

PPC 9488.00-2

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

JUN 10 1986

MEMORANDUM

SUBJECT: Permitting of Incinerators

FROM: Bruce Weddle, Director
Permits and State Programs Division (WH-563)

TO: Sam Becker, Chief
Hazardous Waste Compliance Branch, Region VI (6H-C)

I am writing in response to your memorandum of May 7, 1986, in which you requested guidance on whether a RCRA permit for a hazardous waste incinerator under interim status could be issued prior to the performance of the trial burn. Although the regulations are silent on this issue, the intent of the regulation is to require performance of the the trial burn and receipt of trial burn data prior to permit issuance for existing incinerators. This issue was discussed with Henry Onsgard of your staff on May 22, 1986, and this memorandum confirms in writing that Agency policy is to require performance of the trial burn prior to permit issuance.

As you know, the regulations require the Director to set permit conditions such that the incinerator will comply with the performance standards of Part 264 Subpart O (§270.62). Results of the trial burn (or data in lieu of the trial burn) are the critical piece of information in setting these conditions. Establishing permit conditions this way provides for maximum protection of human health and the environment since the permit conditions will be based on actual performance information, rather than theoretical conditions. Except in rare cases, we do not foresee why existing incinerator facilities would not be able to provide this information since these facilities have had ample time to obtain performance data and have known that such information will be necessary to obtain a permit.

One case when it may be appropriate to permit an interim status incinerator prior to performance of the trial burn is where the unit requires major modifications. In this case, the permit should be issued as though the unit were a new incinerator. The permit must specify the allowed operating conditions in accordance with the appropriate portions of §§270.62 and 264.344 (c).

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Please contact Robin Anderson (FTS 382-4498) of my staff if you have further questions on this issue.

cc: Art Glazer
Robin Anderson
Hazardous Waste Branch Chiefs, Regions I-V, VII-X
Incinerator Permit Writer's Workgroup