

DRAFT PROPOSED RULES

WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY

SOLID AND HAZARDOUS WASTE DIVISION

HAZARDOUS WASTE MANAGEMENT

CHAPTER 7
SPECIAL FORMS OF PERMITS

2007

DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID AND HAZARDOUS WASTE DIVISION

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Bold = State added language ^ = Federal Language deleted

DEPARTMENT OF ENVIRONMENTAL QUALITY
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CHAPTER 7
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270/Subpart F Section 1. SPECIAL FORMS OF PERMITS.

270.60 (a) PERMITS BY RULE. Notwithstanding any other provision of Chapter 1, Sections 1(h)-1(j); Chapter 3; Chapter 4; Chapter 6; Chapter 7; or Chapter 11, Section 2 of these rules and regulations, the following shall be deemed to have a State hazardous waste management facility permit if the conditions listed are met:

270.60(a) (i) **Reserved** ^.

270.60(b) (ii) Injection wells. The owner or operator of an injection well disposing of hazardous waste, if the owner or operator:

270.60(b)(1) (A) Has a permit for underground injection issued under 40 CFR part 144 or 145; and

270.60(b)(2) (B) Complies with the conditions of that permit and the requirements of 40 CFR part 144.14 (requirements for wells managing hazardous waste).

270.60(b)(3) (C) For UIC permits issued after November 8, 1984:

... (i) (I) Complies with Chapter 10, Section 6(1) of these rules and regulations and

... (ii) (II) Where the UIC well is the only unit at a facility which requires a State hazardous waste management facility permit, complies with Chapter 3, Section 2(e)(iv) of these rules and regulations.

270.60(c) (iii) Publicly owned treatment works. The owner or operator of a POTW which accepts hazardous waste for treatment, if the owner or operator:

270.60(c)(1) (A) Has an NPDES permit;

270.60(c)(2) (B) Complies with the conditions of that permit;
and

270.60(c)(3) (C) Complies with the following Sections of these rules and regulations:

... (i) (I) Chapter 10, Section 2(b) of these rules and regulations, Identification number;

... (ii) (II) Chapter 10, Section 5(b) of these rules and regulations, Use of manifest system;

... (iii) (III) Chapter 10, Section 5(c) of these rules

- and regulations, Manifest discrepancies;
- ...(iv) (IV) Chapter 10, Sections 5(d)(i) and 5(d)(ii)(A) of these rules and regulations, Operating record;
 - ...(v) (V) Chapter 10, Section 5(f) of these rules and regulations, Biennial report;
 - ...(vi) (VI) Chapter 10, Section 5(g) of these rules and regulations, Unmanifested waste report; and
 - ...(vii) (VII) For NPDES permits issued after November 8, 1984, Chapter 10, Section 6(1) of these rules and regulations.
- 270.60(c)(4) (D) If the waste meets all Federal, State, and local pretreatment requirements which would be applicable to the waste if it were being discharged into the POTW through a sewer, pipe, or similar conveyance.
- 270.61 (b) EMERGENCY PERMITS.
- 270.61(a) (i) Notwithstanding any other provision of Chapter 1, Sections 1(h)-1(j); Chapter 3, Section 2; Chapter 4; Chapter 6, Section 2; Chapter 7; and Chapter 11, Section 2 of these rules and regulations, in the event the Director finds an imminent and substantial endangerment to human health or the environment the Director may issue a temporary emergency permit:
- 270.61(a)(1) (A) To a non-permitted facility to allow treatment, storage, or disposal of hazardous waste or
 - 270.61(a)(2) (B) To a permitted facility to allow treatment, storage, or disposal of a hazardous waste not covered by an effective permit.
- 270.61(b) (ii) This emergency permit:
- 270.61(b)(1) (A) May be oral or written. If oral, it shall be followed in five (5) days by a written emergency permit;
 - 270.61(b)(2) (B) Shall not exceed ninety (90) days in duration;
 - 270.61(b)(3) (C) Shall clearly specify the hazardous wastes to be received, and the manner and location of their treatment, storage, or disposal;
 - 270.61(b)(4) (D) May be terminated by the Director at any time without process if he or she determines that termination is appropriate to protect human health and the environment;
 - 270.61(b)(5) (E) Shall be accompanied by a public notice published under Chapter 3, Section 1(g)(ii) of these rules and regulations, including:
 - ...(i) (I) Name and address of the office granting the emergency authorization;
 - ...(ii) (II) Name and location of the permitted HWM

