

WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION
STANDARDS AND REGULATIONS

State Performance Standards for Specific Existing Sources

FILED

CHAPTER 4

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Jim Ruby, Executive Secretary
Environmental Quality Council

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State Performance Standards for Specific Existing Sources

CHAPTER 4

Section 1. Introduction to state performance standards for specific existing sources.

(a) This chapter establishes state performance standards for specific existing sources. Most of the sections under this chapter were required by the Environmental Protection Agency under section 111(d) of the Clean Air Act. Each of the standards listed has an accompanying New Source Performance Standard (NSPS) under Chapter 5, Section 2 which applies to new sources. Section 6 incorporates by reference all Code of Federal Regulations (CFRs) cited in this chapter, including their Appendices.

Section 2. Existing sulfuric acid production units.

(a) Sulfuric Acid Mist. Any existing facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylation acid, hydrogen sulfide, organic sulfides, mercaptans, or acid sludge shall limit the atmospheric discharge of acid mist in the effluent to not more than 0.50 pounds per ton of acid produced (0.25 kgm per metric ton)--maximum 2-hour average, expressed as H₂SO₄. Reference method: Method 8, Appendix A, 40 CFR part 60 or an equivalent method.

(b) Sulfur Dioxide. Any existing facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylation acid, hydrogen sulfide, organic sulfides, mercaptans, or acid sludge shall limit the atmospheric discharge of sulfur dioxide in the effluent to not more than 2,000 ppm--maximum 2-hour average.

Section 3. Existing nitric acid manufacturing plants.

(a) The emission of nitrogen oxides from existing nitric acid manufacturing plants, calculated as nitrogen dioxide shall be limited to 5.5 pounds per ton (2.8 kilograms per metric ton) of acid produced, maximum 2-hour average.

Section 4. Existing municipal solid waste landfills.

(a) Definitions. For purposes of this section:

(i) The term "*Municipal solid waste landfill*" shall mean the entire disposal facility in a contiguous geographical space where household waste, commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste,

or industrial solid waste is placed in or on land. Portions of the municipal solid waste landfill may be separated by access roads. A municipal solid waste landfill may be publicly or privately owned. A municipal solid waste landfill may be a new landfill, an existing landfill, or a lateral expansion.

(ii) The term “*Existing municipal solid waste landfill*” shall mean a municipal solid waste landfill that commenced construction, reconstruction or modification before May 30, 1991. An existing municipal solid waste landfill may be active or closed. Physical or operational changes made to an existing municipal solid waste landfill solely to comply with the emission limits are not considered a modification or reconstruction.

(b) Chapter 6, Section 3 applicability:

(i) For purposes of obtaining an operating permit under Section 30, the owner or operator of a MSW landfill subject to this section 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 Chapter 6, Section 3. For purposes of submitting a timely application for an operating permit under Chapter 6, Section 3, the owner or operator of a MSW landfill subject to this section with a design capacity greater than or equal to 2.5 million megagrams and 2.5 million cubic meters on July 31, 1998 and not otherwise subject to Chapter 6, Section 3, becomes subject to the requirements of Chapter 6, Section 3(c)(i)(A) on October 29, 1998.

(ii) When a MSW landfill subject to this section is closed, the owner or operator is no longer subject to the requirement to maintain an operating permit under Chapter 6, Section 3 for the landfill if the landfill is not otherwise subject to the requirements of Chapter 6, Section 3 and if either of the following conditions are met:

(A) The landfill was never subject to the requirement for a control system under Chapter 4, Section 4(d); or

(B) The owner or operator meets the conditions for control system removal specified in Chapter 5, Section 2(b), Subpart WWW §60.752.

(c) The owner or operator of an existing municipal solid waste landfill that meets the following conditions (i)-(iii) shall comply with (d) through (j) of this section.

(i) The landfill has accepted waste at any time since November 8, 1987 or has additional design capacity available for future waste deposition;

(ii) The landfill has a design capacity greater than or equal to 2.5 million megagrams and 2.5 million cubic meters (3.27 million cubic yards);

(iii) The landfill has a non-methane organic compound emission rate of 50 megagrams per year (55 tons per year) or more. The calculation of the landfill non-methane organic compound emission rate shall follow the test methods and procedures in Chapter 5, Section 2(b), Subpart WWW §60.754, to determine the landfill non-methane organic compound emission rate;

(iv) The owner or operator of each existing municipal solid waste landfill meeting the condition in subsection (i) shall submit a design capacity report within 90 days of the effective date of this regulation. If the design capacity of the landfill meets the condition in subsection (ii), then the owner or operator shall also submit an initial non-methane organic compound emission rate report in accordance with the procedures in Chapter 5, Section 2(b), Subpart WWW §60.754, within 90 days of the effective date of this regulation and annually or every five years thereafter in accordance with Chapter 5, Section 2(b), Subpart WWW §60.757(b). If the facility meets the conditions of subsections (i)-(iii), then the facility is considered to be an affected facility for purposes of this regulation.

