

## Environmental Protection Agency

## § 62.14101

### 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.