- facility;
- ...(iii) (III) A brief description of the wastes involved;
- ...(iv) (IV) A brief description of the action authorized and reasons for authorizing it; and
- ...(v) (V) Duration of the emergency permit; and
- 270.61(b)(6) (F) Shall incorporate, to the extent possible and not inconsistent with the emergency situation, all applicable requirements of Chapter 1, Sections 1(h)-1(j); Chapter 3, Section 2; Chapter 4; Chapter 6, Section 2; Chapter 7; and Chapter 11, Sections 2 and 3 of these rules and regulations and Chapter 5; Chapter 10; and Chapter 12, Sections 1 through 8, 19 and 20 of these rules and regulations.
- 270.62 (c) HAZARDOUS WASTE INCINERATOR PERMITS.
- 270.62(a) (i) For the purposes of determining operational readiness following completion of physical construction, the Director must establish permit conditions, including but not limited to allowable waste feeds and operating conditions, in the permit to a new hazardous waste incinerator. These permit conditions will be effective for the minimum time required to bring the incinerator to a point of operational readiness to conduct a trial burn, not to exceed 720 hours operating time for treatment of hazardous waste. The Director may extend the duration of this operational period once, for up to 720 additional hours, at the request of the applicant when good cause is shown. The permit may be modified to reflect the extension according to Chapter 6, Section 2(c) of these rules and regulations.
- 270.62(a)(1) (A) Applicants must submit a statement, with Part B of the permit application, which suggests the conditions necessary to operate in compliance with the performance standards of Chapter 10, Section 14(d) of these rules and regulations, during this period. This statement should include, at a minimum, restrictions on waste constituents, waste feed rates and the operating parameters identified in Chapter 10, Section 14(f) of these rules and regulations.
- 270.62(a)(2) (B) The Director will review this statement and any other relevant information submitted with Part B of the permit application and specify requirements for this period sufficient to meet the performance standards of Chapter 10, Section 14(d) of these rules and regulations, based on his or her engineering judgment.
- 270.62(b) (ii) For the purposes of determining feasibility of compliance with the performance standards of Chapter 10, Section 14(d) of these rules and regulations, and of determining adequate operating conditions under Chapter 10, section 14(f) of these rules and regulations, the Director must establish conditions in the permit for a new hazardous waste incinerator to be effective during the trial burn.
- 270.62(b)(1) (A) Applicants must propose a trial burn plan, prepared under section 1(c)(ii)(B) of this chapter with a Part B of the permit application.

- 270.62(b)(2) (B) The trial burn plan must include the following information:
- ... (i) (I) An analysis of each waste or mixture of wastes to be burned which includes:
 - ... (i)(A) (1.) Heat value of the waste in the form and composition in which it will be burned.
 - ... (i)(B) (2.) Viscosity (if applicable), or description of the physical form of the waste.
 - ... (i)(C) (3.) An identification of any hazardous organic constituents listed in Chapter 2, Appendix H of these rules and regulations, which are present in the waste to be burned, except that the applicant need not analyze for constituents listed in Chapter 2, Appendix H, which would reasonably not be expected to be found in the waste. The constituents excluded from analysis must be identified, and the basis for the exclusion stated. The waste analysis must rely on analytical techniques specified in "Test Methods for the Evaluating Solid Waste, Physical/Chemical Methods, EPA Publication SW-846 (incorporated by reference, see Chapter 1, Section 1(g)(i)(L) of these rules and regulations), or other equivalent.
 - ... (i)(D) (4.) An approximate quantification of the hazardous constituents identified in the waste, within the precision produced by the analytical methods specified in "Test Methods for the Evaluating Solid Waste, Physical/Chemical Methods," EPA publication SW-846 (incorporated by reference, see Chapter 1, Section 1(g)(i)(~~H~~K) of these rules and regulations), or their equivalent.
 - ... (ii) (II) A detailed engineering description of the incinerator for which the permit is sought including:
 - ... (ii)(A) (1.) Manufacturer's name and model number of incinerator (if available).
 - ... (ii)(B) (2.) Type of incinerator.
 - ... (ii)(C) (3.) Linear dimensions of the incinerator unit including the cross sectional area of combustion chamber.
 - ... (ii)(D) (4.) Description of the auxiliary fuel system (type/feed).
 - ... (ii)(E) (5.) Capacity of prime mover.
 - ... (ii)(F) (6.) Description of automatic waste feed cut-off system(s).
 - ... (ii)(G) (7.) Stack gas monitoring and pollution control equipment.
 - ... (ii)(H) (8.) Nozzle and burner design.
 - ... (ii)(I) (9.) Construction materials.

