

We would like to propose a third limit in our application. Please see the following.

Limit #1:

To avoid Title V permitting, SWI proposed an Owner-Requested Limit (ORL) limiting hydrochloric acid (HCl) emissions from the waste incinerator (EU ID 1) by limiting EU ID 1 to combusting no more than 93.5 tons of hospital waste and medical/infectious waste per calendar quarter.

This ORL was proposed to avoid Title V permitting requirements under 18 AAC 5.326(a). 18 AAC 50.326(a) states “an owner or operator of a Title V source must obtain a Title V permit consistent with 40 C.F.R. Part 71, as adopted by reference in 18 AAC 50.040.” 40 C.F.R. Part 71.3(a)(1) requires that any ‘major source’ is subject to the permitting requirements under 40 C.F.R. Part 71 (i.e., any ‘major source’ is required to obtain and operate under a Title V permit). 40 C.F.R. Part 71.2 defines a ‘major source’ as including “any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit, in aggregate, 10 tpy or more any hazardous air pollutant which has been listed pursuant to Section 112(b) of the Act, ...” As such, without the requested enforceable limits, EU ID 1’s potential to emit would exceed 10 tpy for the hazardous air pollutant, HCl. The stationary source would be classified as a ‘major source’ and would trigger the Title V permitting requirements under 18 AAC 50.326(a) and 40 C.F.R. Part 71.

Limit #2:

To avoid Title V permitting, SWI proposed an ORL limiting EU ID 1 to combusting a fuel feed stream, 10 percent or less of the weight of which is comprised, in aggregate, of hospital waste and medical/infectious waste as measured on a calendar quarter basis.

This ORL was proposed to avoid the requirements of 40 C.F.R. Part 60 Subpart Ec (Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators; 40 C.F.R. 60.50c through 60.58c). By avoiding the requirements of NSPS Subpart Ec, this ORL would also avoid Title V permitting requirements under 40 C.F.R. 60.50(c)(l), which states “affected facilities subject to this subpart shall operate pursuant to a permit issued under the EPA approved State operating permit program.” 40 C.F.R. 60.50(c) states “any co-fired combustor (defined in 40 C.F.R. 60.51c) is not subject to this subpart if the owner or operator of a co-fired combustor: (1) notifies the Administrator of an exemption claim; (2) provides an estimate of the relative amounts of hospital waste and medical/infectious waste combusted, and the weight of all other fuels and wastes combusted; (3) and keeps records on a calendar quarter basis of the weight of hospital waste and medical/infectious waste combusted, and the weight of all other fuels and wastes combusted at the co-fired combustor.” 40 C.F.R.60.51c defines ‘co-fired combustor’ as a unit combusting hospital waste and/or medical/infectious waste with other fuels or wastes (e.g., coal, municipal solid waste) and subject to an enforceable requirement limiting the unit to combusting a fuel feed stream, 10 percent or less of the weight of which is comprised, in aggregate, of hospital waste and medical/infectious waste as measured on a calendar quarter basis ...” The proposed ORL would allow EU ID 1 to be classified as a ‘co-fired combustor’, which in turn allows EU ID 1 to utilize the exemption provisions in 40 C.F.R. 60.50(c). This would exempt EU ID 1 from the requirements of NSPS Subpart Ec, including the requirements under 40 C.F.R. 60.50(c)(l), meaning that the stationary source would not be required to obtain a Title V permit under NSPS Subpart Ec.

Without the proposed ORL, the stationary source would be subject to Title V permitting requirements under NSPS Subpart Ec.

Limit #3:

To avoid Title V permitting, SWI proposed an ORL limiting EU ID 1 to combusting a fuel feed stream, 30 percent or less of the weight of which is comprised, in aggregate, of municipal solid waste as measured on a calendar quarter basis.

This ORL was proposed to avoid the requirements of 40 C.F.R. Subpart EEEE (Standards of Performance for Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006). By avoiding the requirements of NSPS Subpart EEEE, this ORL would also avoid Title V permitting requirements under 40 C.F.R. 60.2966, which states "Am I required to apply for and obtain a title V permit for my unit? (a) Yes, if you are subject to this subpart, you are required to apply for and obtain a title V operating permit unless you meet the relevant requirements for an exemption specified in § 60.2877". 40 C.F.R. 60.2887 states "Co-fired combustors. Your unit, that would otherwise be considered a very small municipal waste combustion unit, is excluded if it meets the five requirements specified in paragraphs (b)(1) through (5) of this section. (1) The unit has a Federally enforceable permit limiting the combustion of municipal solid waste to 30 percent of the total fuel input by weight. (2) You notify the Administrator that the unit qualifies for the exclusion. (3) You provide the Administrator with a copy of the Federally enforceable permit. (4) You record the weights, each calendar quarter, of municipal solid waste and of all other fuels combusted. (5) You keep each report for 5 years. These records must be kept on site for at least 2 years. You may keep the records off site for the remaining 3 years. The proposed ORL would allow EU ID 1 to be classified as a 'co-fired combustor', which in turn allows EU ID 1 to utilize the exemption provisions in 40 C.F.R. 60.2887. This would exempt EU ID 1 from the requirements of NSPS Subpart EEEE, including the requirements under 40 C.F.R. 60.2966, meaning that the stationary source would not be required to obtain a Title V permit under NSPS Subpart EEEE. Without the proposed ORL, the stationary source would be subject to Title V permitting requirements under NSPS Subpart EEEE.

We, Jim and Nancy Oliver, have the intent and ability to comply with each of the limits.

"Based on information and belief formed after reasonable inquiry, I certify that the statements and information in and attached to this document are true, accurate, and complete."

Printed Name: James Oliver

Signature: s/ James Oliver

Date: 11/18/24



Printed Name: Nancy Oliver

Signature: s/ Nancy Oliver

Date: 11/18/24

