

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

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## ACTION

- On March 18, 2019, the U.S. Environmental Protection Agency (EPA) issued final technical amendments to the 2016 new source performance standards (NSPS) and emission guidelines (EG) for existing sources for commercial and industrial solid waste incineration (CISWI) units.
- Since finalizing the 2016 rule, EPA identified certain implementation issues and inconsistencies that require further clarification or correction.
- On June 15, 2018, EPA proposed amendments to several provisions to address those inconsistencies and provide additional regulatory flexibilities.
- These final technical amendments would alleviate testing and monitoring issues and address immediate concerns identified in public comments:
  - Codify the emission limit for mercury 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 to options for demonstrating initial compliance by using continuous emission monitoring systems for particulate matter, dioxins, hydrogen chloride, sulfur dioxide, nitrogen oxide and mercury; and
  - Provide clarifications on reduced testing requirements, deviation reporting, continuous opacity monitoring system, definition of 30-day rolling average and air curtain incinerators.

## 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; and
  - 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 the 2013 final rule, the Agency received seven petitions for reconsideration.

- 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 2016 final rule, EPA has been receiving 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.
- On June 15, 2018, EPA proposed several technical amendments to the CISWI rule to address various implementation, testing and monitoring issues, and inconsistencies requiring further clarification and correction.

#### **FOR MORE INFORMATION**

- To download a copy of the final technical amendments, 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 final technical amendments 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 the 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 final action can be accessed using Docket ID No. EPA-HQ-2003-0119.
- For further technical information about the final technical amendments, contact Nabanita Modak Fischer at EPA's Office of Air Quality Planning and Standards, at (919) 541-5572 or [modak.nabanita@epa.gov](mailto:modak.nabanita@epa.gov).