- ...(ii)(J) (10.) Location and description of temperature, pressure, and flow indicating and control devices.
 - ...(iii) (III) A detailed description of sampling and monitoring procedures, including sampling and monitoring locations in the system, the equipment to be used, sampling and monitoring frequency, and planned analytical procedures for sample analysis.
 - ...(iv) (IV) A detailed test schedule for each waste for which the trial burn is planned including date(s), duration, quantity of waste to be burned, and other factors relevant to the Director's decision under section 1(c)(ii)(E) of this chapter.
 - ...(v) (V) A detailed test protocol, including, for each waste identified, the ranges of temperature, waste feed rate, combustion gas velocity, use of auxiliary fuel, and any other relevant parameters that will be varied to affect the destruction and removal efficiency of the incinerator.
 - ...(vi) (VI) A description of, and planned operating conditions for, any emission control equipment which will be used.
 - ...(vii) (VII) Procedures for rapidly stopping waste feed, shutting down the incinerator, and controlling emissions in the event of an equipment malfunction.
 - ...(viii) (VIII) Such other information as the Director reasonably finds necessary to determine whether to approve the trial burn plan in light of the purposes of section 1(c)(ii) of this chapter and the criteria in section 1(c)(ii)(E) of this chapter.
- 270.62(b)(3) (C) The Director, in reviewing the trial burn plan, shall evaluate the sufficiency of the information provided and may require the applicant to supplement this information, if necessary, to achieve the purposes of section 1(c)(ii) of this chapter.
- 270.62(b)(4) (D) Based on the waste analysis data in the trial burn plan, the Director will specify as trial Principal Organic Hazardous Constituents (POHCs), those constituents for which destruction and removal efficiencies must be calculated during the trial burn. These trial POHCs will be specified by the Director based on his or her estimate of the difficulty of incineration of the constituents identified in the waste analysis, their concentration or mass in the waste feed, and, for wastes listed in Chapter 2, Section 4 of these rules and regulations, the hazardous waste organic constituent or constituents identified in Appendix G of that chapter as the basis for listing.
- 270.62(b)(5) (E) The Director shall approve a trial burn plan if he or she finds that:
- ...(i) (I) The trial burn is likely to determine whether the incinerator performance standard required by Chapter 10, Section 14(d) of these rules and regulations, can be met;
 - ...(ii) (II) The trial burn itself will not present an imminent hazard to human health or the environment;

- ... (iii) (III) The trial burn will help the Director to determine operating requirements to be specified under Chapter 10, Section 14(f) of these rules and regulations; and
- ... (iv) (IV) The information sought in sections 1(c)(ii)(E)(I) and (II) of this chapter cannot reasonably be developed through other means.
- 270.62(b)(6) (F) The Director must send a notice to all persons on the facility mailing list as set forth in Chapter 3, Section 1(g)(iii)(A)(IX) and to the appropriate units of State and local government as set forth in Chapter 3, Section 1(g)(iii)(A)(X) announcing the scheduled commencement and completion dates for the trial burn. The applicant may not commence the trial burn until after the Director has issued such notice.
- ... (i) (I) This notice must be mailed within a reasonable time period before the scheduled trial burn. An additional notice is not required if the trial burn is delayed due to circumstances beyond the control of the facility or the permitting agency.
- ... (ii) (II) This notice must contain:
 - ... (i)(A) (1.) The name and telephone number of the applicant's contact person;
 - ... (ii)(B) (2.) The name and telephone number of the permitting agency's contact office;
 - ... (ii)(C) (3.) The location where the approved trial burn plan and any supporting documents can be reviewed and copied; and
 - ... (ii)(D) (4.) An expected time period for commencement and completion of the trial burn.
- 270.62(b)(7) (G) During each approved trial burn (or as soon after the burn as is practicable), the applicant must make the following determinations:
 - ... (i) (I) A quantitative analysis of the trial POHCs in the waste feed to the incinerator.
 - ... (ii) (II) A quantitative analysis of the exhaust gas for the concentration and mass emissions of the trial POHCs, oxygen (O₂) and hydrogen chloride (HCl).
 - ... (iii) (III) A quantitative analysis of the scrubber water (if any), ash residues, and other residues, for the purpose of estimating the fate of the trial POHCs.
 - ... (iv) (IV) A computation of destruction and removal efficiency (DRE), in accordance with the DRE formula specified in Chapter 10, Section 14(d)(i) of these rules and regulations.
 - ... (v) (V) If the HCl emission rate exceeds 1.8

kilograms of HCl per hour (4 pounds per hour), a computation of HCl removal efficiency in accordance with Chapter 10, Section 14(d)(ii) of these rules and regulations.

