

Fact Sheet:

Final Rule: National Emission Standards for Hazardous Air Pollutants From Hazardous Waste Combustors: Residual Risk and Technology Review

Summary of Action

- On May 29, 2026, U.S. Environmental Protection Agency (EPA) finalized the required Clean Air Act (CAA) section 112 risk and technology review for the National Emission Standards for Hazardous Air Pollutants (NESHAP) for new and existing Hazardous Waste Combustors (HWCs).
- The final action fulfills EPA's Clean Air Act (CAA) obligation to conduct a risk review under CAA section 112(f)(2) and technology review under CAA section 112(d)(6), while considering cost-effective strategies to reduce financial and technical barriers for owners and operators.
- The agency has concluded that there are currently no new cost-effective practices, processes, or control technologies available to further reduce emissions, and that the current standards provide an ample margin of safety to protect human health and the environment.
 - The CAA requires the agency to review and revise these standards at least every 8 years.
- In addition, EPA is finalizing standards for two previously unregulated hazardous air pollutants (HAPs), hydrogen fluoride (HF) and hydrogen cyanide (HCN), within this final action.
 - EPA anticipates that existing HWC facilities can comply with these new standards without the installation of any new pollution control devices.

Key Elements

- The HWC NESHAP includes six subcategories: incinerators, cement kilns, lightweight aggregate kilns, solid fuel boilers, liquid fuel boilers, and hydrochloric acid production furnaces.
- Where data show that an HWC subcategory demonstrate emissions of HF or HCN, the final rule puts a numerical emission limit or work practice standard in place.
 - HF standards are being put in place for incinerators, solid fuel boilers, and all sizes of liquid fuel boilers.
 - HCN standards are being put in place for cement kilns, solid fuel boilers, and liquid fuel boilers larger than 50 MMBTU/hr.
- For HWC subcategories that have not demonstrated emissions of one or both of these pollutants, the final rule does not set a standard.
 - Cement kilns have not demonstrated emissions of HF.
 - Incinerators and liquid fuel boilers smaller than 50 MMBTU/hr have not demonstrated emissions of HCN.
 - Lightweight aggregate kilns and hydrochloric acid production furnaces have not demonstrated emissions of HF or HCN.
- For all subcategories, EPA is finalizing work practice standards for periods of startup, shutdown, and malfunction.
- The agency is also providing state and local permitting partners the flexibility to decide whether certain HWC area sources need to obtain a title V permit. Removing title V permits will eliminate unnecessary burden on area sources.

Economic Impacts

- The estimated costs of the final rule come from monitoring, recordkeeping and reporting requirements. EPA's economic analysis for the final rule estimates overall costs to industry for the time period 2027-2041 to be approximately \$2.4 million.

Background

- EPA issued the National Emission Standards for Hazardous Air Pollutants (NESHAP) from HWCs in October 2005. The NESHAP established emission limits and work practice standards based on maximum achievable control technology (MACT) for controlling emissions of HAPs.
- In August 2009, EPA obtained a full remand of all HWC NESHAP standards.
- EPA proposed this action on November 10, 2025, and held a public hearing on November 25, 2025. The comment period for the proposal closed on December 26, 2025.

More Information

- For more information on this action, please visit EPA's website: <https://www.epa.gov/stationary-sources-air-pollution/hazardous-waste-combustors-national-emission-standards-hazardous>
- This action and other background information are also available online at <https://www.regulations.gov/>. Materials for this proposed action can be accessed using Docket ID No. EPA-HQ-OAR-2004-0022.