

EPA Proposes Technical Amendments to the 2016 New Source Performance Standards and Emission Guidelines for the Commercial and Industrial Solid Waste Incineration Units: Fact Sheet

ACTION

- On May 9, 2018, the US. Environmental Protection Agency (EPA) proposed to amend the 2016 new source performance standards (NSPS) of performance for new sources and emission guidelines (EG) for existing sources for Commercial and Industrial Solid Waste Incineration Units (CISWI).
- Since finalizing the 2016 rule, EPA has identified certain implementation issues and inconsistencies that require further clarification or correction.
- In this action, EPA is proposing amendments to several provisions to address those inconsistencies and provide additional regulatory flexibilities:
- These technical amendments would alleviate testing and monitoring issues and address immediate concerns identified in public comments:
 - Codify the emission limit for mercury (Hg) for waste-burning kilns in a production-based limit;
 - Extend performance evaluation tests timeline from 60 days to 180 days;
 - Extend timeline for electronic data reporting
 - Add provisions for particulate matter, dioxins, hydrogen chloride (HCl), sulfur dioxide, nitrogen oxide and Hg for demonstrating initial compliance by using a continuous emission monitoring system; and
 - Providing clarifications on reduced testing requirements, deviation reporting, continuous opacity monitoring systems and air curtain incinerators.
- EPA will accept comment on the proposed amendments for 45 days after publication in the Federal Register.

BACKGROUND

- A CISWI unit is any device that is used to burn solid waste at a commercial or industrial facility such as:
 - Units designed to discard solid waste
 - Energy recovery units designed to recover heat that combust solid waste
 - Waste-burning kilns that combust solid waste in the manufacture of a product.
- The CISWI rule covers four CISWI subcategories:
 - Incinerators;
 - Energy recovery units;
 - Waste-burning kilns; and,
 - Small, remote incinerators.
- On March 21, 2011, EPA promulgated NSPS and EG for CISWI units.
- On February 7, 2013, EPA issued a final rule that amended the agency's 2011 standards for CISWI units.
 - Following that action, the agency received seven petitions for reconsideration on the CISWI 2013 final rule.

- On January 21, 2015, EPA granted reconsideration of and requested comments on certain issues raised in the petitions for reconsideration.
- On June 23, 2016, EPA promulgated the final reconsidered NSPS and EG.
- Following the final rule in 2016, EPA has received emails and phone calls from industry stakeholders on various implementation issues. In addition, EPA also identified certain testing and monitoring issues and inconsistencies that required further clarification or correction.

HOW TO COMMENT

- Submit your comments, identified by Docket ID No. EPA–HQ–OAR–2003-0119 by one of the following methods:
 - <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
 - E-mail: a-and-r-docket@epa.gov.
 - Fax: 202-566-9744.
 - Mail: Environmental Protection Agency, EPA Docket Center (EPA/DC), Air and Radiation Docket and Information Center, Mail Code: 6102T, 1200 Pennsylvania Ave., NW, Washington, DC, 20460. Please include two copies.
 - Hand Delivery: U. S. Environmental Protection Agency, EPA West (Air Docket), 1301 Constitution Avenue, Northwest, Room 3334, Washington, DC. Such deliveries are only accepted during the Docket’s normal hours of operation, and special arrangements should be made for deliveries of boxed information.

FOR MORE INFORMATION

- To download a copy of the proposed rule notice, go to EPA's website at <https://www.epa.gov/stationary-sources-air-pollution/commercial-and-industrial-solid-waste-incineration-units-ciswi-new>.
- Today’s action notice and other background information are also available either electronically at <http://www.regulations.gov>, 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 at EPA Headquarters library, room number 3334 in the EPA WJC West Building, 1301 Constitution Avenue, 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 No. EPA-HQ-2003-0119.
- For further technical information about the rule, contact Nabanita Modak Fischer at EPA's Office of Air Quality Planning and Standards, at (919) 541-5572 or modak.nabanita@epa.gov.