- ...(vi) (VI) A computation of particulate emissions, in accordance with Chapter 10, Section 14(d)(iii) of these rules and regulations.
 - ...(vii) (VII) An identification of sources of fugitive emissions and their means of control.
 - ...(viii) (VIII) A measurement of average, maximum, and minimum temperatures and combustion gas velocity.
 - ...(ix) (IX) A continuous measurement of carbon monoxide (CO) in the exhaust gas.
 - ...(x) (X) Such other information as the Director may specify as necessary to ensure that the trial burn will determine compliance with the performance standards in Chapter 10, Section 14(d) of these rules and regulations, and to establish the operating conditions required by Chapter 10, Section 14(f) of these rules and regulations, as necessary to meet that performance standard.
- 270.62(b)(8) (H) The applicant must submit to the Director a certification that the trial burn has been carried out in accordance with the approved trial burn plan, and must submit the results of all the determinations required in section 1(c)(ii)(F) of this chapter. This submission shall be made within ninety (90) days of completion of the trial burn, or later if approved by the Director.
- 270.62(b)(9) (I) All data collected during any trial burn must be submitted to the Director following the completion of the trial burn.
- 270.62(b)(10) (J) All submissions required by section 1(c)(ii) of this chapter must be certified on behalf of the applicant by the signature of a person authorized to sign a permit application or a report under Chapter 3, Section 2(b) of these rules and regulations.
- 270.62(b)(11) (K) Based on the results of the trial burn, the Director shall set the operating requirements in the final permit according to Chapter 10, Section 14(f) of these rules and regulations. The permit modification shall proceed according to Chapter 6, Section 2(c) of these rules and regulations.
- 270.62(c) (iii) For the purposes of allowing operation of a new hazardous waste incinerator following completion of the trial burn and prior to final modification of the permit conditions to reflect the trial burn results, the Director may establish permit conditions, including but not limited to allowable waste feeds and operating conditions sufficient to meet the requirements of Chapter 10, Section 14(f) of these rules and regulations, in the permit to a new hazardous waste incinerator. These permit conditions will be effective for the minimum time required to complete sample analysis, data computation and submission of the trial burn results by the applicant, and modification of the facility permit by the Director.
- 270.62(c)(1) (A) Applicants must submit a statement, with Part

B of the permit application, which identifies the conditions necessary to operate in compliance with the performance standards of Chapter 10, Section 14(d) of these rules and regulations, during this period. This statement should include, at a minimum, restrictions on waste constituents, waste feed rates, and the operating parameters in Chapter 10, Section 14(f) of these rules and regulations.

270.62(c)(2) (B) The Director will review this statement and any other relevant information submitted with Part B of the permit application and specify those requirements for this period most likely to meet the performance standards of Chapter 10, Section 14(d) of these rules and regulations, based on his or her engineering judgment.

270.62(d) (iv) For the purpose of determining feasibility of compliance with the performance standards of Chapter 10, Section 14(d) of these rules and regulations, and of determining adequate operating conditions under Chapter 10, Section 14(f) of these rules and regulations, the applicant for a permit for an existing hazardous waste incinerator must prepare and submit a trial burn plan and perform a trial burn in accordance with Chapter 3, Section 2(j)(ii) of these rules and regulations and sections 1(c)(ii)(B) through 1(c)(ii)(E) and sections 1(c)(ii)(G) through 1(c)(ii)(J) of this chapter or, instead submit other information as specified in Chapter 3, Section 2(j)(iii) of these rules and regulations. The Director must announce his or her intention to approve the trial burn plan in accordance with the timing and distribution requirements of section 1(c)(ii)(F) of this chapter. The contents of the notice must include: the name and telephone number of a contact person at the facility; the name and telephone number of a contact office at the permitting agency; the location where the trial burn plan and any supporting documents can be reviewed and copied; and a schedule of the activities that are required prior to permit issuance, including the anticipated time schedule for agency approval of the plan and the time period during which the trial burn would be conducted. Applicants submitting information under Chapter 3, Section 2(j)(i) are exempt from compliance with Chapter 10, Sections 14(d) and 14(f) and, therefore, are exempt from the requirement to conduct a trial burn. Applicants who submit trial burn plans and receive approval before submission of a permit application must complete the trial burn and submit the results, specified in section 1(c)(ii)(G) of this chapter, with Part B of the permit application. If completion of this process conflicts with the date set for submission of the Part B application, the applicant must contact the Director to establish a later date for submission of the Part B application or the trial burn results. Trial burn results must be submitted prior to issuance of the permit. When the applicant submits a trial burn plan with Part B of the permit application, the Director will specify a time period prior to permit issuance in which the trial burn must be conducted and the results submitted.

270.63 (d) PERMITS FOR LAND TREATMENT DEMONSTRATIONS USING FIELD TEST OR LABORATORY ANALYSES.

270.63(a) (i) For the purpose of allowing an owner or operator to meet the treatment demonstration requirements of Chapter 10, Section 12(c) of these rules and regulations, the Director may issue a treatment demonstration permit. The permit must contain only those requirements necessary to meet the standards in Chapter 10, Section

12(c)(iii) of these rules and regulations. The permit may be issued either as a treatment or disposal permit covering only the field test or laboratory analyses, or as a two-phase facility permit covering the field tests, or laboratory analyses, and design, construction operation and maintenance of the land treatment unit.

