



Latest 112 and 129 Rules Will They Be Game Changers?

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Structure of Latest MACTs

- Applicable During All Operations
 - Startup, Shutdown & Malfunctions Included
- New/Revised Standards
 - Broader range of pollutants
 - Standard setting process “enhanced”
 - Non-technology factors now included
- Compliance Regime
 - CEMS/COMs monitoring, operating plans, workplace practices, recordkeeping/reporting
- 3 Years Compliance Timeframe

Overlapping/Interwoven Air Emission Rules

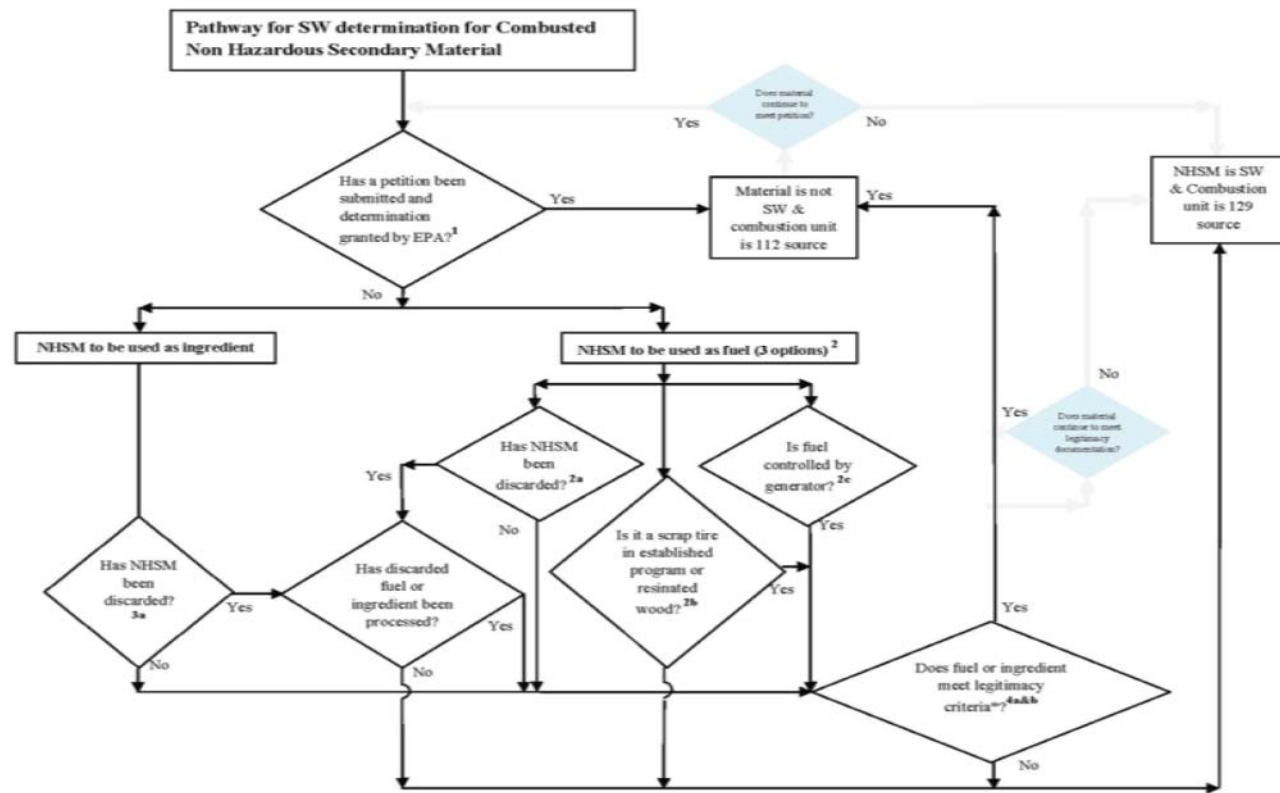
- MACT vs. CISWI Compliance Approach
- Decision on Which Direction to Take Not Straightforward
 - 3 versus 5 year compliance timeframe
 - Future changes in boiler, CISWI, cement, and utility standards as rules are reconsidered and finalized
 - New source NSPS standards – when will they kick in?
 - New RCRA solid waste rule impacts on beneficial reuse

Game Changer for Combustors (112 versus 129)

- Is Facility Prepared to Implement New MACT Rules?
- Are Alternate Fuels or Ingredients Critical to Operations Strategy?
- Is Facility Prepared to Implement New CISWI Rules?
- Or, is Facility Prepared to Wade Through Non-waste Determination Process?
 - Identification of Non Hazardous Secondary Materials Rule (DSW/NHSM)

