

FACT SHEET

Proposed Amendments to Other Solid Waste Incineration Unit Standards

ACTION

- On August 10, 2020, the U.S. Environmental Protection Agency (EPA) proposed amendments to the 2005 New Source Performance Standards (NSPS) and Emissions Guidelines (EG) for Other Solid Waste Incineration (OSWI) units.
- The OSWI source category includes two subcategories:
 - Very small municipal waste combustors, owned by states, local governments and tribes. These incinerators burn less than 35 tons per day of municipal solid waste.
 - Institutional waste incinerators, located at institutions such as universities, residential care facilities and civic organizations. These incinerators generally burn solid waste that is generated on site.
- EPA is proposing no changes to the standards based on the results of its review pursuant to Clean Air Act (CAA) section 129. Specifically, the Agency is proposing that no new cost-effective controls are available.
- However, based on additional information the Agency has obtained since the 2005 final rule, EPA is proposing to amend the standards for small OSWI units by:
 - Amending rule applicability provisions to recognize, based on (1) the type of waste being combusted and (2) daily combustion capacity, that some units previously subject to the Commercial and Industrial Solid Waste Incineration (CISWI) rule are OSWI units.
 - Increasing testing and monitoring flexibilities so small units with rudimentary designs can demonstrate compliance with the OSWI rule.
- To address some issues that resulted in a voluntary remand of the 2005 OSWI rule, the Agency is also proposing to revise standards for small OSWI units based on data from representative units.
- EPA is proposing other minor amendments to the rule, including:
 - revised regulatory provisions related to emissions during periods of startup, shutdown and malfunction; and
 - provisions for electronic reporting of certain notifications and reports.

BACKGROUND

- Section 129 of the CAA requires EPA to establish standards of performance for non-hazardous solid waste incinerators. These standards address emissions of nine pollutants: particulate matter, sulfur dioxide, hydrogen chloride, nitrogen oxides, carbon monoxide, lead, cadmium, mercury and dioxins/furans.
- EPA develops standards for controlling the emissions from sources in an industry group or “source category.” These maximum achievable control technology (MACT) standards are based on emissions levels that are already being achieved by the best-controlled and lower-emitting sources in an industry.

- Every 5 years after setting MACT standards, the CAA requires EPA to review the standards and revise as necessary, taking into account developments in practices, processes and control technologies.
- The review of the standards for the OSWI source category did not identify any developments that would further reduce emissions beyond the original rule.

HOW TO COMMENT

- EPA will accept comments for 45 days after the proposal is published in the *Federal Register*.
- Comments, identified by Docket ID No. EPA-HQ-OAR-2003-0156 may be submitted by one of the following methods:
 - Go to <https://www.regulations.gov/> and follow the on-line instructions for submitting comments.
 - Send comments by email to a-and-r-docket@epa.gov, Attention Docket ID No. EPA-HQ-OAR-2003-0156.
- Out of an abundance of caution for members of the public and our staff, the EPA Docket Center and Reading Room are closed to the public, with limited exceptions, to reduce the risk of transmitting COVID-19. Our Docket Center staff will continue to provide remote customer service via email, phone and webform.
 - We encourage the public to submit comments via <https://www.regulations.gov/> or email, as there may be a delay in processing mail and faxes. Hand deliveries and couriers may be received by scheduled appointment only.
 - For further information on EPA Docket Center services and their current status, please visit us online at <https://www.epa.gov/dockets>.

FOR MORE INFORMATION

- Interested parties can download a copy of the proposed rule notice from EPA's website at the following address: <https://www.epa.gov/stationary-sources-air-pollution/other-solid-waste-incinerators-oswi-new-source-performance>.
- Today's action and other background information are also available electronically at <https://www.regulations.gov/>, EPA's electronic public docket and comment system.