report the following to the EPA Administrator (or delegated enforcement authority):

(a) The initial performance test data as recorded under § 62.14450(a) or § 62.14451(a) (whichever applies);

(b) The values for the site-specific operating parameters established pursuant to § 62.14453, as applicable;

(c) The waste management plan as specified in § 62.14431;

(d) The highest maximum operating parameter and the lowest minimum operating parameter for each operating parameter recorded for the calendar year being reported, pursuant to § 62.14453, as applicable;

(e) The highest maximum operating parameter and the lowest minimum operating parameter, as applicable, for each operating parameter recorded pursuant to § 62.14453 for the calendar year preceding the year being reported, in order to provide a summary of the performance of the HMIWI over a 2-year period;

(f) Any information recorded under § 62.14460(c) through (e) for the calendar year being reported;

(g) Any information recorded under § 62.14460(c) through (e) for the calendar year preceding the year being reported, in order to provide a summary of the performance of the HMIWI over a 2-year period;

(h) The results of any performance test conducted during the reporting period;

(i) If no exceedances or malfunctions occurred during the calendar year being reported, a statement that no exceedances occurred during the reporting period;

(j) Any use of the bypass stack, duration of such use, reason for malfunction, and corrective action taken; and

(k) Records of the annual equipment inspections, any required maintenance, and any repairs not completed within 10 days of an inspection or the time frame established by the EPA Administrator (or delegated enforcement authority).

### § 62.14464 When must I submit reports?

(a) You must submit the information specified in § 62.14463(a) through (c) no later than 60 days following the initial performance test.

(b) You must submit an annual report to the EPA Administrator (or delegated enforcement authority) no more than 1 year following the submission of the information in paragraph (a) of this section and you must submit subsequent reports no more than 1 year following the previous report (once the unit is subject to permitting requirements under title V of the Clean Air Act, you must submit these reports semiannually). The annual report must include the information specified in § 62.14463(d) through (k), as applicable.

(c) You must submit semiannual reports containing any information recorded under § 62.14460(c) through (e) no later than 60 days following the end of the semiannual reporting period. The first semiannual reporting period ends 6 months following the submission of information in paragraph (a) of this section. Subsequent reports must be submitted no later than 6 calendar months following the previous report.

### § 62.14465 Who must sign all submitted reports?

All reports must be signed by the facilities manager (defined in § 62.14490).

## COMPLIANCE SCHEDULE

### § 62.14470 When must I comply with this subpart if I plan to continue operation of my HMIWI?

If you plan to continue operation of your HMIWI, then you must follow the requirements in paragraph (a) or (b) of this section depending on when you plan to come into compliance with the requirements of this subpart.

(a) If you plan to continue operation and come into compliance with the requirements of this subpart by August 15, 2001, then you must complete the requirements of paragraphs (a)(1) through (a)(4) of this section.

(1) You must comply with the operator training and qualification requirements and inspection requirements (if applicable) of this subpart by August 15, 2001.

(2) You must achieve final compliance by August 15, 2001. This includes incorporating all process changes and/or completing retrofit construction, connecting the air pollution control equipment or process changes such that the HMIWI is brought on line, and ensuring that all necessary process changes and air pollution control equipment are operating properly.

(3) You must conduct the initial performance test required by §62.14450(a) (for small rural HMIWI) or §62.14451(a) (for HMIWI that are not small rural HMIWI) within 180 days after the date when you are required to achieve final compliance under paragraph (a)(2) of this section.

(4) You must submit an initial report including the results of the initial performance test and the waste management plan no later than 60 days following the initial performance test (see §§62.14463 and 62.14464 for complete reporting and recordkeeping requirements).

(b) If you plan to continue operation and come into compliance with the requirements of this subpart after August 15, 2001, but before September 15, 2002, then you must complete the requirements of paragraphs (b)(1) through (b)(4) of this section.

(1) You must comply with the operator training and qualification requirements and inspection requirements (if applicable) of this subpart by August 15, 2001.

(2) You must demonstrate that you are taking steps towards compliance with the emission limits in the subpart by completing the increments of progress in paragraphs (b)(2)(i) through (b)(2)(v) of this section. You must submit notification to the EPA Administrator (or delegated enforcement authority) within 10 business days of completing (or failing to complete by the applicable date) each of the increments of progress listed in paragraphs (b)(2)(i) through (b)(2)(v) of this section. Your notification must be signed by your facilities manager (defined in §62.14490).

(i) You must submit a final control plan by September 15, 2000. Your final control plan must, at a minimum, include a description of the air pollution control device(s) or process changes that will be employed for each unit to comply with the emission limits and other requirements of this subpart.

(ii) You must award contract(s) for onsite construction, onsite installation of emission control equipment, or incorporation of process changes by April 15, 2001. You must submit a signed copy of the contract(s) awarded.

(iii) You must begin onsite construction, begin onsite installation of emission control equipment, or begin process changes needed to meet the emission limits as outlined in the final control plan by December 15, 2001.

(iv) You must complete onsite construction, installation of emission control equipment, or process changes by July 15, 2002.

(v) You must achieve final compliance by September 15, 2002. This includes incorporating all process changes and/or completing retrofit construction as described in the final control plan, connecting the air pollution control equipment or process changes such that the HMIWI is brought on line, and ensuring that all necessary process changes and air pollution control equipment are operating properly.

(3) You must conduct the initial performance test required by §62.14450(a) (for small rural HMIWI) or §62.14451(a) (for HMIWI that are not small rural HMIWI) within 180 days after the date when you are required to achieve final compliance under paragraph (b)(2)(v) of this section.

(4) You must submit an initial report including the result of the initial performance test and the waste management plan no later than 60 days following the initial performance test (see §§62.14463 and 62.14464 for complete reporting and recordkeeping requirements).

### § 62.14471 When must I comply with this subpart if I plan to shut down?

If you plan to shut down, then you must follow the requirements in either paragraph (a) or (b) of this section depending on when you plan to shut down.

(a) If you plan to shut down by August 15, 2001, rather that come into compliance with the requirements of this subpart, then you must shut down by August 15, 2001, to avoid coverage under any of the requirements of this subpart.

(b) If you plan to shut down rather than come into compliance with the requirements of this subpart, but are unable to shut down by August 15, 2001, then you may petition EPA for an extension by following the procedures outlined in paragraphs (b)(1) through (b)(3) of this section.

(1) You must submit your request for an extension to the EPA Administrator (or delegated enforcement authority) by November 13, 2000. Your request must include:

(i) Documentation of the analyses undertaken to support your need for an extension, including an explanation of why your requested extension date is sufficient time for you to shut down while August 15, 2001, does not provide sufficient time for shut down. Your documentation must include an evaluation of the option to transport your waste offsite to a commercial medical waste treatment and disposal facility on a temporary or permanent basis; and

(ii) Documentation of incremental steps of progress, including dates for completing the increments of progress, that you will take towards shutting down. Some suggested incremental steps of progress towards shut down are provided as follows:

| If you . . . | Then your increments of progress could be . . . |
|---|---|
| Need an extension so you can install an onsite alternative waste treatment technology before you shut down your HMIWI,. | Date when you will enter into a contract with an alternative treatment technology vendor,<br>Date for initiating onsite construction or installation of the alternative technology, and<br>Date for completing onsite construction or installation of the alternative technology, and<br>Date for shutting down the HMIWI. |
| Need an extension so you can acquire the services of a commercial medical/infectious waste disposal company before you shut down your HMIWI,. | Date when price quotes will be obtained from commercial disposal companies,<br>Date when you will enter into a contract with a commercial disposal company, and<br>Date for shutting down the HMIWI. |

(2) You must shut down no later than September 15, 2002.

(3) You must comply with the operator training and qualification requirements and inspection requirements (if applicable) of this subpart by August 15, 2001.

### § 62.14472 When must I comply with this subpart if I plan to shut down and later restart?

If you wish to shut down and later restart, then you must follow the compliance times in paragraph (a), (b), or (c) of this section depending on when you shut down and restart.

(a) If you plan to shut down and restart prior to September 15, 2002, then you must:

(1) Meet the compliance schedule outlined in § 63.14470(a) if you restart prior to August 15, 2001; or

(2) Meet the compliance schedule outlined in § 62.14470(b) if you restart after August 15, 2001. Any missed increments of progress need to be completed prior to or upon the date of restart.

(b) If you plan to shut down by August 15, 2001, and restart after September 15, 2002, then you must complete the requirements of paragraphs (b)(1) through (b)(5) of this section.

(1) You must shut down by August 15, 2001.

(2) You must comply with the operator training and qualification requirements and inspection requirements (if applicable) of this subpart before restarting your HMIWI.

(3) You must achieve final compliance upon restarting your HMIWI. This includes incorporating all process changes and/or completing retrofit construction, connecting the air pollution control equipment or process changes such that the HMIWI is brought on line, and ensuring that all necessary process changes and air pollution control equipment are operating properly.

(4) You must conduct the initial performance test required by § 62.14450(a) (for small rural HMIWI) or § 62.14451(a) (for HMIWI that are not small rural HMIWI) within 180 days after the date when you restart.

(5) You must submit an initial report including the results of the initial performance test and the waste management plan no later than 60 days following the initial performance test (see §§ 62.14463 and 62.14464 for complete reporting and recordkeeping requirements).

(c) If you plan to shut down after August 15, 2001, and restart after September 15, 2002, then you must complete the requirements of paragraphs (c)(1) and (c)(2) of this section.

(1) You must petition EPA for an extension by following the procedures outlined in § 63.14471 paragraphs (b)(1) through (b)(3).

(2) You must comply with the requirements of paragraphs (b)(2) through (b)(5) of this section.

PERMITTING OBLIGATION

### § 62.14480 Does this subpart require me to obtain an operating permit under title V of the Clean Air Act and implementing regulations?

This subpart requires you to obtain an operating permit under title V of the Clean Air Act and implementing regulations (''title V permit'') unless you are only subject to the recordkeeping and reporting requirements listed at § 62.14400(b)(1) or (b)(2), and § 62.14400(c), of this subpart. Also, if you own or operate a unit described in § 62.14400(b)(3), (b)(4), (b)(5) or (b)(6), you are not subject to any requirements of this subpart; therefore, this subpart does not require you to obtain a title V permit.

### § 62.14481 When must I submit a title V permit application for my HMIWI?

You must submit a title V permit application in time for it to be determined or deemed complete by no later than September 15, 2000 or by the effective date of a title V permits program in the jurisdiction in which the unit is located, whichever is later. (An earlier deadline may apply if your HMIWI is also subject to title V permitting requirements because of some other triggering requirement.) A ''complete'' title V permit application is one that has been approved by the appropriate permitting authority as complete under Section 503 of the Clean Air Act and 40 CFR parts 70 and 71. It is not enough to have submitted a title V permit application by September 15, 2000 because the application must be determined or deemed complete by the permitting authority by that date for your HMIWI to operate after that date in compliance with Federal law.

DEFINITIONS

### § 62.14490 Definitions.

*Batch HMIWI* means an HMIWI that is designed such that neither waste charging nor ash removal can occur during combustion.

*Biologicals* means preparations made from living organisms and their products, including vaccines, cultures, etc., intended for use in diagnosing, immunizing, or treating humans or animals or in research pertaining thereto.

*Blood products* means any product derived from human blood, including but not limited to blood plasma, platelets, red or white blood corpuscles, and other derived licensed products, such as interferon, etc.

*Body fluids* means liquid emanating or derived from humans and limited to blood; dialysate; amniotic, cerebrospinal, synovial, pleural, peritoneal and pericardial fluids; and semen and vaginal secretions.

*Bypass stack* means a device used for discharging combustion gases to avoid severe damage to the air pollution control device or other equipment.

*Chemotherapeutic waste* means waste material resulting from the production or use of antineoplastic agents used for

the purpose of stopping or reversing the growth of malignant cells.

*Co-fired combustor* means a unit combusting hospital waste and/or medical/infectious waste with other fuels or wastes (e.g., coal, municipal solid waste) and subject to an enforceable requirement limiting the unit to combusting a fuel feed stream, 10 percent or less of the weight of which is comprised, in aggregate, of hospital waste and medical/infectious waste as measured on a calendar quarter basis. For purposes of this definition, pathological waste, chemotherapeutic waste, and low-level radioactive waste are considered ''other'' wastes when calculating the percentage of hospital waste and medical/infectious waste combusted.

*Continuous emission monitoring system* or *CEMS* means a monitoring system for continuously measuring and recording the emissions of a pollutant.

*Continuous HMIWI* means an HMIWI that is designed to allow waste charging and ash removal during combustion.

*Dioxins/furans* means the combined emissions of tetra-through octa-chlorinated dibenzo-para-dioxins and dibenzofurans, as measured by EPA Reference Method 23.

*Dry scrubber* means an add-on air pollution control system that injects dry alkaline sorbent (dry injection) or sprays an alkaline sorbent (spray dryer) to react with and neutralize acid gases in the HMIWI exhaust stream forming a dry powder material.

*Fabric filter* or *baghouse* means an add-on air pollution control system that removes particulate matter (PM) and nonvaporous metals emissions by passing flue gas through filter bags.

*Facilities manager* means the individual in charge of purchasing, maintaining, and operating the HMIWI or the owner's or operator's representative responsible for the management of the HMIWI. Alternative titles may include director of facilities or vice president of support services.

*High-air phase* means the stage of the batch operating cycle when the primary chamber reaches and maintains maximum operating temperatures.

*Hospital* means any facility which has an organized medical staff, maintains at least six inpatient beds, and where the primary function of the institution is to provide diagnostic and therapeutic patient services and continuous nursing care primarily to human inpatients who are not related and who stay on average in excess of 24 hours per admission. This definition does not include facilities maintained for the sole purpose of providing nursing or convalescent care to human patients who generally are not acutely ill but who require continuing medical supervision.

*Hospital/medical/infectious waste incinerator or HMIWI* or *HMIWI unit* means any device that combusts any amount of hospital waste and/or medical/infectious waste.

*Hospital/medical/infectious waste incinerator operator* or *HMIWI operator* means any person who operates, controls or supervises the day-to-day operation of an HMIWI.

*Hospital waste* means discards generated at a hospital, except unused items returned to the manufacturer. The definition of hospital waste does not include human corpses, remains, and anatomical parts that are intended for interment or cremation.

*Infectious agent* means any organism (such as a virus or bacteria) that is capable of being communicated by invasion and multiplication in body tissues and capable of causing disease or adverse health impacts in humans.

*Intermittent HMIWI* means an HMIWI that is designed to allow waste charging, but not ash removal, during combustion.

*Large HMIWI* means:

(1) Except as provided in paragraph (2) of this definition;

(i) An HMIWI whose maximum design waste burning capacity is more than 500 pounds per hour; or

(ii) A continuous or intermittent HMIWI whose maximum charge rate is more than 500 pounds per hour; or

(iii) A batch HMIWI whose maximum charge rate is more than 4,000 pounds per day.

(2) The following are not large HMIWI:

(i) A continuous or intermittent HMIWI whose maximum charge rate is less than or equal to 500 pounds per hour; or

(ii) A batch HMIWI whose maximum charge rate is less than or equal to 4,000 pounds per day.

*Low-level radioactive waste* means waste material which contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable federal or State standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or byproduct material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2014(e)(2)).

*Malfunction* means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused, in part, by poor maintenance or careless operation are not malfunctions. During periods of malfunction the operator must operate within established parameters as much as possible, and monitoring of all applicable operating parameters must continue until all waste has been combusted or until the malfunction ceases, whichever comes first.

*Maximum charge rate* means:

(1) For continuous and intermittent HMIWI, 110 percent of the lowest 3-hour average charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limits.

(2) For batch HMIWI, 110 percent of the lowest daily charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limits.

*Maximum design waste burning capacity* means:

(1) For intermittent and continuous HMIWI,

$$C = P_v \times 15{,}000/8{,}500 \qquad \text{(Eq. 4)}$$

Where:

C = HMIWI capacity, lb/hr

$P_V$ = primary chamber volume, $ft^3$

15,000 = primary chamber heat release rate factor, $Btu/ft^3/hr$

8,500 = standard waste heating value, Btu/lb;

(2) For batch HMIWI,

$$C = P_v \times 4.5/8 \qquad \text{(Eq. 5)}$$

Where:

C = HMIWI capacity, lb/hr

$P_V$ = primary chamber volume, $ft^3$

4.5 = waste density, $lb/ft^3$

8 = typical hours of operation of a batch HMIWI, hours.

*Maximum fabric filter inlet temperature* means 110 percent of the lowest 3-hour average temperature at the inlet to the fabric filter (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the dioxin/furan emission limit.

*Maximum flue gas temperature* means 110 percent of the lowest 3-hour average temperature at the outlet from the wet scrubber (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the mercury (Hg) emission limit.

*Medical/infectious waste* means any waste generated in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals that is listed in paragraphs (1) through (7) of this definition. The definition of medical/infectious waste does not include hazardous waste identified or listed under the regulations in part 261 of this chapter; household waste, as defined in §261.4(b)(1) of this chapter; ash from incineration of medical/infectious waste, once the incineration process has been completed; human corpses, remains, and anatomical parts that are intended

for interment or cremation; and domestic sewage materials identified in § 261.4(a)(1) of this chapter.

(1) Cultures and stocks of infectious agents and associated biologicals, including: Cultures from medical and pathological laboratories; cultures and stocks of infectious agents from research and industrial laboratories; wastes from the production of biologicals; discarded live and attenuated vaccines; and culture dishes and devices used to transfer, inoculate, and mix cultures.

(2) Human pathological waste, including tissues, organs, and body parts and body fluids that are removed during surgery or autopsy, or other medical procedures, and specimens of body fluids and their containers.

(3) Human blood and blood products including:

(i) Liquid waste human blood;

(ii) Products of blood;

(iii) Items saturated and/or dripping with human blood; or

(iv) Items that were saturated and/or dripping with human blood that are now caked with dried human blood; including serum, plasma, and other blood components, and their containers, which were used or intended for use in either patient care, testing and laboratory analysis or the development of pharmaceuticals. Intravenous bags are also include in this category.

(4) Sharps that have been used in animal or human patient care or treatment or in medical, research, or industrial laboratories, including hypodermic needles, syringes (with or without the attached needle), Pasteur pipettes, scalpel blades, blood vials, needles with attached tubing, and culture dishes (regardless of presence of infectious agents). Also included are other types of broken or unbroken glassware that were in contact with infectious agents, such as used slides and cover slips.

(5) Animal waste including contaminated animal carcasses, body parts, and bedding of animals that were known to have been exposed to infectious agents during research (including research in veterinary hospitals), production of biologicals or testing of pharmaceuticals.

(6) Isolation wastes including biological waste and discarded materials contaminated with blood, excretions, exudates, or secretions from humans who are isolated to protect others from certain highly communicable diseases, or isolated animals known to be infected with highly communicable diseases.

(7) Unused sharps including the following unused, discarded sharps: hypodermic needles, suture needles, syringes, and scalpel blades.

*Medium HMIWI* means:

(1) Except as provided in paragraph (2) of this definition;

(i) An HMIWI whose maximum design waste burning capacity is more than 200 pounds per hour but less than or equal to 500 pounds per hour; or

(ii) A continuous or intermittent HMIWI whose maximum charge rate is more than 200 pounds per hour but less than or equal to 500 pounds per hour; or

(iii) A batch HMIWI whose maximum charge rate is more than 1,600 pounds per day but less than or equal to 4,000 pounds per day.

(2) The following are not medium HMIWI:

(i) A continuous or intermittent HMIWI whose maximum charge rate is less than or equal to 200 pounds per hour or more than 500 pounds per hour; or

(ii) A batch HMIWI whose maximum charge rate is more than 4,000 pounds per day or less than or equal to 1,600 pounds per day.

*Minimum dioxin/furan sorbent flow rate* means 90 percent of the highest 3-hour average dioxin/furan sorbent flow rate (taken, at a minimum, once every hour) measured during the most recent performance test demonstrating compliance with the dioxin/furan emission limit.

*Minimum Hg sorbent flow rate* means 90 percent of the highest 3-hour average Hg sorbent flow rate (taken, at a minimum, once every hour) measured during the most recent performance test demonstrating compliance with the Hg emission limit.

*Minimum horsepower or amperage* means 90 percent of the highest 3-hour average horsepower or amperage to the wet scrubber (taken, at a minimum, once every minute) measured during

the most recent performance test demonstrating compliance with the applicable emission limits.

*Minimum hydrogen chloride (HCl) sorbent flow rate* means 90 percent of the highest 3-hour average HCl sorbent flow rate (taken, at a minimum, once every hour) measured during the most recent performance test demonstrating compliance with the HCl emission limit.

*Minimum pressure drop across the wet scrubber* means 90 percent of the highest 3-hour average pressure drop across the wet scrubber PM control device (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the PM emission limit.

*Minimum scrubber liquor flow rate* means 90 percent of the highest 3-hour average liquor flow rate at the inlet to the wet scrubber (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with all applicable emission limits.

*Minimum scrubber liquor pH* means 90 percent of the highest 3-hour average liquor pH at the inlet to the wet scrubber (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the HCl emission limit.

*Minimum secondary chamber temperature* means 90 percent of the highest 3-hour average secondary chamber temperature (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the PM, CO, or dioxin/furan emission limits.

*Modification* or *Modified HMIWI* means any change to an HMIWI unit after March 16, 1998, such that:

(1) The cumulative costs of the modifications, over the life of the unit, exceed 50 per centum of the original cost of the construction and installation of the unit (not including the cost of any land purchased in connection with such construction or installation) updated to current costs, or

(2) The change involves a physical change in or change in the method of operation of the unit which increases the amount of any air pollutant emitted by the unit for which standards have been established under section 129 or section 111.

*Operating day* means a 24-hour period between 12:00 midnight and the following midnight during which any amount of hospital waste or medical/infectious waste is combusted at any time in the HMIWI.

*Operation* means the period during which waste is combusted in the incinerator excluding periods of startup or shutdown.

*Particulate matter* or *PM* means the total particulate matter emitted from an HMIWI as measured by EPA Reference Method 5 or EPA Reference Method 29.

*Pathological waste* means waste material consisting of only human or animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable).

*Primary chamber* means the chamber in an HMIWI that receives waste material, in which the waste is ignited, and from which ash is removed.

*Pyrolysis* means the endothermic gasification of hospital waste and/or medical/infectious waste using external energy.

*Secondary chamber* means a component of the HMIWI that receives combustion gases from the primary chamber and in which the combustion process is completed.

*Shutdown* means the period of time after all waste has been combusted in the primary chamber. For continuous HMIWI, shutdown must commence no less than 2 hours after the last charge to the incinerator. For intermittent HMIWI, shutdown must commence no less than 4 hours after the last charge to the incinerator. For batch HMIWI, shutdown must commence no less than 5 hours after the high-air phase of combustion has been completed.

*Small HMIWI* means:

(1) Except as provided in paragraph (2) of this definition;

(i) An HMIWI whose maximum design waste burning capacity is less than or equal to 200 pounds per hour; or

(ii) A continuous or intermittent HMIWI whose maximum charge rate is less than or equal to 200 pounds per hour; or

(iii) A batch HMIWI whose maximum charge rate is less than or equal to 1,600 pounds per day.

(2) The following are not small HMIWI:

(i) A continuous or intermittent HMIWI whose maximum charge rate is more than 200 pounds per hour;

(ii) A batch HMIWI whose maximum charge rate is more than 1,600 pounds per day.

*Small rural HMIWI* means a small HMIWI which is located more than 50 miles from the boundary of the nearest Standard Metropolitan Statistical Area and which burns less than 2,000 pounds per week of hospital waste and medical/ infectious waste.

*Standard conditions* means a temperature of 20 °C and a pressure of 101.3 kilopascals.

*Standard Metropolitan Statistical Area* or *SMSA* means any areas listed in OMB Bulletin No. 93–17 entitled ''Revised Statistical Definitions for Metropolitan Areas'' dated June 30, 1993. This information can also be obtained from the nearest Metropolitan Planning Organization.

*Startup* means the period of time between the activation of the system and the first charge to the unit. For batch HMIWI, startup means the period of time between activation of the system and ignition of the waste.

*Wet scrubber* means an add-on air pollution control device that utilizes an alkaline scrubbing liquor to collect particulate matter (including nonvaporous metals and condensed organics) and/or to absorb and neutralize acid gases.

DELEGATION OF AUTHORITY

### § 62.14495 What authorities will be retained by the EPA Administrator?

The following authorities will be retained by the EPA Administrator and not transferred to the State or Tribe:

(a) The requirements of § 62.14453(b) establishing operating parameters when using controls other than a dry scrubber followed by a fabric filter, a wet scrubber, or a dry scrubber followed by a fabric filter and a wet scrubber.