270.63(a)(1) (A) The Director may issue a two-phase facility permit if he or she finds that, based on information submitted in Part B of the application, substantial, although incomplete or inconclusive, information already exists upon which to base the issuance of a facility permit.

270.63(a)(2) (B) If the Director finds that not enough information exists upon which he or she can establish permit conditions to attempt to provide for compliance with all of the requirements of Chapter 10, Section 12 of these rules and regulations, he or she must issue a treatment demonstration permit covering only the field test or laboratory analyses.

270.63(b) (ii) If the Director finds that a phased permit may be issued, he or she will establish, as requirements in the first phase of the facility permit, conditions for conducting the field tests or laboratory analyses. These permit conditions will include design and operating parameters (including the duration of the tests or analyses and, in the case of field tests, the horizontal and vertical dimensions of the treatment zone), monitoring procedures, post-demonstration clean-up activities, and any other conditions which the Director finds may be necessary under Chapter 10, Section 12(c)(iii) of these rules and regulations. The Director will include conditions in the second phase of the facility permit to attempt to meet all Chapter 10, Section 12 of these rules and regulations requirements pertaining to unit design, construction, operation, and maintenance. The Director will establish these conditions in the second phase of the permit based upon the substantial but incomplete or inconclusive information contained in the Part B application.

270.63(b)(1) (A) The first phase of the permit will be effective as provided in Chapter 3, Section 1(1)(ii) of these rules and regulations.

270.63(b)(2) (B) The second phase of the permit will be effective as provided in section 1(d)(iv) of this chapter.

270.63(c) (iii) When the owner or operator who has been issued a two-phase permit has completed the treatment demonstration, he or she must submit to the Director a certification, signed by a person authorized to sign a permit application or report under Chapter 3, Section 2(b) of these rules and regulations, that the field tests or laboratory analyses have been carried out in accordance with the conditions specified in phase one of the permit for conducting such tests or analyses. The owner or operator must also submit all data collected during the field tests or laboratory analyses within ninety (90) days of completion of those tests or analyses unless the Director approves a later date.

270.63(d) (iv) If the Director determines that the results of the field tests or laboratory analyses meet the requirements of Chapter 10, Section 12(c) of these rules and regulations, he or she will modify the second phase of the permit to incorporate any requirements

necessary for operation of the facility in compliance with Chapter 10, Section 12 of these rules and regulations, based upon the results of the field tests or laboratory analyses.

270.63(d)(1) (A) This permit modification may proceed under Chapter 6, Section 2(c) of these rules and regulations), or otherwise will proceed as a modification under Chapter 6, Section 2(b)(i)(B) of these rules and regulations. If such modifications are necessary, the second phase of the permit will become effective only after those modifications have been made.

270.63(d)(2) (B) If no modifications of the second phase of the permit are necessary, the Director will give notice of his or her final decision to the permit applicant and to each person who submitted written comments on the phased permit or who requested notice of the final decision on the second phase of the permit. The second phase of the permit then will become effective as specified in Chapter 3, Section 1(1)(ii) of these rules and regulations.

270.64 (e) **RESERVED ^.** [Interim permits for UIC wells]

270.65 (f) RESEARCH, DEVELOPMENT, AND DEMONSTRATION PERMITS.

270.65(a) (i) The Director may issue a research, development, and demonstration permit for any hazardous waste treatment facility which proposes to utilize an innovative and experimental hazardous waste treatment technology or process for which permit standards for such experimental activity have not been promulgated under Chapters 5 and 10, or Chapter 12, Sections 1 through 8, 19 and 20 of these rules and regulations. Any such permit shall include such terms and conditions as will assure protection of human health and the environment. Such permits:

270.65(a)(1) (A) Shall provide for the construction of such facilities as necessary, and for operation of the facility for not longer than one (1) year unless renewed as provided in section 1(f)(iv) of this chapter, and

270.65(a)(2) (B) Shall provide for the receipt and treatment by the facility of only those types and quantities of hazardous waste which the Director deems necessary for purposes of determining the efficacy and performance capabilities of the technology or process and the effects of such technology or process on human health and the environment, and

270.65(a)(3) (C) Shall include such requirements as the Director deems necessary to protect human health and the environment (including, but not limited to, requirements regarding monitoring, operation, financial responsibility, closure, and remedial action), and such requirements as the Director deems necessary regarding testing and providing of information to the Director with respect to the operation of the facility.

270.65(b) (ii) For the purpose of expediting review and issuance of permits under section 1(f) of this chapter, the Director may, consistent with the protection of human health and the environment, modify or waive permit application and permit issuance requirements in Chapter 1, Sections 1(h)-1(j); Chapter 3; Chapter 4; Chapter 6; Chapter 7; and Chapter 11, Section 2 of these rules and regulations

except that there may be no modification or waiver of regulations regarding financial responsibility (including insurance) or of procedures regarding public participation.

