
40 C.F.R. § 60.1555

Are any small municipal waste combustion units exempt from my State plan?

(a) *Small municipal waste combustion units that combust less than 11 tons per day.* Units are exempt from your State plan if four requirements are met:

- (1) The municipal waste combustion unit is subject to a federally enforceable permit limiting the amount of municipal solid waste combusted to less than 11 tons per day.
- (2) You are notified by the owner or operator that the unit qualifies for the exemption.
- (3) You receive from the owner or operator of the unit a copy of the federally enforceable permit.
- (4) The owner or operator of the unit keeps daily records of the amount of municipal solid waste combusted.

(b) *Small power production units.* Units are exempt from your State plan if four requirements are met:

- (1) The unit qualifies as a small power production facility under section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C)).
- (2) The unit combusts homogeneous waste (excluding refuse-derived fuel) to produce electricity.

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