

40 C.F.R. § 62.14400

Am I subject to this subpart?

(a) You are subject to this subpart if paragraphs (a)(1), (2)(i) or (ii), and (3) of this section are all true:

(1) You own or operate an HMIWI that is not covered by an EPA approved and effective State or Tribal plan;

(2)

(i) Construction of the HMIWI commenced on or before June 20, 1996, or modification of the HMIWI commenced on or before March 16, 1998; or

(ii) Construction of the HMIWI commenced after June 20, 1996 but no later than December 1, 2008, or modification of the HMIWI commenced after March 16, 1998 but no later than April 6, 2010; and

(3) You do not meet any of the exemptions in paragraph (b) of this section.

(b) The following exemptions apply:

If you . . .	And you . . .	And you . . .	Then you . . .
(1) Own or operate an HMIWI that combusts only pathological waste, low-level radioactive waste, and/or chemotherapeutic waste (all defined in 40 CFR 62.14490)	Notify the EPA Administrator (or delegated enforcement authority) of an exemption claim	Keep records on a calendar quarter basis of the periods of time when only pathological waste, low-level radio active waste, and/or chemo therapeutic waste is combusted, and you submit such records to the EPA Administrator (or delegated enforcement authority) upon request,	Are not subject to the other sections of this subpart during periods when only pathological, low-level radioactive, and/or chemotherapeutic wastes are combusted.
(2) Own or operate a co-fired combustor (defined in 40 CFR 62.14490)	Notify the EPA Administrator (or delegated enforcement authority) of an exemption claim and you provide an estimate of the relative weight of hospital waste, medical/infectious waste, and other fuels and/or wastes to be combusted	Keep records on a calendar quarter basis of the weight of hospital waste and medical/infectious waste combusted as well as the weight of all other fuels and wastes combusted at the co-fired combustor, and these records reflect that the source continues to meet the definition of co-fired combustor in 40 CFR 62.14490, and you submit such records to the EPA Administrator (or delegated enforcement authority) upon request	Are not subject to the other sections of this subpart.

(3) Own or operate a combustor that must have a permit under Section 3005 of the Solid Waste Disposal Act			Are not subject to this subpart.
(4) Own or operate a combustor which meets the applicability requirements of 40 CFR part 60 subpart Cb, Ea, or Eb (standards or guidelines for certain municipal waste combustors)			Are not subject to this subpart.
(5) Own or operate a pyrolysis unit (defined in 40 CFR 62.14490) processing hospital waste and/or medical/infectious waste			Are not subject to this subpart.
(6) Own or operate a cement kiln firing hospital waste and/or medical/infectious waste			Are not subject to this subpart.

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