## 7045.0640 THERMAL TREATMENT FACILITIES.

Subpart 1. **Scope.** This part applies to owners and operators of facilities that thermally treat hazardous waste, except as part 7045.0552 provides otherwise.

The following facility owners or operators are considered to thermally treat hazardous waste: owners or operators of hazardous waste incinerators as defined in part 7045.0020; and owners or operators who burn hazardous wastes in boilers or in industrial furnaces in order to destroy the wastes.

Owners and operators of thermal treatment facilities that thermally treat hazardous waste are exempt from all the requirements of this part except subpart 5, if the owner or operator has documented, in writing, that the waste would not reasonably be expected to contain constituents listed in part 7045.0141, and the documentation is kept at the facility, and the waste to be treated is:

A. listed as a hazardous waste in part 7045.0135 only because it is ignitable, or corrosive, or both;

B. listed as a hazardous waste in part 7045.0135 only because it is reactive for characteristics other than those listed in part 7045.0131, subpart 5, items D and E, and will not be treated when other hazardous wastes are present in the combustion zone;

C. a hazardous waste only because it possesses the characteristic of ignitability, corrosivity, or both, as determined by the tests for characteristics of hazardous wastes under part 7045.0131; or

D. a hazardous waste only because it possesses any of the reactivity characteristics described by part 7045.0131, subpart 5, items A, B, C, F, G, and H, and will not be treated when other hazardous wastes are present in the combustion zone.

Subp. 2. **Waste analysis.** In addition to the waste analysis required by part 7045.0564, the owner or operator shall sufficiently analyze any waste which he or she has not previously treated in the thermal treatment process to enable him or her to establish steady state or other appropriate operating conditions for a noncontinuous process, including waste and auxiliary fuel feed and air flow and to determine the type of pollutants which might be emitted. The analysis must determine:

A. heating value of the waste;

B. halogen content and sulfur content in the waste; and

C. concentrations in the waste of lead and mercury, unless the owner or operator has written, documented data that show that the element is not present. As required by part 7045.0584, the owner or operator shall place the results from each waste analysis, or the documented information, in the operating record of the facility.

Subp. 3. **General operating requirements.** Before adding hazardous waste, the owner or operator shall bring the thermal treatment process to steady state conditions of operation, including steady state operating temperature and air flow, using auxiliary fuel or other means, unless the process is a noncontinuous thermal treatment process which requires a complete thermal cycle to treat a discrete quantity of hazardous waste. For incinerators, this requirement applies during start-up and shutdown.

Subp. 4. **Monitoring and inspections.** The owner or operator shall conduct the following monitoring and inspections when thermally treating hazardous waste:

A. Existing instruments which relate to temperature, combustion, and emission control, if an emission control device is present, must be monitored at least every 15 minutes. Appropriate corrections to maintain steady state or other appropriate thermal treatment conditions must be made immediately either automatically or by the operator. Instruments which relate to temperature, combustion, and emission control would normally include those measuring waste feed, auxiliary fuel feed, air flow, treatment process temperature, scrubber flow, scrubber pH, and relevant process flow and level controls.

B. The stack plume, where present, must be observed visually at least hourly for normal appearance, including color and opacity. The operator must immediately make indicated operating corrections necessary to return visible emissions to their normal appearance.

C. The complete thermal treatment process and associated equipment including pumps, valves, conveyors, and pipes must be inspected at least daily for leaks, spills, and fugitive emissions; and all emergency shutdown controls and system alarms must be checked to assure proper operation.

Subp. 5. **Closure.** At closure, the owner or operator shall remove all hazardous waste and hazardous waste residues, including, but not limited to, ash, scrubber waters, and scrubber sludges, from the thermal treatment process or equipment. At closure, as throughout the operating period, unless the owner or operator can demonstrate that any waste removed from the thermal treatment process, or equipment is not a hazardous waste, the owner or operator becomes a generator of hazardous waste and shall manage it in accordance with all applicable requirements of parts 7045.0205 to 7045.1030.

Subp. 6. **Open burning; waste explosives.** Open burning of hazardous waste is prohibited except for the open burning and detonation of waste explosives. Waste explosives include waste which has the potential to detonate, and bulk military propellants which cannot safely be disposed of through other modes of treatment. Detonation is an explosion in which chemical transformation passes through all material faster than the speed of sound, 0.33 kilometers per second at sea level. Owners or operators choosing to open burn or detonate waste explosives shall do so in accordance with the distance

limitations of the following table and in a manner that does not threaten human health or the environment.

Property Line Separation

| Pounds of waste explosives or propellants | Minimum distance from open burning or detonation to the property of others |
|---|---|
| 0 to 100 | 204 meters (670 feet) |
| 101 to 1,000 | 380 meters (1,250 feet) |
| 1,001 to 10,000 | 530 meters (1,730 feet) |
| 10,001 to 30,000 | 690 meters (2,260 feet) |

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

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