

## **Title 7 DNREC**

### **1100 Air Quality Management Section**

#### **1120 New Source Performance Standards**

9/11/1998

#### **29.0 Standards of Performance for Hospital/Medical/Infectious Waste Incinerators**

The provisions of Subpart Ec - Standards of Performance for Hospital/Medical/Infectious Waste Incinerators, of Part 60, Title 40 of the Code of Federal Regulations, (Vol. 62, No. 178, pp. 48347-48391, of the Federal Register, dated September 15, 1997), are hereby adopted by reference with the following changes:

29.1 Wherever the word "Administrator" appears it shall be replaced by the word "Department", with the exception of sections 60.50c(i) and 60.56c(i).

29.2 60.50c(a) shall be replaced with the following language: "Except as provided in paragraphs (b) through (h) of this section, the affected facility to which this subpart applies is each individual hospital/medical/infectious waste incinerator (HMIWI)."

29.3 Delete 60.50c(h).

29.4 60.50c(k) shall be replaced with the following language: "The requirements of this subpart shall become effective as follows:"

29.5 Add section 60.50c(k)(1) to read as follows: "September 11, 1998 for affected facilities which construction is commenced after June 20, 1996 or for which modification is commenced after March 16, 1998;"

29.6 Add new section 60.50c(k)(2) to read as follows: "As expeditiously as practicable but no later than September 11, 1999 for facilities which construction is commenced on or before June 20, 1996 and for which modification was not commenced after March 16, 1998."

29.7 Add new section 60.50c(k)(2)(i) to read as follows: "Affected facilities as defined in 60.50c(k)(2) may petition the Department for an extension beyond this compliance date. Such a petition shall include the following information and shall be submitted to the Department on or before March 11, 1999."

29.8 Add new section 60.50c(k)(2)(i)(A) to read as follows: "Documentation of the analyses undertaken to support the need for an extension, including an explanation of why the extended date allows sufficient time to comply with this regulation while September 11, 1999 is not sufficient. The documentation shall also include an evaluation of the option to transport the waste offsite to a commercial medical waste treatment and disposal facility on a temporary or permanent basis; and"

29.9 Add new section 60.50c(k)(2)(i)(B) to read as follows: “Documentation of measurable and enforceable incremental steps of progress to be taken towards compliance with this subpart.”

29.10 Add new section 60.50c(k)(2)(ii) to read as follows: “The Department shall review the information submitted from the affected facility pursuant to sections (k)(2)(i)(A) and (B) and either approve or deny the extension after determining if the extension is necessary to meet the requirements of this subpart.”

29.11 Add new section 60.50c(k)(2)(iii) to read as follows: “The Department may grant an extension of up to September 11, 2001 for the affected facility to meet the requirements of this subpart.”

29.12 60.50c(l) shall be replaced with the following language: “Beginning September 15, 2000, affected facilities subject to this subpart shall be subject to 7 **DE Admin. Code** 1130 of the State of Delaware “**Regulations Governing the Control of Air Pollution.**” Affected facilities for which construction is commenced on or before June 20, 1996, shall operate under a Regulation 30 permit no later than September 15, 2000.”

29.13 Add new sentence to 60.50c to read as follows: “Terms used but not defined in this subpart have the meaning given them in the Clean Air Act dated November 15, 1990 and in subparts A and B of 40 CFR Part 60 as of July 1, 1997.”

29.14 In 60.51c in the definition of medical/infectious waste, (3)(iv) shall be replaced with the following language: “Items that were saturated or dripping with human blood that are now caked with dried human blood; including serum, plasma, and other blood components, and their containers, which were used or intended for use in either patient care, testing and laboratory analysis or the development of pharmaceuticals. Intravenous bags are also included in this definition.”

29.15 60.52c(a) shall be replaced with the following language: “On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility shall cause to be discharged into the atmosphere from that affected facility any gases that contain stack emissions in excess of the limits presented in Table 29-1 or Table 29-2, as applicable.”

29.16 Replace the title of Table 1 in 60.52c(a) to read as follows: “TABLE 29-1. EMISSION LIMITS FOR SMALL, MEDIUM AND LARGE HMIWI FOR WHICH CONSTRUCTION IS COMMENCED AFTER JUNE 20, 1996 OR FOR WHICH MODIFICATION IS COMMENCED AFTER MARCH 16, 1998.”

