

**Environmental Protection Agency**

**§ 63.1201**

TABLE 8 TO SUBPART PPP—ROUTINE REPORTS REQUIRED BY THIS SUBPART

AUTHORITY: 42 U.S.C. 7401 et seq.

SOURCE: 57 FR 61992, Dec. 29, 1992, unless otherwise noted.

**Subpart EEE—National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors**

SOURCE: 64 FR 53038, Sept. 30, 1999, unless otherwise noted.

GENERAL

**§ 63.1200 Who is subject to these regulations?**

The provisions of this subpart apply to all hazardous waste combustors: hazardous waste incinerators, hazardous waste cement kilns, hazardous

waste lightweight aggregate kilns, hazardous waste solid fuel boilers, hazardous waste liquid fuel boilers, and hazardous waste hydrochloric acid production furnaces. Hazardous waste combustors are also subject to applicable requirements under parts 260 through 270 of this chapter.

(a) *What if I am an area source?* (1) Both area sources and major sources are subject to this subpart.

(2) Both area sources and major sources subject to this subpart, but not previously subject to title V, are immediately subject to the requirement to apply for and obtain a title V permit in all States, and in areas covered by part 71 of this chapter.

(b) These regulations in this subpart do not apply to sources that meet the criteria in Table 1 of this Section, as follows:

TABLE 1 TO § 63.1200—HAZARDOUS WASTE COMBUSTORS EXEMPT FROM SUBPART EEE

If	And if	Then
(1) You are a previously affected source.	(i) You ceased feeding hazardous waste for a period of time greater than the hazardous waste residence time (i.e., hazardous waste no longer resides in the combustion chamber); (ii) You have initiated the closure requirements of subpart G, parts 264 or 265 of this chapter; (iii) You begin complying with the requirements of all other applicable standards of this part (Part 63); and (iv) You notify the Administrator in writing that you are no longer an affected source under this subpart (Subpart EEE).	You are no longer subject to this subpart (Subpart EEE).
(2) You are a research, development, and demonstration source.	You operate for no longer than one year after first burning hazardous waste (Note that the Administrator can extend this one-year restriction on a case-by-case basis upon your written request documenting when you first burned hazardous waste and the justification for needing additional time to perform research, development, or demonstration operations)..	You are not subject to this subpart (Subpart EEE). This exemption applies even if there is a hazardous waste combustor at the plant site that is regulated under this subpart. You still, however, remain subject to § 270.65 of this chapter.
(3) The only hazardous wastes you burn are exempt from regulation under § 266.100(c) of this chapter.	.....	You are not subject to the requirements of this subpart (Subpart EEE).
(4) You meet the definition of a small quantity burner under § 266.108 of this chapter.	.....	You are not subject to the requirements of this subpart (Subpart EEE).

(c) Table 1 of this section specifies the provisions of subpart A (General Provisions, §§ 63.1–63.15) that apply and those that do not apply to sources affected by this subpart.

[64 FR 53038, Sept. 30, 1999, as amended at 65 FR 42297, July 10, 2000; 67 FR 6986, Feb. 14, 2002; 70 FR 59540, Oct. 12, 2005]

**§ 63.1201 Definitions and acronyms used in this subpart.**

(a) The terms used in this subpart are defined in the Act, in subpart A of this part, or in this section as follows:

*Air pollution control system* means the equipment used to reduce the release of particulate matter and other pollutants to the atmosphere.

*Automatic waste feed cutoff (AWFCO) system* means a system comprised of cutoff valves, actuator, sensor, data manager, and other necessary components and electrical circuitry designed, operated and maintained to stop the flow of hazardous waste to the combustion unit automatically and immediately (except as provided by §63.1206(c)(3)(viii)) when any operating requirement is exceeded.

*Btu* means British Thermal Units.

*By-pass duct* means a device which diverts a minimum of 10 percent of a cement kiln's off gas, or a device which the Administrator determines on a case-by-case basis diverts a sample of kiln gas that contains levels of carbon monoxide or hydrocarbons representative of the levels in the kiln.

*Combustion chamber* means the area in which controlled flame combustion of hazardous waste occurs.

*Continuous monitor* means a device which continuously samples the regulated parameter specified in §63.1209 without interruption, evaluates the detector response at least once every 15 seconds, and computes and records the average value at least every 60 seconds, except during allowable periods of calibration and except as defined otherwise by the CEMS Performance Specifications in appendix B, part 60 of this chapter.

*Dioxin/furan and dioxins and furans* mean tetra-, penta-, hexa-, hepta-, and octa-chlorinated dibenzo dioxins and furans.

*Existing source* means any affected source that is not a new source.