(d) The owner or operator of an existing municipal solid waste landfill that is defined as an affected facility under (c) of this section shall install a collection and control system that meets the conditions provided in Chapter 5, Section 2(b), Subpart WWW §60.752(b)(2)(ii). The control system must meet one of the following requirements:

(i) An open flare designed and operated in accordance with the parameters established in Chapter 5, Section 2(m);

(ii) A control system designed and operated to reduce non-methane organic compounds by 98 weight percent; or

(iii) An enclosed combustor designed and operated to either reduce non-methane organic compounds by 98 weight percent or the outlet non-methane organic compound concentration to 20 parts per million as hexane by volume, dry basis at three percent oxygen or less.

(e) The owner or operator of an existing municipal solid waste landfill that is defined as an affected facility under (c) of this section shall submit plans and specifications for the collection and control system for review and approval by the Division. The collection and control system design plan shall be prepared by a professional engineer. The Division shall review and approve or disapprove the design plan within 60 days from date of receipt.

(f) Compliance schedules: The owner or operator of an existing solid waste municipal landfill that is defined as an affected facility under (c) of this section shall comply with the control requirements on the following schedule:

(i) If the landfill's non-methane organic carbon emission rate is equal to or greater than 50 megagrams/yr, then the owner or operator shall submit a final control plan to the Division for review and approval no later than one year from the date of submission on the first annual emission rate report. The final control plan shall include:

(A) A date for the award of contracts for a gas collection and control system, no later than 20 months after the effective date of this regulation;

(B) A date for initiating on-site construction or installation of the collection and control systems, no later than 24 months after the effective date of this regulation;

(C) A date for completing on-site construction or installation of collection and control systems, no later than 30 months after the date the initial NMOC emission rate report shows NMOC emissions equal or exceed 50 megagrams per year; and

(D) A date demonstrating compliance, no later than 180 days after the installation of the collection and control system.

(ii) The owner and operator of each existing municipal solid waste landfill meeting the conditions of Chapter 4, Sections 4(c)(i) and (ii) whose non-methane organic compound emission rate is less than 50 megagrams per year on the effective date of this regulation shall submit a final control plan to the Division within one year after its non-methane organic compound emissions exceed 50 megagrams per year. The final control plan shall include:

(A) A date for the award of contracts for a gas collection and control system, no later than 20 months after the landfill becomes an affected facility under Chapter 4, Section 4(c)(iv);

(B) A date for initiation on-site construction or installation of the collection and control systems, no later than 24 months after the landfill becomes an affected facility under Chapter 4, Section 4(c)(iv);

(C) A date for completing on-site construction or installation of collection and control systems, no later than 30 months after the landfill becomes an affected facility under Chapter 4, Section 4(c)(iv); and

(D) A date for demonstrating compliance, no later than 180 days after the installation of the collection and control system.

(iii) Upon submission and review of the final control plan by the Division, the compliance schedule described in Chapter 4, Section 4(f)(i) or (ii) shall be incorporated into a Department Order.

(g) The owner or operator of an existing municipal solid waste landfill that is defined as an affected facility under (c) of this section, shall meet the operational standards for collection and control systems in Chapter 5, Section 2(b), Subpart WWW §60.753.

(h) The owner or operator of an existing municipal solid waste landfill that is defined as an affected facility under (c) of this section, shall meet the compliance provisions in Chapter 5, Section 2(b) Subpart WWW §60.755.

(i) The owner or operator of an existing municipal solid waste landfill that is defined as an affected facility under (c) of this section, shall meet the monitoring provisions in Chapter 5, Section 2(b), Subpart WWW §60.756.

(j) The owner or operator of an existing municipal solid waste landfill that is defined as an affected facility under (c) of this section, shall meet the reporting provisions in Chapter 5, Section 2(b), Subpart WWW §60.757, and the recordkeeping provisions in Chapter 5, Section 2(b), Subpart WWW §60.758.

Section 5. **Existing hospital/medical/infectious waste incinerators.**

Scope:

This section contains emission limits, compliance times and general requirements for the control of certain designated pollutants from hospital/medical/infectious waste incinerator(s) (HMIWI) in accordance with sections 111 and 129 of the Clean Air Act and 40 CFR part 60, subpart B. These rules supersede the provisions of 40 CFR part 60.24(f) of subpart B.

(a) Definitions.

Terms used but not defined in this section have the meaning given them in the Clean Air Act and in 40 CFR part 60, subparts A, B, and Ec.

“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 (incorporated by reference, see 40 CFR part 60.17).

(b) Applicability.

(i) Except as provided in paragraphs (ii) through (viii) of this subsection, the designated facility to which this regulation applies is each individual HMIWI:

(A) For which construction was commenced on or before June 20, 1996, or for which modification was commenced on or before March 16, 1998.

(B) For which construction was commenced after June 20, 1996 but no later than December 1, 2008, or for which modification is commenced after March 16, 1998 but no later than April 6, 2010.

(ii) A combustor is not subject to this subsection during periods when only pathological waste, low-level radioactive waste, and/or chemotherapeutic waste (all defined in 40 CFR part 60.51c) is burned, provided the owner or operator of the combustor:

(A) Notifies the Department of Environmental Quality - Air Quality Division (AQD) Administrator and EPA Administrator of an exemption claim; and

(B) Keeps records on a calendar quarter basis of the periods of time when only pathological waste, low-level radioactive waste, and/or chemotherapeutic waste is burned.

