

## FACT SHEET

### **Hospital/Medical/Infectious Waste Incinerators: Promulgated Amendments to the Federal Plan to Implement Standards of Performance for Existing Facilities and Promulgated Amendments to the New Source Performance Standards**

#### **ACTION**

- On April 4, 2013, the U.S. Environmental Protection Agency promulgated amendments to the federal plan implementing the emission guidelines (EG) for existing hospital, medical and infectious waste incinerators (HMIWI) issued on October 6, 2009. The federal plan will apply to HMIWI where construction began on or before December 1, 2008, or where modifications began on or before April 6, 2010.

#### **FINAL REQUIREMENTS**

- The promulgated amendments to the HMIWI federal plan include:
  - Revised applicability provisions
  - Tighter emissions limits for all regulated pollutants
  - Visible emissions limit for ash handling operations
  - Revised waste management plan provisions
  - Annual inspections of emissions control devices
  - Additional testing, monitoring, recordkeeping and reporting requirements
  - One-time visible emissions test of ash handling operations
  - Procedures for test data submittal
  - Schedule for compliance with amended federal plan
  - Revised Title V permit provisions
  - Revised/new definitions
  - Additional delegation of authority provisions
- The amended federal plan will implement the 2009 revised EG for HMIWI located in states that have not submitted an acceptable revised/new state plan to the EPA. The amended federal plan will apply until individual states have approved revised/new plans of their own in effect.
- After the EG is implemented, either through the revised/new state plans or the amended federal plan, emissions from HMIWI units will drop significantly. Key emissions reductions will include:
  - mercury by 89 percent
  - hydrogen chloride by 85 percent
  - lead by 74 percent, and
  - dioxin/furans by 68 percent.
- The EPA is also promulgating amendments to the New Source Performance Standards (NSPS) for new HMIWI. The promulgated amendments will eliminate a remaining

exemption to emission limits and standards during periods of startup, shutdown, and malfunction to ensure the standards are consistent with the District of Columbia Circuit Court's vacatur of similar provisions in other rules.

- The EPA received five public comments on today's action and considered each comment in the finalization of these rules.

## **CHANGES FROM PROPOSAL**

- The EPA has corrected and updated the status of state plan submittals. The EPA will maintain a list of revised or new state plan submittals and approvals on the TTN Air Toxics website at <http://www.epa.gov/ttn/atw/129/hmiwi/rihmiwi.html>.
- In order to ensure consistency with the 2009 EG, the EPA has clarified which HMIWI are required to conduct a one-time visible ash emissions testing and which units remain subject to the visible ash emissions limit.
- In order to ensure consistency with the 2009 EG, the EPA has clarified that all HMIWI units are required to conduct initial and annual HMIWI equipment and air pollution control device inspections and the inspections must be documented in a record and reported to the agency. The record keeping and reporting requirements include documenting and submitting to the Administrator or the delegated authority any required maintenance and any repairs not completed within 10 days of an inspection.
- Although the EPA did not receive adverse comments on the schedule for sources to show that they have met increments of progress, the EPA has adjusted the schedule to account for the timeframe of signature of this federal plan and not impose any deadline retroactively.

## **BACKGROUND**

- The EPA promulgated EG to reduce emissions from existing HMIWI on September 15, 1997. In response to a court remand, the EPA issued revised EG on October 6, 2009. Within 1 year of promulgation of the EG, the Clean Air Act (CAA) requires states with existing HMIWI to submit implementation plans to the EPA. These plans specify how the state will implement and enforce the HMIWI EG. State plans to implement the 1997 EG are already in place and revised or new state plans to implement the 2009 revised EG were due October 6, 2010.
- Within 2 years of promulgation of the EG, the CAA requires the EPA to develop, implement and enforce a federal plan for existing HMIWI in any state that has not submitted an approvable plan to the EPA. This federal plan implements and enforces the revised emissions limits and other requirements for HMIWI in states that do not develop approvable plans.
- The EPA adopted a HMIWI federal plan on August 15, 2000, to implement the 1997 EG. Today's action promulgates amendments to the HMIWI federal plan to implement the

2009 revised EG for those states that did not have an approved revised/new state plan in place by October 6, 2011. The federal plan, as amended, contains the same elements that state plans are required to contain, including source and emissions inventories, emission limits, testing, monitoring and reporting requirements, as well as compliance schedules that include milestones for progress.

## FOR MORE INFORMATION CONTACT

- Interested parties can download the promulgated action from the EPA's website at the following address: <http://www.epa.gov/ttnatw01/129/hmiwi/rihmiwi.html>
- Today's promulgated rule and other background information are also available either electronically at <http://www.regulations.gov>, the EPA's electronic public docket and comment system, or in hardcopy at the EPA Docket Center's Public Reading Room.
  - The Public Reading Room is located in the EPA Headquarters Library, Room Number 3334 in the EPA West Building, located at 1301 Constitution Ave., NW, Washington, DC. Hours of operation are 8:30 a.m. to 4:30 p.m. eastern standard time, Monday through Friday, excluding federal holidays.
  - Visitors are required to show photographic identification, pass through a metal detector and sign the EPA visitor log. All visitor materials will be processed through an X-ray machine as well. Visitors will be provided a badge that must be visible at all times.
  - Materials for this proposed action can be accessed using Docket ID Numbers EPA-HQ-OAR-2011-0405 and EPA-HQ-OAR-2006-0534.
- For further information about the promulgated action, contact Ms. Amy Hambrick of the EPA's Office of Air Quality Planning and Standards, Sector Policies and Programs Division, Fuels and Incineration Group at (919) 541-0964, or by email at [hambrick.amy@epa.gov](mailto:hambrick.amy@epa.gov).