*Feedrate operating limits* means limits on the feedrate of materials (e.g., metals, chlorine) to the combustor that are established based on comprehensive performance testing. The limits are established and monitored by knowing the concentration of the limited material (e.g., chlorine) in each feedstream and the flowrate of each feedstream.

*Feedstream* means any material fed into a hazardous waste combustor, including, but not limited to, any pumpable or nonpumpable solid, liquid, or gas.

*Flowrate* means the rate at which a feedstream is fed into a hazardous waste combustor.

*Hazardous waste* is defined in §261.3 of this chapter.

*Hazardous waste burning cement kiln* means a rotary kiln and any associated preheater or precalciner devices that produce clinker by heating limestone and other materials for subsequent production of cement for use in commerce, and that burns hazardous waste at any time.

*Hazardous waste combustor* means a hazardous waste incinerator, hazardous waste burning cement kiln, hazardous waste burning lightweight aggregate kiln, hazardous waste liquid fuel boiler, hazardous waste solid fuel boiler, or hazardous waste hydrochloric acid production furnace.

*Hazardous waste hydrochloric acid production furnace* and *Hazardous Waste HCl production furnace* mean a halogen acid furnace defined under §260.10 of this chapter that produces aqueous hydrochloric acid (HCl) product and that burns hazardous waste at any time.

*Hazardous waste incinerator* means a device defined as an incinerator in §260.10 of this chapter and that burns hazardous waste at any time. For purposes of this subpart, the hazardous waste incinerator includes all associated firing systems and air pollution control devices, as well as the combustion chamber equipment.

*Hazardous waste lightweight aggregate kiln* means a rotary kiln that produces clinker by heating materials such as slate, shale and clay for subsequent production of lightweight aggregate used in commerce, and that burns hazardous waste at any time.

*Hazardous waste liquid fuel boiler* means a boiler defined under §260.10 of this chapter that does not burn solid fuels and that burns hazardous waste at any time. Liquid fuel boiler includes boilers that only burn gaseous fuel.

*Hazardous waste residence time* means the time elapsed from cutoff of the flow of hazardous waste into the combustor (including, for example, the time required for liquids to flow from the cutoff valve into the combustor) until solid, liquid, and gaseous materials from the hazardous waste (excluding residues that may adhere to combustion chamber surfaces and excluding waste-derived recycled materials

such as cement kiln dust and internally recycled metals) exit the combustion chamber. For combustors with multiple firing systems whereby the residence time may vary for the firing systems, the hazardous waste residence time for purposes of complying with this subpart means the longest residence time for any firing system in use at the time of the waste cutoff.

*Hazardous waste solid fuel boiler* means a boiler defined under §260.10 of this chapter that burns a solid fuel and that burns hazardous waste at any time.

*Initial comprehensive performance test* means the comprehensive performance test that is used as the basis for initially demonstrating compliance with the standards.

*In-line kiln raw mill* means a hazardous waste burning cement kiln design whereby kiln gas is ducted through the raw material mill for portions of time to facilitate drying and heating of the raw material.

*Instantaneous monitoring* for combustion system leak control means detecting and recording pressure, without use of an averaging period, at a frequency adequate to detect combustion system leak events from hazardous waste combustion.

*Monovent* means an exhaust configuration of a building or emission control device (e.g. positive pressure fabric filter) that extends the length of the structure and has a width very small in relation to its length (i.e., length to width ratio is typically greater than 5:1). The exhaust may be an open vent with or without a roof, louvered vents, or a combination of such features.

*MTEC* means maximum theoretical emissions concentration of metals or HCl/Cl, expressed as µg/dscm, and is calculated by dividing the feedrate by the gas flowrate.

*New source* means any affected source the construction or reconstruction of which is commenced after the dates specified under §§63.1206(a)(1)(i)(B), (a)(1)(ii)(B), and (a)(2)(ii).

*One-minute average* means the average of detector responses calculated at least every 60 seconds from responses obtained at least every 15 seconds.

*Operating record* means a documentation retained at the facility for ready

inspection by authorized officials of all information required by the standards to document and maintain compliance with the applicable regulations, including data and information, reports, notifications, and communications with regulatory officials.

*Operating requirements* means operating terms or conditions, limits, or operating parameter limits developed under this subpart that ensure compliance with the emission standards.

*Preheater tower combustion gas monitoring location* means a location within the preheater tower of a dry process cement kiln downstream (in terms of gas flow) of all hazardous waste firing locations and where a representative sample of combustion gas to measure combustion efficiency can be monitored.

*Raw material feed* means the prepared and mixed materials, which include but are not limited to materials such as limestone, clay, shale, sand, iron ore, mill scale, cement kiln dust and flyash, that are fed to a cement or lightweight aggregate kiln. Raw material feed does not include the fuels used in the kiln to produce heat to form the clinker product.