(iii) Any co-fired combustor (defined in 40 CFR part 60.51c) is not subject to this subsection if the owner or operator of the co-fired combustor:

(A) Notifies the AQD Administrator and EPA Administrator of an exemption claim;

(B) Provides an estimate of the relative weight of hospital waste, medical/infectious waste, and other fuels and/or wastes to be combusted; and

(C) Keeps records on a calendar quarter basis of the weight of hospital waste and medical/infectious waste combusted, and the weight of all other fuels and wastes combusted at the co-fired combustor.

(iv) Any combustor required to have a permit under Section 3005 of the Solid Waste Disposal Act is not subject to this subsection.

(v) Any combustor which meets the applicability requirements under 40 CFR part 60 subpart Cb, Ea, or Eb (standards or guidelines for certain municipal waste combustors) is not subject to this subsection.

(vi) Any pyrolysis unit (defined in 40 CFR part 60.51c) is not subject to this subsection.

(vii) Cement kilns firing hospital waste and/or medical/infectious waste are not subject to this subsection.

(viii) Physical or operational changes made to an existing HMIWI unit solely for the purpose of complying with emission limits under this subsection are not considered a modification and do not result in an existing HMIWI unit becoming subject to the provisions of 40 CFR part 60, subpart Ec (see 40 CFR part 60.50c).

(ix) Beginning September 15, 2000, designated facilities subject to this subsection shall operate pursuant to a permit issued under Wyoming Air Quality Standards and Regulations (WAQSR) Chapter 6, Section 3.

(x) The requirements of 40 CFR part 60 subpart Ce as promulgated on September 15, 1997, shall apply to the designated facilities defined in paragraph (b)(i)(A) of this subsection until the applicable compliance date of the requirements of 40 CFR part 60 subpart Ce, as amended on October 6, 2009. Upon the compliance date of the requirements of 40 CFR part 60 subpart Ce, designated facilities as defined in paragraph (b)(i)(A) of this subsection are no longer subject to the requirements of 40 CFR part 60 subpart Ce, as promulgated on September 15, 1997, but are subject to the requirements of 40 CFR part 60 subpart Ce, as amended on October 6, 2009.

(xi) The authorities listed under 40 CFR part 60.50c(i) shall be retained by the EPA Administrator and not be transferred to a state.

(c) Emissions Limits.

(i) Emissions limits for each HMIWI facility defined below shall be:

(A) For a designated facility as defined in subsection (b)(i)(A) subject to the emissions limits as promulgated on September 15, 1997, the requirements listed in Table 1A of this subsection, except as provided in paragraph (ii) of this subsection.

Table 1A. Emissions Limits for Small, Medium, and Large HMIWI at Designated Facilities as Defined in Subsection (b)(i)(A)

Pollutant	Units (7 percent oxygen, dry basis)	Emission Limits			Averaging Time ¹	Method for Demonstrating Compliance ²
		HMIWI Size				
		Small	Medium	Large		
Particulate matter	Milligrams per dry standard cubic meter (mg/dscm) (grains per dry standard cubic foot (gr/dscf)).	115 (0.05)	69 (0.03)	34 (0.015)	3-run average (1-hour minimum sample time per run).	EPA Reference Method 5 of appendix A-3 of part 60, or EPA Reference Method 26A or 29 of appendix A-8 of part 60.
Carbon monoxide	Parts per million by volume (ppmv).	40	40	40	3-run average (1-hour minimum sample time per run).	EPA Reference Method 10 or 10B of appendix A-4 of part 60.

Pollutant	Units (7 percent oxygen, dry basis)	Emission Limits			Averaging Time ¹	Method for Demonstrating Compliance ²
		HMIWI Size				
		Small	Medium	Large		
Dioxins/furans	Nanograms per dry standard cubic meter total dioxins/furans (ng/dscm) (grains per billion dry standard cubic feet (gr/10 ⁹ dscf) or ng/dscm TEQ (gr/10 ⁹ dscf).	125 (55) or 2.3 (1.0)	125 (55) or 2.3 (1.0)	125 (55) or 2.3 (1.0)	3-run average (4-hour minimum sample time per run).	EPA Reference Method 23 of appendix A-7 of part 60.
Hydrogen chloride	ppmv or percent reduction.	100 or 93%	100 or 93%	100 or 93%	3-run average (1-hour minimum sample time per run).	EPA Reference Method 26 or 26A of appendix A-8 of part 60.
Sulfur dioxide	ppmv	55	55	55	3-run average (1-hour minimum sample time per run).	EPA Reference Method 6 or 6C of appendix A-4 of part 60.
Nitrogen oxides	ppmv	250	250	250	3-run average (1-hour minimum sample time per run).	EPA Reference Method 7 or 7E of appendix A-4 of part 60.
Lead	mg/dscm (grains per thousand dry standard cubic feet (gr/10 ³ dscf) or percent reduction.	1.2 (0.52) or 70%	1.2 (0.52) or 70%	1.2 (0.52) or 70%	3-run average (1-hour minimum sample time per run).	EPA Reference Method 29 of appendix A-8 of part 60.
Cadmium	mg/dscm (gr/10 ³ dscf) or percent reduction.	0.16 (0.07) or 65%	0.16 (0.07) or 65%	0.16 (0.07) or 65%	3-run average (1-hour minimum sample time per run).	EPA Reference Method 29 of appendix A-8 of part 60.
Mercury	mg/dscm (gr/10 ³ dscf) or percent reduction.	0.55 (0.24) or 85%	0.55 (0.24) or 85%	0.55 (0.24) or 85%	3-run average (1-hour minimum sample time per run).	EPA Reference Method 29 of appendix A-8 of part 60.