(b) Alternative methods of demonstrating compliance under 40 CFR 60.8.

TABLE 1 TO SUBPART HHH OF PART 62—EMISSION LIMITS FOR SMALL RURAL, SMALL, MEDIUM, AND LARGE HMIWI

| Pollutant | Units (7 percent oxygen, dry basis at standard conditions) | Emission limits | | | |
|---|---|---|---|---|---|
| | | HMIWI size | | | |
| | | Small rural | Small | Medium | Large |
| Particulate matter. | Milligrams per dry standard cubic meter (grains per dry standard cubic foot). | 197 (0.086) | 115 (0.05) | 69 (0.03) | 34 (0.015) |
| Carbon monoxide. | Parts per million by volume | 40 | 40 | 40 | 40 |
| Dioxins/ furans. | Nanograms per dry standard cubic meter total dioxins/ furans (grains per billion dry standard cubic feet) or nanograms per dry standard cubic meter TEQ (grains per billion dry standard cubic feet). | 800 (350) or 15 (6.6) | 125 (55) or 2.3 (1.0) | 125 (55) or 2.3 (1.0) | 125 (55) or 2.3 (1.0) |
| Hydrogen chloride. | Parts per million by volume or percent reduction | 3,100 | 100 or 93% | 100 or 93% | 100 or 93% |
| Sulfur dioxide. | Parts per million by volume | 55 | 55 | 55 | 55 |
| Nitrogen oxides. | Parts per million by volume | 250 | 250 | 250 | 250 |
| Lead | Milligrams per dry standard cubic meter (grains per thousand dry standard cubic feet) or percent reduction. | 10 (4.4) | 1.2 (0.52) or 70% | 1.2 (0.52) or 70% | 1.2 (0.52) or 70% |
| Cadmium | Milligrams per dry standard cubic meter (grains per thousand dry standard cubic feet) or percent reduction. | 4 (1.7) | 0.16 (0.07) or 65% | 0.16 (0.07) or 65% | 0.16 (0.07) or 65% |
| Mercury | Milligrams per dry standard cubic meter (grains per thousand dry standard cubic feet) or percent reduction. | 7.5 (3.3) | 0.55 (0.24) or 85% | 0.55 (0.24) or 85% | 0.55 (0.24) or 85% |

TABLE 2 TO SUBPART HHH OF PART 62—TOXIC EQUIVALENCY FACTORS

| Dioxin/furan congener | Toxic equivalency factor |
|---|---|
| 2,3,7,8-tetrachlorinated dibenzo-p-dioxin | 1 |
| 1,2,3,7,8-pentachlorinated dibenzo-p-dioxin | 0.5 |
| 1,2,3,4,7,8-hexachlorinated dibenzo-p-dioxin | 0.1 |
| 1,2,3,7,8,9-hexachlorinated dibenzo-p-dioxin | 0.1 |
| 1,2,3,6,7,8-hexachlorinated dibenzo-p-dioxin | 0.1 |
| 1,2,3,4,6,7,8-heptachlorinated dibenzo-p-dioxin | 0.01 |
| Octachlorinated dibenzo-p-dioxin | 0.001 |
| 2,3,7,8-tetrachlorinated dibenzofuran | 0.1 |
| 2,3,4,7,8-pentachlorinated dibenzofuran | 0.5 |
| 1,2,3,7,8-pentachlorinated dibenzofuran | 0.05 |
| 1,2,3,4,7,8-hexachlorinated dibenzofuran | 0.1 |
| 1,2,3,6,7,8-hexachlorinated dibenzofuran | 0.1 |
| 1,2,3,7,8,9-hexachlorinated dibenzofuran | 0.1 |
| 2,3,4,6,7,8-hexachlorinated dibenzofuran | 0.1 |
| 1,2,3,4,6,7,8-heptachlorinated dibenzofuran | 0.01 |
| 1,2,3,4,7,8,9-heptachlorinated dibenzofuran | 0.01 |
| Octachlorinated dibenzofuran | 0.001 |

TABLE 3 TO SUBPART HHH OF PART 62—OPERATING PARAMETERS TO BE MONITORED AND MINIMUM MEASUREMENT AND RECORDING FREQUENCIES

| Operating parameters to be monitored | Minimum frequency | | HMIWI | | | |
|---|---|---|---|---|---|---|
| | Data measurement | Data recording | Small rural HMIWI | HMIWI [a] with dry scrubber followed by fabric filter | HMIWI [a] with wet scrubber | HMIWI [a] with dry scrubber followed by fabric filter and wet scrubber |
| Maximum operating parameters: | | | | | | |
| Maximum charge rate | Once per charge. | Once per charge. | ✔ | ✔ | ✔ | ✔ |
| Maximum fabric filter inlet temperature | Continuous | Once per minute. | | ✔ | | ✔ |
| Maximum flue gas temperature | Continuous | Once per minute. | | | ✔ | ✔ |
| Minimum operating parameters: | | | | | | |
| Minimum secondary chamber temperature | Continuous | Once per minute. | ✔ | ✔ | ✔ | ✔ |
| Minimum dioxin/furan sorbent flow rate | Hourly | Once per hour. | | ✔ | | ✔ |
| Minimum HCl sorbent flow rate | Hourly | Once per hour. | | ✔ | | ✔ |
| Minimum mercury (Hg) sorbent flow rate | Hourly | Once per hour. | | ✔ | | ✔ |
| Minimum pressure drop across the wet scrubber or minimum horsepower or amperage to wet scrubber. | Continuous | Once per minute. | | | ✔ | ✔ |
| Minimum scrubber liquor flow rate | Continuous | Once per minute. | | | ✔ | ✔ |
| Minimum scrubber liquor pH | Continuous | Once per minute. | | | ✔ | ✔ |

[a] Does not include small rural HMIWI.

## Subpart III—Federal Plan Requirements for Commercial and Industrial Solid Waste Incineration Units That Commenced Construction On or Before November 30, 1999

SOURCE: 68 FR 57539, Oct. 3, 2003, unless otherwise noted.

INTRODUCTION

### § 62.14500 What is the purpose of this subpart?

(a) This subpart establishes emission requirements and compliance schedules for the control of emissions from commercial and industrial solid waste incineration (CISWI) units that are not covered by an EPA approved and currently effective State or Tribal plan. The pollutants addressed by these emission requirements are listed in Table 1 of this subpart. These emission requirements are developed in accordance with sections 111 and 129 of the Clean Air Act and subpart B of 40 CFR part 60.

(b) In this subpart, ''you'' means the owner or operator of a CISWI unit.

### § 62.14505 What are the principal components of this subpart?

This subpart contains the eleven major components listed in paragraphs (a) through (k) of this section.

(a) Increments of progress toward compliance.

(b) Waste management plan.

(c) Operator training and qualification.

(d) Emission limitations and operating limits.

(e) Performance testing.

(f) Initial compliance requirements.

(g) Continuous compliance requirements.

(h) Monitoring.

(i) Recordkeeping and reporting.

(j) Definitions.

(k) Tables.

APPLICABILITY

### § 62.14510 Am I subject to this subpart?

(a) You are subject to this subpart if you own or operate a CISWI unit as defined in § 62.14840 and the CISWI unit meets the criteria described in paragraphs (a)(1) through (a)(3) of this section.

(1) Construction of your CISWI unit commenced on or before November 30, 1999.

(2) Your CISWI unit is not exempt under § 62.14525.

(3) Your CISWI unit is not regulated by an EPA approved and currently effective State or Tribal plan, or your CISWI unit is located in any State whose approved State or Tribal plan is subsequently vacated in whole or in part.

(b) If you made changes after June 1, 2001 that meet the definition of modification or reconstruction after promulgation of the final 40 CFR part 60 subpart CCCC (New Source Performance Standards for Commercial and Industrial Solid Waste Incineration Units), your CISWI unit is subject to subpart CCCC of 40 CFR part 60 and this subpart no longer applies to that unit.

(c) If you make physical or operational changes to your existing CISWI unit primarily to comply with this subpart, then such changes do not qualify as modifications or reconstructions under subpart CCCC of 40 CFR part 60.

### § 62.14515 Can my CISWI unit be covered by both a State plan and this subpart?

(a) If your CISWI unit is located in a State that does not have an EPA-approved State plan or your State's plan has not become effective, this subpart applies to your CISWI unit until the EPA approves a State plan that covers your CISWI unit and that State plan becomes effective. However, a State may enforce the requirements of a State regulation while your CISWI unit is still subject to this subpart.

(b) After the EPA approves a State plan covering your CISWI unit, and after that State plan becomes effective, you will no longer be subject to this subpart and will only be subject to the approved and effective State plan.

### §62.14520 How do I determine if my CISWI unit is covered by an approved and effective State or Tribal plan?

This part (40 CFR part 62) contains a list of State and Tribal areas with approved Clean Air Act section 111(d) and section 129 plans along with the effective dates for such plans. The list is published annually. If this part does not indicate that your State or Tribal area has an approved and effective plan, you should contact your State environmental agency's air director or your EPA Regional Office to determine if the EPA has approved a State plan covering your unit since publication of the most recent version of this subpart.

### §62.14521 If my CISWI unit is not listed in the Federal plan inventory, am I exempt from this subpart?

If a CISWI unit is not listed in the Federal plan inventory, it is not necessarily exempt from this subpart. Sources subject to this subpart are not limited to the inventory of sources listed in Docket A–2000–52 for the Federal plan. If your CISWI units meets the applicability criteria in §62.14510, this subpart applies to you whether or not your unit is listed in the Federal plan inventory in the docket.

### §62.14525 Can my combustion unit be exempt from this subpart?

This subpart exempts 15 types of units described in paragraphs (a) through (o) of this section from complying with the requirements of this subpart except for the requirements specified in this section and in §62.14531.

(a) *Pathological waste incineration units.* Incineration units burning 90 percent or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of pathological waste, low-level radioactive waste, and/or chemotherapeutic waste as defined in §62.14840 are not subject to this subpart if you meet the two requirements specified in paragraphs (a)(1) and (2) of this section.

(1) Notify the Administrator that the unit meets these criteria.

(2) Keep records on a calendar quarter basis of the weight of pathological waste, low-level radioactive waste, and/or chemotherapeutic waste burned, and the weight of all other fuels and wastes burned in the unit.

(b) *Agricultural waste incineration units.* Incineration units burning 90 percent or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of agricultural wastes as defined in §62.14840 are not subject to this subpart if you meet the two requirements specified in paragraphs (b)(1) and (2) of this section.

(1) Notify the Administrator that the unit meets these criteria.

(2) Keep records on a calendar quarter basis of the weight of agricultural waste burned, and the weight of all other fuels and wastes burned in the unit.

(c) *Municipal waste combustion units.* Incineration units that meet either of the two criteria specified in paragraphs (c)(1) or (2) of this section.

(1) Units that are regulated under subpart Ea of 40 CFR part 60 (Standards of Performance for Municipal Waste Combustors); subpart Eb of 40 CFR part 60 (Standards of Performance for Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994); subpart Cb of 40 CFR part 60 (Emission Guidelines and Compliance Times for Large Municipal Waste Combustors Constructed on or Before September 20, 1994); subpart AAAA of 40 CFR part 60 (Standards of Performance for New Stationary Sources: Small Municipal Waste Combustion Units); subpart BBBB of 40 CFR part 60 (Emission Guidelines for Existing Stationary Sources: Small Municipal Waste Combustion Units); or subpart JJJ of 40 CFR part 62 (Federal Plan Requirements for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999).

(2) Units that burn greater than 30 percent municipal solid waste or refuse-derived fuel, as defined in 40 CFR part 60 subpart Ea, subpart Eb, subpart AAAA, and subpart BBBB, and that have the capacity to burn less than 35 tons (32 megagrams) per day of municipal solid waste or refuse-derived fuel, if you meet the two requirements

in paragraphs (c)(2)(i) and (ii) of this section.

(i) Notify the Administrator that the unit meets these criteria.

(ii) Keep records on a calendar quarter basis of the weight of municipal solid waste burned, and the weight of all other fuels and wastes burned in the unit.

(d) *Medical waste incineration units.* Incineration units regulated under subpart Ec of 40 CFR part 60 (Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996); 40 CFR part 60 subpart Ce (Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators); and 40 CFR part 62 subpart HHH (Federal Plan Requirements for Hospital/Medical/Infectious Waste Incinerators Constructed on or before June 20, 1996).

(e) *Small power production facilities.* Units that meet the three requirements specified in paragraphs (e)(1) through (3) of this section.

(1) The unit qualifies as a small power-production facility under section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C)).

(2) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity.

(3) You notify the Administrator that the unit meets all of these criteria.

(f) *Cogeneration facilities.* Units that meet the three requirements specified in paragraphs (f)(1) through (3) of this section.

(1) The unit qualifies as a cogeneration facility under section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B)).

(2) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity and steam or other forms of energy used for industrial, commercial, heating, or cooling purposes.

(3) You notify the Administrator that the unit meets all of these criteria.

(g) *Hazardous waste combustion units.* Units regulated under subpart EEE of part 63 (National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors).

(h) *Materials recovery units.* Units that combust waste for the primary purpose of recovering metals, such as primary and secondary smelters.

(i) *Air curtain incinerators.* Air curtain incinerators that burn 100 percent wood waste; 100 percent clean lumber; or a 100 percent mixture of only wood waste, clean lumber, and/or yard waste; are required to meet only the requirements under ''Air Curtain Incinerators That Burn 100 Percent Wood Wastes, Clean Lumber and/or Yard Waste'' (§§ 62.14765 through 62.14825) and the title V operating permit requirements (§§ 62.14830 and 62.14835).

(j) *Cyclonic barrel burners.*

(k) *Rack, part, and drum reclamation units.*

(l) *Cement kilns.*

(m) *Sewage sludge incinerators.* Incineration units regulated under subpart O of 40 CFR part 60 (Standards of Performance for Sewage Treatment Plants).

(n) *Chemical recovery units.* Combustion units burning materials to recover chemical constituents or to produce chemical compounds where there is an existing commercial market for such recovered chemical constituents or compounds. The eight types of units described in paragraphs (n)(1) through (8) of this section are considered chemical recovery units.

(1) Units burning only pulping liquors (*i.e.*, black liquor) that are reclaimed in a pulping liquor recovery process and reused in the pulping process.

(2) Units burning only spent sulfuric acid used to produce virgin sulfuric acid.

(3) Units burning only wood or coal feedstock for the production of charcoal.

(4) Units burning only manufacturing byproduct streams/residues containing catalyst metals which are reclaimed and reused as catalysts or used to produce commercial grade catalysts.

(5) Units burning only coke to produce purified carbon monoxide that is used as an intermediate in the production of other chemical compounds.

(6) Units burning only hydrocarbon liquids or solids to produce hydrogen, carbon monoxide, synthesis gas, or other gases for use in other manufacturing processes.

(7) Units burning only photographic film to recover silver.

(8) Units granted exemptions resulting from petitions submitted under the provisions of either § 60.2025 or § 60.2558.

(o) *Laboratory units.* Units that burn samples of materials for the purpose of chemical or physical analysis.

### § 62.14530 What if I have a chemical recovery unit that is not listed in § 62.14525(n)?

If you have a recovery unit that is not listed in § 62.14525(n), you can petition the Administrator to add the unit to the list of exempted units in 40 CFR 60.2020(n) or 60.2555(n) pursuant to the requirements of 40 CFR 60.2025 or 60.2558. Units granted exemptions under 40 CFR 60.2025 or 60.2558 are exempt from the requirement of this Federal plan under § 62.14525(n)(8).

### § 62.14531 When must I submit any records required pursuant to an exemption allowed under § 62.14525?

Owners or operators of sources that qualify for the exemptions in § 62.14525(a) through (o) must submit any records required to support their claims of exemption to the EPA Administrator (or delegated enforcement authority) upon request. Upon request by any person under the regulation at part 2 of this chapter (or a comparable law or regulation governing a delegated enforcement authority), the EPA Administrator (or delegated enforcement authority) must request the records in § 62.14525(a) through (o) from an owner or operator and make such records available to the requestor to the extent required by part 2 of this chapter (or a comparable law governing a delegated enforcement authority). Any records required under § 62.14525(a) through (o) must be maintained by the source for a period of at least 5 years. Notifications of exemption claims required under § 62.14525(a) through (o) of this section must be maintained by the EPA or delegated enforcement authority for a period of at least 5 years. Any information obtained from an owner or operator of a source accompanied by a claim of confidentiality will be treated in accordance with the regulations in part 2 of this chapter (or a comparable law governing a delegated enforcement authority).

## Compliance Schedule and Increments of Progress

### § 62.14535 When must I comply with this subpart if I plan to continue operation of my CISWI unit?

If you plan to continue operation of your CISWI unit, then you must follow the requirements in paragraph (a) or (b) of this section depending on when you plan to come into compliance with the requirements of this subpart.

(a) If you plan to continue operation and come into compliance with the requirements of this subpart by October 4, 2004, then you must complete the requirements of paragraphs (a)(1) through (a)(5) of this section.

(1) You must comply with the operator training and qualification requirements and inspection requirements (if applicable) of this subpart by October 4, 2004.

(2) You must submit a waste management plan no later than April 5, 2004.

(3) You must achieve final compliance by October 4, 2004. To achieve final compliance, you must incorporate all process changes and complete retrofit construction of control devices, as specified in the final control plan, so that, if the affected CISWI unit is brought online, all necessary process changes and air pollution control devices would operate as designed.

(4) You must conduct the initial performance test within 90 days after the date when you are required to achieve final compliance under paragraph (a)(3) of this section.

(5) You must submit an initial report including the results of the initial performance test no later than 60 days following the initial performance test (see §§ 62.14700 through 62.14760 for complete reporting and recordkeeping requirements).

(b) If you plan to continue operation and come into compliance with the requirements of this subpart after October 4, 2004, but before October 3, 2005 you must petition for and be granted an extension of the final compliance date specified § 62.14535(a)(3) by meeting the requirements of § 62.14536 and you must meet the requirements for increments of progress specified in § 62.14540 through § 62.14565. To achieve the final compliance increment of progress, you

must complete the requirements of paragraphs (b)(1) through (b)(5) of this section.

(1) You must comply with the operator training and qualification requirements and inspection requirements (if applicable) of this subpart by October 4, 2004.

(2) You must submit a waste management plan no later than April 5, 2004.

(3) You must achieve final compliance by October 3, 2005. For the final compliance increment of progress, you must incorporate all process changes and complete retrofit construction of control devices, as specified in the final control plan, so that, when the affected CISWI unit is brought online, all necessary process changes and air pollution control devices operate as designed.

(4) You must conduct the initial performance test within 90 days after the date when you are required to achieve final compliance under paragraph (b)(3) of this section.

(5) You must submit an initial report including the result of the initial performance no later than 60 days following the initial performance test (see §§ 62.14700 through 62.14760 for complete reporting and recordkeeping requirements).

### § 62.14536 What steps are required to request an extension of the initial compliance date if I plan to continue operation of my CISWI unit?

If you plan to continue operation and want to come into compliance with the requirements of this subpart after October 4, 2004, but before October 3, 2005, then you must you must petition to the Administrator to grant you an extension by following the procedures outlined in paragraphs (a) and (b) of this section.

(a) You must submit your request for an extension to the EPA Administrator (or delegated enforcement authority) on or before December 3, 2003.

(b) Your request must include documentation of the analyses undertaken to support your need for an extension, including an explanation of why you are unable to meet the final compliance date specified in § 62.14535(a)(3) and why your requested extension date is needed to provide sufficient time for you to design, fabricate, and install the emissions control systems necessary to meet the requirements of this Subpart. A request based upon the avoidance of costs of meeting provisions of this Subpart is not acceptable and will be denied.

### § 62.14540 When must I complete each increment of progress?

If you plan to come into compliance after October 4, 2004, you must meet the two increments of progress specified in paragraphs (a) and (b) of this section.

(a) Increment 1. Submit a final control plan by April 5, 2004.

(b) Increment 2. Reach final compliance by October 3, 2005.

### § 62.14545 What must I include in each notification of achievement of an increment of progress?

Your notification of achievement of an increment of progress must include the four items specified in paragraphs (a) through (d) of this section.

(a) Notification of the date that the increment of progress has been achieved.

(b) Any items required to be submitted with each increment of progress.

(c) Signature of the owner or operator of the CISWI unit.

(d) The date you were required to complete the increment of progress.

### § 62.14550 When must I submit a notification of achievement of the first increment of progress?

Your notification for achieving the first increment of progress must be postmarked no later than April 15, 2004.

### § 62.14555 What if I do not meet an increment of progress?

Failure to meet an increment of progress is a violation of the standards under this subpart. If you fail to meet an increment of progress, you must submit a notification to the Administrator postmarked within 10 business days after the due date for that increment of progress. You must inform the Administrator that you did not meet the increment, and you must continue

to submit reports each subsequent calendar month until the increment of progress is met.

### § 62.14560 How do I comply with the increment of progress for submittal of a control plan?

For your control plan increment of progress, you must satisfy the two requirements specified in paragraphs (a) and (b) of this section.

(a) Submit the final control plan that includes the six items described in paragraphs (a)(1) through (6) of this section.

(1) A description of the devices for air pollution control and process changes that you will use to comply with the emission limitations and other requirements of this subpart.

(2) The type(s) of waste to be burned.

(3) The maximum design waste burning capacity.

(4) The anticipated maximum charge rate.

(5) If applicable, the petition for site-specific operating limits under § 62.14640.

(6) A schedule that includes the date by which you will award the contracts to procure emission control equipment or related materials, initiate on-site construction, initiate on-site installation of emission control equipment, and/or incorporate process changes, and the date by which you will initiate on-site construction.

(b) Maintain an on-site copy of the final control plan.

### § 62.14565 How do I comply with the increment of progress for achieving final compliance?

For the final compliance increment of progress, you must incorporate all process changes and complete retrofit construction of control devices, as specified in the final control plan, so that, when the affected CISWI unit is brought online, all necessary process changes and air pollution control devices operate as designed.

### § 62.14570 What must I do if I plan to permanently close my CISWI unit?

If you plan to permanently close your CISWI unit, then you must follow the requirements in either paragraph (a) or (b) of this section depending on when you plan to shut down.

(a) If you plan to shut down by October 4, 2004, rather that come into compliance with the complete set of requirements in this subpart, then you must shut down by October 4, 2004. In addition, while still in operation, your CISWI unit is subject to the same requirement to apply for and obtain a title V operating permit that applies to a CISWI unit that will not be permanently closing. *See* §§ 62.14830 and 62.14835.

(b) If you plan to shut down rather than come into compliance with the complete set of requirements of this subpart, but are unable to shut down by October 4, 2004, then you must petition EPA for and be granted an extension by following the procedures outlined in paragraphs (b)(1) through (5) of this section.

(1) You must submit your request for an extension to the EPA Administrator (or delegated enforcement authority) by December 3, 2003. Your request must include:

(i) Documentation of the analyses undertaken to support your need for an extension, including an explanation of why your requested extension date is sufficient time for you to shut down while October 4, 2004 does not provide sufficient time for shut down. A request based upon the avoidance of costs of meeting provisions of this subpart is not acceptable and will be denied. Your documentation must include an evaluation of the option to transport your waste offsite to a commercial or municipal waste treatment and/or disposal facility on a temporary or permanent basis; and

(ii) Documentation of incremental steps of progress, including dates for completing the increments of progress, that you will take towards shutting down. Some suggested incremental steps of progress towards shut down are provided as follows:

| If you . . . | Then your increments of progress could be . . . |
|---|---|
| (A) Need an extension so you can install an onsite alternative waste treatment technology before you shut down your CISWI. | (*1*) Date when you will enter into a contract with an alternative treatment technology vendor,<br>(*2*) Date for initiating onsite construction or installation of the alternative technology,<br>(*3*) Date for completing onsite construction or installation of the alternative technology, and<br>(*4*) Date for shutting down the CISWI. |
| (B) Need an extension so you can acquire the services of a commercial waste disposal company before you shut down your CISWI. | (*1*) Date when price quotes will be obtained from commercial disposal companies,<br>(*2*) Date when you will enter into a contract with a commercial disposal company, and<br>(*3*) Date for shutting down the CISWI. |

(2) You must shut down no later than by October 3, 2005.

(3) You must comply with the operator training and qualification requirements and inspection requirements (if applicable) of this subpart by October 4, 2004.