*Research, development, and demonstration source* means a source engaged in laboratory, pilot plant, or prototype demonstration operations:

(1) Whose primary purpose is to conduct research, development, or short-term demonstration of an innovative and experimental hazardous waste treatment technology or process; and

(2) Where the operations are under the close supervision of technically-trained personnel.

*Rolling average* means the average of all one-minute averages over the averaging period.

*Run* means the net period of time during which an air emission sample is collected under a given set of operating conditions. Three or more runs constitutes a test. Unless otherwise specified, a run may be either intermittent or continuous.

*Run average* means the average of the one-minute average parameter values for a run.

*System removal efficiency* means  $[1 - \text{Emission Rate (mass/time)} / \text{Feedrate (mass/time)}] \times 100$ .

§ 63.1202

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TEQ means the international method of expressing toxicity equivalents for dioxins and furans as defined in U.S. EPA, Interim Procedures for Estimating Risks Associated with Exposures to Mixtures of Chlorinated Dibenzo-p-dioxins and -dibenzofurans (CDDs and CDFs) and 1989 Update, March 1989.

You means the owner or operator of a hazardous waste combustor.

(b) The acronyms used in this subpart refer to the following:

AWFCO means automatic waste feed cutoff.

CAS means chemical abstract services registry.

CEMS means continuous emissions monitoring system.

CMS means continuous monitoring system.

DRE means destruction and removal efficiency.

MACT means maximum achievable control technology.

MTEC means maximum theoretical emissions concentration.

NIC means notification of intent to comply.

[64 FR 53038, Sept. 30, 1999, as amended at 65 FR 42297, July 10, 2000; 65 FR 67271, Nov. 9, 2000; 66 FR 35103, July 3, 2001; 67 FR 6986, Feb. 14, 2002; 67 FR 77691, Dec. 19, 2002; 70 FR 59540, Oct. 12, 2005]

§ 63.1202 [Reserved]

INTERIM EMISSIONS STANDARDS AND OPERATING LIMITS FOR INCINERATORS, CEMENT KILNS, AND LIGHTWEIGHT AGGREGATE KILNS

§ 63.1203 What are the standards for hazardous waste incinerators that are effective until compliance with the standards under § 63.1219?

(a) Emission limits for existing sources. You must not discharge or cause combustion gases to be emitted into the atmosphere that contain:

(1) For dioxins and furans:

(i) Emissions in excess of 0.20 ng TEQ/dscm corrected to 7 percent oxygen; or

(ii) Emissions in excess of 0.40 ng TEQ/dscm corrected to 7 percent oxygen provided that the combustion gas temperature at the inlet to the initial particulate matter control device is 400 °F or lower based on the average of the test run average temperatures. (For

purposes of compliance, operation of a wet particulate control device is presumed to meet the 400 °F or lower requirement);

(2) Mercury in excess of 130 µg/dscm corrected to 7 percent oxygen;

(3) Lead and cadmium in excess of 240 µg/dscm, combined emissions, corrected to 7 percent oxygen;

(4) Arsenic, beryllium, and chromium in excess of 97 µg/dscm, combined emissions, corrected to 7 percent oxygen;

(5) For carbon monoxide and hydrocarbons, either:

(i) Carbon monoxide in excess of 100 parts per million by volume, over an hourly rolling average (monitored continuously with a continuous emissions monitoring system), dry basis and corrected to 7 percent oxygen. If you elect to comply with this carbon monoxide standard rather than the hydrocarbon standard under paragraph (a)(5)(ii) of this section, you must also document that, during the destruction and removal efficiency (DRE) test runs or their equivalent as provided by § 63.1206(b)(7), hydrocarbons do not exceed 10 parts per million by volume during those runs, over an hourly rolling average (monitored continuously with a continuous emissions monitoring system), dry basis, corrected to 7 percent oxygen, and reported as propane; or

(ii) Hydrocarbons in excess of 10 parts per million by volume, over an hourly rolling average (monitored continuously with a continuous emissions monitoring system), dry basis, corrected to 7 percent oxygen, and reported as propane;

(6) Hydrochloric acid and chlorine gas in excess of 77 parts per million by volume, combined emissions, expressed as hydrochloric acid equivalents, dry basis and corrected to 7 percent oxygen; and

(7) Particulate matter in excess of 34 mg/dscm corrected to 7 percent oxygen.

(b) Emission limits for new sources. You must not discharge or cause combustion gases to be emitted into the atmosphere that contain:

(1) Dioxins and furans in excess of 0.20 ng TEQ/dscm, corrected to 7 percent oxygen;

(2) Mercury in excess of 45 µg/dscm corrected to 7 percent oxygen;