¹ Except as allowed under 40 CFR § 60.56c(c) for HMIWI equipped with CEMS.

² Does not include CEMS and approved alternative non-EPA test methods allowed under 40 CFR § 60.56c(b).

(B) For a designated facility as defined in subsection (b)(i)(A) subject to the emissions limits as amended on October 6, 2009, the requirements listed in Table 1B of this subsection, except as provided in paragraph (ii) of this subsection.

(C) For a designated facility as defined in subsection (b)(i)(B), the more stringent of the requirements listed in Table 1B of this subsection and Table 1A of 40 CFR part 60 subpart Ec.

Table 1B. Emissions Limits for Small, Medium, and Large HMIWI at Designated Facilities as Defined in Subsections (b)(i)(A) and (b)(i)(B)

Pollutant	Units (7 percent oxygen, dry basis)	Emission Limits			Averaging Time ¹	Method for Demonstrating Compliance ²
		HMIWI Size				
		Small	Medium	Large		
Particulate matter	Milligrams per dry standard cubic meter (mg/dscm) (grains per dry standard cubic foot (gr/dscf)).	66 (0.029)	46 (0.020)	25 (0.011)	3-run average (1-hour minimum sample time per run).	EPA Reference Method 5 of appendix A-3 of part 60, or EPA Reference Method 26A or 29 of appendix A-8 of part 60.
Carbon monoxide	Parts per million by volume (ppmv).	20	5.5	11	3-run average (1-hour minimum sample time per run).	EPA Reference Method 10 or 10B of appendix A-4 of part 60.
Dioxins/furans	Nanograms per dry standard cubic meter total dioxins/furans (ng/dscm) (grains per billion dry standard cubic feet (gr/10 ⁹ dscf)) or ng/dscm TEQ (gr/10 ⁹ dscf).	16 (7.0) or 0.013 (0.0057)	0.85 (0.37) or 0.020 (0.0087)	9.3 (4.1) or 0.054 (0.024)	3-run average (4-hour minimum sample time per run).	EPA Reference Method 23 of appendix A-7 of part 60.
Hydrogen chloride	ppmv	44	7.7	6.6	3-run average (1-hour minimum sample time per run).	EPA Reference Method 26 or 26A of appendix A-8 of part 60.
Sulfur dioxide	ppmv	4.2	4.2	9.0	3-run average (1-hour minimum sample time per run).	EPA Reference Method 6 or 6C of appendix A-4 of part 60.
Nitrogen oxides	ppmv	190	190	140	3-run average (1-hour minimum sample time per run).	EPA Reference Method 7 or 7E of appendix A-4 of part 60.
Lead	mg/dscm (grains per thousand dry standard cubic feet (gr/10 ³ dscf)).	0.31 (0.14)	0.018 (0.0079)	0.036 (0.016)	3-run average (1-hour minimum sample time per run).	EPA Reference Method 29 of appendix A-8 of part 60.
Cadmium	mg/dscm (gr/10 ³ dscf).	0.017 (0.0074)	0.013 (0.0057)	0.0092 (0.0040)	3-run average (1-hour minimum sample time per run).	EPA Reference Method 29 of appendix A-8 of part 60.
Mercury	mg/dscm (gr/10 ³ dscf).	0.014 (0.0061)	0.025 (0.011)	0.018 (0.0079)	3-run average (1-hour minimum sample time per run).	EPA Reference Method 29 of appendix A-8 of part 60.

¹ Except as allowed under 40 CFR § 60.56c(c) for HMIWI equipped with CEMS.

² Does not include CEMS and approved alternative non-EPA test methods allowed under 40 CFR § 60.56c(b).

(ii) Any small HMIWI constructed on or before June 20, 1996, which is located more than 50 miles from the boundary of the nearest Standard Metropolitan Statistical Area (defined in subsection (a) of these regulations) and which burns less than 2,000 pounds per week of hospital waste and medical/infectious waste shall meet the

emissions limits required in paragraphs (c)(ii)(A) and (B) of this subsection, as applicable. The 2,000 lb/week limitation does not apply during performance tests.

(A) For a designated facility as defined in subsection (b)(i)(A) subject to the emissions limits as promulgated on September 15, 1997, the requirements listed in Table 2A of this subsection.