(4) You must submit a legally binding closure agreement to the Administrator by April 5, 2004. The closure agreement must specify the date by which operation will cease. The closure date cannot be later than October 3, 2005.

(5) While still in operation, your CISWI unit is subject to the same requirement to apply for and obtain a title V operating permit that applies to a CISWI unit that will not be permanently closing. *See* §§ 62.14830 and 62.14835.

### § 62.14575 What must I do if I close my CISWI unit and then restart it?

If you temporarily close your CISWI unit and restart the unit for the purpose of continuing operation of your CISWI unit, then you must follow the requirements in paragraphs (a), (b), or (c) of this section depending on when you plan to come into compliance with the requirements of this subpart. You are subject to the operating permit requirements of title V of the CAA and 40 CFR part 70 or 71 until you close your CISWI unit and at the time you restart it.

(a) If you plan to continue operation and come into compliance with the requirements of this subpart by October 4, 2004, then you must complete the requirements of § 62.14535(a).

(b) If you plan to continue operation and come into compliance with the requirements of this subpart on or before October 3, 2005, then you must complete the requirements of § 62.14535(b). You must have first requested and been granted an extension from the initial compliance date by following the requirements of § 62.14536.

(c) If you restart your CISWI unit after the October 4, 2004 and resume operation, but have not previously requested an extension by meeting all of the requirements of § 62.14536, you must meet all of the requirements of § 62.14535(a)(1) through (a)(5) at the time you restart your CISWI unit. Upon restarting your CISWI unit, you must have incorporated all process changes and completed retrofit construction of control devices so that when the affected CISWI unit is brought online, all necessary process changes and air pollution control devices operate as designed.

## WASTE MANAGEMENT PLAN

### § 62.14580 What is a waste management plan?

A waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream in order to reduce or eliminate toxic emissions from incinerated waste.

### § 62.14585 When must I submit my waste management plan?

You must submit a waste management plan no later than April 5, 2004.

### § 62.14590 What should I include in my waste management plan?

A waste management plan must include consideration of the reduction or separation of waste-stream elements such as paper, cardboard, plastics, glass, batteries, or metals; or the use of

recyclable materials. The plan must identify any additional waste management measures, and the source must implement those measures considered practical and feasible, based on the effectiveness of waste management measures already in place, the costs of additional measures, the emissions reductions expected to be achieved, and any other environmental or energy impacts they might have.

OPERATOR TRAINING AND QUALIFICATION

**§62.14595 What are the operator training and qualification requirements?**

(a) You must have a fully trained and qualified CISWI unit operator accessible at all times when the unit is in operation, either at your facility or able to be at your facility within one hour. The trained and qualified CISWI unit operator may operate the CISWI unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified CISWI unit operators are temporarily not accessible, you must follow the procedures in §62.14625.

(b) Operator training and qualification must be obtained through a State-approved program or by completing the requirements included in paragraph (c) of this section.

(c) Training must be obtained by completing an incinerator operator training course that includes, at a minimum, the three elements described in paragraphs (c)(1) through (3) of this section.

(1) Training on the thirteen subjects listed in paragraphs (c)(1)(i) through (xiii) of this section.

(i) Environmental concerns, including types of emissions.

(ii) Basic combustion principles, including products of combustion.

(iii) Operation of the specific type of incinerator to be used by the operator, including proper startup, waste charging, and shutdown procedures.

(iv) Combustion controls and monitoring.

(v) Operation of air pollution control equipment and factors affecting performance (where applicable).

(vi) Inspection and maintenance of the incinerator and air pollution control devices.

(vii) Actions to correct malfunctions or conditions that may lead to malfunction.

(viii) Bottom and fly ash characteristics and handling procedures.

(ix) Applicable Federal, State, and local regulations, including Occupational Safety and Health Administration workplace standards.

(x) Pollution prevention.

(xi) Waste management practices.

(xii) Recordkeeping requirements.

(xiii) Methods to continuously monitor CISWI unit and air pollution control device operating parameters and monitoring equipment calibration procedures (where applicable).

(2) An examination designed and administered by the instructor.

(3) Written material covering the training course topics that can serve as reference material following completion of the course.

**§62.14600 When must the operator training course be completed?**

(a) The operator training course must be completed by the later of the two dates specified in paragraphs (a)(1) and (2) of this section.

(1) October 4, 2004.

(2) Six months after an employee assumes responsibility for operating the CISWI unit or assumes responsibility for supervising the operation of the CISWI unit.

(b) You must follow the requirements in §63.14625 if all qualified operators are temporarily not accessible.

**§62.14605 How do I obtain my operator qualification?**

(a) You must obtain operator qualification by completing a training course that satisfies the criteria under §62.14595(b) or (c).

(b) Qualification is valid from the date on which the training course is completed and the operator successfully passes the examination required under §62.14595(c)(2).

**§62.14610 How do I maintain my operator qualification?**

To maintain qualification, you must complete an annual review or refresher course of at least 4 hours covering, at a minimum, the five topics described in

paragraphs (a) through (e) of this section.

(a) Update of regulations.

(b) Incinerator operation, including startup and shutdown procedures, waste charging, and ash handling.

(c) Inspection and maintenance.

(d) Responses to malfunctions or conditions that may lead to malfunction.

(e) Discussion of operating problems encountered by attendees.

### § 62.14615 How do I renew my lapsed operator qualification?

You must renew a lapsed operator qualification by one of the two methods specified in paragraphs (a) and (b) of this section.

(a) For a lapse of less than 3 years, you must complete a standard annual refresher course described in § 62.14610.

(b) For a lapse of 3 years or more, you must repeat the initial qualification requirements in § 62.14605(a).

### § 62.14620 What site-specific documentation is required?

(a) Documentation must be available at the facility and readily accessible for all CISWI unit operators that addresses the ten topics described in paragraphs (a)(1) through (10) of this section. You must maintain this information and the training records required by paragraph (c) of this section in a manner that they can be readily accessed and are suitable for inspection upon request.

(1) Summary of the applicable standards under this subpart.

(2) Procedures for receiving, handling, and charging waste.

(3) Incinerator startup, shutdown, and malfunction procedures.

(4) Procedures for maintaining proper combustion air supply levels.

(5) Procedures for operating the incinerator and associated air pollution control systems within the standards established under this subpart.

(6) Monitoring procedures for demonstrating compliance with the incinerator operating limits.

(7) Reporting and recordkeeping procedures.

(8) The waste management plan required under §§ 62.14580 through 62.14590.

(9) Procedures for handling ash.

(10) A list of the wastes burned during the performance test.

(b) You must establish a program for reviewing the information listed in paragraph (a) of this section with each employee who operates your incinerator.

(1) The initial review of the information listed in paragraph (a) of this section must be conducted by the later of the two dates specified in paragraphs (b)(1)(i) through (ii) of this section.

(i) October 4, 2004.

(ii) Two months after being assigned to operate the CISWI unit.

(2) Subsequent annual reviews of the information listed in paragraph (a) of this section must be conducted no later than 12 months following the previous review.

(c) You must also maintain the information specified in paragraphs (c)(1) through (3) of this section.

(1) Records showing the names of all plant personnel who operate your CISWI unit who have completed review of the information in § 62.14620(a) as required by § 62.14620(b), including the date of the initial review and all subsequent annual reviews.

(2) Records showing the names of all plant personnel who operate your CISWI unit who have completed the operator training requirements under § 62.14595, met the criteria for qualification under § 62.14605, and maintained or renewed their qualification under § 62.14610 or § 62.14615. Records must include documentation of training, the dates of the initial refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(3) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

### § 62.14625 What if all the qualified operators are temporarily not accessible?

If all qualified operators are temporarily not accessible (*i.e.*, not at the facility and not able to be at the facility within 1 hour), you must meet one of the two criteria specified in paragraphs (a) and (b) of this section, depending on the length of time that a qualified operator is not accessible.

(a) When all qualified operators are not accessible for more than 8 hours, but less than 2 weeks, the CISWI unit may be operated by other plant personnel familiar with the operation of the CISWI unit who have completed a review of the information specified in § 62.14620(a) within the past 12 months. However, you must record the period when all qualified operators were not accessible and include this deviation in the annual report as specified under § 62.14730.

(b) When all qualified operators are not accessible for 2 weeks or more, you must take the two actions that are described in paragraphs (b)(1) and (2) of this section.

(1) Notify the Administrator of this deviation in writing within 10 days. In the notice, state what caused this deviation, what you are doing to ensure that a qualified operator is accessible, and when you anticipate that a qualified operator will be accessible.

(2) Submit a status report to the Administrator every 4 weeks outlining what you are doing to ensure that a qualified operator is accessible, stating when you anticipate that a qualified operator will be accessible and requesting approval from the Administrator to continue operation of the CISWI unit. You must submit the first status report 4 weeks after you notify the Administrator of the deviation under paragraph (b)(1) of this section. If the Administrator notifies you that your request to continue operation of the CISWI unit is disapproved, the CISWI unit may continue operation for 90 days, then must cease operation. Operation of the unit may resume if you meet the two requirements in paragraphs (b)(2)(i) and (ii) of this section.

(i) A qualified operator is accessible as required under § 62.14595(a).

(ii) You notify the Administrator that a qualified operator is accessible and that you are resuming operation.

EMISSION LIMITATIONS AND OPERATING LIMITS

### § 62.14630 What emission limitations must I meet and by when?

You must meet the emission limitations specified in table 1 of this subpart by the applicable final compliance date for your CISWI unit.

### § 62.14635 What operating limits must I meet and by when?

(a) If you use a wet scrubber to comply with the emission limitations, you must establish operating limits for four operating parameters (as specified in table 2 of this subpart) as described in paragraphs (a)(1) through (4) of this section during the initial performance test.

(1) Maximum charge rate, calculated using one of the two different procedures in paragraph (a)(1)(i) or (ii) of this section, as appropriate.

(i) For continuous and intermittent units, maximum charge rate is 110 percent of the average charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(ii) For batch units, maximum charge rate is 110 percent of the daily charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(2) Minimum pressure drop across the wet scrubber, which is calculated as 90 percent of the average pressure drop across the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations; or minimum amperage to the wet scrubber, which is calculated as 90 percent of the average amperage to the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations.

(3) Minimum scrubber liquor flow rate, which is calculated as 90 percent of the average liquor flow rate at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(4) Minimum scrubber liquor pH, which is calculated as 90 percent of the average liquor pH at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with the hydrogen chloride emission limitation.

(b) You must meet the operating limits established during the initial performance test on the date the initial performance test is required or completed (whichever is earlier).

(c) If you use a fabric filter to comply with the emission limitations, you must operate each fabric filter system such that the bag leak detection system alarm does not sound more than 5 percent of the operating time during any 6-month period. In calculating this operating time percentage, if inspection of the fabric filter demonstrates that no corrective action is required, no alarm time is counted. If corrective action is required, each alarm shall be counted as a minimum of 1 hour. If you take longer than 1 hour to initiate corrective action, the alarm time shall be counted as the actual amount of time taken by you to initiate corrective action.

### § 62.14640 What if I do not use a wet scrubber to comply with the emission limitations?

If you use an air pollution control device other than a wet scrubber, or limit emissions in some other manner, to comply with the emission limitations under § 62.14630, you must petition the Administrator for specific operating limits to be established during the initial performance test and continuously monitored thereafter. You must not conduct the initial performance test until after the petition has been approved by the Administrator. Your petition must include the five items listed in paragraphs (a) through (e) of this section.

(a) Identification of the specific parameters you propose to use as additional operating limits.

(b) A discussion of the relationship between these parameters and emissions of regulated pollutants, identifying how emissions of regulated pollutants change with changes in these parameters, and how limits on these parameters will serve to limit emissions of regulated pollutants.

(c) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the operating limits on these parameters.

(d) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments.

(e) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

### § 62.14645 What happens during periods of startup, shutdown, and malfunction?

(a) The emission limitations and operating limits apply at all times except during periods of CISWI unit startup, shutdown, or malfunction as defined in § 62.14840.

(b) Each malfunction must last no longer than 3 hours.

## PERFORMANCE TESTING

### § 62.14650 How do I conduct the initial and annual performance test?

(a) All performance tests must consist of a minimum of three test runs conducted under conditions representative of normal operations.

(b) You must document that the waste burned during the performance test is representative of the waste burned under normal operating conditions by maintaining a log of the quantity of waste burned (as required in § 62.14700(b)(1)) and the types of waste burned during the performance test.

(c) All performance tests must be conducted using the minimum run duration specified in Table 1 of this subpart.

(d) Method 1 of 40 CFR part 60, Appendix A must be used to select the sampling location and number of traverse points.

(e) Method 3A or 3B of 40 CFR part 60, Appendix A must be used for gas composition analysis, including measurement of oxygen concentration. Method 3A or 3B of 40 CFR part 60, Appendix A must be used simultaneously with each method.

(f) All pollutant concentrations, except for opacity, must be adjusted to 7 percent oxygen using Equation 1 of this section:

$$C_{adj} = C_{meas} (20.9 - 7)/(20.9 - \%O_2) \quad \text{(Eq. 1)}$$

Where:

$C_{adj}$ = pollutant concentration adjusted to 7 percent oxygen;

$C_{meas}$ = pollutant concentration measured on a dry basis;

(20.9 − 7) = 20.9 percent oxygen − 7 percent oxygen (defined oxygen correction basis);

20.9 = oxygen concentration in air, percent; and

$\%O_2$ = oxygen concentration measured on a dry basis, percent.

(g) You must determine dioxins/furans toxic equivalency by following the procedures in paragraphs (g)(1) through (3) of this section.

(1) Measure the concentration of each dioxin/furan tetra- through octa-congener emitted using EPA Method 23.

(2) For each dioxin/furan congener measured in accordance with paragraph (g)(1) of this section, multiply the congener concentration by its corresponding toxic equivalency factor specified in Table 3 of this subpart.

(3) Sum the products calculated in accordance with paragraph (g)(2) of this section to obtain the total concentration of dioxins/furans emitted in terms of toxic equivalency.

### § 62.14655 How are the performance test data used?

You use results of performance tests to demonstrate compliance with the emission limitations in Table 1 of this subpart.

INITIAL COMPLIANCE REQUIREMENTS

### § 62.14660 How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

You must conduct an initial performance test, as required under 40 CFR 60.8, to determine compliance with the emission limitations in Table 1 of this subpart and to establish operating limits using the procedure in § 62.14635 or § 62.14640. The initial performance test must be conducted using the test methods listed in table 1 of this subpart and the procedures in § 62.14650.

### § 62.14665 By what date must I conduct the initial performance test?

The initial performance test must be conducted no later than 90 days after your final compliance date.

CONTINUOUS COMPLIANCE REQUIREMENTS

### § 62.14670 How do I demonstrate continuous compliance with the emission limitations and the operating limits?

(a) You must conduct an annual performance test for particulate matter, hydrogen chloride, and opacity for each CISWI unit as required under 40 CFR 60.8 to determine compliance with the emission limitations. The annual performance test must be conducted using the test methods listed in table 1 of this subpart and the procedures in § 62.14650.

(b) You must continuously monitor the operating parameters specified in § 62.14635 or established under § 62.14640. Operation above the established maximum or below the established minimum operating limits constitutes a deviation from the established operating limits. Three-hour rolling average values are used to determine compliance (except for baghouse leak detection system alarms) unless a different averaging period is established under § 62.14640. Operating limits do not apply during performance tests.

(c) You must only burn the same types of waste used to establish operating limits during the performance test.

### § 62.14675 By what date must I conduct the annual performance test?

You must conduct annual performance tests for particulate matter, hydrogen chloride, and opacity within 12 months following the initial performance test. Conduct subsequent annual performance tests within 12 months following the previous one.

### § 62.14680 May I conduct performance testing less often?

(a) You can test less often for a given pollutant if you have test data for at least 3 years, and all performance tests for the pollutant (particulate matter, hydrogen chloride, or opacity) over 3 consecutive years show that you comply with the emission limitation. In this case, you do not have to conduct a performance test for that pollutant for the next 2 years. You must conduct a performance test during the third year

and no later than 36 months following the previous performance test.

(b) If your CISWI unit continues to meet the emission limitation for particulate matter, hydrogen chloride, or opacity, you may choose to conduct performance tests for these pollutants every third year, but each test must be within 36 months of the previous performance test.

(c) If a performance test shows a deviation from an emission limitation for particulate matter, hydrogen chloride, or opacity, you must conduct annual performance tests for that pollutant until all performance tests over a 3-year period show compliance.

### § 62.14685 May I conduct a repeat performance test to establish new operating limits?

(a) Yes. You may conduct a repeat performance test at any time to establish new values for the operating limits. The Administrator may request a repeat performance test at any time.

(b) You must repeat the performance test if your feed stream is different than the feed streams used during any performance test used to demonstrate compliance.

MONITORING

### § 62.14690 What monitoring equipment must I install and what parameters must I monitor?

(a) If you are using a wet scrubber to comply with the emission limitation under § 62.14630, you must install, calibrate (to manufacturers' specifications), maintain, and operate devices (or establish methods) for monitoring the value of the operating parameters used to determine compliance with the operating limits listed in table 2 of this subpart. These devices (or methods) must measure and record the values for these operating parameters at the frequencies indicated in table 2 of this subpart at all times except as specified in § 62.14695(a).

(b) If you use a fabric filter to comply with the requirements of this subpart, you must install, calibrate, maintain, and continuously operate a bag leak detection system as specified in paragraphs (b)(1) through (8) of this section.

(1) You must install and operate a bag leak detection system for each exhaust stack of the fabric filter.

(2) Each bag leak detection system must be installed, operated, calibrated, and maintained in a manner consistent with the manufacturer's written specifications and recommendations.

(3) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter emissions at concentrations of 10 milligrams per actual cubic meter or less.

(4) The bag leak detection system sensor must provide output of relative or absolute particulate matter loadings.

(5) The bag leak detection system must be equipped with a device to continuously record the output signal from the sensor.

(6) The bag leak detection system must be equipped with an alarm system that will sound automatically when an increase in relative particulate matter emissions over a preset level is detected. The alarm must be located where it is easily heard by plant operating personnel.

(7) For positive pressure fabric filter systems, a bag leak detection system must be installed in each baghouse compartment or cell. For negative pressure or induced air fabric filters, the bag leak detector must be installed downstream of the fabric filter.

(8) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

(c) If you are using an emission control system other than a wet scrubber to comply with the emission limitations under § 62.14630, you must install, calibrate (to the manufacturers' specifications), maintain, and operate the equipment necessary to monitor compliance with the site-specific operating limits established using the procedures in § 62.14640.

### § 62.14695 Is there a minimum amount of monitoring data I must obtain?

(a) Except for monitoring malfunctions, associated repairs, and required quality assurance or quality control activities (including, as applicable, calibration checks and required zero

and span adjustments of the monitoring system), you must conduct all monitoring at all times the CISWI unit is operating.

(b) Do not use data recorded during monitor malfunctions, associated repairs, and required quality assurance or quality control activities for meeting the requirements of this subpart, including data averages and calculations. You must use all the data collected during all other periods in assessing compliance with the operating limits.

RECORDKEEPING AND REPORTING

### § 62.14700 What records must I keep?

You must maintain the 13 items (as applicable) as specified in paragraphs (a) through (m) of this section for a period of at least 5 years:

(a) Calendar date of each record.

(b) Records of the data described in paragraphs (b)(1) through (6) of this section:

(1) The CISWI unit charge dates, times, weights, and hourly charge rates.

(2) Liquor flow rate to the wet scrubber inlet every 15 minutes of operation, as applicable.

(3) Pressure drop across the wet scrubber system every 15 minutes of operation or amperage to the wet scrubber every 15 minutes of operation, as applicable.

(4) Liquor pH as introduced to the wet scrubber every 15 minutes of operation, as applicable.

(5) For affected CISWI units that establish operating limits for controls other than wet scrubbers under § 62.14640, you must maintain data collected for all operating parameters used to determine compliance with the operating limits.

(6) If a fabric filter is used to comply with the emission limitations, you must record the date, time, and duration of each alarm and the time corrective action was initiated and completed, and a brief description of the cause of the alarm and the corrective action taken. You must also record the percent of operating time during each 6-month period that the alarm sounds, calculated as specified in § 62.14635(c).

(c) Identification of calendar dates and times for which monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control (except for downtime associated with zero and span and other routine calibration checks). Identify the operating parameters not measured, the duration, reasons for not obtaining the data, and a description of corrective actions taken.

(d) Identification of calendar dates, times, and durations of malfunctions, and a description of the malfunction and the corrective action taken.

(e) Identification of calendar dates and times for which data show a deviation from the operating limits in table 2 of this subpart or a deviation from other operating limits established under § 62.14640 with a description of the deviations, reasons for such deviations, and a description of corrective actions taken.

(f) The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable. Retain a copy of the complete test report including calculations.

(g) Records showing the names of CISWI unit operators who have completed review of the information in § 62.14620(a) as required by § 62.14620(b), including the date of the initial review and all subsequent annual reviews.

(h) Records showing the names of the CISWI operators who have completed the operator training requirements under § 62.14595, met the criteria for qualification under § 62.14605, and maintained or renewed their qualification under § 62.14610 or § 62.14615. Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(i) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

(j) Records of calibration of any monitoring devices as required under § 62.14690.

(k) Equipment vendor specifications and related operation and maintenance

requirements for the incinerator, emission controls, and monitoring equipment.

(l) The information listed in § 62.14620(a).

(m) On a daily basis, keep a log of the quantity of waste burned and the types of waste burned (always required).

### § 62.14705 Where and in what format must I keep my records?

All records must be available onsite in either paper copy or computer-readable format that can be printed upon request, unless an alternative format is approved by the Administrator.

### § 62.14710 What reports must I submit?

See table 4 of this subpart for a summary of the reporting requirements.

### § 62.14715 When must I submit my waste management plan?

You must submit the waste management plan no later than April 5, 2004.

### § 62.14720 What information must I submit following my initial performance test?

You must submit the information specified in paragraphs (a) through (c) of this section no later than 60 days following the initial performance test. All reports must be signed by the facilities manager.

(a) The complete test report for the initial performance test results obtained under § 62.14660, as applicable.

(b) The values for the site-specific operating limits established in § 62.14635 or § 62.14640.

(c) If you are using a fabric filter to comply with the emission limitations, documentation that a bag leak detection system has been installed and is being operated, calibrated, and maintained as required by § 62.14690(b).

### § 62.14725 When must I submit my annual report?

You must submit an annual report no later than 12 months following the submission of the information in § 62.14720. You must submit subsequent reports no more than 12 months following the previous report. As with all other requirements in this subpart, the requirement to submit an annual report does not modify or replace the operating permit requirements of 40 CFR parts 70 and 71.

### § 62.14730 What information must I include in my annual report?

The annual report required under § 62.14725 must include the ten items listed in paragraphs (a) through (j) of this section. If you have a deviation from the operating limits or the emission limitations, you must also submit deviation reports as specified in §§ 62.14735, 62.14740, and 62.14745.

(a) Company name and address.

(b) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

(c) Date of report and beginning and ending dates of the reporting period.

(d) The values for the operating limits established pursuant to § 62.14635 or § 62.14640.

(e) If no deviation from any emission limitation or operating limit that applies to you has been reported, a statement that there was no deviation from the emission limitations or operating limits during the reporting period, and that no monitoring system used to determine compliance with the operating limits was inoperative, inactive, malfunctioning or out of control.

(f) The highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported.

(g) Information recorded under § 62.14700(b)(6) and (c) through (e) for the calendar year being reported.

(h) If a performance test was conducted during the reporting period, the results of that test.

(i) If you met the requirements of § 62.14680(a) or (b), and did not conduct a performance test during the reporting period, you must state that you met the requirements of § 62.14680(a) or (b), and, therefore, you were not required to conduct a performance test during the reporting period.

(j) Documentation of periods when all qualified CISWI unit operators were unavailable for more than 8 hours, but less than 2 weeks.

### §62.14735 What else must I report if I have a deviation from the operating limits or the emission limitations?

(a) You must submit a deviation report if any recorded 3-hour average parameter level is above the maximum operating limit or below the minimum operating limit established under this subpart, if the bag leak detection system alarm sounds for more than 5 percent of the operating time for any 6-month reporting period, or if a performance test was conducted that yielded results that deviated from any emission limitation.

(b) The deviation report must be submitted by August 1 of that year for data collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data you collected during the second half of the calendar year (July 1 to December 31).

### §62.14740 What must I include in the deviation report?

In each report required under §62.14735, for any pollutant or parameter that deviated from the emission limitations or operating limits specified in this subpart, include the six items described in paragraphs (a) through (f) of this section.