29.17 Add new table to 60.52c(a) to read as follows:

**TABLE 29-2.**

**EMISSION LIMITS FOR SMALL, MEDIUM AND LARGE HMIWI FOR WHICH CONSTRUCTION COMMENCED ON OR BEFORE JUNE 20, 1996 AND FOR WHICH MODIFICATION HAS NOT COMMENCED AFTER MARCH 16, 1998**

	<b>Units</b>	<b>Emission Limits</b>		
		<b>HMIWI Size</b>		
<b>Pollutant</b>	<b>(7 percent oxygen, dry basis)</b>	<b>Small</b>	<b>Medium</b>	<b>Large</b>
Particulate Matter	Milligrams per dry standard cubic meter (grains per dry standard cubic foot)	115 (0.05)	69 (0.03)	34 (0.015)
Carbon monoxide	Parts per million by volume	40	40	40
Dioxins/ furans	nanograms per dry standard cubic meter  total dioxins/furans (grains per billion dry standard cubic feet)  or  nanograms per dry standard cubic meter total dioxins/furans TEQ (grains per dry standard cubic feet)	125  (55)  or  2.3  (1.0)	125  (55)  or  2.3  (1.0)	125  (55)  or  2.3  (1.0)
Hydrogen chloride	parts per million by volume or  percent reduction	100 or  93%	100 or  93%	100 or  93%
Sulfur	parts per million by volume	55	55	55

dioxide				
Nitrogen oxide	parts per million by volume	250	250	250
Lead	milligrams per dry standard cubic meter (grains per thousand dry standard cubic feet) or percent reduction	1.2 (0.52) or 70%	1.2 (0.52) or 70%	1.2 (0.52) or 70%
Cadmium	milligrams per dry standard cubic meter (grains per thousand dry standard cubic feet) or percent reduction	0.16 (0.07) or 65%	0.16 (0.07) or 65%	0.16 (0.07) or 65%
Mercury	milligrams per dry standard cubic meter (grains per thousand dry standard cubic feet) or percent reduction	0.55 (0.24) or 85%	0.55 (0.24) or 85%	0.55 (0.24) or 85%

29.18 60.52c(c) shall be replaced with the following language: “On and after the date on which the initial performance test is completed or is required to be completed under § 60.8, whichever date comes first, no owner or operator of an affected facility utilizing a large HMIWI

for which construction is commenced after June 20, 1996 or for which modification is commenced after March 16, 1998 shall cause to be discharged into the atmosphere visible emissions of combustion ash from an ash conveying system (including conveyor transfer points) in excess of 5% of the observation period (i.e., nine minutes per three-hour period), as determined by EPA Reference Method 22, except as provided in paragraphs (d) and (e) of this section.”

29.19 In 60.56c(b)(9)(ii) “Table 2” shall be replaced with “Table 29-3”.

29.20 Replace the title of the table in 60.56c(b)(9)(ii) to read as follows: “TABLE 29-3. TOXIC EQUIVALENCY FACTORS”.

29.21 60.56c(c)(3) shall be replaced with the following language: “For large HMIWI for which construction is commenced after June 20, 1996 or for which modification is commenced after March 16, 1998, determine compliance with the visible emission limits for fugitive emissions from flyash/bottom ash storage and handling by conducting a performance test using EPA Reference Method 22 on an annual basis (no more than 12 months following the previous performance test).”

29.22 In 60.56c(d)(1) “Table 3” shall be replaced with “Table 29-4”.

29.23 Replace the title of the table in 60.56c(d)(1) to read as follows: “TABLE 29-4. OPERATING PARAMETERS TO BE MONITORED AND MINIMUM MEASUREMENT AND RECORDING FREQUENCIES”.

29.24 In 60.56c(d)(2) “Table 3” shall be replaced with “Table 29-4”.

29.25 60.56c(i) shall be replaced with the following language: “The owner or operator of an affected facility using an air pollution control device other than a dry scrubber followed by a fabric filter, a wet scrubber, or a dry scrubber followed by a fabric filter and a wet scrubber to comply with the emission limits under § 60.52c shall petition the Administrator (with a copy to the Department) for other site-specific operating parameters to be established during the initial performance test and continuously monitored thereafter. The owner or operator shall not conduct the initial performance test until after the petition has been approved by the Administrator.”

29.26 In 60.57c(a) both occurrences of “Table 3” shall be replaced with “Table 29-4”.

29.27 60.58c(b)(2)(ii) shall be replaced with the following language: “For affected facilities for which construction is commenced after June 20, 1996, or for which modification is commenced after March 16, 1998, results of fugitive emissions (by EPA Reference Method 22) tests, if applicable;”

29.28 60.58c(d) shall be replaced with the following language: “An annual report shall be submitted one year following the submission of the information in paragraph (c) of this

section and subsequent reports shall be submitted no more than 12 months following the previous report (once the unit is subject to permitting requirements under 7 **DE Admin Code** 1130, the owner or operator of an affected facility must submit these reports semiannually). The annual report shall include the information specified in paragraphs (d)(1) through (d)(8) of this section. All reports shall be signed by the facilities manager.”

29.29 This regulation will be enforced through 7 **Del.C.**, Ch 60 and all other applicable laws and regulations of the State of Delaware.

**1 DE Reg. 1653 (04/01/98)**

**2 DE Reg. 390 (09/01/98)**