

TABLE 3 TO SUBPART GGG OF PART 62—GENERIC COMPLIANCE SCHEDULE AND INCREMENTS OF PROGRESS ^A

Increment	Date
Increment 1—Submit final control plan	1 year after initial NMOC emission rate report or the first annual emission rate report showing NMOC emissions ≥ 50 Mg/yr. ^b
Increment 2—Award Contracts	20 months after initial NMOC emission rate report or the first annual emission rate report showing NMOC emissions ≥ 50 Mg/yr. ^b
Increment 3—Begin on-site construction	24 months after initial NMOC emission rate report or the first annual emission rate report showing NMOC emissions ≥ 50 Mg/yr. ^b
Increment 4—Complete on-site construction	30 months after initial NMOC emission rate report or the first annual emission rate report showing NMOC emissions ≥ 50 Mg/yr. ^b
Increment 5—Final compliance	30 months after initial NMOC emission rate report or the first annual emission rate report showing NMOC emissions ≥ 50 Mg/yr. ^b

^aTable 3 of subpart GGG applies to landfills with design capacities ≥2.5 million megagrams and 2.5 million cubic meters that are subject to this subpart except those with site-specific compliance schedules shown in table 4 of subpart GGG.
^bNMOC = nonmethane organic compounds Mg/yr = megagrams per year

TABLE 4 TO SUBPART GGG OF PART 62—
 SITE-SPECIFIC COMPLIANCE SCHEDULES AND INCREMENTS OF PROGRESS [RESERVED]

APPLICABILITY

§ 62.14400 Am I subject to this subpart?

Subpart HHH—Federal Plan Requirements for Hospital/Medical/Infectious Waste Incinerators Constructed on or Before June 20, 1996

SOURCE: 65 FR 49881, Aug. 15, 2000, unless otherwise noted.

(a) You are subject to this subpart if paragraphs (a)(1), (2), 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) Construction of the HMIWI commenced on or before June 20, 1996; 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 radioactive waste, and/or chemotherapeutic 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.

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If you . . .	And you . . .	And you . . .	Then you . . .
(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.

(c) Owners or operators of sources that qualify for the exemptions in paragraphs (b)(1) or (b)(2) of this section must submit records required to support their claims of exemption to the EPA Administrator (or delegated enforcement authority) upon request. Upon request by any person under the regulation at part 2 of this chapter (or a comparable law or regulation governing a delegated enforcement authority), the EPA Administrator (or delegated enforcement authority) must request the records in (b)(1) or (b)(2) from an owner or operator and make such records available to the requestor to the extent required by part 2 of this chapter (or a comparable law governing a delegated enforcement authority). Records required under paragraphs (b)(1) and (b)(2) of this section must be maintained by the source for a period of at least 5 years. Notifications of exemption claims required under paragraphs (b)(1) and (b)(2) of this section must be maintained by the EPA or delegated enforcement authority for a pe-

riod of at least 5 years. Any information obtained from an owner or operator of a source accompanied by a claim of confidentiality will be treated in accordance with the regulations in part 2 of this chapter (or a comparable law governing a delegated enforcement authority).

§ 62.14401 How do I determine if my HMIWI is covered by an approved and effective State or Tribal plan?

This part (40 CFR part 62) contains a list of all States and Tribal areas with approved Clean Air Act section 111(d)/129 plans in effect. However, this part is only updated once a year. Thus, if this part does not indicate that your State or Tribal area has an approved and effective plan, you should contact your State environmental agency's air director or your EPA Regional Office to determine if approval occurred since publication of the most recent version of this part.