Table 2A. Emissions Limits for Small HMIWI Which Meet the Criteria Under Subsection (c)(ii)(A)

Pollutant	Units (7 percent oxygen, dry basis)	HMIWI Emission Limits	Averaging Time ¹	Method for Demonstrating Compliance ²
Particulate matter	mg/dscm (gr/dscf)	197 (0.086)	3-run average (1-hour minimum sample time per run).	EPA Reference Method 5 of appendix A-3 of part 60, or EPA Reference Method 26A or 29 of appendix A-8 of part 60.
Carbon monoxide	ppmv	40	3-run average (1-hour minimum sample time per run).	EPA Reference Method 10 or 10B of appendix A-4 of part 60.
Dioxins/furans	ng/dscm total dioxins/furans (gr/10 ⁹ dscf) or ng/dscm TEQ (gr/10 ⁹ dscf)	800 (350) or 15 (6.6)	3-run average (4-hour minimum sample time per run).	EPA Reference Method 23 of appendix A-7 of part 60.
Hydrogen chloride	ppmv	3,100	3-run average (1-hour minimum sample time per run).	EPA Reference Method 26 or 26A of appendix A-8 of part 60.
Sulfur dioxide	ppmv	55	3-run average (1-hour minimum sample time per run).	EPA Reference Method 6 or 6C of appendix A-4 of part 60.
Nitrogen oxides	ppmv	250	3-run average (1-hour minimum sample time per run).	EPA Reference Method 7 or 7E of appendix A-4 of part 60.
Lead	mg/dscm (gr/10 ³ dscf)	10 (4.4)	3-run average (1-hour minimum sample time per run).	EPA Reference Method 29 of appendix A-8 of part 60.
Cadmium	mg/dscm (gr/10 ³ dscf)	4 (1.7)	3-run average (1-hour minimum sample time per run).	EPA Reference Method 29 of appendix A-8 of part 60.
Mercury	mg/dscm (gr/10 ³ dscf)	7.5 (3.3)	3-run average (1-hour minimum sample time per run).	EPA Reference Method 29 of appendix A-8 of part 60.

¹ Except as allowed under 40 CFR § 60.56c(c) for HMIWI equipped with CEMS.

² Does not include CEMS and approved alternative non-EPA test methods allowed under 40 CFR § 60.56c(b).

(B) For a designated facility as defined in subsection (b)(i)(A) subject to the emissions limits as amended on October 6, 2009, the requirements listed in Table 2B of this subsection.

Table 2B. Emissions Limits for Small HMIWI Which Meet the Criteria Under Subsection (c)(ii)(B)

Pollutant	Units (7 percent oxygen, dry basis)	HMIWI Emission Limits	Averaging Time ¹	Method for Demonstrating Compliance ²
Particulate matter	mg/dscm (gr/dscf)	87 (0.038)	3-run average (1-hour minimum sample time per run).	EPA Reference Method 5 of appendix A-3 of part 60, or EPA Reference Method 26A or 29 of appendix A-8 of part 60.
Carbon monoxide	ppmv	20	3-run average (1-hour minimum sample time per run).	EPA Reference Method 10 or 10B of appendix A-4 of part 60.
Dioxins/furans	ng/dscm total dioxins/furans (gr/10 ⁹ dscf) or	240 (100) or 5.1 (2.2)	3-run average (4-hour minimum sample time per run).	EPA Reference Method 23 of appendix A-7 of part 60.

Pollutant	Units (7 percent oxygen, dry basis)	HMIWI Emission Limits	Averaging Time ¹	Method for Demonstrating Compliance ²
	ng/dscm TEQ (gr/10 ⁹ dscf)			
Hydrogen chloride	ppmv	810	3-run average (1-hour minimum sample time per run).	EPA Reference Method 26 or 26A of appendix A-8 of part 60.
Sulfur dioxide	ppmv	55	3-run average (1-hour minimum sample time per run).	EPA Reference Method 6 or 6C of appendix A-4 of part 60.
Nitrogen oxides	ppmv	130	3-run average (1-hour minimum sample time per run).	EPA Reference Method 7 or 7E of appendix A-4 of part 60.
Lead	mg/dscm (gr/10 ³ dscf)	0.50 (0.22)	3-run average (1-hour minimum sample time per run).	EPA Reference Method 29 of appendix A-8 of part 60.
Cadmium	mg/dscm (gr/10 ³ dscf)	0.11 (0.048)	3-run average (1-hour minimum sample time per run).	EPA Reference Method 29 of appendix A-8 of part 60.
Mercury	mg/dscm (gr/10 ³ dscf)	0.0051 (0.0022)	3-run average (1-hour minimum sample time per run).	EPA Reference Method 29 of appendix A-8 of part 60.

1 Except as allowed under 40 CFR § 60.56c(c) for HMIWI equipped with CEMS.

2 Does not include CEMS and approved alternative non-EPA test methods allowed under 40 CFR § 60.56c(b).

(iii) Stack opacity requirements for each HMIWI facility defined below shall be:

(A) For a designated facility as defined in subsection (b)(i)(A) subject to the emissions limits as promulgated on September 15, 1997, the requirements in 40 CFR part 60.52c(b)(1) of subpart Ec.

(B) For a designated facility as defined in subsection (b)(i)(A) subject to the emissions limits as amended on October 6, 2009 and a designated facility as defined in subsection (b)(i)(B), the requirements in 40 CFR part 60.52c(b)(2) of subpart Ec.