(a) The calendar dates and times your unit deviated from the emission limitations or operating limit requirements.

(b) The averaged and recorded data for those dates.

(c) Duration and causes of each deviation from the emission limitations or operating limits and your corrective actions.

(d) A copy of the operating limit monitoring data during each deviation and any test report that documents the emission levels.

(e) The dates, times, number, duration, and causes for monitoring downtime incidents (other than downtime associated with zero, span, and other routine calibration checks).

(f) Whether each deviation occurred during a period of startup, shutdown, or malfunction, or during another period.

### §62.14745 What else must I report if I have a deviation from the requirement to have a qualified operator accessible?

(a) If all qualified operators are not accessible for two weeks or more, you must take the two actions in paragraphs (a)(1) and (2) of this section.

(1) Within 10 days of each deviation, you must submit a notification that includes the three items in paragraphs (a)(1)(i) through (iii) of this section.

(i) A statement of what caused the deviation.

(ii) A description of what you are doing to ensure that a qualified operator is accessible.

(iii) The date when you anticipate that a qualified operator will be available.

(2) Submit a status report to the Administrator every 4 weeks that includes the three items in paragraphs (a)(2)(i) through (iii) of this section.

(i) A description of what you are doing to ensure that a qualified operator is accessible.

(ii) The date when you anticipate that a qualified operator will be accessible.

(iii) Request approval from the Administrator to continue operation of the CISWI unit.

(b) If your unit was shut down by the Administrator, under the provisions of §62.14625(b)(2), due to a failure to provide an accessible qualified operator, you must notify the Administrator that you are resuming operation once a qualified operator is accessible.

### §62.14750 Are there any other notifications or reports that I must submit?

You must submit notifications as provided by 40 CFR 60.7.

### §62.14755 In what form can I submit my reports?

Submit initial, annual, and deviation reports electronically or in paper format, postmarked on or before the submittal due dates.

### §62.14760 Can reporting dates be changed?

If the Administrator agrees, you may change the semiannual or annual reporting dates. See 40 CFR 60.19(c) for

procedures to seek approval to change your reporting date.

AIR CURTAIN INCINERATORS THAT BURN 100 PERCENT WOOD WASTES, CLEAN LUMBER AND/OR YARD WASTE

### § 62.14765 What is an air curtain incinerator?

An air curtain incinerator operates by forcefully projecting a curtain of air across an open chamber or open pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor. (Air curtain incinerators are different from conventional combustion devices which typically have enclosed fireboxes and controlled air technology such as mass burn, modular, and fluidized bed combustors.)

### § 62.14770 When must I achieve final compliance?

If you plan to continue operating, then you must achieve final compliance by October October 4, 2004. It is unlawful for your air curtain incinerator to operate after October 4, 2004 if you have not achieved final compliance. An air curtain incinerator that continues to operate after October 4, 2004 without being in compliance is subject to penalties.

### § 62.14795 How do I achieve final compliance?

For the final compliance, you must complete all equipment changes and retrofit installation control devices so that, when the affected air curtain incinerator is placed into service, all necessary equipment and air pollution control devices operate as designed and meet the opacity limits of § 62.14815.

### § 62.14805 What must I do if I close my air curtain incinerator and then restart it?

(a) If you close your incinerator but will reopen it prior to the final compliance date in this subpart, you must achieve final compliance by October 4, 2004.

(b) If you close your incinerator but will restart it after October 4, 2004, you must have completed any needed emission control retrofits and meet the opacity limits of § 62.14815 on the date your incinerator restarts operation.

(c) You are subject to the operating permit requirements of title V of the CAA and 40 CFR part 70 or 71 until you close your air curtain incinerator and at the time you restart it.

### § 62.14810 What must I do if I plan to permanently close my air curtain incinerator and not restart it?

If you plan to permanently close your incinerator rather than comply with this subpart, you must submit a closure notification, including the date of closure, to the Administrator by March 31, 2004. In addition, while still in operation, your air curtain incinerator is subject to the same requirement to apply for and obtain a title V operating permit that applies to an air curtain incinerator that will not be permanently closing.

### § 62.14815 What are the emission limitations for air curtain incinerators that burn 100 percent wood wastes, clean lumber and/or yard waste?

(a) After the date the initial test for opacity is required or completed (whichever is earlier), you must meet the limitations in paragraphs (a)(1) and (2) of this section.

(1) The opacity limitation is 10 percent (6-minute average), except as described in paragraph (a)(2) of this section.

(2) The opacity limitation is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

(b) Except during malfunctions, the requirements of this subpart apply at all times, and each malfunction must not exceed 3 hours.

### § 62.14820 How must I monitor opacity for air curtain incinerators that burn 100 percent wood wastes, clean lumber, and/or yard waste?

(a) Use Method 9 of 40 CFR part 60, Appendix A to determine compliance with the opacity limitation.

(b) Conduct an initial test for opacity as specified in § 60.8 no later than January 2, 2005.

(c) After the initial test for opacity, conduct annual tests no more than 12 calendar months following the date of your previous test.

### § 62.14825 What are the recordkeeping and reporting requirements for air curtain incinerators that burn 100 percent wood wastes, clean lumber, and/or yard waste?

(a) Keep records of results of all initial and annual opacity tests onsite in either paper copy or electronic format, unless the Administrator approves another format, for at least 5 years.

(b) Make all records available for submittal to the Administrator or for an inspector's onsite review.

(c) Submit an initial report no later than 60 days following the initial opacity test that includes the information specified in paragraphs (c)(1) and (2) of this section.

(1) The types of materials you plan to combust in your air curtain incinerator.

(2) The results (each 6-minute average) of the initial opacity tests.

(d) Submit annual opacity test results within 12 months following the previous report.

(e) Submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date and keep a copy onsite for a period of five years.

## TITLE V REQUIREMENTS

### § 62.14830 Does this subpart require me to obtain an operating permit under title V of the Clean Air Act?

If you are subject to this subpart, you are required to apply for and obtain a title V operating permit unless you meet the relevant requirements specified in 40 CFR 62.14525(a) through (h) and (j) through (o) and all of the requirements specified in 40 CFR 62.14531.

### § 62.14835 When must I submit a title V permit application for my existing CISWI unit?

(a) If your existing CISWI unit is not subject to an earlier permit application deadline, a complete title V permit application must be submitted not later than the date 36 months after promulgation of 40 CFR Part 60, subpart DDDD (December 1, 2003), or by the effective date of the applicable State, Tribal, or Federal operating permits program, whichever is later. For any existing CISWI unit not subject to an earlier application deadline, this final application deadline applies regardless of when this Federal plan is effective, or when the relevant State or Tribal section 111(d)/129 plan is approved by the EPA and becomes effective. See sections 129(e), 503(c), 503(d), and 502(a) of the Clean Air Act.

(b) A ''complete'' title V permit application is one that has been determined or deemed complete by the relevant permitting authority under section 503(d) of the Clean Air Act and 40 CFR 70.5(a)(2) or 71.5(a)(2). You must submit a complete permit application by the relevant application deadline in order to operate after this date in compliance with Federal law. See sections 503(d) and 502(a) of the Clean Air Act; 40 CFR 70.7(b) and 71.7(b).

## DELEGATION OF AUTHORITY

### § 62.14838 What authorities are withheld by the EPA Administrator?

The following authorities are withheld by the EPA Administrator and not transferred to the State or Tribe:

(a) Approval of alternatives to the emission limitations in table 1 of this subpart and operating limits established under § 62.14635 and table 2 of this subpart.

(b) Approval of petitions submitted pursuant to the requirements of § 62.14640 establishing operating parameters when using controls other than a dry scrubber followed by a fabric filter, a wet scrubber, or a dry scrubber followed by a fabric filter and a wet scrubber.

(c) Approval of major alternatives to test methods established under § 62.14650 and table 1 of this subpart.

(d) Approval of major alternatives to monitoring requirements established under § 62.14690, § 62.14605 and table 2 of this subpart.

(e) Approval of major alternatives to recordkeeping and reporting requirements of this subpart.

(f) Approval of petitions submitted pursuant to the requirements of § 62.14530 establishing requirements for petitions and approvals of exemptions for chemical recovery units included in § 62.14525(n).

(g) Approval of requests submitted pursuant to the requirements in § 62.14625(b)(2).

DEFINITIONS

### § 62.14840 What definitions must I know?

Terms used but not defined in this subpart are defined in the Clean Air Act, subparts A and B of part 60 and subpart A of this part 62.

*Administrator* means the Administrator of the U.S. Environmental Protection Agency or his/her authorized representative or Administrator of a State Air Pollution Control Agency.

*Agricultural waste* means vegetative agricultural materials such as nut and grain hulls and chaff (*e.g.*, almond, walnut, peanut, rice, and wheat), bagasse, orchard prunings, corn stalks, coffee bean hulls and grounds, and other vegetative waste materials generated as a result of agricultural operations.

*Air curtain incinerator* means an incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor. (Air curtain incinerators are different from conventional combustion devices which typically have enclosed fireboxes and controlled air technology such as mass burn, modular, and fluidized bed combustors.)

*Auxiliary fuel* means natural gas, liquified petroleum gas, fuel oil, or diesel fuel.

*Bag leak detection system* means an instrument that is capable of monitoring particulate matter loadings in the exhaust of a fabric filter (*i.e.*, baghouse) in order to detect bag failures. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, light scattering, light transmittance, or other principle to monitor relative particulate matter loadings.

*Calendar quarter* means 3 consecutive months (non-overlapping) beginning on: January 1, April 1, July 1, or October 1.

*Calendar year* means 365 consecutive days starting on January 1 and ending on December 31.

*Chemotherapeutic waste* means waste material resulting from the production or use of antineoplastic agents used for the purpose of stopping or reversing the growth of malignant cells.

*Clean lumber* means wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote.

*Commercial and industrial solid waste incineration (CISWI) unit* means any combustion device that combusts commercial and industrial waste, as defined in this subpart. The boundaries of a CISWI unit are defined as, but not limited to, the commercial or industrial solid waste fuel feed system, grate system, flue gas system, and bottom ash. The CISWI unit does not include air pollution control equipment or the stack. The CISWI unit boundary starts at the commercial and industrial solid waste hopper (if applicable) and extends through two areas:

(1) The combustion unit flue gas system, which ends immediately after the last combustion chamber.

(2) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. It includes all ash handling systems connected to the bottom ash handling system.

*Commercial and industrial waste*, for the purposes of this subpart, means solid waste combusted in an enclosed device using controlled flame combustion without energy recovery that is a distinct operating unit of any commercial or industrial facility (including field-erected, modular, and custom built incineration units operating with starved or excess air), or solid waste combusted in an air curtain incinerator without energy recovery that is a distinct operating unit of any commercial or industrial facility.

*Contained gaseous material* means gases that are in a container when that container is combusted.

*Cyclonic barrel burner* means a combustion device for waste materials that is attached to a 55 gallon, open-head drum. The device consists of a lid, which fits onto and encloses the drum, and a blower that forces combustion

air into the drum in a cyclonic manner to enhance the mixing of waste material and air.

*Deviation* means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation, operating limit, or operator qualification and accessibility requirements;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or

(3) Fails to meet any emission limitation, operating limit, or operator qualification and accessibility requirement in this subpart during startup, shutdown, or malfunction, regardless or whether or not such failure is permitted by this subpart.

*Dioxins/furans* means tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans.

*Discard* means, for purposes of this subpart and 40 CFR part 60, subpart DDDD, only, burned in an incineration unit without energy recovery.

*Drum reclamation unit* means a unit that burns residues out of drums (*e.g.*, 55 gallon drums) so that the drums can be reused.

*Energy recovery* means the process of recovering thermal energy from combustion for useful purposes such as steam generation or process heating.

*Fabric filter* means an add-on air pollution control device used to capture particulate matter by filtering gas streams through filter media, also known as a baghouse.

*Low-level radioactive waste* means waste material which contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable Federal or State standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or byproduct material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2014(e)(2)).

*Malfunction* means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused, in part, by poor maintenance or careless operation are not malfunctions.

*Modification* or *modified CISWI unit* means a CISWI unit you have changed later than promulgation of the final CISWI emission guidelines in 40 CFR part 60, subpart DDDD and that meets one of two criteria:

(1) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the CISWI unit (not including the cost of land) updated to current costs (current dollars). To determine what systems are within the boundary of the CISWI unit used to calculate these costs, see the definition of CISWI unit.

(2) Any physical change in the CISWI unit or change in the method of operating it that increases the amount of any air pollutant emitted for which section 129 or section 111 of the Clean Air Act has established standards.

*Particulate matter* means total particulate matter emitted from CISWI units as measured by Method 5 or Method 29 of 40 CFR part 60, Appendix A.

Parts reclamation unit means a unit that burns coatings off parts (*e.g.*, tools, equipment) so that the parts can be reconditioned and reused.

*Pathological waste* means waste material consisting of only human or animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable).

*Rack reclamation unit* means a unit that burns the coatings off racks used to hold small items for application of a coating. The unit burns the coating overspray off the rack so the rack can be reused.

*Reconstruction* means rebuilding a CISWI unit and meeting two criteria:

(1) The reconstruction begins on or after promulgation of the final CISWI emission guidelines in 40 CFR part 60, subpart DDDD.

(2) The cumulative cost of the construction over the life of the incineration unit exceeds 50 percent of the

original cost of building and installing the CISWI unit (not including land) updated to current costs (current dollars). To determine what systems are within the boundary of the CISWI unit used to calculate these costs, see the definition of CISWI unit.

*Refuse-derived fuel* means a type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. This includes all classes of refuse-derived fuel including two fuels:

(1) Low-density fluff refuse-derived fuel through densified refuse-derived fuel.

(2) Pelletized refuse-derived fuel.

*Shutdown* means the period of time after all waste has been combusted in the primary chamber.

*Solid waste* means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended (86 Stat. 880), or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 923). For purposes of this subpart and 40 CFR part 60, subpart DDDD, only, solid waste does not include the waste burned in the fifteen types of units described in 40 CFR 60.2555 of subpart DDDD and § 62.14525 of this subpart.

*Standard conditions*, when referring to units of measure, means a temperature of 68 °F (20 °C) and a pressure of 1 atmosphere (101.3 kilopascals).

*Startup period* means the period of time between the Activation of the system and the first charge to the unit.

*Tribal plan* means a plan submitted by a Tribal Authority pursuant to 40 CFR parts 9, 35, 49, 50, and 81 that implements and enforces 40 CFR part 60, subpart DDDD.

*Wet scrubber* means an add-on air pollution control device that utilizes an aqueous or alkaline scrubbing liquor to collect particulate matter (including non-vaporous metals and condensed organics) and/or to absorb and neutralize acid gases.

*Wood waste* means untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include:

(1) Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.

(2) Construction, renovation, or demolition wastes.

(3) Clean lumber.

*Yard waste* means grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.

TABLE 1 TO SUBPART III OF PART 62—EMISSION LIMITATIONS

| For the air pollutant | You must meet this emission limitation [a] | Using this averaging time | And determining compliance using this method |
|---|---|---|---|
| Cadmium | 0.004 milligrams per dry standard cubic meter. | 3-run average (1 hour minimum sample time per run). | Performance test (Method 29 of appendix A of part 60). |
| Carbon monoxide | 157 parts per million by dry volume. | 3-run average (1 hour minimum sample time per run). | Performance test (Method 10, 10A, or 10B, of appendix A of part 60). |
| Dioxins/furans (toxic equivalency basis). | 0.41 nanograms per dry standard cubic meter. | 3-run average (4 hour minimum sample time per run). | Performance test (Method 23 of appendix A of part 60). |
| Hydrogen chloride | 62 parts per million by dry volume. | 3-run average (1 hour minimum sample time per run). | Performance test (Method 26A of appendix A of part 60). |

| For the air pollutant | You must meet this emission limitation [a] | Using this averaging time | And determining compliance using this method |
|---|---|---|---|
| Lead | 0.04 milligrams per dry standard cubic meter. | 3-run (1 hour minimum sample time per run). | Performance test (Method 29 of appendix A of part 60). |
| Mercury | 0.47 milligrams per dry standard cubic meter. | 3-run average (1 hour minimum sample time per run). | Performance test (Method 29 of appendix A of part 60). |
| Opacity | 10 percent | 6-minute averages | Performance test (Method 9 of appendix A of part 60). |
| Oxides of nitrogen | 388 parts per million by dry volume. | 3-run average (1 hour minimum sample time per run). | Performance test (Methods 7, 7A, 7C, 7D, or 7E of appendix A of part 60). |
| Particulate matter | 70 milligrams per dry standard cubic meter. | 3-run average (1 hour minimum sample time per run). | Performance test (Method 5 or 29 of appendix A of part 60). |
| Sulfur dioxide | 20 parts per million by dry volume. | 3-run average (1 hour minimum sample time per run). | Performance test (Method 6 or 6c of appendix A of part 60). |

[a] All emission limitations (except for opacity) are measured at 7 percent oxygen, dry basis at standard conditions.

TABLE 2 TO SUBPART III OF PART 62—OPERATING LIMITS FOR WET SCRUBBERS

| For these operating parameters | You must establish these operating limits | And monitor using these minimum frequencies | | |
|---|---|---|---|---|
| | | Data measurement | Data recording | Averaging time |
| Charge rate | Maximum charge rate | Continuous | Every hour | 1. Daily (batch units)<br>2. 3-hour rolling (continuous and intermittent units) [a] |
| Pressure drop across the wet scrubber or amperage to wet scrubber. | Minimum pressure drop or amperage. | Continuous | Every 15 minutes | 3-hour rolling [a] |
| Scrubber liquor flow rate. | Minimum flow rate | Continuous | Every 15 minutes | 3-hour rolling [a] |
| Scrubber liquor pH | Minimum pH | Continuous | Every 15 minutes | 3-hour rolling [a] |

[a] Calculated each hour as the average of the previous 3 operating hours.

TABLE 3 TO SUBPART III OF PART 62—TOXIC EQUIVALENCY FACTORS

| Dioxin/furan congener | Toxic equivalency factor |
|---|---|
| A. 2,3,7,8-tetrachlorinated dibenzo-p-dioxin | 1 |
| B. 12,3,7,8-pentachlorinated dibenzo-p-dioxin | 0.5 |
| C. 1,2,3,4,7,8-hexachlorinated dibenzo-p-dioxin | 0.1 |
| D. 1,2,3,7,8,9-hexachlorinated dibenzo-p-dioxin | 0.1 |
| E. 12,3,6,7,8-hexachlorinated dibenzo-p-dioxin | 0.1 |
| F. 1,2,3,4,6,7,8-heptachlorinated dibenzo-p-dioxin | 0.01 |
| G. 0ctachlorinated dibenzo-p-dioxin | 0.001 |
| H. 2,3,7,8-tetrachlorinated dibenzofuran | 0.1 |
| I. 2,3,4,7,8-pentachlorinated dibenzofuran | 0.5 |
| J. 1,2,3,7,8-pentachlorinated dibenzofuran | 0.05 |
| K. 1,2,3,4,7,8-hexachlorinated dibenzofuran | 0.1 |
| L. 1,2,3,6,7,8-hexachlorinated dibenzofuran | 0.1 |
| M. 1,2,3,7,8,9-hexachlorinated dibenzofuran | 0.1 |
| N. 2,3,4,6,7,8-hexachlorinated dibenzofuran | 0.1 |
| O. 1,2,3,4,6,7,8-heptachlorinated dibenzofuran | 0.01 |
| P. 1,2,3,4,7,8,9-heptachlorinated dibenzofuran | 0.01 |
| Q. 0ctachlorinated dibenzofuran | 0.001 |

TABLE 4 TO SUBPART III OF PART 62—SUMMARY OF REPORTING REQUIREMENTS [A]

| Report | Due date | Contents | Reference |
|---|---|---|---|
| A. Waste Management Plan. | No later than April 5, 2004. | Waste management plan | § 62.14715. |

| Report | Due date | Contents | Reference |
|---|---|---|---|
| B. Initial Test Report ..... | No later than 60 days following the initial performance test. | 1. Complete test report for the initial performance test.<br>2. The values for the site-specific operating limits.<br>3. Installation of bag leak detection systems for fabric filters. | § 62.14720. |
| C. Annual report ..... | No later than 12 months following the submission of the initial test report. Subsequent reports are to be submitted no more than 12 months following the previous report. | 1. Name and address .....<br>2. Statement and signature by responsible official.<br>3. Date of report.<br>4. Values for the operating limits.<br>5. If no deviations or malfunctions were reported, a statement that no deviations occurred during the reporting period.<br>6. Highest recorded 3-hour average and the lowest 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported<br>7. Information for deviations or malfunctions recorded under § 62.14700(b)(6) and (c) through (e).<br>8. If a performance test was conducted during the reporting period, the results of the test.<br>9. If a performance test was not conducted during the reporting period, a statement that the requirements of § 62.14680(a) or (b) were met.<br>10. Documentation of periods when all qualified CISWI unit operators were unavailable for more than 8 hours but less than 2 weeks. | §§ 62.14725 and 62.14730. Subsequent reports are to be submitted no more than 12 months following the previous report. |

| Report | Due date | Contents | Reference |
|---|---|---|---|
| D. Emission Limitation or Operating Limit Deviation Report. | By August 1 of that year for data collected during the first half of the calendar year.<br>By February 1 of the following year for data collected during the second half of the calendar year. | 1. Dates and times of deviations.<br>2. Averaged and recorded data for these dates.<br>3. Duration and causes for each deviation and the corrective actions taken.<br>4. Copy of operating limit monitoring data and any test reports.<br>5. Dates, times, and causes for monitor downtime incidents.<br>6. Whether each deviation occurred during a period of startup, shutdown, or malfunction. | §§ 62.14735 and 62.14740. |
| E. Qualified Operator Deviation Notification. | Within 10 days of deviation. | 1. Statement of cause of deviation..<br>2. Description of efforts to have an accessible qualified operator.<br>3. The date a qualified operator will be accessible. | § 62.14745(a)(1). |
| F. Qualified Operator Deviation Status Report. | Every 4 weeks following deviation.. | 1. Description of efforts to have an accessible qualified operator.<br>2. The date a qualified operator will be accessible.<br>3. Request for approval to continue operation. | § 62.14745(a)(2). |
| G. Qualified Operator Deviation Notification of Resumed Operation. | Prior to resuming operation. | Notification that you are resuming operation. | § 62.14745(b). |

[a] This table is only a summary, see the referenced sections of the rule for the complete requirements.

## Subpart JJJ—Federal Plan Requirements for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999

SOURCE: 68 FR 5158, Jan. 31, 2003, unless otherwise noted.

INTRODUCTION

### § 62.15000 What is the purpose of this subpart?

(a) This subpart establishes emission requirements and compliance schedules for the control of emissions from existing small municipal waste combustion units that are not covered by an EPA approved and effective State plan. The pollutants addressed by these emission requirements are listed in tables 2, 3, 4, and 5 of this subpart. These emission requirements are developed in accordance with sections 111(d) and 129 of the Clean Air Act and subpart B of 40 CFR part 60.

(b) In this subpart, ''you'' means the owner or operator of a small municipal waste combustion unit.

### § 62.15005 What are the principal components of this subpart?

This subpart contains five major components:

(a) Increments of progress toward compliance.

(b) Good combustion practices:

(1) Operator training.

(2) Operator certification.

(3) Operating requirements.
(c) Emission limits.
(d) Monitoring and stack testing.
(e) Recordkeeping and reporting.

APPLICABILITY OF THIS SUBPART

### § 62.15010 Is my municipal waste combustion unit covered by this subpart?

(a) This subpart applies to your small municipal waste combustion unit if the unit meets the criteria in paragraphs (a)(1) and (a)(2) and the criteria in either paragraph (a)(3) or (a)(4) of this section:

(1) Your municipal waste combustion unit has the capacity to combust at least 35 tons per day of municipal solid waste or refuse-derived fuel but no more than 250 tons per day of municipal solid waste or refuse-derived fuel.

(2) Your municipal waste combustion unit commenced construction on or before August 30, 1999.

(3) Your municipal waste combustion unit is not regulated by an EPA approved and effective State or Tribal plan.

(4) Your municipal waste combustion unit is located in any State whose approved State plan is subsequently vacated in whole or in part, or the municipal waste combustion unit is located in Indian country if the approved tribal plan for that area is subsequently vacated in whole or in part.

(b) If you make a change to your municipal waste combustion unit that meets the definition of modification or reconstruction after June 6, 2001, your municipal waste combustion unit becomes subject to subpart AAAA of 40 CFR part 60 (New Source Performance Standards for Small Municipal Waste Combustion Units) and this subpart no longer applies to your unit.