270.65(c) (iii) The Director may order an immediate termination of all operations at the facility at any time he or she determines that termination is necessary to protect human health and the environment.

270.65(d) (iv) Any permit issued under section 1(f) of this chapter may be renewed not more than three (3) times. Each such renewal shall be for a period of not more than one (1) year.

270.66 (g) PERMITS FOR BOILERS AND INDUSTRIAL FURNACES BURNING HAZARDOUS WASTE.

270.66(a) (i) General. Owners and operators of new boilers and industrial furnaces ^ are subject to sections 1(g)(ii) through 1(g)(vi) of this chapter. ^

270.66(b) (ii) Permit operating periods for new boilers and industrial furnaces. A permit for a new boiler or industrial furnace shall specify appropriate conditions for the following operating periods:

270.66(b)(1) (A) Pretrial burn period. For the period beginning with initial introduction of hazardous waste and ending with initiation of the trial burn, and only for the minimum time required to bring the boiler or industrial furnace to a point of operational readiness to conduct a trial burn, not to exceed 720 hours operating time when burning hazardous waste, the Director must establish in the Pretrial Burn Period of the permit conditions, including but not limited to, allowable hazardous waste feed rates and operating conditions. The Director may extend the duration of this operational period once, for up to 720 additional hours, at the request of the applicant when good cause is shown. The permit may be modified to reflect the extension according to Chapter 6, Section 2(c) of these rules and regulations.

...(i) (I) Applicants must submit a statement, with part B of the permit application, that suggests the conditions necessary to operate in compliance with the standards of Chapter 12, Sections 8(e) through 8(h) of these rules and regulations during this period. This statement should include, at a minimum, restrictions on the applicable operating requirements identified in Chapter 12, Section 8(c)(v) of these rules and regulations.

...(ii) (II) The Director will review this statement and any other relevant information submitted with part B of the permit application and specify requirements for this period sufficient to meet the performance standards of Chapter 12, Sections 8(e) through 8(h) of these rules and regulations based on his or her engineering judgment.

270.66(b)(2) (B) Trial burn period. For the duration of the trial burn, the Director must establish conditions in the permit for the purposes of determining feasibility of compliance with the performance standards of Chapter 12, Sections 8(e) through 8(h) of these rules and regulations and determining adequate operating conditions under Chapter 12, Section 8(c)(v) of these rules and

regulations. Applicants must propose a trial burn plan, prepared under section 1(g)(iii) of this chapter, to be submitted with Part B of the permit application.

270.66(b)(3)

(C) Post-trial burn period.

...(i)

(I) For the period immediately following completion of the trial burn, and only for the minimum period sufficient to allow sample analysis, data computation, and submission of the trial burn results by the applicant, and review of the trial burn results and modification of the facility permit by the Director to reflect the trial burn results, the Director will establish the operating requirements most likely to ensure compliance with the performance standards of Chapter 12, Sections 8(e) through 8(h) of these rules and regulations based on his or her engineering judgment.

...(ii)

(II) Applicants must submit a statement, with part B of the application, that identifies the conditions necessary to operate during this period in compliance with the performance standards of Chapter 12, Sections 8(e) through 8(h) of these rules and regulations. This statement should include, at a minimum, restrictions on the operating requirements provided by Chapter 12, Section 8(c)(v) of these rules and regulations.

...(iii)

(III) The Director will review this statement and any other relevant information submitted with Part B of the permit application and specify requirements for this period sufficient to meet the performance standards of Chapter 12, Sections 8(e) through 8(h) of these rules and regulations based on his or her engineering judgment.

270.66(b)(4)

(D) Final permit period. For the final period of operation, the Director will develop operating requirements in conformance with Chapter 12, Section 8(c)(v) of these rules and regulations that reflect conditions in the trial burn plan and are likely to ensure compliance with the performance standards of Chapter 12, Sections 8(e) through 8(h) of these rules and regulations. Based on the trial burn results, the Director shall make any necessary modifications to the operating requirements to ensure compliance with the performance standards. The permit modification shall proceed according to Chapter 6, Section 2(c) of these rules and regulations.