(d) Operator Training and Qualification Requirements. The owner or operator of an affected facility shall comply with the operator training and qualification requirements listed in 40 CFR part 60.53c of subpart Ec. Compliance with these requirements shall occur according to the schedule specified in subsection (i)(v).

(e) Waste Management Plan. The owner or operator of an affected facility shall prepare a waste management plan in accordance with the requirements listed in 40 CFR part 60.55c of subpart Ec.

(f) Inspection Requirements.

(i) Each small HMIWI subject to the emissions limits under subsection (c)(ii) and each HMIWI subject to the emissions limits under subsections (c)(i)(B) and (C) shall undergo an initial equipment inspection within one year following EPA approval of the State plan.

(A) At a minimum, an inspection shall include the following:

(I) Inspect all burners, pilot assemblies, and pilot sensing devices for proper operation; clean pilot flame sensor, as necessary;

(II) Ensure proper adjustment of primary and secondary chamber combustion air, and adjust as necessary;

(III) Inspect hinges and door latches, and lubricate as necessary;

(IV) Inspect dampers, fans, and blowers for proper operation;

(V) Inspect HMIWI door and door gaskets for proper sealing;

(VI) Inspect motors for proper operation;

(VII) Inspect primary chamber refractory lining; clean and repair/replace lining as necessary;

(VIII) Inspect incinerator shell for corrosion and/or hot spots;

(IX) Inspect secondary/tertiary chamber and stack, clean as necessary;

(X) Inspect mechanical loader, including limit switches, for proper operation, if applicable;

(XI) Visually inspect waste bed (grates), and repair/seal, as appropriate;

(XII) For the burn cycle that follows the inspection, document that the incinerator is operating properly and make any necessary adjustments;

(XIII) Inspect air pollution control device(s) for proper operation, if applicable;

(XIV) Inspect waste heat boiler systems to ensure proper operation, if applicable;

(XV) Inspect bypass stack components;

(XVI) Ensure proper calibration of thermocouples, sorbent feed systems and any other monitoring equipment; and

(XVII) Generally observe that the equipment is maintained in good operating condition.

(B) Within 10 operating days following an equipment inspection all necessary repairs shall be completed unless the owner or operator obtains written approval from the AQD Administrator establishing a date whereby all necessary repairs of the designated facility shall be completed.

(ii) Each small HMIWI subject to the emissions limits under subsection (c)(i) and each HMIWI subject to the emissions limits under subsections (c)(i)(B) and (C) shall undergo an equipment inspection annually (no more than 12 months following the previous annual equipment inspection), as outlined in paragraph (i) of this subsection.

(iii) Each small HMIWI subject to the emissions limits under subsection (c)(ii)(B) and each HMIWI subject to the emissions limits under subsections (c)(i)(B) and (C) shall undergo an initial air pollution control device inspection, within one year following EPA approval of the State plan.

(A) At a minimum, an inspection shall include the following:

(I) Inspect air pollution control device(s) for proper operation, if applicable;

(II) Ensure proper calibration of thermocouples, sorbent feed systems, and any other monitoring equipment; and

(III) Generally observe that the equipment is maintained in good operating condition.

(B) Within 10 operating days following an air pollution control device inspection, all necessary repairs shall be completed unless the owner or operator obtains written approval from the AQD Administrator establishing a date whereby all necessary repairs of the designated facility shall be completed.

(iv) Each small HMIWI subject to the emissions limits under subsection (c)(ii)(B) and each HMIWI subject to the emissions limits under subsections (c)(i)(B) and (C) shall undergo an air pollution control device inspection, as applicable, annually (no more than 12 months following the previous annual air pollution control device inspection), as outlined in paragraph (iii) of this subsection.

(g) Compliance, Performance Testing, and Monitoring Requirements.

(i) Except as provided in paragraph (ii) of this subsection, requirements for compliance and performance testing of an affected facility are listed in 40 CFR part 60.56c of subpart Ec, with the following exclusions:

(A) For a designated facility as defined in subsection (b)(i)(A) subject to the emissions limits in subsection (c)(i)(A), the test methods listed in 40 CFR part 60.56c(b)(7) and (8), the fugitive emissions testing requirements under 40 CFR part 60.56c(b)(14) and (c)(3), the CO CEMS requirements under 40 CFR part 60.56c(c)(4), and the compliance requirements for monitoring listed in 40 CFR part 60.56c(c)(5)(ii) through (v), (c)(6), (c)(7), (e)(6) through (10), (f)(7) through (10), (g)(6) through (10), and (h).

(B) For a designated facility as defined in subsections (b)(i)(A) and (B) subject to the emissions limits in subsections (c)(i)(B) and (C), the annual fugitive emissions testing requirements under 40 CFR part 60.56c(c)(3), the CO CEMS requirements under 40 CFR part 60.56c(c)(4), and the compliance requirements for monitoring listed in 40 CFR part 60.56c(c)(5)(ii) through (v), (c)(6), (c)(7), (e)(6) through (10), (f)(7) through (10), and (g)(6) through (10). Sources subject to the emissions limits under subsections (c)(i)(B) and (C) may, however, elect to use CO CEMS as specified under 40 CFR part 60.56c(c)(4) or bag leak detection systems as specified under 40 CFR part 60.57c(h).

