

## Environmental Protection Agency

## § 60.32b

pollutants from certain municipal waste combustors in accordance with section 111(d) and section 129 of the Clean Air Act and subpart B of this part. The provisions in these emission guidelines supersede the provisions of § 60.24(f) of subpart B of this part.

### § 60.31b Definitions.

Terms used but not defined in this subpart have the meaning given them in the Clean Air Act and subparts A, B, and Eb of this part.

*Municipal waste combustor plant* means one or more designated facilities (as defined in § 60.32b) at the same location.

[60 FR 65415, Dec. 19, 1995, as amended at 62 FR 45119, 45125, Aug. 25, 1997]

### § 60.32b Designated facilities.

(a) The designated facility to which these guidelines apply is each municipal waste combustor unit with a combustion capacity greater than 250 tons per day of municipal solid waste for which construction was commenced on or before September 20, 1994.

(b) Any municipal waste combustion unit that is capable of combusting 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 or equal to 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.

(c) Physical or operational changes made to an existing municipal waste combustor unit primarily for the purpose of complying with emission guidelines under this subpart are not considered in determining whether the unit is a modified or reconstructed facility under subpart Ea or subpart Eb of this part.

(d) 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.

(e) 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.

(f) 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.

(g) Any unit required to have a permit under section 3005 of the Solid Waste Disposal Act is not subject to this subpart.

(h) 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.

(i) Any cofired combustor, as defined under § 60.51b of subpart Eb of this part, 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

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fuels combusted at the cofired combustor.

(j) Air curtain incinerators, as defined under §60.51b of subpart Eb of this part, 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 §60.37b, the testing procedures under §60.38b, and the reporting and record-keeping provisions under §60.39b.

(k) 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.

(l) Pyrolysis/combustion units that are an integrated part of a plastics/rubber recycling unit (as defined in §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, liquified petroleum gas, propane, or butane produced by chemical plants or petroleum refineries that use feedstocks produced by plastics/rubber recycling units are not subject to this subpart.

(m) Cement kilns firing municipal solid waste are not subject to this subpart.

[60 FR 65415, Dec. 19, 1995, as amended at 62 FR 45119, 45125, Aug. 25, 1997]

**§ 60.33b Emission guidelines 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) For approval, a State plan shall include emission limits for particulate matter and opacity at least as protective as the emission limits for particu-

late matter and opacity specified in paragraphs (a)(1)(i) through (a)(1)(iii) of this section.

(i) The emission limit for particulate matter contained in the gases discharged to the atmosphere from a designated facility is 27 milligrams per dry standard cubic meter, corrected to 7 percent oxygen.

(ii) [Reserved]

(iii) The emission limit for opacity exhibited by the gases discharged to the atmosphere from a designated facility is 10 percent (6-minute average).

(2) For approval, a State plan shall include emission limits for cadmium and lead at least as protective as the emission limits for cadmium and lead specified in paragraphs (a)(2)(i) through (a)(2)(iv) of this section.

(i) The emission limit for cadmium contained in the gases discharged to the atmosphere from a designated facility is 0.040 milligrams per dry standard cubic meter, corrected to 7 percent oxygen.

(ii) [Reserved]

(iii) The emission limit for lead contained in the gases discharged to the atmosphere from a designated facility is 0.49 milligrams per dry standard cubic meter, corrected to 7 percent oxygen.

(iv) [Reserved]

(3) For approval, a State plan shall include emission limits for mercury at least as protective as the emission limits specified in this paragraph. The emission limit for mercury contained in the gases discharged to the atmosphere from a designated facility is 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.

(4) For approval, a State plan shall be submitted by August 25, 1998 and shall include an emission limit for lead at least as protective as the emission limit for lead specified in this paragraph. The emission limit for lead contained in the gases discharged to the atmosphere from a designated facility is 0.44 milligrams per dry standard cubic meter, corrected to 7 percent oxygen.