

meeting and the preparation of a comment/response document that would be made available to the public. This approach addresses relevant siting issues and would not require duplicate analyses of health or environmental impacts that may already be required under other authorities (e.g., New Source Review (NSR) air permits; National Pollution Discharge Elimination System [NPDES] water discharge permits; stormwater permits; wetland permits; State solid waste permits; or local zoning permits).

The second approach would require that an environmental assessment (EA) be conducted, patterned after requirements under the National Environmental Policy Act (NEPA). This approach would require an examination of impacts in all media (i.e., air, water, solid waste, energy, and land use). Also, a description of alternatives to the proposed project, including alternative sites, technologies, or designs necessary to determine a finding of no significant impact (FNSI) would be required. The EA and the description of alternatives to the proposed project would be documented and submitted to the EPA and to State and local officials and would be made available to the public.

The third approach sets forth general siting requirements patterned after the Prevention of Significant Deterioration (PSD) requirements within the New Source Review (NSR) program. This approach requires comprehensive air quality analyses in regard to National Ambient Air Quality Standards (NAAQS) and PSD increments. An impacts analysis, which studies the potential effect of air, solid waste, and water pollution on visibility, soils, and vegetation also would be required. This approach also includes provisions for a public meeting and the preparation of a comment/response document that would be made available to the public.

2. Proposed Siting Requirements

The third approach is being proposed as the basis for the siting requirements for MWI's. Under the proposed approach, MWI owners would be required to conduct analyses of the impacts of the proposed facility on ambient air quality, visibility, soils, and vegetation. A document presenting the results of the analyses would be prepared and submitted to the EPA and State and local officials. This document would also be made available to the public. The proposed siting requirements include provisions for a public meeting (chaired by EPA or a delegated enforcement agency) where comments on the proposed MWI siting analyses would be accepted. At least 30

days prior to the public meeting, the owner of the affected facility is required to announce the public meeting in newspapers of general circulation that serve the communities located within the area where the affected facility is to be located. The public meeting would be conducted in the county in which the affected facility is to be located and would be scheduled to occur 30 days or more after making the siting analyses available to the public. A comment/response document, summarizing and responding to the comments received at the public meeting, would then be prepared and would be made available to attendees of the public meeting, the State air pollution control board, and the EPA.

The siting requirements would apply to any MWI that commences construction after the date of promulgation of this rule. The siting requirements would not apply to existing or modified MWI's. The siting information required above would be submitted to EPA sufficiently in advance of the intent to commence construction of the facility. Construction would be allowed to commence only after approval by EPA and the appropriate State/local agency. The Agency invites comments regarding the proposed siting requirements, including suggestions of alternative approaches.

N. Inspection Requirements—Existing MWI's

The proposed emission guidelines include a requirement for an initial equipment inspection of the designated facility. The purpose of the equipment inspection is to ensure that the MWI is in good working order until emission control equipment is installed and compliance with emission limits is demonstrated. A poorly maintained MWI will likely have higher emissions than a well-maintained MWI.

These requirements would become effective 1 year after approval of the State plan. Installation of air pollution control equipment may take up to 3 years (as discussed elsewhere in today's notice). Until the time that the source demonstrates compliance with the emission limits, the facility would be required to perform the equipment inspection annually. The inspection service would have to be performed by an MWI service technician not employed by the owner or operator of the designated facility.

The minimum requirements for an inspection include:

1. Inspecting all burners, pilot assemblies, and pilot sensing devices for proper operation and cleaning as necessary;

2. Adjusting primary and secondary chamber combustion air;
3. Inspecting hinges and door latches;
4. Inspecting dampers, fans, and blowers for proper operation;
5. Inspecting door and door gaskets for proper sealing;
6. Inspecting motors for proper operation;
7. Inspecting primary chamber refractory lining and cleaning/repairing as necessary;
8. Inspecting incinerator shell for corrosion and/or hot spots;
9. Inspecting secondary/tertiary chamber and stack and cleaning as necessary;
10. Inspecting mechanical loader, if applicable;
11. Visually inspecting waste bed, as appropriate;
12. Test burning the incinerator with typical waste to make any necessary adjustments;
13. Inspecting air pollution control devices for proper operation, if applicable; and
14. Generally ensuring that the equipment is maintained in proper operating condition.

If any problems that affect emissions are uncovered during the inspection, the owner or operator of the designated facility would be required to take corrective action within 10 operating days. All records of any inspection services and any subsequent maintenance services would have to be maintained at the facility for a period of at least 5 years.

O. Compliance and Performance Test Methods and Monitoring Requirements

Section 129(c) of the Act requires the Administrator to promulgate regulations that include monitoring requirements as necessary to protect public health and the environment. The regulations must also include provisions for recordkeeping and reporting of such monitoring. This section discusses the proposed requirements to satisfy section 129(c).

As discussed in section VI, the requirements of the proposed standards and guidelines are based primarily on the use of dry scrubber systems to comply with the proposed emission limitations. As a result, the proposed testing and monitoring requirements discussed below are structured around the use of dry scrubber systems. To accommodate MWI's using an APCD other than a dry scrubber system, the proposed standards and guidelines include provisions for petitioning the Administrator to allow monitoring of alternative operating parameters to demonstrate continuous compliance