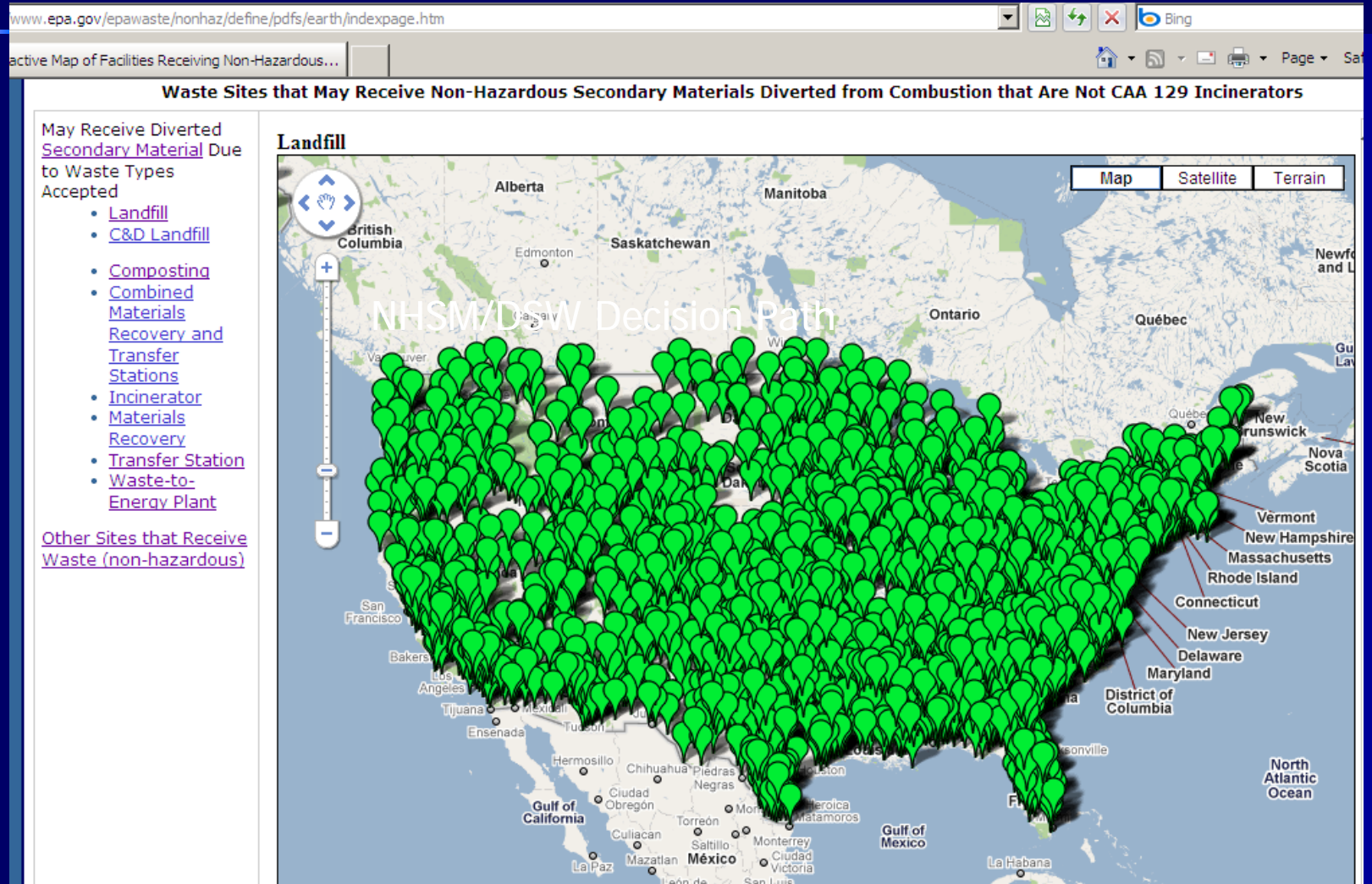
NHSM/DSW Decision Path

New Regulation Defining Solid Waste (for use of alternative fuel or ingredients in industrial devices deemed "combustors")



*Note there are some differences in legitimacy criteria for fuel versus ingredients