(c) If you make physical or operational changes to your existing municipal waste combustion unit primarily to comply with this subpart, then subpart AAAA of 40 CFR part 60 (New Source Performance Standards for Small Municipal Waste Combustion Units) does not apply to your unit. Such changes do not constitute modifications or reconstructions under subpart AAAA of 40 CFR part 60.

(d) Upon approval of the State or tribal plan, this subpart will no longer apply, except for the provisions of this subpart that may have been incorporated by reference under the State or Tribal plan, or delegated to the State by the Administrator.

### § 62.15015 Can my small municipal waste combustion unit be covered by both a State plan and this subpart?

(a) If your municipal waste combustion unit is located in a State that has a State plan that has not been approved by the EPA or has not become effective, then this subpart applies and the State plan would not apply to your municipal waste combustion unit. However, the State could enforce the requirements of a State regulation while your municipal waste combustion unit is still subject to this subpart.

(b) After the State plan is approved by the EPA and becomes effective, your municipal waste combustion unit is no longer subject to this subpart and will only be subject to the approved and effective State plan.

### § 62.15020 Can my small municipal waste combustion unit be exempt from this subpart?

(a) *Small municipal waste combustion units that combust less than 11 tons per day*. Your unit is exempt from this subpart if four requirements are met:

(1) Your municipal waste combustion unit is subject to a federally enforceable permit limiting municipal solid waste combustion to less than 11 tons per day.

(2) You notify the Administrator that the unit qualifies for this exemption.

(3) You submit to the Administrator a copy of the federally enforceable permit.

(4) You keep daily records of the amount of municipal solid waste combusted.

(b) *Small power production units*. Your unit is exempt from this subpart if four requirements are met:

(1) Your unit qualifies as a small power production facility under section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C)).

(2) Your unit combusts homogeneous waste (excluding refuse-derived fuel) to produce electricity.

(3) You notify the Administrator that the unit qualifies for this exemption.

(4) You submit to the Administrator documentation that the unit qualifies for this exemption.

(c) *Cogeneration units.* Your unit is exempt from this subpart if four requirements are met:

(1) Your unit qualifies as a cogeneration facility under section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B)).

(2) Your unit combusts homogeneous waste (excluding refuse-derived fuel) to produce electricity and steam or other forms of energy used for industrial, commercial, heating, or cooling purposes.

(3) You notify the Administrator that the unit qualifies for this exemption.

(4) You submit to the Administrator documentation that the unit qualifies for this exemption.

(d) *Municipal waste combustion units that combust only tires.* Your unit is exempt from this subpart if three requirements are met:

(1) Your municipal waste combustion unit combusts a single-item waste stream of tires and no other municipal waste (the unit can cofire coal, fuel oil, natural gas, or other nonmunicipal solid waste).

(2) You notify the Administrator that the unit qualifies for this exemption.

(3) You provide the Administrator documentation that the unit qualifies for this exemption.

(e) *Hazardous waste combustion units.* Your unit is exempt from this subpart if the unit has received a permit under section 3005 of the Solid Waste Disposal Act.

(f) *Materials recovery units.* Your unit is exempt from this subpart if the unit combusts waste mainly to recover metals. Primary and secondary smelters may qualify for this exemption.

(g) *Cofired units.* Your unit is exempt from this subpart if four requirements are met:

(1) Your unit has a federally enforceable permit limiting municipal solid waste combustion to 30 percent of the total fuel input by weight.

(2) You notify the Administrator that the unit qualifies for this exemption.

(3) You provide the Administrator with a copy of the federally enforceable permit.

(4) You record the weights, each quarter, of municipal solid waste and of all other fuels combusted.

(h) *Plastics/rubber recycling units.* Your unit is exempt from this subpart if four requirements are met:

(1) Your pyrolysis/combustion unit is an integrated part of a plastics/rubber recycling unit as defined under ''Definitions'' (§ 62.15410).

(2) You record the weight, each quarter, of plastics, rubber, and rubber tires processed.

(3) You record the weight, each quarter, of feed stocks produced and marketed from chemical plants and petroleum refineries.

(4) You keep the name and address of the purchaser of the feed stocks.

(i) *Units that combust fuels made from products of plastics/rubber recycling plants.* Your unit is exempt from this subpart if two requirements are met:

(1) Your unit combusts gasoline, diesel fuel, jet fuel, fuel oils, residual oil, refinery gas, petroleum coke, liquified petroleum gas, propane, or butane produced by chemical plants or petroleum refineries that use feed stocks produced by plastics/rubber recycling units.

(2) Your unit does not combust any other municipal solid waste.

(j) *Cement kilns.* Your unit is exempt from this subpart if your cement kiln combusts municipal solid waste.

(k) *Air curtain incinerators.* If your air curtain incinerator (see § 62.15410 for definition) combusts 100 percent yard waste, then you must meet only the requirements under ''Air Curtain Incinerators That Burn 100 Percent Yard Waste'' (§§ 62.15365 through 62.15385) and the title V operating permit requirements of this subpart. However, if your air curtain incinerator combusts municipal solid waste other than yard waste, it is subject to all provisions of this subpart.

### § 62.15025 How do I determine if my small municipal waste combustion unit is covered by an approved and effective State or Tribal Plan?

This part (40 CFR part 62) contains a list of all States and tribal areas with approved Clean Air Act section 111(d)

and section 129 plans in effect. However, this part is only updated once per year. Thus, if this part does not indicate that your State or tribal area has an approved and effective plan, you should contact your State environmental agency's air director or your EPA Regional Office to determine if approval has occurred since publication of the most recent version of this part.

### § 62.15030 What are my obligations under this subpart if I reduce my small municipal waste combustion unit's combustion capacity to less than 35 tons per day?

If you reduce your small municipal waste combustion unit's combustion capacity to less than 35 tons per day by the final compliance date, you must comply only with the following requirements:

(a) You must submit a final control plan according to the schedule in table 1 of this subpart and comply with § 62.15065(b).

(b) The final control plan must, at a minimum, include two items:

(1) A description of the physical changes that will be made to accomplish the reduction in combustion capacity. A permit restriction or a change in the method of operation does not qualify as a reduction in combustion capacity.

(2) Calculations of the current maximum combustion capacity and the planned maximum combustion capacity after the reduction. Use the equations specified under § 62.15390(d) and (e) to calculate the combustion capacity of a municipal waste combustion unit.

(c) You must complete the physical changes to accomplish the reduction in combustion capacity by the final compliance date specified in table 1 of this subpart.

(d) If you comply with all of the requirements specified in paragraphs (a), (b), and (c) of this section, you are no longer subject to this subpart.

(e) You must comply with the requirements specified in § 62.15395 and § 62.15400 regarding title V permitting. If you comply with all of the requirements specified in paragraphs (a), (b), and (c) of this section, you are no longer subject to title V permitting requirements as a result of this subpart. You will remain subject to title V permitting requirements, however, if you are subject as a result of one or more of the applicability criteria in 40 CFR 70.3(a) and (b) or 71.3(a) and (b).

### § 62.15035 Is my small municipal waste combustion unit subject to different requirements based on plant capacity?

This subpart specifies different requirements for two different subcategories of municipal waste combustion units. These two subcategories are based on aggregate capacity of the municipal waste combustion plant as defined in paragraphs (a) and (b) of this section.

(a) *Class I units.* These are small municipal waste combustion units that are located at municipal waste combustion plants with aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. (*See* the definition of municipal waste combustion plant capacity in § 62.15410 for specification of which units at a plant are included in the aggregate capacity calculation.)

(b) *Class II units.* These are small municipal waste combustion units that are located at municipal waste combustion plants with aggregate plant combustion capacity of no more than 250 tons per day of municipal solid waste. (See the definition of municipal waste combustion plant capacity in § 62.15410 for specification of which units at a plant are included in the aggregate capacity calculation.)

## COMPLIANCE SCHEDULE AND INCREMENTS OF PROGRESS

### § 62.15040 What are the requirements for meeting increments of progress and achieving final compliance?

(a) *Class I units.* If you plan to achieve compliance more than 1 year following the effective date of this subpart and a permit modification is not required, or more than 1 year following the date of issuance of a revised construction or operation permit if a permit modification is required, you must meet five increments of progress:

(1) Submit a final control plan.

(2) Submit a notification of retrofit contract award.

(3) Initiate onsite construction.
(4) Complete onsite construction.
(5) Achieve final compliance.

(b) *Class II units.* If you plan to achieve compliance more than 1 year following the effective date of this subpart and a permit modification is not required, or more than 1 year following the date of issuance of a revised construction or operation permit if a permit modification is required, you must meet two increments of progress:
(1) Submit a final control plan.
(2) Achieve final compliance.

### § 62.15045 When must I complete each increment of progress?

(a) You must complete each increment of progress according to the compliance schedule in table 1 of this subpart for Class I and II units. If your Class I or Class II unit is listed in table 9 of this subpart, then you must complete each increment of progress according to the schedule in table 9 of this subpart. (*See* § 62.15410 for definitions of classes.)

(b) For Class I units (*see* definition in § 62.15410) that must meet the five increments of progress, you must submit dioxins/furans stack test results for at least one test conducted during or after 1990. The stack tests must have been conducted according to the procedures specified under § 62.15245 and you must submit the stack test results when the final control plan is due for your Class I MWC unit according to the schedule in table 1 or table 9 of this subpart.

### § 62.15050 What must I include in the notifications of achievement of my increments of progress?

Your notification of achievement of increments of progress must include three items:

(a) Notification that the increment of progress has been achieved.

(b) Any items required to be submitted with the increment of progress (§§ 62.15065 through 62.15085).

(c) The notification must be signed by the owner or operator of the municipal waste combustion unit.

### § 62.15055 When must I submit the notifications of achievement of increments of progress?

Notifications of the achievement of increments of progress must be postmarked no later than 10 days after the compliance date for the increment.

### § 62.15060 What if I do not meet an increment of progress?

If you fail to meet an increment of progress, you must submit a notification to the Administrator postmarked within 10 business days after the specified date in table 1 of this subpart for achieving that increment of progress. This notification must inform the Administrator that you did not meet the increment. You must include in the notification an explanation of why the increment of progress was not met and your plan for meeting the increment as expeditiously as possible. You must continue to submit reports each subsequent month until the increment of progress is met.

### § 62.15065 How do I comply with the increment of progress for submittal of a final control plan?

For your final control plan increment of progress, you must complete two items:

(a) Submit the final control plan describing the devices for air pollution control and process changes that you will use to comply with the emission limits and other requirements of this subpart. If you plan to reduce your small municipal waste combustion unit's combustion capacity to less than 35 tons per day by the final compliance date, see § 62.15030.

(b) You must maintain an onsite copy of the final control plan.

### § 62.15070 How do I comply with the increment of progress for awarding contracts?

You must submit a signed copy of the contracts awarded to initiate onsite construction, initiate onsite installation of emission control equipment, and incorporate process changes. Submit the copy of the contracts with the notification that this increment of progress has been achieved. You do not need to include documents incorporated by reference or the attachments to the contracts.

### § 62.15075 How do I comply with the increment of progress for initiating onsite construction?

You must initiate onsite construction and installation of emission control equipment and initiate the process changes outlined in the final control plan.

### § 62.15080 How do I comply with the increment of progress for completing onsite construction?

You must complete onsite construction and installation of emission control equipment and complete process changes outlined in the final control plan.

### § 62.15085 How do I comply with the increment of progress for achieving final compliance?

For the final compliance increment of progress, you must complete two items:

(a) Complete all process changes and complete retrofit construction as specified in the final control plan.

(b) Connect the air pollution control equipment with the municipal waste combustion unit identified in the final control plan and complete process changes to the municipal waste combustion unit so that if the affected municipal waste combustion unit is brought online, all necessary process changes and air pollution control equipment are operating as designed.

### § 62.15090 What must I do if I close my municipal waste combustion unit and then restart my municipal waste combustion unit?

(a) If you close your municipal waste combustion unit but will reopen it prior to the applicable final compliance date in table 1 of this subpart, you must meet the increments of progress specified in § 62.15040.

(b) If you close your municipal waste combustion unit but restart it after the applicable final compliance date in table 1 of this subpart, you must complete the emission control retrofit and meet the emission limits and good combustion practices on the date your municipal waste combustion unit restarts operation.

### § 62.15095 What must I do if I plan to permanently close my municipal waste combustion unit and not restart it?

(a) If you plan to close your municipal waste combustion unit rather than comply with this subpart, you must submit a closure notification, including the date of closure, to the Administrator by the date your final control plan is due.

(b) If the closure date is later than 1 year after the effective date of this subpart, you must enter into a legally binding closure agreement with the Administrator by the date your final control plan is due. The agreement must include two items:

(1) The date by which operation will cease. The closure date can be no later than the applicable final compliance date in table 1 of this subpart.

(2) For Class I units only, dioxins/furans stack test results for at least one test conducted during or after 1990. The stack tests must have been conducted according to the procedures specified under § 62.15245.

## GOOD COMBUSTION PRACTICES: OPERATOR TRAINING

### § 62.15100 What types of training must I do?

There are two types of required training:

(a) Training of operators of municipal waste combustion units using the EPA or a State-approved training course.

(b) Training of plant personnel using a plant-specific training course.

### § 62.15105 Who must complete the operator training course? By when?

(a) Three types of employees must complete the EPA operator training course:

(1) Chief facility operators.

(2) Shift supervisors.

(3) Control room operators.

(b) These employees must complete the operator training course by the later of three dates:

(1) One year after the effective date of this subpart.

(2) Six months after your municipal waste combustion unit starts up.

(3) The date before an employee assumes responsibilities that affect operation of the municipal waste combustion unit.

(c) The requirement in paragraph (a) of this section does not apply to chief facility operators, shift supervisors, and control room operators who have obtained full certification from the American Society of Mechanical Engineers on or before the effective date of this subpart.

(d) You may request that the EPA Administrator waive the requirement in paragraph (a) of this section for chief facility operators, shift supervisors, and control room operators who have obtained provisional certification from the American Society of Mechanical Engineers on or before the effective date of this subpart.

### §62.15110 Who must complete the plant-specific training course?

All employees with responsibilities that affect how a municipal waste combustion unit operates must complete the plant-specific training course. Include at least six types of employees:

(a) Chief facility operators.

(b) Shift supervisors.

(c) Control room operators.

(d) Ash handlers.

(e) Maintenance personnel.

(f) Crane or load handlers.

### §62.15115 What plant-specific training must I provide?

For plant-specific training, you must do four things:

(a) For training at a particular plant, develop a specific operating manual for that plant by the later of two dates:

(1) Six months after your municipal waste combustion unit starts up.

(2) One year after the effective date of this subpart.

(b) Establish a program to review the plant-specific operating manual with people whose responsibilities affect the operation of your municipal waste combustion unit. Complete the initial review by the later of three dates:

(1) One year after the effective date of this subpart.

(2) Six months after your municipal waste combustion unit starts up.

(3) The date before an employee assumes responsibilities that affect operation of the municipal waste combustion unit.

(c) Update your manual annually.

(d) Review your manual with staff annually.

### §62.15120 What information must I include in the plant-specific operating manual?

You must include 11 items in the operating manual for your plant:

(a) A summary of all applicable standards in this subpart.

(b) A description of the basic combustion principles that apply to municipal waste combustion units.

(c) Procedures for receiving, handling, and feeding municipal solid waste.

(d) Procedures to be followed during periods of startup, shutdown, and malfunction of the municipal waste combustion unit.

(e) Procedures for maintaining a proper level of combustion air supply.

(f) Procedures for operating the municipal waste combustion unit within the standards contained in this subpart.

(g) Procedures for responding to periodic upset or off-specification conditions.

(h) Procedures for minimizing carryover of particulate matter.

(i) Procedures for handling ash.

(j) Procedures for monitoring emissions from the municipal waste combustion unit.

(k) Procedures for recordkeeping and reporting.

### §62.15125 Where must I keep the plant-specific operating manual?

You must keep your operating manual in an easily accessible location at your plant. It must be available for review or inspection by all employees who must review it and by the Administrator.

GOOD COMBUSTION PRACTICES: OPERATOR CERTIFICATION

### § 62.15130 What types of operator certification must the chief facility operator and shift supervisor obtain and by when must they obtain it?

(a) Each chief facility operator and shift supervisor must obtain and maintain a current provisional operator certification from either the American Society of Mechanical Engineers QRO–1–1994 or a State certification program in Connecticut and Maryland (if the affected facility is located in either of the respective States). If ASME certification is chosen, proceed in accordance with ASME QRO–1–1994. Standard for the Qualification and Certification of Resource Recovery Facility Operators. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C.552(a) and 1 CFR part 51. You may obtain a copy from the American Society of Mechanical Engineers, Service Center, 22 Law Drive, Post Office Box 2900, Fairfield, NJ 07007. You may inspect a copy at the Office of Air Quality Planning and Standards Air Docket, EPA, 109 T.W. Alexander Drive, Room C521C, RTP, NC 27709 or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(b) Each chief facility operator and shift supervisor must obtain a provisional certification by the later of three dates:

(1) For Class I units, 12 months after the effective date of this subpart. For Class II units, 18 months after the effective date of this subpart.

(2) Six months after the municipal waste combustion unit starts up.

(3) Six months after they transfer to the municipal waste combustion unit or 6 months after they are hired to work at the municipal waste combustion unit.

(c) Each chief facility operator and shift supervisor must take one of two actions:

(1) Obtain a full certification from the American Society of Mechanical Engineers.

(2) Schedule a full certification exam with the American Society of Mechanical Engineers (QRO–1–1994 (incorporated by reference in § 60.17 of subpart A of 40 CFR part 60)).

(d) The chief facility operator and shift supervisor must obtain the full certification or be scheduled to take the certification exam by the later of the following dates:

(1) For Class I units, 12 months after the effective date of this subpart. For Class II units, 18 months after the effective date of this subpart.

(2) Six months after the municipal waste combustion unit starts up.

(3) Six months after they transfer to the municipal waste combustion unit or 6 months after they are hired to work at the municipal waste combustion unit.

[68 FR 5158, Jan. 31, 2003, as amended at 69 FR 18803, Apr. 9, 2004]

### § 62.15135 After the required date for operator certification, who may operate the municipal waste combustion unit?

After the required date for full or provisional certification, you must not operate your municipal waste combustion unit unless one of four employees is on duty:

(a) A fully certified chief facility operator.

(b) A provisionally certified chief facility operator who is scheduled to take the full certification exam.

(c) A fully certified shift supervisor.

(d) A provisionally certified shift supervisor who is scheduled to take the full certification exam.

### § 62.15140 What if all the certified operators must be temporarily offsite?

If the certified chief facility operator and certified shift supervisor both are unavailable, a provisionally certified control room operator at the municipal waste combustion unit may fulfill the certified operator requirement. Depending on the length of time that a certified chief facility operator and certified shift supervisor is away, you must meet one of three criteria:

(a) When the certified chief facility operator and certified shift supervisor are both offsite for 12 hours or less and no other certified operator is onsite, the provisionally certified control room operator may perform those duties without notice to, or approval by, the Administrator.

(b) When the certified chief facility operator and certified shift supervisor are offsite for more than 12 hours, but for 2 weeks or less, and no other certified operator is onsite, the provisionally certified control room operator may perform those duties without notice to, or approval by, the Administrator. However, you must record the periods when the certified chief facility operator and certified shift supervisor are offsite and include this information in the annual report as specified under §62.15340(l).

(c) When the certified chief facility operator and certified shift supervisor are offsite for more than 2 weeks and no other certified operator is onsite, the provisionally certified control room operator may perform those duties without notice to, or approval by, the Administrator. However, you must take two actions:

(1) Notify the Administrator in writing. In the notice, state what caused the absence and what you are doing to ensure that a certified chief facility operator or certified shift supervisor is onsite.

(2) Submit a status report and corrective action summary to the Administrator every 4 weeks following the initial notification. If the Administrator notifies you that your status report or corrective action summary is disapproved, the municipal waste combustion unit may continue operation for 90 days, but then must cease operation. If corrective actions are taken in the 90-day period such that the Administrator withdraws the disapproval, municipal waste combustion unit operation may continue.

GOOD COMBUSTION PRACTICES: OPERATING REQUIREMENTS

### §62.15145 What are the operating practice requirements for my municipal waste combustion unit?

(a) You must not operate your municipal waste combustion unit at loads greater than 110 percent of the maximum demonstrated load of the municipal waste combustion unit (4-hour block average), as specified under ''Definitions'' (§62.15410).

(b) You must not operate your municipal waste combustion unit so that the temperature at the inlet of the particulate matter control device exceeds 17 °C above the maximum demonstrated temperature of the particulate matter control device (4-hour block average), as specified under ''Definitions'' (§62.15410).

(c) If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, you must maintain an 8-hour block average carbon feed rate at or above the highest average level established during the most recent dioxins/furans or mercury test.

(d) If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, you must evaluate total carbon usage for each calendar quarter. The total amount of carbon purchased and delivered to your municipal waste combustion plant must be at or above the required quarterly usage of carbon. At your option, you may choose to evaluate required quarterly carbon usage on a municipal waste combustion unit basis for each individual municipal waste combustion unit at your plant. Calculate the required quarterly usage of carbon using the appropriate equation in §62.15390.

(e) Your municipal waste combustion unit is exempt from limits on load level, temperature at the inlet of the particulate matter control device, and carbon feed rate during any of five situations:

(1) During your annual tests for dioxins/furans.

(2) During your annual mercury tests (for carbon feed rate requirements only).

(3) During the 2 weeks preceding your annual tests for dioxins/furans.

(4) During the 2 weeks preceding your annual mercury tests (for carbon feed rate requirements only).

(5) Whenever the Administrator permits you to do any of five activities:

(i) Evaluate system performance.

(ii) Test new technology or control technologies.

(iii) Perform diagnostic testing.

(iv) Perform other activities to improve the performance of your municipal waste combustion unit.

(v) Perform other activities to advance the state of the art for emission controls for your municipal waste combustion unit.

### § 62.15150 What happens to the operating requirements during periods of startup, shutdown, and malfunction?

(a) The operating requirements of this subpart apply at all times except during periods of municipal waste combustion unit startup, shutdown, or malfunction.

(b) Each startup, shutdown, or malfunction must not last for longer than 3 hours.

EMISSION LIMITS

### § 62.15155 What pollutants are regulated by this subpart?

Eleven pollutants, in four groupings, are regulated:

(a) *Organics*. Dioxins/furans.

(b) *Metals*. (1) Cadmium.

(2) Lead.

(3) Mercury.

(4) Opacity.

(5) Particulate matter.

(c) *Acid gases*. (1) Hydrogen chloride.

(2) Nitrogen oxides.

(3) Sulfur dioxide.

(d) *Other*. (1) Carbon monoxide.

(2) Fugitive ash.

### § 62.15160 What emission limits must I meet?

(a) After the date the initial stack test and continuous emission monitoring system evaluation are required or completed (whichever is earlier), you must meet the applicable emission limits specified in the four tables of this section:

(1) For Class I units, see tables 2 and 3 of this subpart.

(2) For Class II units, see table 4 of this subpart.

(3) For carbon monoxide emission limits for both classes of units, see table 5 of this subpart.

(b) If your Class I municipal waste combustion unit began construction, reconstruction, or modification after June 26, 1987, then you must comply with the dioxins/furans and mercury emission limits specified in table 2 of this subpart as applicable by the later of the following two dates:

(1) One year after the effective date of this subpart.

(2) One year after the issuance of a revised construction or operating permit, if a permit modification is required. Final compliance with the dioxins/furans limits must be achieved no later than November 6, 2005, even if the date one year after the issuance of a revised construction or operating permit is later than November 6, 2005.

### § 62.15165 What happens to the emission limits during periods of startup, shutdown, and malfunction?

(a) The emission limits of this subpart apply at all times except during periods of municipal waste combustion unit startup, shutdown, or malfunction.

(b) Each startup, shutdown, or malfunction must not last for longer than 3 hours.

(c) A maximum of 3 hours of test data can be dismissed from compliance calculations during periods of startup, shutdown, or malfunction.

(d) During startup, shutdown, or malfunction periods longer than 3 hours, emissions data cannot be discarded from compliance calculations and all provisions under § 60.11(d) of subpart A of 40 CFR part 60 apply.

CONTINUOUS EMISSION MONITORING

### § 62.15170 What types of continuous emission monitoring must I perform?

To continuously monitor emissions, you must perform four tasks:

(a) Install continuous emission monitoring systems for certain gaseous pollutants.