(ii) Except as provided in paragraphs (ii)(A) and (B) of this subsection, each small HMIWI subject to the emissions limits under subsection (c)(ii) shall meet the performance testing requirements listed in 40 CFR part 60.56c of subpart Ec. The 2,000 lb/week limitation under subsection (c)(ii) does not apply during performance tests.

(A) For a designated facility as defined in subsection (b)(i)(A) subject to the emissions limits under subsection (c)(ii)(A), the test methods listed in 40 CFR part 60.56c(b)(7), (8), (12), (13) (Pb and Cd), and (14), the annual PM, CO, and HCl emissions testing requirements under 40 CFR part 60.56c(c)(2), the annual fugitive emissions testing requirements under 40 CFR part 60.56c(c)(3), the CO CEMS requirements under 40 CFR part 60.56c(c)(4), and the compliance requirements for monitoring listed in 40 CFR part 60.56c(c)(5) through (7), and (d) through (k) do not apply.

(B) For a designated facility as defined in subsection (b)(i)(B) subject to the emissions limits under subsection (c)(ii)(B), the annual fugitive emissions testing requirements under 40 CFR part 60.56c(c)(3), the CO CEMS requirements under 40 CFR part 60.56c(c)(4), and the compliance requirements for monitoring listed in 40 CFR part 60.56c(c)(5)(ii) through (v), (c)(6), (c)(7), (e)(6) through (10), (f)(7) through (10), and (g)(6) through (10) do not apply. Sources subject to the emissions limits under subsection (c)(ii)(B) may, however, elect to use CO CEMS as specified under 40 CFR part 60.56c(c)(4) or bag leak detection systems as specified under 40 CFR part 60.57c(h).

(iii) Each small HMIWI subject to the emissions limits under subsection (c)(ii) that is not equipped with an air pollution control device shall meet the following compliance and performance testing requirements:

(A) Establish maximum charge rate and minimum secondary chamber temperature as site-specific operating parameters during the initial performance test to determine compliance with applicable emission limits.

(B) Following the date on which the initial performance test is completed or is required to be completed under 40 CFR part 60.8, whichever date comes first, ensure that the designated facility does not operate above the maximum charge rate or below the minimum secondary chamber temperature measured as 3-hour rolling averages (calculated each hour as the average of the previous 3 operating hours) at all times. Operating parameter limits do not apply during performance tests. Operation above the maximum charge rate or below the minimum secondary chamber temperature shall constitute a violation of the established operating parameters(s).

(C) Except as provided in paragraph (iii)(D) of this subsection, operation of the designated facility above the maximum charge rate and below the minimum secondary chamber temperature (each measured on a 3-hour rolling average) simultaneously shall constitute a violation of the PM, CO, and dioxin/furan emissions limits.

(D) The owner or operator of a designated facility may conduct a repeat performance test within 30 days of violation of applicable operating parameter(s) to demonstrate that the designated facility is not in violation of the applicable emissions limit(s). Repeat performance tests conducted pursuant to this paragraph must be conducted under process and control device operating conditions duplicating as nearly as possible those that indicated a violation under paragraph (iii)(C) of this subsection.

(iv) Any HMIWI subject to the emissions limits under subsections (c)(i) and (ii), except as provided for under paragraph (v) of this subsection, shall meet monitoring requirements listed in 40 CFR part 60.57c of subpart Ec.

(v) Small HMIWI subject to the emissions limits under subsection (c)(ii) that are not equipped with an air pollution control device shall meet the following monitoring requirements:

(A) Install, calibrate (to manufacturers' specifications), maintain, and operate a device for measuring and recording the temperature of the secondary chamber on a continuous basis, the output of which shall be recorded, at a minimum, once every minute throughout operation.

(B) Install, calibrate (to manufacturers' specifications), maintain, and operate a device which automatically measures and records the date, time, and weight of each charge fed into the HMIWI.

(C) The owner or operator of a designated facility shall 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 shall be obtained for 75 percent of the operating hours per day for 90 percent of the operating hours per calendar quarter that the designated facility is combusting hospital waste and/or medical/infectious waste.

(vi) The owner or operator of a designated facility as defined in subsection (b)(i)(A) or (B) subject to emissions limits under subsection (c)(i)(B), (i)(C), or (ii)(B) may use the results of previous emissions tests to demonstrate compliance with the emissions limits, provided that the conditions in paragraphs (vi)(A) through (C) of this subsection are met:

(A) The designated facility's previous emissions tests must have been conducted using the applicable procedures and test methods listed in 40 CFR part 60.56c(b) of subpart Ec. Previous emissions test results obtained using EPA-accepted voluntary consensus standards are also acceptable.

(B) The HMIWI at the designated facility shall currently be operated in manner (e.g., with charge rate, secondary chamber temperature, etc.) that would be expected to result in the same or lower emissions than observed during the previous emissions test(s), and the HMIWI may not have been modified such that emissions would be expected to exceed (notwithstanding normal test-to-test variability) the results from previous emissions test(s).

(C) The previous emissions test(s) must have been conducted in 1996 or later.