270.66(c)

(iii) Requirements for trial burn plans. The trial burn plan must include the following information. The Director, in reviewing the trial burn plan, shall evaluate the sufficiency of the information provided and may require the applicant to supplement this information, if necessary, to achieve the purposes of section 1(g)(iii) of this chapter:

270.66(c)(1)

(A) An analysis of each feed stream, including hazardous waste, other fuels, and industrial furnace feed stocks, as fired, that includes:

...(i)

(I) Heating value, levels of antimony, arsenic, barium, beryllium, cadmium, chromium, lead, mercury, silver, thallium, total chlorine/chloride, and ash;

...(ii)

(II) Viscosity or description of the physical form of the feed stream;

- 270.66(c)(2) (B) An analysis of each hazardous waste, as fired, including:
- ... (i) (I) An identification of any hazardous organic constituents listed in Chapter 2, Appendix H of these rules and regulations that are present in the feed stream, except that the applicant need not analyze for constituents listed in Chapter 2, Appendix H, that would reasonably not be expected to be found in the hazardous waste. The constituents excluded from analysis must be identified and the basis for this exclusion explained. The analysis must be conducted in accordance with analytical techniques specified in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846 (incorporated by reference, see Chapter 1, Section 1(g)(i)(L) of these rules and regulations), or their equivalent.
 - ... (ii) (II) An approximate quantification of the hazardous constituents identified in the hazardous waste, within the precision produced by the analytical methods specified in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (incorporated by reference, see Chapter 1, Section 1(g)(i) of these rules and regulations), or other equivalent.
 - ... (iii) (III) A description of blending procedures, if applicable, prior to firing the hazardous waste, including a detailed analysis of the hazardous waste prior to blending, an analysis of the material with which the hazardous waste is blended, and blending ratios.
- 270.66(c)(3) (C) A detailed engineering description of the boiler or industrial furnace, including:
- ... (i) (I) Manufacturer's name and model number of the boiler or industrial furnace;
 - ... (ii) (II) Type of boiler or industrial furnace;
 - ... (iii) (III) Maximum design capacity in appropriate units;
 - ... (iv) (IV) Description of the feed system for the hazardous waste, and, as appropriate, other fuels and industrial furnace feedstocks;
 - ... (v) (V) Capacity of hazardous waste feed system;
 - ... (vi) (VI) Description of automatic hazardous waste feed cutoff system(s); and
 - ... (vii) (VII) Description of any pollution control system; and
 - ... (viii) (VIII) Description of stack gas monitoring and any pollution control monitoring systems.
- 270.66(c)(4) (D) A detailed description of sampling and monitoring procedures including sampling and monitoring locations in

the system, the equipment to be used, sampling and monitoring frequency, and planned analytical procedures for sample analysis.

270.66(c)(5) (E) A detailed test schedule for each hazardous waste for which the trial burn is planned, including date(s), duration, quantity of hazardous waste to be burned, and other factors relevant to the Director's decision under section 1(g)(ii)(B) of this chapter.

270.66(c)(6) (F) A detailed test protocol, including, for each hazardous waste identified, the ranges of hazardous waste feed rate, and, as appropriate, the feed rates of other fuels and industrial furnace feedstocks, and any other relevant parameters that may affect the ability of the boiler or industrial furnace to meet the performance standards in Chapter 12, Sections 8(e) through 8(h) of these rules and regulations.

270.66(c)(7) (G) A description of, and planned operating conditions for, any emission control equipment that will be used.

270.66(c)(8) (H) Procedures for rapidly stopping the hazardous waste feed and controlling emissions in the event of an equipment malfunction.

270.66(c)(9) (I) Such other information as the Director reasonably finds necessary to determine whether to approve the trial burn plan in light of the purposes of section 1(g)(iii) of this chapter and the criteria in section 1(g)(ii)(B) of this chapter.

270.66(d) (iv) Trial burn procedures.

270.66(d)(1) (A) A trial burn must be conducted to demonstrate conformance with the standards of Chapter 12, Sections 8(e) through 8(h) of these rules and regulations under an approved trial burn plan.

270.66(d)(2) (B) The Director shall approve a trial burn plan if he or she finds that:

...(i) (I) The trial burn is likely to determine whether the boiler or industrial furnace can meet the performance standards of Chapter 12, Sections 8(e) through 8(h) of these rules and regulations;

...(ii) (II) The trial burn itself will not present an imminent hazard to human health and the environment;

...(iii) (III) The trial burn will help the Director to determine operating requirements to be specified under Chapter 12, Section 8(c)(v) of these rules and regulations; and

...(iv) (IV) The information sought in the trial burn cannot reasonably be developed through other means.

270.66(d)(3) (C) The Director must send notice to all persons on the facility mailing list as set forth in Chapter 3, Section 1(g)(iii)(A)(IX) of these rules and regulations and to the appropriate units of State and local government as set forth in Chapter 3, Section 1(g)(iii)(A)(X) announcing the scheduled

commencement and completion dates for the trial burn. The applicant may not commence the trial burn until after the Director has issued such notice.