(b) Make sure your continuous emission monitoring systems are operating correctly.

(c) Make sure you obtain the minimum amount of monitoring data.

(d) Install a continuous opacity monitoring system.

### §62.15175 What continuous emission monitoring systems must I install for gaseous pollutants?

(a) You must install, calibrate, maintain, and operate continuous emission monitoring systems for oxygen (or carbon dioxide), sulfur dioxide, and carbon monoxide. If you operate a Class I municipal waste combustion unit, also install, calibrate, maintain, and operate a continuous emission monitoring system for nitrogen oxides. Install the continuous emission monitoring system for sulfur dioxide, nitrogen oxides, and oxygen (or carbon dioxide) at the outlet of the air pollution control device.

(b) You must install, evaluate, and operate each continuous emission monitoring system according to the ''Monitoring Requirements'' in §60.13 of subpart A of 40 CFR part 60.

(c) You must monitor the oxygen (or carbon dioxide) concentration at each location where you monitor sulfur dioxide and carbon monoxide. Additionally, if you operate a Class I municipal waste combustion unit, you must also monitor the oxygen (or carbon dioxide) concentration at the location where you monitor nitrogen oxides.

(d) You may choose to monitor carbon dioxide instead of oxygen as a diluent gas. If you choose to monitor carbon dioxide, then an oxygen monitor is not required and you must follow the requirements in §62.15200.

(e) If you choose to demonstrate compliance by monitoring the percent reduction of sulfur dioxide, you must also install a continuous emission monitoring system for sulfur dioxide and oxygen (or carbon dioxide) at the inlet of the air pollution control device.

(f) If you prefer to use an alternative sulfur dioxide monitoring method, such as parametric monitoring, or cannot monitor emissions at the inlet of the air pollution control device to determine percent reduction, you can apply to the Administrator for approval to use an alternative monitoring method under §60.13(i) of subpart A of 40 CFR part 60.

### §62.15180 How are the data from the continuous emission monitoring systems used?

You must use data from the continuous emission monitoring systems for sulfur dioxide, nitrogen oxides, and carbon monoxide to demonstrate continuous compliance with the applicable emission limits specified in tables 2, 3, 4, and 5 of this subpart. To demonstrate compliance for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash, see §62.15235.

### §62.15185 How do I make sure my continuous emission monitoring systems are operating correctly?

(a) Conduct initial, daily, quarterly, and annual evaluations of your continuous emission monitoring systems that measure oxygen (or carbon dioxide), sulfur dioxide, nitrogen oxides (Class I municipal waste combustion units only), and carbon monoxide.

(b) Complete your initial evaluation of the continuous emission monitoring systems within 180 days after your final compliance date.

(c) For initial and annual evaluations, collect data concurrently (or within 30 to 60 minutes) using your oxygen (or carbon dioxide) continuous emission monitoring system, your sulfur dioxide, nitrogen oxides, or carbon monoxide continuous emission monitoring systems, as appropriate, and the appropriate test methods specified in table 6 of this subpart. Collect these data during each initial and annual evaluation of your continuous emission monitoring systems following the applicable performance specifications in appendix B of 40 CFR part 60. Table 7 of this subpart shows the performance specifications that apply to each continuous emission monitoring system.

(d) Follow the quality assurance procedures in Procedure 1 of appendix F of 40 CFR part 60 for each continuous emission monitoring system. These procedures include daily calibration drift and quarterly accuracy determinations.

### § 62.15190 Am I exempt from any 40 CFR part 60 appendix B or appendix F requirements to evaluate continuous emission monitoring systems?

Yes, the accuracy tests for your sulfur dioxide continuous emission monitoring system require you to also evaluate your oxygen (or carbon dioxide) continuous emission monitoring system. Therefore, your oxygen (or carbon dioxide) continuous emission monitoring system is exempt from two requirements:

(a) Section 2.3 of Performance Specification 3 in appendix B of 40 CFR part 60 (relative accuracy requirement).

(b) Section 5.1.1 of appendix F of 40 CFR part 60 (relative accuracy test audit).

### § 62.15195 What is my schedule for evaluating continuous emission monitoring systems?

(a) Conduct annual evaluations of your continuous emission monitoring systems no more than 13 months after the previous evaluation was conducted.

(b) Evaluate your continuous emission monitoring systems daily and quarterly as specified in appendix F of 40 CFR part 60.

### § 62.15200 What must I do if I choose to monitor carbon dioxide instead of oxygen as a diluent gas?

You must establish the relationship between oxygen and carbon dioxide during the initial evaluation of your continuous emission monitoring system. You may reestablish the relationship during annual evaluations. To establish the relationship use three procedures:

(a) Use EPA Reference Method 3A or 3B in Appendix A of 40 CFR part 60 to determine oxygen concentration at the location of your carbon dioxide monitor.

(b) Conduct at least three test runs for oxygen. Make sure each test run represents a 1-hour average and that sampling continues for at least 30 minutes in each hour.

(c) Use the fuel-factor equation in EPA Reference Method 3B to determine the relationship between oxygen and carbon dioxide.

### § 62.15205 What minimum amount of monitoring data must I collect with my continuous emission monitoring systems and is this requirement enforceable?

(a) Where continuous emission monitoring systems are required, obtain 1-hour arithmetic averages. Make sure the averages for sulfur dioxide, nitrogen oxides (Class I municipal waste combustion units only), and carbon monoxide are in parts per million by dry volume at 7 percent oxygen (or the equivalent carbon dioxide level). Use the 1-hour averages of oxygen (or carbon dioxide) data from your continuous emission monitoring system to determine the actual oxygen (or carbon dioxide) level and to calculate emissions at 7 percent oxygen (or the equivalent carbon dioxide level).

(b) Obtain at least two data points per hour in order to calculate a valid 1-hour arithmetic average. Section 60.13(e)(2) of subpart A of 40 CFR part 60 requires your continuous emission monitoring systems to complete at least one cycle of operation (sampling, analyzing, and data recording) for each 15-minute period.

(c) Obtain valid 1-hour averages for 75 percent of the operating hours per day for 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal solid waste or refuse-derived fuel.

(d) If you do not obtain the minimum data required in paragraphs (a) through (c) of this section, you are in violation of this data collection requirement regardless of the emission level monitored, and you must notify the Administrator according to § 62.15340(e).

(e) If you do not obtain the minimum data required in paragraphs (a) through (c) of this section, you must still use all valid data from the continuous emission monitoring systems in calculating emission concentrations and percent reductions in accordance with § 62.15210.

### § 62.15210 How do I convert my 1-hour arithmetic averages into appropriate averaging times and units?

(a) Use the equation in § 62.15390(a) to calculate emissions at 7 percent oxygen.

(b) Use EPA Reference Method 19 in Appendix A of 40 CFR part 60, section 4.3, to calculate the daily geometric average concentrations of sulfur dioxide emissions. If you are monitoring the percent reduction of sulfur dioxide, use EPA Reference Method 19, section 5.4, to determine the daily geometric average percent reduction of potential sulfur dioxide emissions.

(c) If you operate a Class I municipal waste combustion unit, use EPA Reference Method 19, section 4.1, to calculate the daily arithmetic average for concentrations of nitrogen oxides.

(d) Use EPA Reference Method 19, section 4.1, to calculate the 4-hour or 24-hour daily block averages (as applicable) for concentrations of carbon monoxide.

### § 62.15215 What is required for my continuous opacity monitoring system and how are the data used?

(a) Install, calibrate, maintain, and operate a continuous opacity monitoring system.

(b) Install, evaluate, and operate each continuous opacity monitoring system according to § 60.13 of subpart A 40 CFR part 60.

(c) Complete an initial evaluation of your continuous opacity monitoring system according to Performance Specification 1 in appendix B of 40 CFR part 60. Complete this evaluation by 180 days after your final compliance date.

(d) Complete each annual evaluation of your continuous opacity monitoring system no more than 13 months after the previous evaluation.

(e) Use tests conducted according to EPA Reference Method 9, as specified in § 62.15245, to determine compliance with the applicable opacity limit in tables 2 or 4 of this subpart. The data obtained from your continuous opacity monitoring system are not used to determine compliance with the opacity limit.

### § 62.15220 What additional requirements must I meet for the operation of my continuous emission monitoring systems and continuous opacity monitoring system?

Use the required span values and applicable performance specifications in table 8 of this subpart.

### § 62.15225 What must I do if my continuous emission monitoring system is temporarily unavailable to meet the data collection requirements?

Refer to table 8 of this subpart. It shows alternate methods for collecting data when these systems malfunction or when repairs, calibration checks, or zero and span checks keep you from collecting the minimum amount of data.

## STACK TESTING

### § 62.15230 What types of stack tests must I conduct?

Conduct initial and annual stack tests to measure the emission levels of dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash.

### § 62.15235 How are the stack test data used?

You must use results of stack tests for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash to demonstrate compliance with the applicable emission limits in tables 2 and 4 of this subpart. To demonstrate compliance for carbon monoxide, nitrogen oxides, and sulfur dioxide, see § 62.15180.

### § 62.15240 What schedule must I follow for the stack testing?

(a) Conduct initial stack tests for the pollutants listed in § 62.15230 by 180 days after your final compliance date.

(b) Conduct annual stack tests for these pollutants after the initial stack test. Conduct each annual stack test no later than 13 months after the previous stack test.

### § 62.15245 What test methods must I use to stack test?

(a) Follow table 8 of this subpart to establish the sampling location and to determine pollutant concentrations, number of traverse points, individual test methods, and other specific testing requirements for the different pollutants.

(b) Make sure that stack tests for all these pollutants consist of at least three test runs, as specified in § 60.8 (Performance Tests) of subpart A of 40 CFR part 60. Use the average of the

pollutant emission concentrations from the three test runs to determine compliance with the applicable emission limits in tables 2 and 4 of this subpart.

(c) Obtain an oxygen (or carbon dioxide) measurement at the same time as your pollutant measurements to determine diluent gas levels, as specified in § 62.15175.

(d) Use the equations in § 62.15390(a) to calculate emission levels at 7 percent oxygen (or an equivalent carbon dioxide basis), the percent reduction in potential hydrogen chloride emissions, and the reduction efficiency for mercury emissions. See the individual test methods in table 6 of this subpart for other required equations.

(e) You can apply to the Administrator for approval under § 60.8(b) of subpart A of 40 CFR part 60 to

(1) Use a reference method with minor changes in methodology;

(2) Use an equivalent method;

(3) Use an alternative method the results of which the Administrator has determined are adequate for demonstrating compliance;

(4) Waive the requirement for a performance test because you have demonstrated by other means that you are in compliance; or

(5) Use a shorter sampling time or smaller sampling volume.

### § 62.15250 May I conduct stack testing less often?

(a) You may test less often if you own or operate a Class II municipal waste combustion unit and if all stack tests for a given pollutant over 3 consecutive years show you comply with the emission limit. In this case, you are not required to conduct a stack test for that pollutant for the next 2 years. However, you must conduct another stack test within 36 months of the anniversary date of the third consecutive stack test that shows you comply with the emission limit. Thereafter, you must perform stack tests every third year but no later than 36 months following the previous stack tests. If a stack test shows noncompliance with an emission limit, you must conduct annual stack tests for that pollutant until all stack tests over 3 consecutive years show compliance with the emission limit for that pollutant. This provision applies to all pollutants subject to stack testing requirements: dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash.

(b) You can test less often for dioxins/furans emissions if you own or operate a municipal waste combustion plant that meets two conditions. First, you have multiple municipal waste combustion units onsite that are subject to this subpart. Second, all these municipal waste combustion units have demonstrated levels of dioxins/furans emissions less than or equal to 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, for 2 consecutive years. In this case, you may choose to conduct annual stack tests on only one municipal waste combustion unit per year at your plant. This provision only applies to stack testing for dioxins/furans emissions.

(1) Conduct the stack test no more than 13 months following a stack test on any municipal waste combustion unit subject to this subpart at your plant. Each year, test a different municipal waste combustion unit subject to this subpart and test all municipal waste combustion units subject to this subpart in a sequence that you determine. Once you determine a testing sequence, it must not be changed without approval by the Administrator.

(2) If each annual stack test shows levels of dioxins/furans emissions less than or equal to 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, you may continue stack tests on only one municipal waste combustion unit subject to this subpart per year.

(3) If any annual stack test indicates levels of dioxins/furans emissions greater than 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, conduct subsequent annual stack tests on all municipal waste

combustion units subject to this subpart at your plant. You may return to testing one municipal waste combustion unit subject to this subpart per year if you can demonstrate dioxins/furans emission levels less than or equal to 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, for all municipal waste combustion units at your plant subject to this subpart for 2 consecutive years.

### § 62.15255 May I deviate from the 13-month testing schedule if unforeseen circumstances arise?

You may not deviate from the 13-month testing schedules specified in §§ 62.15240(b) and 62.15250(b)(1) unless you apply to the Administrator for an alternative schedule, and the Administrator approves your request for alternate scheduling prior to the date on which you would otherwise have been required to conduct the next stack test.

OTHER MONITORING REQUIREMENTS

### § 62.15260 What other requirements must I meet for continuous monitoring?

You must also monitor three operating parameters:

(a) Load level of each municipal waste combustion unit.

(b) Temperature of flue gases at the inlet of your particulate matter air pollution control device.

(c) Carbon feed rate if activated carbon is used to control dioxins/furans or mercury emissions.

### § 62.15265 How do I monitor the load of my municipal waste combustion unit?

(a) If your municipal waste combustion unit generates steam, you must install, calibrate, maintain, and operate a steam flowmeter or a feed water flowmeter and meet five requirements:

(1) Continuously measure and record the measurements of steam (or feed water) in kilograms per hour (or pounds per hour).

(2) Calculate your steam (or feed water) flow in 4-hour block averages.

(3) Calculate the steam (or feed water) flow rate using the method in ''American Society of Mechanical Engineers (ASME PTC 4.1—1964): Test Code for Steam Generating Units, Power Test Code 4.1–1964 (Reaffirmed 1991),'' section 4. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a copy from the American Society of Mechanical Engineers, Service Center, 22 Law Drive, Post Office Box 2900, Fairfield, NJ 07007. You may inspect a copy at the Office of Air Quality Planning and Standards Air Docket, EPA, 109 T.W. Alexander Drive, Room C521C, RTP, NC 27709 or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(4) Design, construct, install, calibrate, and use nozzles or orifices for flow rate measurements, using the recommendations in ''American Society of Mechanical Engineers Interim Supplement 19.5 on Instruments and Apparatus: Application, Part II of Fluid Meters'', 6th Edition (1971), chapter 4. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a copy from the American Society of Mechanical Engineers, Service Center, 22 Law Drive, Post Office Box 2900, Fairfield, NJ 07007. You may inspect a copy at the Office of Air Quality Planning and Standards Air Docket, EPA, 109 T.W. Alexander Drive, Room C521C, RTP, NC 27709 or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(5) Before each dioxins/furans stack test, or at least once a year, calibrate all signal conversion elements associated with steam (or feed water) flow measurements according to the manufacturer instructions.

(b) If your municipal waste combustion unit does not generate steam, or, if your municipal waste combustion

units have shared steam systems and steam load cannot be estimated per unit, you must determine, to the satisfaction of the Administrator, one or more operating parameters that can be used to continuously estimate load level (for example, the feed rate of municipal solid waste or refuse-derived fuel). You must continuously monitor the selected parameters.

[68 FR 5158, Jan. 31, 2003, as amended at 69 FR 18803, Apr. 9, 2004]

### § 62.15270 How do I monitor the temperature of flue gases at the inlet of my particulate matter control device?

You must install, calibrate, maintain, and operate a device to continuously measure the temperature of the flue gas stream at the inlet of each particulate matter control device.

### § 62.15275 How do I monitor the injection rate of activated carbon?

If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, you must meet three requirements:

(a) Select a carbon injection system operating parameter that can be used to calculate carbon feed rate (for example, screw feeder speed).

(b) During each dioxins/furans and mercury stack test, determine the average carbon feed rate in kilograms (or pounds) per hour. Also, determine the average operating parameter level that correlates to the carbon feed rate. Establish a relationship between the operating parameter and the carbon feed rate in order to calculate the carbon feed rate based on the operating parameter level.

(c) Continuously monitor the selected operating parameter during all periods when the municipal waste combustion unit is operating and combusting waste and calculate the 8-hour block average carbon feed rate in kilograms (or pounds) per hour, based on the selected operating parameter. When calculating the 8-hour block average, do two things:

(1) Exclude hours when the municipal waste combustion unit is not operating.

(2) Include hours when the municipal waste combustion unit is operating but the carbon feed system is not working correctly.

### § 62.15280 What minimum amount of monitoring data must I collect with my continuous parameter monitoring systems and is this requirement enforceable?

(a) Where continuous parameter monitoring systems are used, obtain 1-hour arithmetic averages for three parameters:

(1) Load level of the municipal waste combustion unit.

(2) Temperature of the flue gases at the inlet of your particulate matter control device.

(3) Carbon feed rate if activated carbon is used to control dioxins/furans or mercury emissions.

(b) Obtain at least two data points per hour in order to calculate a valid 1-hour arithmetic average.

(c) Obtain valid 1-hour averages for at least 75 percent of the operating hours per day for 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal solid waste or refuse-derived fuel.

(d) If you do not obtain the minimum data required in paragraphs (a) through (c) of this section, you are in violation of this data collection requirement and you must notify the Administrator according to § 62.15340(e).

## RECORDKEEPING

### § 62.15285 What records must I keep?

You must keep four types of records:

(a) Operator training and certification.

(b) Stack tests.

(c) Continuously monitored pollutants and parameters.

(d) Carbon feed rate.

### § 62.15290 Where must I keep my records and for how long?

(a) Keep all records onsite in paper copy or electronic format unless the Administrator approves another format.

(b) Keep all records on each municipal waste combustion unit for at least 5 years.

(c) Make all records available for submittal to the Administrator, or for onsite review by an inspector.

### § 62.15295 What records must I keep for operator training and certification?

You must keep records of six items:

(a) *Records of provisional certifications.* Include three items:

(1) For your municipal waste combustion plant, names of the chief facility operator, shift supervisors, and control room operators who are provisionally certified by the American Society of Mechanical Engineers.

(2) Dates of the initial provisional certifications.

(3) Documentation showing current provisional certifications.

(b) *Records of full certifications.* Include three items:

(1) For your municipal waste combustion plant, names of the chief facility operator, shift supervisors, and control room operators who are fully certified by the American Society of Mechanical Engineers or an equivalent State-approved certification program.

(2) Dates of initial and renewal full certifications.

(3) Documentation showing current full certifications.

(c) *Records showing completion of the operator training course.* Include three items:

(1) For your municipal waste combustion plant, names of the chief facility operator, shift supervisors, and control room operators who have completed the EPA or State municipal waste combustion operator training course.

(2) Dates of completion of the operator training course.

(3) Documentation showing completion of operator training course.

(d) *Records of reviews for plant-specific operating manuals.* Include three items:

(1) Names of persons who have reviewed the operating manual.

(2) Date of the initial review.

(3) Dates of subsequent annual reviews.

(e) *Records of when a certified operator is temporarily offsite.* Include two main items:

(1) If the certified chief facility operator and certified shift supervisor are offsite for more than 12 hours but for 2 weeks or less and no other certified operator is onsite, record the dates that the certified chief facility operator and certified shift supervisor were offsite.

(2) When all certified chief facility operators and certified shift supervisors are offsite for more than 2 weeks and no other certified operator is onsite, keep records of four items:

(i) Your notice that all certified persons are offsite.

(ii) The conditions that cause these people to be offsite.

(iii) The corrective actions you are taking to ensure a certified chief facility operator or certified shift supervisor is onsite.

(iv) Copies of the written reports submitted every 4 weeks that summarize the actions taken to ensure that a certified chief facility operator or certified shift supervisor will be onsite.

(f) *Records of calendar dates.* Include the calendar date on each record.

### § 62.15300 What records must I keep for stack tests?

For stack tests required under § 62.15230, you must keep records of four items:

(a) The results of the stack tests for eight pollutants or parameters recorded in the appropriate units of measure specified in tables 2 or 4 of this subpart:

(1) Dioxins/furans.

(2) Cadmium.

(3) Lead.

(4) Mercury.

(5) Opacity.

(6) Particulate matter.

(7) Hydrogen chloride.

(8) Fugitive ash.

(b) Test reports including supporting calculations that document the results of all stack tests.

(c) The maximum demonstrated load of your municipal waste combustion units and maximum temperature at the inlet of your particulate matter control device during all stack tests for dioxins/furans emissions.

(d) The calendar date of each record.

### § 62.15305 What records must I keep for continuously monitored pollutants or parameters?

You must keep records of eight items.

(a) *Records of monitoring data.* Document six parameters measured using continuous monitoring systems:

(1) All 6-minute average levels of opacity.

(2) All 1-hour average concentrations of sulfur dioxide emissions.

(3) For Class I municipal waste combustion units only, all 1-hour average concentrations of nitrogen oxides emissions.

(4) All 1-hour average concentrations of carbon monoxide emissions.

(5) All 1-hour average load levels of your municipal waste combustion unit.

(6) All 1-hour average flue gas temperatures at the inlet of the particulate matter control device.

(b) *Records of average concentrations and percent reductions.* Document five parameters:

(1) All 24-hour daily block geometric average concentrations of sulfur dioxide emissions or average percent reductions of sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, all 24-hour daily arithmetic average concentrations of nitrogen oxides emissions.

(3) All 4-hour block or 24-hour daily block arithmetic average concentrations of carbon monoxide emissions.

(4) All 4-hour block arithmetic average load levels of your municipal waste combustion unit.

(5) All 4-hour block arithmetic average flue gas temperatures at the inlet of the particulate matter control device.

(c) *Records of exceedances.* Document three items:

(1) Calendar dates whenever any of the five pollutants or parameter levels recorded in paragraph (b) of this section or the opacity level recorded in paragraph (a)(1) of this section did not meet the emission limits or operating levels specified in this subpart.

(2) Reasons you exceeded the applicable emission limits or operating levels.

(3) Corrective actions you took, or are taking, to meet the emission limits or operating levels.

(d) *Records of minimum data.* Document three items:

(1) Calendar dates for which you did not collect the minimum amount of data required under §§ 62.15205 and 62.15280. Record these dates for five types of pollutants and parameters:

(i) Sulfur dioxide emissions.

(ii) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(iii) Carbon monoxide emissions.

(iv) Load levels of your municipal waste combustion unit.

(v) Temperatures of the flue gases at the inlet of the particulate matter control device.

(2) Reasons you did not collect the minimum data.

(3) Corrective actions you took or are taking to obtain the required amount of data.

(e) *Records of exclusions.* Document each time you have excluded data from your calculation of averages for any of the following five pollutants or parameters and the reasons the data were excluded:

(1) Sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(3) Carbon monoxide emissions.

(4) Load levels of your municipal waste combustion unit.

(5) Temperatures of the flue gases at the inlet of the particulate matter control device.

(f) *Records of drift and accuracy.* Document the results of your daily drift tests and quarterly accuracy determinations according to Procedure 1 of appendix F of 40 CFR part 60. Keep these records for the sulfur dioxide, nitrogen oxides (Class I municipal waste combustion units only), and carbon monoxide continuous emissions monitoring systems.

(g) *Records of the relationship between oxygen and carbon dioxide.* If you choose to monitor carbon dioxide instead of oxygen as a diluent gas, document the relationship between oxygen and carbon dioxide, as specified in § 62.15200.

(h) *Records of calendar dates.* Include the calendar date on each record.

### § 62.15310 What records must I keep for municipal waste combustion units that use activated carbon?

For municipal waste combustion units that use activated carbon to control dioxins/furans or mercury emissions, you must keep records of five items:

(a) *Records of average carbon feed rate.* Document five items:

(1) Average carbon feed rate (in kilograms or pounds per hour) during all

stack tests for dioxins/furans and mercury emissions. Include supporting calculations in the records.

(2) For the operating parameter chosen to monitor carbon feed rate, average operating level during all stack tests for dioxins/furans and mercury emissions. Include supporting data that document the relationship between the operating parameter and the carbon feed rate.

(3) All 8-hour block average carbon feed rates in kilograms (pounds) per hour calculated from the monitored operating parameter.

(4) Total carbon purchased and delivered to the municipal waste combustion plant for each calendar quarter. If you choose to evaluate total carbon purchased and delivered on a municipal waste combustion unit basis, record the total carbon purchased and delivered for each individual municipal waste combustion unit at your plant. Include supporting documentation.