(h) Reporting and Recordkeeping Requirements.

(i) Except as provided in paragraphs (i)(A) and (B) of this subsection, any affected facility shall meet the reporting and recordkeeping requirements listed in 40 CFR part 60.58c(b) through (g) of subpart Ec.

(A) For a designated facility as defined in subsection (b)(i)(A) subject to emissions limits under subsection (c)(i)(A) or (ii)(A), excluding 40 CFR part 60.58c(b)(2)(ii) (fugitive emissions), (b)(2)(viii) (NO_x reagent), (b)(2)(xvii) (air pollution control device inspections), (b)(2)(xviii) (bag leak detection system alarms), (b)(2)(xix) (CO CEMS data), and (b)(7) (siting documentation).

(B) For a designated facility as defined in subsection (b)(i)(A) or (B) subject to emissions limits under subsection (c)(i)(B), (C), or (ii)(B), excluding 40 CFR part 60.58c(b)(2)(xviii) (bag leak detection system alarms), (b)(2)(xix) (CO CEMS data), and (b)(7) (siting documentation).

(ii) The owner or operator of each HMIWI subject to the emissions limits under subsection (c) shall be required to:

(A) As specified in subsection (f), maintain records of the annual equipment inspections that are required for each HMIWI subject to the emissions limits under subsections (c)(i)(B), (C), and (ii), and the annual air pollution control device inspections that are required for each HMIWI subject to the emissions limits under subsections (c)(i)(B), (C), and (ii)(B), and required maintenance, and any repairs not completed within 10 days of an inspection or the timeframe established by the AQD Administrator; and

(B) Submit an annual report containing information recorded under paragraph (ii)(A) of this subsection no later than 60 days following the year in which data were collected. Subsequent reports shall be sent no later than 12 calendar months following the previous report (once the unit is subject to permitting requirements under WAQSR Chapter 6, Section 3, the owner or operator must submit these reports semiannually). The report shall be signed by the facilities manager.

(i) Compliance Times.

(i) All designated facilities shall submit to the AQD Administrator and EPA Administrator a plan to implement and enforce the emissions limits as specified in paragraph (ii) of this subsection.

(ii) Except as provided in paragraphs (iii) and (iv) of this subsection, designated facilities shall comply with all requirements of the State plan on or before the date one year after EPA approval of the State plan, regardless of whether a designated facility is identified in the State plan inventory required by 40 CFR part 60.25(a) of subpart B.

(iii) Any designated facility demonstrating measurable and enforceable incremental steps of progress towards compliance, planning to install the necessary air pollution control equipment, must be in compliance on or before the date three years after EPA approval of the State plan (but not later than October 6, 2014), for the emissions limits as amended on October 6, 2009. Measurable and enforceable activities necessary for this demonstration shall include:

(A) Date for submitting a petition for site-specific operating parameters under 40 CFR part 60.56c(j) of subpart Ec.

(B) Date for obtaining services of an architectural and engineering firm regarding the air pollution control device(s):

(C) Date for obtaining design drawings of the air pollution control device(s):

(D) Date for ordering the air pollution control device(s):

(E) Date for obtaining the major components of the air pollution control device(s):

(F) Date for initiation of site preparation for installation of the air pollution control device(s):

(G) Date for initiation of installation of the air pollution control device(s);

(H) Date for initial startup of the air pollution control device(s); and

(I) Date for initial compliance test(s) of the air pollution control devices(s).

(iv) A designated facility petitioning the AQD Administrator for extensions beyond the compliance times required in paragraph (ii) of this subsection shall:

(A) Submit the following information in time to allow the AQD Administrator adequate time to grant or deny the extension within one year after EPA approval of the State plan:

(I) Documentation of the analyses undertaken to support the need for an extension, including an explanation of why up to three years after EPA approval of the State plan is sufficient time to comply, while within one year after EPA approval of the State plan is not sufficient. The documentation shall also include an evaluation of the option to transport the waste offsite to a commercial medical waste treatment and disposal facility on a temporary or permanent basis; and

(II) Documentation of measurable and enforceable incremental steps of progress to be taken towards compliance with the emissions limits.

(B) The AQD Administrator will grant or deny all extensions; and

(C) If an extension is granted, the designated facility shall comply with the emissions limits on or before the date three years after EPA approval of the State

plan (but not later than October 6, 2014), for the emissions limits as amended on October 6, 2009.

(v) A designated facility shall comply with subsection (d) - Operator Training and Qualification Requirements and subsection (f) - Inspection Requirements by the date one year after EPA approval of a State plan.

Section 6. Incorporation by reference.

(a) Code of Federal Regulations (CFR). All Code of Federal Regulations (CFRs) cited in this chapter, including their Appendices, revised and published as of July 1, 2012, not including any later amendments, are incorporated by reference. Copies of the Code of Federal Regulations are available for public inspection and copies can be obtained at cost from the Department of Environmental Quality, Division of Air Quality, 122 W. 25th Street, Cheyenne, Wyoming 82002. Copies of the CFRs can also be obtained at cost from Government Institutes, 15200 NBN Way, Building B, Blue Ridge Summit, PA 17214.