

December 19, 2002

FACT SHEET

FINAL FEDERAL PLAN TO IMPLEMENT EMISSION GUIDELINES FOR SMALL MUNICIPAL WASTE COMBUSTORS

TODAY'S ACTION

- C Today, the Environmental Protection Agency (EPA) is adopting a Federal plan to reduce emissions of toxic air pollutants from small municipal waste combustors (MWC). This regulation implements the small MWC emission guidelines that EPA established on December 6, 2000.
- C Toxic air pollutants, also known as hazardous air pollutants, are the pollutants known, or suspected, to cause cancer and other serious health problems.
- C The Federal plan incorporates emission limits from the emission guidelines for organics (dioxin/furans), metals (cadmium, lead, mercury, and particulate matter), and acid gases (hydrogen chloride, sulfur dioxide, and nitrogen oxides). The emission limits are based on the application of pollution controls known as maximum achievable control technology.
- The small MWC Federal plan applies to existing small units that began construction on or before August 30, 1999, and are not covered by an EPA approved State or Tribal implementation plan. The Federal plan will no longer apply when a State or Tribal plan is approved.
- Small MWC units have a combustion capacity of 35 to 250 tons per day of municipal solid waste and other similar waste from residential housing, apartments, restaurants, shopping centers, and office buildings. The plan does not apply to units that burn hazardous waste, industrial manufacturing waste, or medical waste. Those facilities are regulated under other standards.
- Affected small MWCs must comply with the emission guidelines by November 6, 2005. For most States or Tribes, the Federal plan is an interim measure to ensure that small MWCs make progress toward compliance with the emission guidelines while States or Tribes get their plans approved by EPA. EPA is not aware of any small MWCs located in Indian country, however, if any source is subsequently identified, the Federal plan will likely be the sole implementing authority requiring these sources to meet this deadline.

HEALTH AND ENVIRONMENTAL BENEFITS

- When fully implemented in 2005, the emission guidelines will reduce nationwide emissions of a number of air pollutants including dioxins/furans, metals and acid gases by approximately 5,700 tons per year.
- By 2005, the emission guidelines will reduce dioxin emissions from small MWC units by more than 99 percent over 1990 levels. Together, the emission guidelines and EPA's 1995 rule for large MWC units will reduce dioxin emissions from both large and small municipal waste combustors to less than 1 percent of 1990 levels.
- Dioxin is a pollutant of particular concern because it persists in the environment and bioaccumulates. Those characteristics cause dioxin to move through the food chain and biomagnify. When a pollutant *biomagnifies*, it increases in concentration in tissues as it moves through the food chain. Dioxin exposure has been associated with reproductive and developmental effects in humans.
- By 2005, the emission guidelines will reduce mercury emissions from small MWC units by more than 96 percent over 1990 levels. Mercury is highly toxic, persists in the environment, and bioaccumulates, particularly in fish. Human exposure to mercury occurs primarily through the food chain. Mercury exposure can cause health problems in humans and animals, including birth defects and developmental disorders.

BACKGROUND

- EPA issued guidelines to reduce air pollution from small MWC units on December 6, 2000. States or Tribes with small MWC units subject to these regulations are required to submit implementation plans to EPA describing how they will implement and enforce the MWC regulations.
- C If a State or Tribe with existing small MWC units does not submit an approvable plan to EPA within 2 years of the final MWC regulations (by December 6, 2002), EPA is required under the Clean Air Act to develop, implement, and enforce a Federal plan. This MWC Federal plan implements and enforces emission limits and other requirements for small MWC units in States or Tribes that do not have approved plans.
- C The Federal plan ensures that small MWC units complete the installation of pollution control devices in time to meet the November 6, 2005 compliance date. In addition, the Federal plan meets the same requirements as a State or Tribal plan, including a list of sources, an emission inventory, testing and monitoring, as well as generic or site-specific compliance schedules.

- C To make the transition between the Federal plan and subsequently approved State or Tribal plans as smooth as possible, the Federal plan will be automatically rescinded upon EPA approval of a State or Tribal plan. Rather than develop and submit their own plan, a State or Tribe may request delegation of, or the authority to manage, the Federal plan.
- Air emissions from small MWC units built after August 30, 1999 are regulated by the Federal new source performance standards. Under the Clean Air Act, EPA is required to set “new source performance standards” to ensure that emissions from newly built or reconstructed facilities meet strict limits. These limits are generally more stringent than emission limits set for existing facilities already in operation.
 - As required by Section 129 of the Clean Air Act, regulations for large and small MWC units were adopted in 1995. Two petitions were filed with the court, challenging the combined regulation and asking that two separate regulations be established: one for large MWC units, and one for small MWC units. EPA filed a petition for rehearing. The court reconsidered its initial opinion and issued a revised opinion in March 1997, leaving in place the regulations for large MWC units and vacating the regulations as they applied to small MWC units.
 - In response, EPA published the small MWC guidelines separately in December 2000. The large MWC guidelines apply to MWC units with capacities to combust greater than 250 tons per day of municipal solid waste.

FOR FURTHER INFORMATION

- To download a copy of the Federal plan, go to “Recent Actions” on the EPA’s World Wide Web site at <http://www.epa.gov/ttn/oarpg/>.
- Visit EPA’s web site for small MWC units at: <http://www.epa.gov/ttn/atw/129/mwc/rimwc2.html>. For further information about the small MWC Federal plan, contact Mr. Lalit Banker of EPA’s Office of Air Quality Planning and Standards at (919) 541-5420. For further information about the small MWC final emission guidelines, contact Mr. Walt Stevenson of EPA’s Office of Air Quality Planning and Standards at (919) 541-5264.
- EPA’s Office of Air and Radiation home page, at <http://www.epa.gov/oar/>, contains a wide range of information on the air pollution programs including air toxics issues.