ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[AD-FRL-5150-9]

RIN 2060-AC62

Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Medical Waste Incinerators

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed standards and guidelines, and notice of public hearing.

SUMMARY: Today, EPA is proposing standards and guidelines for new and existing medical waste incinerators (MWI's) that will reduce air pollution from MWI's. Once implemented, these standards and guidelines will protect public health by reducing exposure to air pollution.

This proposal would add subparts Ec and Cc to 40 CFR part 60. Subpart Ec would limit emissions from new and modified MWI's. The proposed standards would implement sections 111(b) and 129 of the Clean Air Act (Act) as amended in 1990, and would require new MWI's to control emissions of air pollutants to levels that reflect the degree of emission reduction based on maximum achievable control technology (MACT). In addition, this notice includes proposed standards for fugitive fly ash/bottom ash emissions, MWI operator training and qualification, siting, and permitting.

Subpart Cc would establish emission guidelines and compliance schedules for use by States in developing State regulations to control emissions from existing MWI's. The proposed emission guidelines implement sections 111(d) and 129 of the Act, and would initiate State action to develop State regulations. These State regulations would control air pollutant emissions from existing MWI's to levels that reflect the degree of emission reduction based on MACT. In addition, this notice includes proposed guidelines for fugitive fly ash/bottom ash emissions, equipment inspections, training and qualification of MWI operators and permitting.

DATES: Comments. Comments must be received on or before April 28, 1995.

Public Hearing. The ÉPA will hold at least one public hearing in Washington, D.C. in mid- to late-March 1995.
Additional hearings may also be held. A Federal Register notice will be published within the next 2 weeks to announce the details of the hearing(s)

and to confirm the date(s) and location(s) for the hearing(s).

ADDRESSES: Comments. Comments on the proposal should be submitted (in duplicate, if possible) to: The Air and Radiation Docket and Information Center, ATTN: Docket No. A–91–61, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

Commenters wishing to submit proprietary information for consideration should clearly distinguish such information from other comments, and clearly label it "Confidential Business Information." Submissions containing such proprietary information should be sent directly to the following address, and not to the public docket, to ensure that proprietary information is not inadvertently placed in the docket: Attention: Mr. Rick Copland, c/o Ms. Melva Toomer, U.S. EPA Confidential Business Manager, 411 W. Chapel Hill Street, Room 944, Durham, North Carolina 27701. Information covered by such a claim of confidentiality will be disclosed by the EPA only to the extent allowed and by the procedures set forth in 40 CFR part 2. If no claim of confidentiality accompanies a submission when it is received by the EPA, the submission may be made available to the public without further notice to the commenter.

Background Information Documents. Two "Fact Sheets" are available that succinctly summarize the proposed standards and guidelines. The Fact Sheets are suggested reading for persons requiring an overview of the proposal. The Fact Sheets can be obtained by (1) calling Ms. Julia Latta at (919) 541-5578 or (2) accessing the EPA's Technology Transfer Network (TTN) electronic bulletin board. See SUPPLEMENTARY INFORMATION for instructions on accessing the TTN (electronic bulletin board). The background information documents (BID's) for the proposed standards and guidelines may be obtained from the docket; from the U.S. EPA Library (MD-35), Research Triangle Park, North Carolina 27711, telephone number (919) 541-2777; or from the National Technical Information Services, 5285 Port Royal Road, Springfield, Virginia 22161, telephone number (703) 487–4650. See **SUPPLEMENTARY INFORMATION** for a listing

of these documents.

Docket. Docket No. A–91–61,
containing supporting information used in developing the proposed standards and guidelines, is available for public

in developing the proposed standards and guidelines, is available for public inspection and copying between 8:00 a.m. and 4:00 p.m., Monday through Friday, at the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460, telephone (202) 260–7548, fax (202) 260–4000. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. Rick Copland at (919) 541–5265 or Mr. Fred Porter at (919) 541–5251, Emission Standards Division (MD–13), U.S. EPA, Research Triangle Park, North Carolina 27711.

SUPPLEMENTARY INFORMATION:

Incineration is a common method of medical waste disposal in the United States and around the world. However, while it is a very effective method of medical waste treatment with regard to rendering waste non-infectious, incineration results in the production of air pollutants. The EPA estimates that there are about 3,700 MWI's currently in operation in the United States. While these incinerators are small in size relative to municipal waste combustors, their large number makes MWI's a significant source of air pollution. The EPA recently released a draft report reassessing the health effects of exposure to dioxin. In the draft report, currently undergoing public review, MWI's are identified as a significant source of dioxin emissions. In addition, MWI's emit substantial quantities of hydrogen chloride (HCl), lead (Pb), cadmium (Cd), and mercury (Hg).

Today's proposed standards and guidelines will result in greater than 95 percent reduction in air pollution from MWI's. Once implemented, these standards and guidelines will protect public health by reducing exposure to air pollution.

The EPA, the Sierra Club, and the Natural Resources Defense Council (NRDC) have filed a consent decree with the U.S. District Court for the Eastern District of New York (Nos. CV–92–2093 and CV–93–0284) that requires the EPA Administrator to sign a notice of proposed rulemaking not later than February 1, 1995 and a notice of final rulemaking not later than April 15, 1996.

The EPA will hold at least one public hearing to provide interested parties an opportunity for oral presentation of data, views, or arguments concerning the proposal. Additional hearings may also be held (see discussion of public hearing above).

The EPA seeks full public participation in arriving at its final decisions and strongly encourages comments on all aspects of this proposal from all interested parties. Whenever applicable, full supporting data and detailed analysis should accompany all