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IMPACT OF DRAFT HAZARDOUS WASTE MINIMIZATION AND
COMBUSTION STRATEGY ON OHIO'S REGIONAL AIR POLLUTION
CONTROL AGENCY

United States Environmental Protection Agency
Washington, D.C. 20460
Office of Solid Waste and Emergency Response

January 10, 1994

SUBJECT: Inquiry on Southwestern Portland Cement

TO: William E. Muno, Director
Region 5, Waste Management Division

FROM: Michael Shapiro, Director
Office of Solid Waste

This memorandum is in response to your July 30, 1993 memorandum on the Ohio Regional Air Pollution Control Agency's (RAPCA's) inquiry regarding the impact of the Draft Hazardous Waste Minimization and Combustion strategy on its implementation of air regulations.

Our understanding is that Region V is preparing to call in the Part B for the Southwestern Portland Cement (Southdown) facility's RCRA permit, and that RAPCA has public noticed a draft air permit to operate. RAPCA asked the general question of whether U.S. EPA supports the inclusion of the particulate matter (PM) and dioxin limits referenced as targets or goals in the Draft strategy in the air permit for the Southdown facility prior to controlling PM and dioxins in the RC2A permit, and also posed a number of specific questions on these limits.

We think it would be appropriate for RAPCA to address the concerns about dioxins and particulate matter through their air permit to the extent possible under their legal authorities. It should be recognized that the Draft Strategy provides no new authority to implement such limits, so RAPCA would need to use their authorities under state law. In addition, the State should also be aware that some RCRA permits may include varying limits on dioxins and furans and particulate matter, since the limits will be

implemented through RCRA permit authority that takes site-specific factors into account. The 30 ng/dscm dioxin/furans and the 0.015 gr/dscf particulate matter limits are being considered as goals or targets within the RCRA program.

Regarding the State's question in what the basis was for the dioxin and particulate matter target levels in the Draft Strategy, the target levels were derived from those applicable to new municipal waste combustors (MWC) larger than 250 tons/day capacity as set forth in 40 CFR Sections 60.50 through 60.59. EPA has not specified specific control equipment or measures that facilities should use to meet regulatory limits. Facilities are free to propose a control strategy they believe will enable their system to meet the appropriate levels and must demonstrate through a trial burn that they meet their permit limits. The MWC standards are based on implementation of Best Demonstrated Technology (BDT) as set forth in the aforementioned regulations. BDT includes the implementation of Good Combustion Practices as well as the installation of a spray dryer and a bag house to remove particulates. Attached is a copy of the February 11, 1991 Federal Register for the final rule for MWC standards. Interestingly, the interim status compliance certifications that have been received for cement kilns burning hazardous wastes indicate that about 50% are below the 30 ng/dscm level established for MWC's.

The Draft Hazardous Waste Minimization/Combustion Strategy does not discuss the method and frequency of measuring dioxin or particulate matter levels. However, under current RCRA regulations for boilers and industrial furnaces, 40 CFR Part 60, Appendix A, Method 5 is used for particulate matter testing; with respect to dioxin/furan testing, 40 CFR Appendix A, Method 23 can be used. There is no national guidance at this point regarding stack testing frequency other than during the trial burn. BIFs operating under interim status are required to re-certify compliance every three years. We are aware that some permits for commercial incinerators require retesting every two to three years. As you know, in order to assure continued compliance, RCRA permits (or BIF interim status compliance certifications) set operating conditions to assure that the combustor continues to operate within the bounds of the trial burn conditions at which it successfully demonstrated compliance. Municipal waste combustors are regulated under a slightly different framework, and are required to retest for dioxins annually.

The Draft Hazardous Waste Minimization/Combustion Strategy is

the starting point for evaluating our national policies on combustion and minimization of hazardous wastes. We intend to have a broad dialogue on these issues. The Draft Strategy does not change the current permitting process and leaves the final individual permit decisions to the Region and State involved. However, we expect all BIF permits to be fully protective of human health and the environment, and we appreciate RAPCA's interest in imposing relevant conditions through their air permit. Feel free to contact Sonya Sasseville or Dwight Hlustick at 703/308-8647 if you have further questions.

Attachment

cc: Karl Bremer; Waste Combustion Permit Writers' Workgroup

bcc: Dev Barnes; Matt Hale; Jim Michael; Matt Straus; Fred Chanania