

FACT SHEET

OTHER SOLID WASTE INCINERATORS: NEW SOURCE PERFORMANCE STANDARDS and EMISSION GUIDELINES – RECONSIDERATION

ACTION

- On June 20, 2006 the U.S. Environmental Protection Agency (EPA) announced its reconsideration of a certain aspect of its standards of performance and emission guidelines for other solid waste incinerators (OSWI).
- The Sierra Club requested reconsideration of the rule on several issues. In this notice, EPA is granting reconsideration of one of them. EPA is still considering how to respond to the remaining issues in the petition.
- EPA is reconsidering whether sewage sludge incinerators should be considered as other solid waste incinerators and thus subject to the OSWI standards of performance. This notice provides an opportunity to comment on the rationale set forth in the final OSWI rule and other agency statements.
- EPA will accept comment on this notice for 45 days after it is published in the *Federal Register*.

BACKGROUND

- Section 129 of the Clean Air Act requires EPA to establish performance standards for “other solid waste incineration units” that reflect the application of strict emissions controls known as maximum achievable control technology.
- The Act further requires that these standards address emissions of nine pollutants: particulate matter, sulfur dioxide hydrogen chloride, nitrogen oxides, carbon monoxide, lead, cadmium, mercury, and dioxins/furans.
- On November 30, 2005, the Environmental Protection Agency (EPA) promulgated rules to reduce emissions of air pollutants from other solid waste incineration (OSWI) units. The final OSWI rules regulate two subcategories of incinerators: (1) very small municipal waste combustion units and (2) institutional waste incineration units. The final rule is available at <http://www.epa.gov/ttn/oarpg/t3pfpr.html>.
- Very small municipal waste combustion (VSMWC) units are incinerators that burn less than 35 tons per day of municipal solid waste. Municipal solid waste is nonhazardous solid waste or refuse collected from residential, commercial, institutional, and industrial sources. Larger municipal waste combustion units are already regulated under two other rules promulgated earlier.

- Institutional waste incineration (IWI) units are incinerators located at institutions (e.g., public or private school; college or university; church or civic organization; fire or police department; town, city, county, State or Federal government; etc.) that burn solid waste generated on site.
- The final rules establishes emission limits for the following nine air pollutants from these incinerators: particulate matter (PM), sulfur dioxide (SO₂), hydrogen chloride (HCl), nitrogen oxides (NO_x), carbon monoxide (CO), lead (Pb), cadmium (Cd), mercury (Hg), and dioxins/furans. The final rules also establish opacity limits.
- The final rules consist of new source performance standards (NSPS) for new (built after December 9, 2004) OSWI units and emission guidelines for existing OSWI units. Although the NSPS apply directly to new OSWI units, states must submit plans to implement the emission guidelines for existing OSWI units in their states, and EPA then approves the plans. If a state does not develop an approvable implementation plan, EPA will promulgate a federal plan that will apply to existing OSWI units located in that state.
- A new OSWI unit must demonstrate compliance with the emission limits in the NSPS upon start-up. Generally, existing OSWI units will have 5 years from the date EPA adopts the final emission guidelines to demonstrate compliance with the emission limits in those emission guidelines.
- EPA estimates that 248 existing OSWI units (12 VSMWC units and 236 IWI units) will be subject to the final emission guidelines and that no OSWI units will be subject to the final NSPS because it is unlikely that any new OSWI units will be built.
- The final standards and guidelines will provide important improvements in protecting human health and the environment by reducing air pollutant emissions. EPA estimates total pollutant reductions of about 1,900 tons per year in the fifth year following promulgation if all facilities with existing OSWI units elect to install air pollution controls to comply with the emission guidelines.

FOR MORE INFORMATION

- To download the notice of reconsideration of the final rule from EPA's website, go to "Recent Actions" at the following address: <http://www.epa.gov/ttn/oarpg/ramain.html>.
- Today's action and other background information are also available either electronically through <http://www.regulations.gov>, the federal government's docket management system, or in hard copy at EPA's Docket Center (6102T), EPA West, 1301 Constitution Avenue, NW, Room B-102, Washington, DC (Docket ID No. EPA-HQ-OAR-2003-0156). The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the EPA Docket Center is (202) 566-1742.

- For further information about the notice of reconsideration, contact Ms. Martha Smith of EPA's Office of Air Quality Planning and Standards, Sector Policies and Programs Division, Natural Resources and Commerce Group at (919) 541-2421 or by e-mail at smith.martha@epa.gov.
- The EPA's Office of Air and Radiation (OAR) home page on the Internet contains a wide range of information on the air toxics program, as well as many other air pollution programs and issues. The OAR home page address is: <http://www.epa.gov/oar>.