EPA Noted Effect of New Rule



Distinguishing Factors

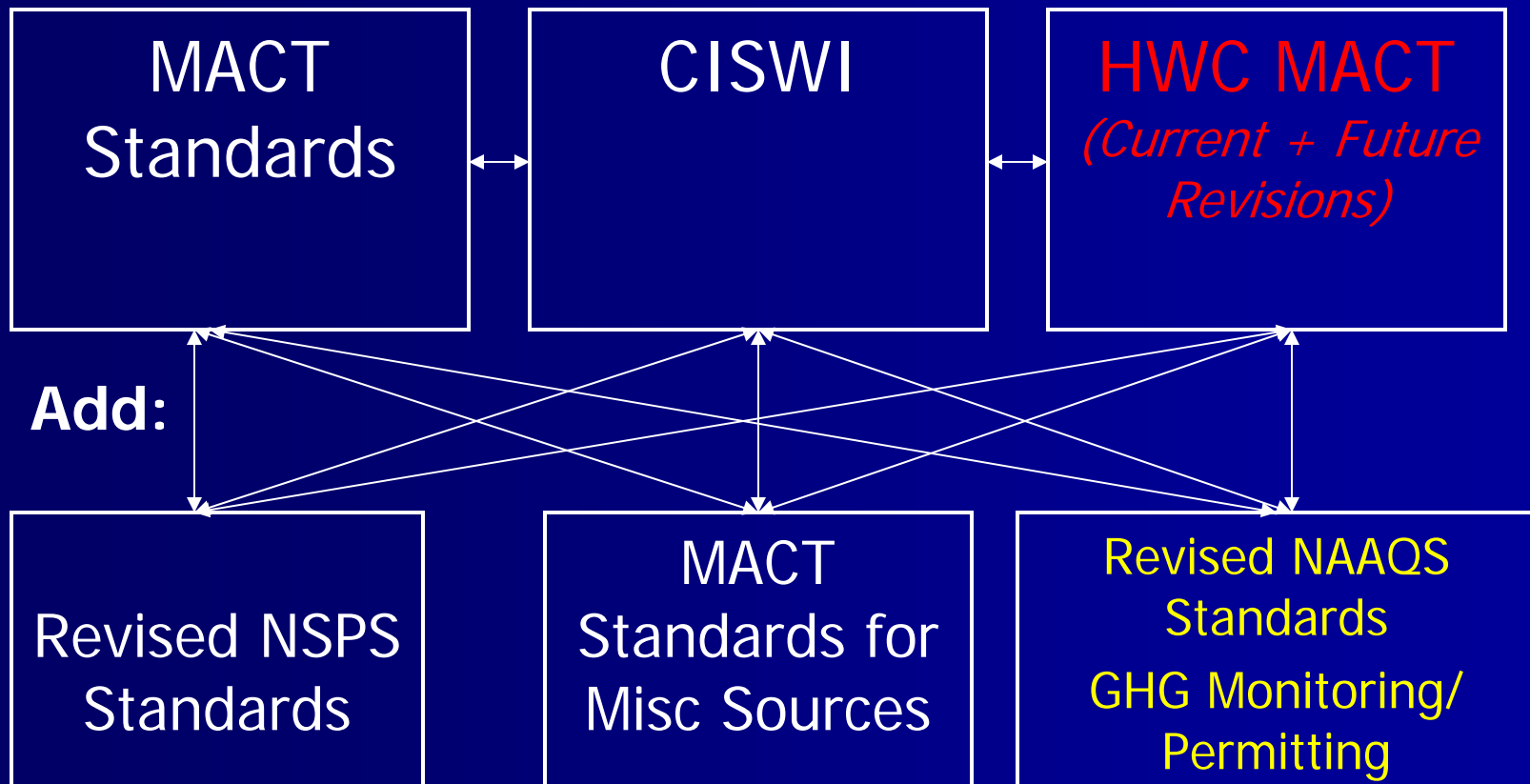
- Traditional Fuel/Ingredient versus Sham Recycling?
- Discard?
- Fuel Used by Generator?
- Material Processed to Generate Non-Waste?
- Contaminant Comparison
- Certainty of Process Given Future Changes

Legitimacy Criteria for Fuels/Ingredients

- Managed As Valuable Commodity
 - Reasonable storage time frames;
 - Managed consistent with analogous fuel, or
 - Adequately contained/ prevent releases to environment;
- Has Meaningful Heating Value; Used As Fuel in Combustion Unit That Recovers Energy
 - OR ingredient used to produce valuable product or intermediate
- Material Contains Comparable or Lower Contaminants to Traditional Fuels
 - OR comparison of product

Profile of Newest Regulatory Air Emissions Challenges

Pick One For Main Source:



Compliance Planning Questions

- What All Types of Facilities Will Be Impacted?
- How to Best Plan Compliance Pathway?
- How Will Compliance with New Rules Impact Operations?
- What New Control Technology(s)/ May Be Required?
- What Actions Need Accomplished When for 3-5 Year Compliance Timeline?