(5) Required quarterly usage of carbon for the municipal waste combustion plant, calculated using the appropriate equation in § 62.15390(f). If you choose to evaluate required quarterly usage for carbon on a municipal waste combustion unit basis, record the required quarterly usage for each municipal waste combustion unit at your plant. Include supporting calculations.

(b) *Records of low carbon feed rates.* Document three items:

(1) The calendar dates when the average carbon feed rate over an 8-hour block was less than the average carbon feed rates determined during the most recent stack test for dioxins/furans or mercury emissions (whichever has a higher feed rate).

(2) Reasons for the low carbon feed rates.

(3) Corrective actions you took or are taking to meet the 8-hour average carbon feed rate requirement.

(c) *Records of minimum carbon feed rate data.* Document three items:

(1) Calendar dates for which you did not collect the minimum amount of carbon feed rate data required under § 62.15280.

(2) Reasons you did not collect the minimum data.

(3) Corrective actions you took or are taking to get the required amount of data.

(d) *Records of exclusions.* Document each time you have excluded data from your calculation of average carbon feed rates and the reasons the data were excluded.

(e) *Records of calendar dates.* Include the calendar date on each record.

REPORTING

### § 62.15315 What reports must I submit and in what form?

(a) Submit an initial report and annual reports, plus semiannual reports for any emission or parameter level that does not meet the limits specified in this subpart.

(b) Submit all reports on paper, postmarked on or before the submittal dates in §§ 62.15325, 62.15335, and 62.15350. If the Administrator agrees, you may submit electronic reports.

(c) Keep a copy of all reports required by §§ 62.15330, 62.15340, and 62.15355 onsite for 5 years.

### § 62.15320 What are the appropriate units of measurement for reporting my data?

See tables 2, 3, 4, and 5 of this subpart for appropriate units of measurement.

### § 62.15325 When must I submit the initial report?

As specified in § 60.7(c) of subpart A of 40 CFR part 60, submit your initial report within 180 days after your final compliance date.

### § 62.15330 What must I include in the initial report?

You must include seven items:

(a) The emission levels measured on the date of the initial evaluation of your continuous emission monitoring systems for all of the following five pollutants or parameters as recorded in accordance with § 62.15305(b).

(1) The 24-hour daily geometric average concentration of sulfur dioxide emissions or the 24-hour daily geometric percent reduction of sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, the 24-hour daily arithmetic average concentration of nitrogen oxides emissions.

(3) The 4-hour block or 24-hour daily arithmetic average concentration of carbon monoxide emissions.

(4) The 4-hour block arithmetic average load level of your municipal waste combustion unit.

(5) The 4-hour block arithmetic average flue gas temperature at the inlet of the particulate matter control device.

(b) The results of the initial stack tests for eight pollutants or parameters (use appropriate units as specified in tables 2 or 4 of this subpart):

(1) Dioxins/furans.

(2) Cadmium.

(3) Lead.

(4) Mercury.

(5) Opacity.

(6) Particulate matter.

(7) Hydrogen chloride.

(8) Fugitive ash.

(c) The test report that documents the initial stack tests including supporting calculations.

(d) The initial performance evaluation of your continuous emissions monitoring systems. Use the applicable performance specifications in appendix B of 40 CFR part 60 in conducting the evaluation.

(e) The maximum demonstrated load of your municipal waste combustion unit and the maximum demonstrated temperature of the flue gases at the inlet of the particulate matter control device. Use values established during your initial stack test for dioxins/furans emissions and include supporting calculations.

(f) If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, the average carbon feed rates that you recorded during the initial stack tests for dioxins/furans and mercury emissions. Include supporting calculations as specified in § 62.15310(a)(1) and (2).

(g) If you choose to monitor carbon dioxide instead of oxygen as a diluent gas, documentation of the relationship between oxygen and carbon dioxide, as specified in § 62.15200.

### § 62.15335 When must I submit the annual report?

Submit the annual report no later than February 1 of each year that follows the calendar year in which you collected the data. (As with all other requirements in this subpart, the requirement to submit an annual report does not modify or replace the operating permits requirements of 40 CFR parts 70 and 71.)

### § 62.15340 What must I include in the annual report?

Summarize data collected for all pollutants and parameters regulated under this subpart. Your summary must include 12 items:

(a) The results of the annual stack test, using appropriate units, for eight pollutants, as recorded under § 62.15300(a):

(1) Dioxins/furans.

(2) Cadmium.

(3) Lead.

(4) Mercury.

(5) Opacity.

(6) Particulate matter.

(7) Hydrogen chloride.

(8) Fugitive ash.

(b) A list of the highest average emission levels recorded, in the appropriate units. List these values for five pollutants or parameters:

(1) Sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(3) Carbon monoxide emissions.

(4) Load level of the municipal waste combustion unit.

(5) Temperature of the flue gases at the inlet of the particulate matter air pollution control device (4-hour block average).

(c) The highest 6-minute opacity level measured. Base this value on all 6-minute average opacity levels recorded by your continuous opacity monitoring system (§ 62.15305(a)(1)).

(d) For municipal waste combustion units that use activated carbon for controlling dioxins/furans or mercury emissions, include four records:

(1) The average carbon feed rates recorded during the most recent dioxins/furans and mercury stack tests.

(2) The lowest 8-hour block average carbon feed rate recorded during the year.

(3) The total carbon purchased and delivered to the municipal waste combustion plant for each calendar quarter. If you choose to evaluate total carbon purchased and delivered on a municipal waste combustion unit basis, record the total carbon purchased and delivered for each individual municipal waste combustion unit at your plant.

(4) The required quarterly carbon usage of your municipal waste combustion plant calculated using the appropriate equation in §62.15390(f). If you choose to evaluate required quarterly usage for carbon on a municipal waste combustion unit basis, record the required quarterly usage for each municipal waste combustion unit at your plant.

(e) The total number of days that you did not obtain the minimum number of hours of data for six pollutants or parameters. Include the reasons you did not obtain the data and corrective actions that you have taken to obtain the data in the future. Include data on:

(1) Sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(3) Carbon monoxide emissions.

(4) Load level of the municipal waste combustion unit.

(5) Temperature of the flue gases at the inlet of the particulate matter air pollution control device.

(6) Carbon feed rate.

(f) The number of hours you have excluded data from the calculation of average levels (include the reasons for excluding it). Include data for six pollutants or parameters:

(1) Sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(3) Carbon monoxide emissions.

(4) Load level of the municipal waste combustion unit.

(5) Temperature of the flue gases at the inlet of the particulate matter air pollution control device.

(6) Carbon feed rate.

(g) A notice of your intent to begin a reduced stack testing schedule for dioxins/furans emissions during the following calendar year if you are eligible for alternative scheduling (§62.15250(a) or (b)).

(h) A notice of your intent to begin a reduced stack testing schedule for other pollutants during the following calendar year if you are eligible for alternative scheduling (§62.15250(a)).

(i) A summary of any emission or parameter level that did not meet the limits specified in this subpart.

(j) A summary of the data in paragraphs (a) through (d) of this section from the year preceding the reporting year. This summary gives the Administrator a summary of the performance of the municipal waste combustion unit over a 2-year period.

(k) If you choose to monitor carbon dioxide instead of oxygen as a diluent gas, documentation of the relationship between oxygen and carbon dioxide, as specified in §62.15200.

(l) Documentation of periods when all certified chief facility operators and certified shift supervisors are offsite for more than 12 hours.

### §62.15345 What must I do if I am out of compliance with these standards?

You must submit a semiannual report on any recorded emission or parameter level that does not meet the requirements specified in this subpart.

### §62.15350 If a semiannual report is required, when must I submit it?

(a) For data collected during the first half of a calendar year, submit your semiannual report by August 1 of that year.

(b) For data you collected during the second half of the calendar year, submit your semiannual report by February 1 of the following year.

### §62.15355 What must I include in the semiannual out-of-compliance reports?

You must include three items in the semiannual report:

(a) For any of the following six pollutants or parameters that exceeded the limits specified in this subpart, include the calendar date they exceeded the limits, the averaged and recorded data for that date, the reasons for exceeding the limits, and your corrective actions:

(1) Concentration or percent reduction of sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, concentration of nitrogen oxides emissions.

(3) Concentration of carbon monoxide emissions.

(4) Load level of your municipal waste combustion unit.

(5) Temperature of the flue gases at the inlet of your particulate matter air pollution control device.

(6) Average 6-minute opacity level. The data obtained from your continuous opacity monitoring system are not used to determine compliance with the limit on opacity emissions.

(b) If the results of your annual stack tests (as recorded in § 62.15300(a)) show emissions above the limits specified in table 2 or 4 of this subpart as applicable for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash, include a copy of the test report that documents the emission levels and your corrective actions.

(c) For municipal waste combustion units that apply activated carbon to control dioxins/furans or mercury emissions, include two items:

(1) Documentation of all dates when the 8-hour block average carbon feed rate (calculated from the carbon injection system operating parameter) is less than the highest carbon feed rate established during the most recent mercury and dioxins/furans stack test (as specified in § 62.15310(a)(1)). Include four items:

(i) Eight-hour average carbon feed rate.

(ii) Reasons for these occurrences of low carbon feed rates.

(iii) The corrective actions you have taken to meet the carbon feed rate requirement.

(iv) The calendar date.

(2) Documentation of each quarter when total carbon purchased and delivered to the municipal waste combustion plant is less than the total required quarterly usage of carbon. If you choose to evaluate total carbon purchased and delivered on a municipal waste combustion unit basis, record the total carbon purchased and delivered for each individual municipal waste combustion unit at your plant. Include five items:

(i) Amount of carbon purchased and delivered to the plant.

(ii) Required quarterly usage of carbon.

(iii) Reasons for not meeting the required quarterly usage of carbon.

(iv) The corrective actions you have taken to meet the required quarterly usage of carbon.

(v) The calendar date.

### § 62.15360 Can reporting dates be changed?

(a) If the Administrator agrees, you may change the semiannual or annual reporting dates.

(b) *See* § 60.19(c) in subpart A of 40 CFR part 60 for procedures to seek approval to change your reporting date.

## AIR CURTAIN INCINERATORS THAT BURN 100 PERCENT YARD WASTE

### § 62.15365 What is an air curtain incinerator?

An air curtain incinerator operates by forcefully projecting a curtain of air across an open chamber or open pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor.

### § 62.15370 What is yard waste?

Yard waste is grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs. They come from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include two items:

(a) Construction, renovation, and demolition wastes that are exempt from the definition of ''municipal solid waste'' in § 62.15410.

(b) Clean wood that is exempt from the definition of ''municipal solid waste'' in § 62.15410 of this subpart.

### § 62.15375 What are the emission limits for air curtain incinerators that burn 100 percent yard waste?

If your air curtain incinerator combusts 100 percent yard waste, you must meet only the emission limits in this section.

(a) Within 180 days after your final compliance date, you must meet two limits:

(1) The opacity limit is 10 percent (6-minute average) for air curtain incinerators that can combust at least 35 tons per day of yard waste and no more than 250 tons per day of yard waste.

(2) The opacity limit is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

(b) Except during malfunctions, the requirements of this subpart apply at all times. Each malfunction must not exceed 3 hours.

### §62.15380 How must I monitor opacity for air curtain incinerators that burn 100 percent yard waste?

(a) Use EPA Reference Method 9 in Appendix A of 40 CFR part 60 to determine compliance with the opacity limit.

(b) Conduct an initial test for opacity as specified in §60.8 of subpart A of 40 CFR part 60.

(c) After the initial test for opacity, conduct annual tests no more than 13 calendar months following the date of your previous test.

### §62.15385 What are the recordkeeping and reporting requirements for air curtain incinerators that burn 100 percent yard waste?

(a) Provide a notice of construction that includes four items:

(1) Your intent to construct the air curtain incinerator.

(2) Your planned initial startup date.

(3) Types of fuels you plan to combust in your air curtain incinerator.

(4) The capacity of your incinerator, including supporting capacity calculations, as specified in §62.15390 (d) and (e).

(b) Keep records of results of all opacity tests onsite in either paper copy or electronic format unless the Administrator approves another format.

(c) Keep all records for each incinerator for at least 5 years.

(d) Make all records available for submittal to the Administrator or for onsite review by an inspector.

(e) Submit the results (each 6-minute average) of the opacity tests by February 1 of the year following the year of the opacity emission test.

(f) Submit reports as a paper copy on or before the applicable submittal date. If the Administrator agrees, you may submit reports on electronic media.

(g) If the Administrator agrees, you may change the annual reporting dates (*see* §60.19(c) in subpart A of 40 CFR part 60).

(h) Keep a copy of all reports onsite for a period of 5 years.

EQUATIONS

### §62.15390 What equations must I use?

(a) *Concentration correction to 7 percent oxygen.* Correct any pollutant concentration to 7 percent oxygen using equation 1 of this section:

$$C_{7\%} = C_{unc} * (13.9) * \left(1/\left(20.9 - CO_2\right)\right) \qquad \text{(Eq. 1)}$$

Where:

$C_{7\neq}$ = concentration corrected to 7 percent oxygen.

$C_{unc}$ = uncorrected pollutant concentration.

$C_{O2}$ = concentration of oxygen (%).

(b) *Percent reduction in potential mercury emissions.* Calculate the percent reduction in potential mercury emissions ($\%P_{Hg}$) using equation 2 of this section:

$$\%P_{Hg} = \left(E_i - E_o\right) * \left(100/E_i\right) \qquad \text{(Eq. 2)}$$

Where:

$\%P_{Hg}$ = percent reduction of potential mercury emissions

$E_i$ = mercury emission concentration as measured at the air pollution control device inlet, corrected to 7 percent oxygen, dry basis

$E_o$ = mercury emission concentration as measured at the air pollution control device outlet, corrected to 7 percent oxygen, dry basis

(c) *Percent reduction in potential hydrogen chloride emissions.* Calculate the percent reduction in potential hydrogen chloride emissions ($\%P_{HCl}$) using equation 3 of this section:

$$\%P_{HCl} = (E_i - E_o) * (100 / E_i) \qquad \text{(Eq. 3)}$$

Where:

$\%P_{HCl}$ = percent reduction of the potential hydrogen chloride emissions

$E_i$ = hydrogen chloride emission concentration as measured at the air pollution control device inlet, corrected to 7 percent oxygen, dry basis

$E_o$ = hydrogen chloride emission concentration as measured at the air pollution control device outlet, corrected to 7 percent oxygen, dry basis

(d) *Capacity of a municipal waste combustion unit.* For a municipal waste combustion unit that can operate continuously for 24-hour periods, calculate the capacity of the municipal waste combustion unit based on 24 hours of operation at the maximum charge rate. To determine the maximum charge rate, use one of two methods:

(1) For municipal waste combustion units with a design based on heat input capacity, calculate the maximum charging rate based on this maximum heat input capacity and one of two heating values:

(i) If your municipal waste combustion unit combusts refuse-derived fuel, use a heating value of 12,800 kilojoules per kilogram (5,500 British thermal units per pound).

(ii) If your municipal waste combustion unit combusts municipal solid waste, use a heating value of 10,500 kilojoules per kilogram (4,500 British thermal units per pound).

(2) For municipal waste combustion units with a design not based on heat input capacity, use the maximum designed charging rate.

(e) *Capacity of a batch municipal waste combustion unit.* Calculate the capacity of a batch municipal waste combustion unit as the maximum design amount of municipal solid waste they can charge per batch multiplied by the maximum number of batches they can process in 24 hours. Calculate this maximum number of batches by dividing 24 by the number of hours needed to process one batch. Retain fractional batches in the calculation. For example, if one batch requires 16 hours, the municipal waste combustion unit can combust 24/16, or 1.5 batches, in 24 hours.

(f) *Quarterly carbon usage.* If you use activated carbon to comply with the dioxins/furans or mercury limits, calculate the required quarterly usage of carbon using equation 4 or 5 of this section for plant basis or unit basis:

(1) Plant basis.

$$C = \sum_{i=1}^{n} f_i * h_i \qquad \text{(Eq. 4)}$$

Where:

C = required quarterly carbon usage for the plant in kilograms (or pounds).

$f_i$ = required carbon feed rate for the municipal waste combustion unit in kilograms (or pounds) per hour. This is the average carbon feed rate during the most recent mercury or dioxins/furans stack tests (whichever has a higher feed rate).

$h_i$ = number of hours the municipal waste combustion unit was in operation during the calendar quarter (hours).

n = number of municipal waste combustion units, i, located at your plant.

(2) Unit basis.

$$C = f * h \qquad \text{(Eq. 5)}$$

Where:

C = required quarterly carbon usage for the unit in kilograms (or pounds).

f = required carbon feed rate for the municipal waste combustion unit in kilograms (or pounds) per hour. This is the average carbon feed rate during the most recent mercury or dioxins/furans stack tests (whichever has a higher feed rate).

h = number of hours the municipal waste combustion unit was in operation during the calendar quarter (hours).

TITLE V REQUIREMENTS

**§62.15395 Does this subpart require me to obtain an operating permit under title V of the Clean Air Act?**

Yes. If you are subject to this subpart on the effective date of this subpart or any time thereafter, you are required to apply for and obtain a title V operating permit.

**§62.15400 When must I submit a title V permit application for my existing small municipal waste combustion unit?**

(a) You must submit a complete title V permit application within 12 months of when your source first becomes subject to a title V permitting program. *See* 40 CFR 70.3(a) and (b), 70.5(a)(1), 71.3(a) and (b), and 71.5(a)(1). As provided in section 503(c) of the Clean Air Act, permitting authorities may establish permit application deadlines earlier than the 12-month deadline.

(b) If your existing small MWC unit is not subject to an earlier permit application deadline, a complete title V permit application must be submitted not later than the date 36 months after promulgation of 40 CFR part 60, subpart BBBB (December 6, 2003), or by the effective date of the applicable State, tribal, or Federal operating permits program, whichever is later. For any existing small MWC unit not subject to an earlier application deadline, this final application deadline applies regardless of when this Federal plan is effective, or when the relevant State or Tribal section 111(d)/129 plan is approved by EPA and becomes effective. *See* sections 129(e), 503(c), 503(d), and 502(a) of the Clean Air Act.

(c) A ''complete'' title V permit application is one that has been determined or deemed complete by the relevant permitting authority under section 503(d) of the Clear Air Act and 40 CFR 70.5(a)(2) or 71.5(a)(2). You must submit a complete permit application by the relevant application deadline in order to operate after this date in compliance with Federal law. *See* sections 503(d) and 502(a); 40 CFR 70.7(b) and 71.7(b).

DELEGATION OF AUTHORITY

**§62.15405 What authorities are retained by the Administrator?**

These authorities are retained by the EPA Administrator and not transferred to the State upon delegation of authority to the State to implement and enforce this subpart.

(a) Approval of alternative non-opacity emission standard;

(b) Approval of alternative opacity standard;

(c) Approval of major alternatives to test methods;

(d) Approval of major alternatives to monitoring;

(e) Waiver of recordkeeping; and

(f) Approval of exemption to operating practice requirements in §62.15145(e)(5).

DEFINITIONS

**§62.15410 What definitions must I know?**

Terms used but not defined in this section are defined in the Clean Air Act and in subparts A and B of 40 CFR part 60.

*Administrator* means the Administrator of the U.S. Environmental Protection Agency or his/her authorized representative or the Administrator of a State Air Pollution Control Agency.

*Air curtain incinerator* means an incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor.

*Batch municipal waste combustion unit* means a municipal waste combustion unit designed so it cannot combust municipal solid waste continuously 24 hours per day because the design does not allow waste to be fed to the unit or ash to be removed during combustion.

*Calendar quarter* means three consecutive months (nonoverlapping) beginning on: January 1, April 1, July 1, or October 1.

*Calendar year* means 365 consecutive days (or 366 consecutive days in leap years) starting on January 1 and ending on December 31.

*Chief facility operator* means the person in direct charge and control of the

operation of a municipal waste combustion unit. This person is responsible for daily onsite supervision, technical direction, management, and overall performance of the municipal waste combustion unit.

*Class I units* mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See the definition of ''municipal waste combustion plant capacity'' for specification of which units at a plant site are included in the aggregate capacity calculation.

*Class II units* mean small municipal combustion units subject to this subpart that are located at municipal waste combustion plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. See the definition of ''municipal waste combustion plant capacity'' for specification of which units at a plant site are included in the aggregate capacity calculation.

*Clean wood* means untreated wood or untreated wood products including clean untreated lumber, tree stumps (whole or chipped), and tree limbs (whole or chipped). Clean wood does not include two items:

(1) ''Yard waste'', which is defined in this section.

(2) Construction, renovation, or demolition wastes (for example, railroad ties and telephone poles) that are exempt from the definition of municipal solid waste in this section.

*Cofired combustion unit* means a unit that combusts municipal solid waste with nonmunicipal solid waste fuel (for example, coal, industrial process waste). To be considered a cofired combustion unit, the unit must be subject to a federally enforceable permit that limits it to combusting a fuel feed stream which is 30 percent or less (by weight) municipal solid waste as measured each calendar quarter.

*Continuous burning* means the continuous, semicontinuous, or batch feeding of municipal solid waste to dispose of the waste, produce energy, or provide heat to the combustion system in preparation for waste disposal or energy production. Continuous burning does not mean the use of municipal solid waste solely to thermally protect the grate or hearth during the startup period when municipal solid waste is not fed to the grate or hearth.

*Continuous emission monitoring system* means a monitoring system that continuously measures the emissions of a pollutant from a municipal waste combustion unit.

*Contract* means a legally binding agreement or obligation that cannot be canceled or modified without substantial financial loss.

*De-rate* means to make a permanent physical change to the municipal waste combustor unit that reduces the maximum combustion capacity of the unit to less than or equal to 35 tons per day of municipal solid waste. A permit restriction or a change in the method of operation does not qualify as de-rating.

*Dioxins/furans* mean tetra- through octachlorinated dibenzo-p-dioxins and dibenzofurans.

*Effective date of State plan approval* means the effective date that the EPA approves the State plan. The FEDERAL REGISTER specifies this date in the notice that announces EPA's approval of the State plan.

*Eight-hour block average* means the average of all hourly emission concentrations or parameter levels when the municipal waste combustion unit operates and combusts municipal solid waste measured over any of three 8-hour periods of time:

(1) 12 midnight to 8 a.m.

(2) 8 a.m. to 4 p.m.

(3) 4 p.m. to 12 midnight.

*EPA-approved State plan* means a State plan that EPA has reviewed and approved based on the requirements in 40 CFR part 60 subpart B to implement and enforce 40 CFR part 60, subpart BBBB. An approved State plan becomes effective on the date specified in the notice published in the FEDERAL REGISTER announcing EPA's approval.

*Federally enforceable* means all limits and conditions the Administrator can enforce (including the requirements of 40 CFR parts 60, 61, and 63), requirements in a State's implementation plan, and any permit requirements established under 40 CFR 52.21 or under 40 CFR 51.18 and 40 CFR 51.24.

*First calendar half* means the period that starts on January 1 and ends on June 30 in any year.

*Fluidized bed combustion unit* means a unit where municipal waste is combusted in a fluidized bed of material. The fluidized bed material may remain in the primary combustion zone or may be carried out of the primary combustion zone and returned through a recirculation loop.

*Four-hour block average* or *4-hour block average* means the average of all hourly emission concentrations or parameter levels when the municipal waste combustion unit operates and combusts municipal solid waste measured over any of six 4-hour periods:

(1) 12 midnight to 4 a.m.

(2) 4 a.m. to 8 a.m.

(3) 8 a.m. to 12 noon.

(4) 12 noon to 4 p.m.

(5) 4 p.m. to 8 p.m.

(6) 8 p.m. to 12 midnight.

*Mass burn refractory municipal waste combustion unit* means a field-erected municipal waste combustion unit that combusts municipal solid waste in a refractory wall furnace. Unless otherwise specified, this includes municipal waste combustion units with a cylindrical rotary refractory wall furnace.

*Mass burn rotary waterwall municipal waste combustion unit* means a field-erected municipal waste combustion unit that combusts municipal solid waste in a cylindrical rotary waterwall furnace.

*Mass burn waterwall municipal waste combustion unit* means a field-erected municipal waste combustion unit that combusts municipal solid waste in a waterwall furnace.

*Maximum demonstrated load of a municipal waste combustion unit* means the highest 4-hour block arithmetic average municipal waste combustion unit load achieved during 4 consecutive hours in the course of the most recent dioxins/furans stack test that demonstrates compliance with the applicable emission limit for dioxins/furans specified in this subpart.

*Maximum demonstrated temperature of the particulate matter control device* means the highest 4-hour block arithmetic average flue gas temperature measured at the inlet of the particulate matter control device during 4 consecutive hours in the course of the most recent stack test for dioxins/furans emissions that demonstrates compliance with the limits specified in this subpart.

