

## **7011.1215 APPLICABILITY OF STANDARDS OF PERFORMANCE FOR WASTE COMBUSTORS.**

Subpart 1. **Waste combustors.** A person who constructs, modifies, reconstructs, or operates a waste combustor shall comply with parts 7011.1201 to 7011.1294, except as provided in subparts 2 to 3.

Subp. 2. **Cofired facilities.** A person who constructs, modifies, reconstructs, or operates a cofired unit is not a waste combustor under parts 7011.1201 to 7011.1285.

Subp. 2a. **Units combusting tires or fuel derived from tires.** A waste combustor burning a single-item waste stream of tires or fuel derived from tires is not subject to parts 7011.1201 to 7011.1294 if the owner or operator notifies the commissioner in writing of its intent to combust only tires, and provides data documenting that the unit qualifies for this exemption.

Subp. 2b. **Units combusting waste contaminated with used oil.** An owner of a solid-fuel-fired indirect or direct heating source burning fossil fuel with only wastes contaminated with used oil generated by the owner is not subject to parts 7011.1201 to 7011.1294.

Subp. 2c. **Commercial and industrial solid waste incinerators.** A person who constructs, modifies, or reconstructs a waste combustor such that it becomes a commercial or industrial solid waste incinerator is not subject to parts 7011.1225 to 7011.1285 but shall comply with parts 7011.1360 to 7011.1370.

Subp. 3. **Exemptions from standards of performance.** Crematoria, pathological waste combustors, and waste combustors used solely for the disposal of animal carcasses are exempt from the requirements of parts 7011.1210 to 7011.1294, and shall meet the conditions of this subpart.

A. No owner or operator of a crematorium, pathological waste combustor unit, or waste combustor unit used solely for the disposal of animal carcasses shall cause to be emitted into the atmosphere gases which are greater than 20 percent opacity.

B. Waste combustor owners and operators shall install and operate an afterburner which maintains flue gases at 1,200 degrees Fahrenheit for at least 0.3 seconds.

C. Ash shall be stored and transported in such a manner to prevent avoidable amounts of particulate matter to become airborne.

Subp. 4. **Standards.** The standards of parts 7011.1227, 7011.1228, 7011.1229, 7011.1230, 7011.1233, 7011.1240, subpart 2, and 7011.1272, subpart 2, apply at all times when waste is being continuously burned, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction does not exceed three hours. Fugitive emissions standards applicable to ash conveying systems

do not apply during maintenance and repair of ash conveying systems. "Malfunction" means any sudden and unavoidable failure of air pollution control equipment or process equipment or of a process to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown are not considered malfunctions.

The start-up period commences when the waste combustor begins the continuous burning of solid waste and does not include any warm-up period when the waste combustor is combusting fossil fuel or other solid fuel.

Continuous burning is the continuous, semicontinuous, or batch feeding of solid waste for purposes of waste disposal, energy production, or providing heat to the combustion system in preparation for waste disposal or energy production. The use of solid waste solely to provide thermal protection of the grate or hearth during the start-up period when municipal solid waste is not being fed to the grate is not considered to be continuous burning.

**Subp. 5. Transition for Class A waste combustors.** The application of the waste combustor standards to Class A waste combustors are described in this subpart.

A. Class A waste combustors shall demonstrate compliance with parts 7011.1201 to 7011.1290 by July 17, 1998, except that the conditions of part 7011.1240, subpart 1, shall be met according to the schedule in part 7011.1240, subpart 1a.

B. If the Class A waste combustor cannot comply with these waste combustor standards by July 17, 1998, the waste combustor shall cease operating on July 17, 1998. If the waste combustor cannot comply by July 17, 1998, and elects to continue operating, the waste combustor owner or operator shall submit to the commissioner by June 17, 1998, a schedule that contains the following items:

(1) a compliance schedule that contains the following milestones:

(a) a final control plan;

(b) the date that the owner or operator will award contracts for emission control systems or for process modifications, or issue orders for the purchase of component parts to accomplish emission control or process modifications described in the final control plan;

(c) the date that the owner or operator will initiate on-site construction or installation of emissions control or process changes;

(d) the date that the owner or operator will complete on-site construction or installation of emissions control or process changes; and

(e) the date that the owner or operator will demonstrate compliance with the emissions limitations and monitoring requirements of parts 7011.1201 to 7011.1290. This date shall not be any later than December 19, 2000; and

(2) for each waste combustor whose compliance schedule shows that the unit will not achieve the emission limits of part 7011.1225 by July 17, 1998, the results of a performance test for PCDD/PCDF emissions from each waste combustor unit. If a facility contains identical waste combustor units, only one of the identical units needs to be tested. The owner or operator shall provide an explanation with the submittal of why the units can be assumed to be identical. The performance test shall have been conducted during or after the year 1990. The performance test shall be conducted according to the procedures of part 7011.1265.

C. Physical or operational changes made to a Class A waste combustor unit primarily for the purpose of complying with the emission limits in parts 7011.1201 to 7011.1290 prior to December 19, 2000, are not considered in determining whether the unit is a modified or reconstructed waste combustor subject to the requirements of Code of Federal Regulations, title 40, part 60, subpart Ea or Eb.

Subp. 5a. **Transition for Class C waste combustors.** A Class C waste combustor shall demonstrate compliance with parts 7011.1201 to 7011.1290 by July 17, 1998.

Subp. 6. [Repealed, 39 SR 386]

**Statutory Authority:** *MS s 116.07*

**History:** *18 SR 2584; 22 SR 1975; 39 SR 386*

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