- ... (I) (I) This notice must be mailed within a reasonable time period before the trial burn. An additional notice is not required if the trial burn is delayed due to circumstances beyond the control of the facility or the permitting agency.
- ... (ii) (II) This notice must contain:
 - ... (ii) (A) (1.) The name and telephone number of applicant's contact person;
 - ... (ii) (B) (2.) The name and telephone number of the permitting agency contact office;
 - ... (iii) (C) (3.) The location where the approved trial burn plan and any supporting documents can be reviewed and copied; and
 - ... (iii) (D) (4.) An expected time period for commencement and completion of the trial burn.
- 270.66(d)(4) (D) The applicant must submit to the Director a certification that the trial burn has been carried out in accordance with the approved trial burn plan, and must submit the results of all the determinations required in section 1(g)(iii) of this chapter. This submission shall be made within 90 days of completion of the trial burn, or later if approved by the Director.
- 270.66(d)(5) (E) All data collected during any trial burn must be submitted to the Director following completion of the trial burn.
- 270.66(d)(6) (F) All submissions required by section 1(g)(iv) of this chapter must be certified on behalf of the applicant by the signature of a person authorized to sign a permit application or a report under Chapter 3, Section 2(b) of these rules and regulations.
- 270.66(e) (v) Special procedures for DRE trial burns: When a DRE trial burn is required under Chapter 12, Section 8(e)(i) of these rules and regulations, the Director will specify (based on the hazardous waste analysis data and other information in the trial burn plan) as trial Principal Organic Hazardous Constituents (POHCs) those compounds for which destruction and removal efficiencies must be calculated during the trial burn. These trial POHCs will be specified by the Director based on information including his or her estimate of the difficulty of destroying the constituents identified in the hazardous waste analysis, their concentrations or mass in the hazardous waste feed, and, for hazardous waste containing or derived from wastes listed in Chapter 2, Section 4 of these rules and regulations, the hazardous waste organic constituent(s) identified in Chapter 2, Appendix G as the basis for listing.
- 270.66(f) (vi) Determinations based on trial burn. During each approved trial burn (or as soon after the burn as is practicable), the applicant must make the following determinations:
 - 270.66(f)(1) (A) A quantitative analysis of the levels of

antimony, arsenic, barium, beryllium, cadmium, chromium, lead, mercury, thallium, silver, and chlorine/chloride, in the feed streams (hazardous waste, other fuels, and industrial furnace feedstocks);

- 270.66(f)(2) (B) When a DRE trial burn is required under Chapter 12, Section 8(e)(i) of these rules and regulations:
- ...(i) (I) A quantitative analysis of the trial POHCs in the hazardous waste feed;
 - ...(ii) (II) A quantitative analysis of the stack gas for the concentration and mass emissions of the trial POHCs; and
 - ...(iii) (III) A computation of destruction and removal efficiency (DRE), in accordance with the DRE formula specified in Chapter 12, Section 8(e)(i) of these rules and regulations;
- 270.66(f)(3) (C) When a trial burn for chlorinated dioxins and furans is required under Chapter 12, Section 8(e)(v) of these rules and regulations, a quantitative analysis of the stack gas for the concentration and mass emission rate of the 2,3,7,8-chlorinated tetra-octa congeners of chlorinated dibenzo-p-dioxins and furans, and a computation showing conformance with the emission standard;
- 270.66(f)(4) (D) When a trial burn for particulate matter, metals, or HCl/Cl₂ is required under Chapter 12, Section 8(f), Section 8(g)(iii) or (iv), or Section 8(h)(ii)(B) or 8(h)(iii) of these rules and regulations, a quantitative analysis of the stack gas for the concentrations and mass emissions of particulate matter, metals, or hydrogen chloride (HCl) and chlorine (Cl₂), and computations showing conformance with the applicable emission performance standards;
- 270.66(f)(5) (E) When a trial burn for DRE, metals, or HCl/Cl₂ is required under Chapter 12, Section 8(e)(i), Section 8 (g)(iii) or (iv), or Section 8(h)(ii)(B) or 8(h)(iii) of these rules and regulations, a quantitative analysis of the scrubber water (if any), ash residues, other residues, and products for the purpose of estimating the fate of the trial POHCs, metals, and chlorine/chloride;
- 270.66(f)(6) (F) An identification of sources of fugitive emissions and their means of control;
- 270.66(f)(7) (G) A continuous measurement of carbon monoxide (CO), oxygen, and where required, hydrocarbons (HC), in the stack gas; and
- 270.66(f)(8) (H) Such other information as the Director may specify as necessary to ensure that the trial burn will determine compliance with the performance standards in Chapter 12, Sections 8(e) through 8(h) of these rules and regulations and to establish the operating conditions required by Chapter 12, Section 8(c)(v) of these rules and regulations as necessary to meet those performance standards.
- 270.66(g) (vii) **Reserved ^.** [Interim status boilers and industrial furnaces]