*Medical/infectious waste* means any waste meeting the definition of medical/infectious waste contained in 40 CFR 60.51c of subpart Ec.

*Mixed fuel-fired (pulverized coal/refuse-derived fuel) combustion unit* means a combustion unit that combusts coal and refuse-derived fuel simultaneously, in which pulverized coal is introduced into an air stream that carries the coal to the combustion chamber of the unit where it is combusted in suspension. This includes both conventional pulverized coal and micropulverized coal.

*Modification* or *modified municipal waste combustion unit* means a municipal waste combustion unit you have changed later than June 6, 2001, and that meets one of two criteria:

(1) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the unit (not including the cost of land) updated to current costs.

(2) Any physical change in the municipal waste combustion unit or change in the method of operating it that increases the emission level of any air pollutant for which standards have been established under section 129 or section 111 of the Clean Air Act. Increases in the emission level of any air pollutant are determined when the municipal waste combustion unit operates at 100 percent of its physical load capability and are measured downstream of all air pollution control devices. Load restrictions based on permits or other nonphysical operational restrictions cannot be considered in this determination.

*Modular excess-air municipal waste combustion unit* means a municipal waste combustion unit that combusts municipal solid waste, is not field-erected, and has multiple combustion chambers, all of which are designed to operate at conditions with combustion air amounts in excess of theoretical air requirements.

*Modular starved-air municipal waste combustion unit* means a municipal waste combustion unit that combusts

municipal solid waste, is not field-erected, and has multiple combustion chambers in which the primary combustion chamber is designed to operate at substoichiometric conditions.

*Municipal solid waste* or *municipal-type solid waste* means household, commercial/retail, or institutional waste. Household waste includes material discarded by residential dwellings, hotels, motels, and other similar permanent or temporary housing. Commercial/retail waste includes material discarded by stores, offices, restaurants, warehouses, nonmanufacturing activities at industrial facilities, and other similar establishments or facilities. Institutional waste includes materials discarded by schools, by hospitals (nonmedical), by nonmanufacturing activities at prisons and government facilities, and other similar establishments or facilities. Household, commercial/retail, and institutional waste does include yard waste and refuse-derived fuel. Household, commercial/retail, and institutional waste does not include used oil; sewage sludge; wood pallets; construction, renovation, and demolition wastes (which include railroad ties and telephone poles); clean wood; industrial process or manufacturing wastes; medical waste; or motor vehicles (including motor vehicle parts or vehicle fluff).

*Municipal waste combustion plant* means one or more municipal waste combustion units at the same location as specified under ''Applicability of State Plans'' (§ 62.15010(a)).

*Municipal waste combustion plant capacity* means the aggregate municipal waste combustion capacity of all municipal waste combustion units at the plant that are not subject to subparts Ea, Eb, or AAAA of 40 CFR part 60.

*Municipal waste combustion unit* means any setting or equipment that combusts solid, liquid, or gasified municipal solid waste including, but not limited to, field-erected combustion units (with or without heat recovery), modular combustion units (starved-air or excess-air), boilers (for example, steam generating units), furnaces (whether suspension-fired, grate-fired, mass-fired, air curtain incinerators, or fluidized bed-fired), and pyrolysis/combustion units. Two criteria further define these municipal waste combustion units:

(1) Municipal waste combustion units do not include pyrolysis or combustion units located at a plastics or rubber recycling unit as specified under § 62.15020(h) and (i). Municipal waste combustion units do not include cement kilns that combust municipal solid waste as specified under § 62.15020(j). Municipal waste combustion units also do not include internal combustion engines, gas turbines, or other combustion devices that combust landfill gases collected by landfill gas collection systems.

(2) The boundaries of a municipal waste combustion unit are defined as follows. The municipal waste combustion unit includes, but is not limited to, the municipal solid waste fuel feed system, grate system, flue gas system, bottom ash system, and the combustion unit water system. The municipal waste combustion unit does not include air pollution control equipment, the stack, water treatment equipment, or the turbine-generator set. The municipal waste combustion unit boundary starts at the municipal solid waste pit or hopper and extends through three areas:

(i) The combustion unit flue gas system, which ends immediately after the heat recovery equipment or, if there is no heat recovery equipment, immediately after the combustion chamber.

(ii) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. It includes all ash handling systems connected to the bottom ash handling system.

(iii) The combustion unit water system, which starts at the feed water pump and ends at the piping that exits the steam drum or superheater.

*Particulate matter* means total particulate matter emitted from municipal waste combustion units as measured by EPA Reference Method 5 in Appendix A of 40 CFR part 60 and the procedures specified in § 62.15245.

*Plastics or rubber recycling unit* means an integrated processing unit for which plastics, rubber, or rubber tires are the

only feed materials (incidental contaminants may be in the feed materials). These materials are processed and marketed to become input feed stock for chemical plants or petroleum refineries. The following three criteria further define a plastics or rubber recycling unit:

(1) Each calendar quarter, the combined weight of the feed stock that a plastics or rubber recycling unit produces must be more than 70 percent of the combined weight of the plastics, rubber, and rubber tires that recycling unit processes.

(2) The plastics, rubber, or rubber tires fed to the recycling unit may originate from separating or diverting plastics, rubber, or rubber tires from municipal or industrial solid waste. These feed materials may include manufacturing scraps, trimmings, and off-specification plastics, rubber, and rubber tire discards.

(3) The plastics, rubber, and rubber tires fed to the recycling unit may contain incidental contaminants (for example, paper labels on plastic bottles or metal rings on plastic bottle caps).

*Potential hydrogen chloride emissions* means the level of emissions from a municipal waste combustion unit that would occur from combusting municipal solid waste without emission controls for acid gases.

*Potential mercury emissions* means the level of emissions from a municipal waste combustion unit that would occur from combusting municipal solid waste without controls for mercury emissions.

*Potential sulfur dioxide emissions* means the level of emissions from a municipal waste combustion unit that would occur from combusting municipal solid waste without emission controls for acid gases.

*Protectorate* means American Samoa, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Northern Mariana Islands, and the Virgin Islands.

*Pyrolysis/combustion unit* means a unit that produces gases, liquids, or solids by heating municipal solid waste. The gases, liquids, or solids produced are combusted and the emissions vented to the atmosphere.

*Reconstruction* means rebuilding a municipal waste combustion unit and meeting two criteria:

(1) The reconstruction begins on or after June 6, 2001.

(2) The cumulative cost of the construction over the life of the unit exceeds 50 percent of the original cost of building and installing the municipal waste combustion unit (not including land) updated to current costs (current dollars). To determine what systems are within the boundary of the municipal waste combustion unit used to calculate these costs, see the definition of ''municipal waste combustion unit'' in this section.

*Refractory unit* or *refractory wall furnace* means a municipal waste combustion unit that has no energy recovery (such as through a waterwall) in the furnace of the municipal waste combustion unit.

*Refuse-derived fuel* means a type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. This includes all classes of refuse-derived fuel including two fuels:

(1) Low-density fluff refuse-derived fuel through densified refuse-derived fuel.

(2) Pelletized refuse-derived fuel.

*Same location* means the same or contiguous properties under common ownership or control, including those separated only by a street, road, highway, or other public right-of-way. Common ownership or control includes properties that are owned, leased, or operated by the same entity, parent entity, subsidiary, subdivision, or any combination thereof. Entities may include a municipality, other governmental unit, or any quasi-governmental authority (for example, a public utility district or regional authority for waste disposal).

*Second calendar half* means the period that starts on July 1 and ends on December 31 in any year.

*Shift supervisor* means the person who is in direct charge and control of operating a municipal waste combustion unit and who is responsible for onsite supervision, technical direction, management, and overall performance of the municipal waste combustion unit during an assigned shift.

*Spreader stoker, mixed fuel-fired (coal/refuse-derived fuel) combustion unit* means a municipal waste combustion unit that combusts coal and refuse-derived fuel simultaneously, in which coal is introduced to the combustion zone by a mechanism that throws the fuel onto a grate from above. Combustion takes place both in suspension and on the grate.

*Standard conditions* when referring to units of measure mean a temperature of 20 °C and a pressure of 101.3 kilopascals.

*Startup period* means the period when a municipal waste combustion unit begins the continuous combustion of municipal solid waste. It does not include any warmup period during which the municipal waste combustion unit combusts fossil fuel or other solid waste fuel but receives no municipal solid waste.

*State* means any of the 50 United States and the protectorates of the United States.

*State plan* means a plan submitted pursuant to section 111(d) and section 129(b)(2) of the Clean Air Act and 40 CFR part 60, subpart B, that implements and enforces 40 CFR part 60, subpart BBBB.

*Stoker (refuse-derived fuel) combustion unit* means a steam generating unit that combusts refuse-derived fuel in a semisuspension combusting mode, using air-fed distributors.

*Total mass dioxins/furans* or *total mass* means the total mass of tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans as determined using EPA Reference Method 23 in Appendix A of 40 CFR part 60 and the procedures specified in § 62.15245.

*Tribal plan* means a plan submitted by a tribal authority pursuant to 40 CFR parts 9, 35, 49, 50, and 81 that implements and enforces 40 CFR part 60 subpart BBBB.

*Twenty-four hour daily average* or *24-hour daily average* means either the arithmetic mean or geometric mean (as specified) of all hourly emission concentrations when the municipal waste combustion unit operates and combusts municipal solid waste measured during the 24 hours between 12:00 midnight and the following midnight.

*Untreated lumber* means wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Untreated lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote.

*Waterwall furnace* means a municipal waste combustion unit that has energy (heat) recovery in the furnace (for example, radiant heat transfer section) of the combustion unit.

*Yard waste* means grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs. They come from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include two items:

(1) Construction, renovation, and demolition wastes that are exempt from the definition of ''municipal solid waste'' in this section.

(2) Clean wood that is exempt from the definition of ''municipal solid waste'' in this section.

TABLE 1 TO SUBPART JJJ OF PART 62—GENERIC COMPLIANCE SCHEDULES AND INCREMENTS OF PROGRESS

| Affected units | Increment 1 (Submit final control plan) | Increment 2 (Award contracts) | Increment 3 (Begin onsite construction) | Increment 4 (Complete onsite construction) | Increment 5 (Final compliance) |
|---|---|---|---|---|---|
| **1. Class I units[a,b]** | August 6, 2003 | April 6, 2004 | October 6, 2004 | October 6, 2005 | November 6, 2005 |
| **2. Class II units [c]** | September 6, 2003 | Not applicable | Not applicable | Not applicable | May 6, 2005 |

[a] Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See §62.15410 for definitions.

[b] For Class I units that began construction, reconstruction, or modification after June 26, 1987, comply with the dioxins/furans and mercury limits by the later of two dates:

1. One year after the effective date of this subpart.
2. One year after the issuance of a revised construction or operation permit, if a permit modification is required. Final compliance with the dioxins/furans limits must be achieved no later than the Class I final compliance date, even if the date one year after the issuance of a revised construction or operation permit exceeds the Class I final compliance date.

[c] Class II units mean all small municipal combustion units subject to this subpart that are located at municipal waste combustion plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. See §62.15410 for definitions.

TABLE 2 TO SUBPART JJJ OF PART 62—CLASS I EMISSION LIMITS FOR EXISTING SMALL MUNICIPAL WASTE COMBUSTION LIMITS

| For these pollutants | You must meet these emission limits[b] | Using these averaging times | And determine compliance by these methods |
|---|---|---|---|
| **1. Organics** | | | |
| **Dioxins/furans (total mass basis)** | 30 nanograms per dry standard cubic meter for municipal waste combustion units that do not employ an electrostatic precipitator-based emission control system<br>-or-<br>60 nanograms per dry standard cubic meter for municipal waste combustion units that employ an electrostatic precipitator-based emission control system | 3-run average (minimum run duration is 4 hours) | Stack test |
| **2. Metals** | | | |
| **Cadmium** | 0.040 milligrams per dry standard cubic meter | 3-run average (run duration specified in test method) | Stack test |
| **Lead** | 0.490 milligrams per dry standard cubic meter | 3-run average (run duration specified in test method) | Stack test |
| **Mercury** | 0.080 milligrams per dry standard cubic meter<br>-or-<br>85 percent reduction of potential mercury emissions | 3-run average (run duration specified in test method) | Stack test |
| **Opacity** | 10 percent | Thirty 6-minute averages | Stack test |
| **Particulate Matter** | 27 milligrams per dry standard cubic meter | 3-run average (run duration specified in test method) | Stack test |

[a] Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See §62.15410 for definitions.

[b] All emission limits (except for opacity) are measured at 7 percent oxygen.

| For these pollutants | You must meet these emission limits[b] | Using these averaging times | And determine compliance by these methods |
|---|---|---|---|
| **3. Acid gases** | | | |
| **Hydrogen Chloride** | 31 parts per million by dry volume<br>-or-<br>95 percent reduction of potential hydrogen chloride emissions | 3-run average (minimum run duration is 1 hour) | Stack test |
| **Sulfur Dioxide** | 31 parts per million by dry volume<br>-or -<br>75 percent reduction of potential sulfur dioxide emissions | 24-hour daily block geometric average concentration<br>-or-<br>percent reduction | Continuous emission monitoring system |
| **4. Other** | | | |
| **Fugitive Ash** | Visible emissions for no more than 5 percent of hourly observation period | Three 1-hour observation periods | Visible emission test |

[a] Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See §62.15410 for definitions.
[b] All emission limits (except for opacity) are measured at 7 percent oxygen.

TABLE 3 TO SUBPART JJJ OF PART 62—CLASS I NITROGEN OXIDES EMISSION LIMITS FOR EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS[a,b,c]

| Municipal Waste Combustion Technology | Limits for Class I Municipal Waste Combustion Units |
|---|---|
| 1. Mass burn waterwall | 200 parts per million by dry volume |
| 2. Mass burn rotary waterwall | 170 parts per million by dry volume |
| 3. Refuse-derived fuel | 250 parts per million by dry volume |
| 4. Fluidized bed | 220 parts per million by dry volume |
| 5. Mass burn refractory | 350 parts per million by dry volume |
| 6. Modular excess air | 190 parts per million by dry volume |
| 7. Modular starved air | 380 parts per million by dry volume |

[a] Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See §62.15410 for definitions.
[b] Nitrogen oxides limits are corrected to 7 percent oxygen, dry basis.
[c] All limits are 24-hour daily block arithmetic average concentration. Compliance is determined for Class I units by continuous emission monitoring systems.

TABLE 4 TO SUBPART JJJ OF PART 62—CLASS II EMISSION LIMITS FOR EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS[A]

| For these pollutants | | You must meet these emission limits[b] | Using these averaging times | And determine compliance by these methods |
|---|---|---|---|---|
| **1. Organics** | | | | |
| | **Dioxins/furans (total mass basis)** | 125 nanograms per dry standard cubic meter | 3-run average (minimum run duration is 4 hours) | Stack test |
| **2. Metals** | | | | |
| | **Cadmium** | 0.10 milligrams per dry standard cubic meter | 3-run average (run duration specified in test method) | Stack test |
| | **Lead** | 1.6 milligrams per dry standard cubic meter | 3-run average (run duration specified in test method) | Stack test |
| | **Mercury** | 0.080 milligrams per dry standard cubic meter<br>-or-<br>85 percent reduction of potential mercury emissions | 3-run average (run duration specified in test method) | Stack test |
| | **Opacity** | 10 percent | Thirty 6-minute averages | Stack test |
| | **Particulate Matter** | 70 milligrams per dry standard cubic meter | 3-run average (run duration specified in test method) | Stack test |
| **3. Acid gases** | | | | |
| | **Hydrogen Chloride** | 250 parts per million by volume<br>-or-<br>50 percent reduction of potential hydrogen chloride emissions | 3-run average (minimum run duration is 1 hour) | Stack test |

[a] Class II units mean all small municipal combustion units subject to this subpart that are located at municipal waste combustion plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. See §62.15410 for definitions.

[b] All emission limits (except for opacity) measured at 7 percent oxygen.

| For these pollutants | | You must meet these emission limits[b] | Using these averaging times | And determine compliance by these methods |
|---|---|---|---|---|
| **3. Acid gases** | | | | |
| | **Nitrogen Oxides** | 500 parts per million by dry volume | See footnote c | See footnote c |
| | **Sulfur Dioxide** | 77 parts per million by dry volume -or - 50 percent reduction of potential sulfur dioxides emissions | 24-hour daily block geometric average concentration -or- percent reduction | Continuous emission monitoring system |
| **4. Other** | | | | |
| | **Fugitive Ash** | Visible emissions for no more than 5 percent of hourly observation period | Three 1-hour observation periods | Visible emission test |

a Class II units mean all small municipal combustion units subject to this subpart that are located at municipal waste combustion plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. See §62.15410 for definitions.

b All emission limits (except for opacity) are measured at 7 percent oxygen.

c No monitoring, testing, recordkeeping or reporting is required to demonstrate compliance with the nitrogen oxides limit for Class II units.

TABLE 5 TO SUBPART JJJ OF PART 62—CARBON MONOXIDE EMISSION LIMITS FOR EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS

| For these municipal waste combustion units | You must meet the carbon monoxide limits[a] | Using these averaging times[b] |
|---|---|---|
| **1. Fluidized bed** | 100 parts per million by dry volume | 4-hour |
| **2. Fluidized bed, mixed fuel, (wood/refuse-derived fuel)** | 200 parts per million by dry volume | 24-hour[c] |
| **3. Mass burn rotary refractory** | 100 parts per million by dry volume | 4-hour |
| **4. Mass burn rotary waterwall** | 250 parts per million by dry volume | 24-hour |
| **5. Mass burn waterwall and refractory** | 100 parts per million by dry volume | 4-hour |
| **6. Mixed fuel-fired, (pulverized coal/refuse-derived fuel)** | 150 parts per million by dry volume | 4-hour |
| **7. Modular starved-air and excess air** | 50 parts per million by dry volume | 4-hour |
| **8. Spreader stoker, mixed fuel-fired (coal/refuse-derived fuel)** | 200 parts per million by dry volume | 24-hour daily |
| **9. Stoker, refuse-derived fuel** | 200 parts per million by dry volume | 24-hour daily |

[a] All emission limits (except for opacity) are measured at 7 percent oxygen. Compliance is determined by continuous emission monitoring systems.

[b] Block averages, arithmetic mean. See §62.15410 for definitions.

[c] 24-hour block average, geometric mean.

TABLE 6 TO SUBPART JJJ OF PART 62—REQUIREMENTS FOR VALIDATING CONTINUOUS EMISSION MONITORING SYSTEMS (CEMS)

| For these continuous monitoring systems | Use these methods to validate pollutant concentration levels[a] | Use these methods to measure oxygen (or carbon dioxide)[a] |
|---|---|---|
| **1. Nitrogen oxides (Class I units only)[b]** | Method 7, 7A, 7B, 7C, 7D, or 7E | Method 3 or 3A |
| **2. Sulfur dioxide** | Method 6 or 6C | Method 3 or 3A |
| **3. Carbon monoxide** | Method 10, 10A, or 10B | Method 3 or 3A |

[a] Methods are in Appendix A of 40 CFR part 60.

[b] Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See §62.15410 for definitions.

TABLE 7 TO SUBPART JJJ OF PART 62—REQUIREMENTS FOR CONTINUOUS EMISSION MONITORING SYSTEMS (CEMS) [A]

| For these pollutants | Use these span values for your CEMS | Use these performance specifications for your CEMS (from appendix B in 40 CFR part 60) | If needed to meet minimum data requirements, use these alternate methods to collect data |
|---|---|---|---|
| **1. Opacity** | 100 percent opacity | P.S. 1 | Method 9 |
| **2. Nitrogen oxides (Class I units only)** | **Control device outlet:** 125 percent of the maximum expected hourly potential nitrogen oxides emissions of the municipal waste combustion unit | P.S. 2 | Method 7E |
| **3. Sulfur dioxide** | **Inlet to control device:** 125 percent of the maximum expected hourly potential sulfur dioxide emissions of the municipal waste combustion unit **Control device outlet:** 50 percent of the maximum expected hourly potential sulfur dioxide emissions of the municipal waste combustion unit | P.S. 2 | Method 6C |
| **4. Carbon monoxide** | 125 percent of the maximum expected hourly potential carbon monoxide emissions of the municipal waste combustion unit | P.S. 4A | Method 10 with alternative interference trap |
| **5. Oxygen or carbon dioxide** | 25 percent oxygen or 25 percent carbon dioxide | P.S. 3 | Method 3A or 3B |

[a] Methods are in Appendix A of 40 CFR part 60.

TABLE 8 TO SUBPART JJJ OF PART 62—REQUIREMENTS FOR STACK TESTS

| To measure these pollutants | Use these methods to determine the sampling location[a] | Use these methods to measure pollutant concentration[a] | Also note the following additional information |
|---|---|---|---|
| **1. Organics** | | | |
| **Dioxins/furans** | Method 1 | Method 23[b] | The minimum sampling time must be 4 hours per test run while the municipal waste combustion unit is operating at full load. |
| **2. Metals** | | | |
| **Cadmium** | Method 1 | Method 29[b] | Compliance testing must be performed while the municipal waste combustion unit is operating at full load. |
| **Lead** | Method 1 | Method 29[b] | Compliance testing must be performed while the municipal waste combustion unit is operating at full load. |
| **Mercury** | Method 1 | Method 29[b] | Compliance testing must be performed while the municipal waste combustion unit is operating at full load. |
| **Opacity** | Method 9 | Method 9 | Use Method 9 to determine compliance with opacity limits. 3-hour observation period (thirty 6-minute averages). |
| **Particulate matter** | Method 1 | Method 5 or 29[b] | The minimum sample volume must be 1.0 cubic meters. The probe and filter holder heating systems in the sample train must be set to provide a gas temperature no greater than 160 ±14 °C. The minimum sampling time is 1 hour. |

[a] Methods are in Appendix A of 40 CFR part 60.
[b] Must simultaneously measure oxygen (or carbon dioxide) using Method 3A or 3B.
[c] Use CEMS to test sulfur dioxide, nitrogen oxide, and carbon monoxide. Stack tests are not required except for Appendix F quality assurance requirements.

| To measure these pollutants | Use these methods to determine the sampling location[a] | Use these methods to measure pollutant concentration[a] | Also note the following additional information |
|---|---|---|---|
| **3. Acid gases[c]** | | | |
| **Hydrogen chloride** | Method 1 | Method 26 or 26A[b] | Test runs must be at least 1 hour long while the municipal waste combustion unit is operating at full load. |
| **4. Other[c]** | | | |
| **Fugitive ash** | Not applicable | Method 22 (visible emissions) | The three 1-hour observation period must include periods when the facility transfers fugitive ash from the municipal waste combustion unit to the area where the fugitive ash is stored or loaded into containers or trucks. |

[a] Must simultaneously measure oxygen (or carbon dioxide) using Method 3A or 3B.
[b] Use CEMS to test sulfur dioxide, nitrogen oxide, and carbon monoxide. Stack tests are not required except for Appendix F quality assurance requirements.

TABLE 9 TO SUBPART JJJ OF PART 62—SITE-SPECIFIC COMPLIANCE SCHEDULES AND INCREMENTS OF PROGRESS

| Class I[a,b] units | State | Units that will Cease Operation | Increment 1 (Submit final control plan) | Increment 2 (Award contracts) | Increment 3 (Begin onsite construction) | Increment 4 (Complete onsite construction) | Increment 5 (Final compliance) |
|---|---|---|---|---|---|---|---|
| Dutchess County Resource Recovery Facility | NY | Not Applicable | August 6, 2003 | February 6, 2004 | August 6, 2004 | October 6, 2005 | December 6, 2005 |
| Islip-MacArthur Resource Recovery Facility | NY | Not Applicable | August 6, 2003 | February 6, 2004 | August 6, 2004 | October 6, 2005 | December 6, 2005 |
| Harrisburg Materials, Energy, Recycling and Recovery Facility | PA | June 18, 2003 | Not Applicable | Not Applicable | Not Applicable | Not Applicable | Not Applicable |

[a] Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See §62.15410 for definitions.

[b] For Class I units that began construction, reconstruction, or modification after June 26, 1987, comply with the dioxins/furans and mercury limits by the later of two dates:

1. One year after the effective date of this subpart.
2. One year after the issuance of a revised construction or operation permit, if a permit modification is required. Final compliance with the dioxins/furans limits must be achieved no later than the Class I final compliance date, even if the date one year after the issuance of a revised construction or operation permit exceeds the Class I final compliance date.