Solid Waste Incinerator Permit Applicability

This checklist may assist vendors, owners, and operators of solid waste incinerators to identify potentially applicable state and federal air quality regulations in the State of Alaska. A stationary source may be subject to both state and federal air quality regulations.

Owners or operators of solid waste incinerators may contact ADEC’s Air Permits Program (APP) for assistance in determining state and federal regulation applicability. See below for additional details.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Will this incinerator be used at a stationary source under an operating permit? If so, provide permit #: | | |  | |
| Which of the following waste products do you plan on burning? | | | | |
| “Municipal/Residential/Institutional waste” includes all nonhazardous waste generated in households, offices, stores, and institutions, as well as yard waste.   * *Depending on the size and construction date, your incinerator may be subject to 40 CFR 60 Subparts E, AAAA, EEEE, or 40 CFR 62 Subpart JJJ. Your unit may require an operating permit.*   “Medical or infectious waste”[[1]](#footnote-1) includes all materials generated in the diagnosis, treatment, or immunization of human beings or animals, as well as all materials that are a threat to human health due to biological agents.   * *Depending on the construction date, your incinerator may be subject to 40 CFR 60 Subpart Ec, or 40 CFR 62 Subpart HHH. Your unit may require an operating permit.*   “Commercial/Industrial waste” includes all nonhazardous waste generated at commercial or industrial facilities.   * *Depending on the construction date, your incinerator may be subject to 40 CFR 60 Subpart CCCC or 40 CFR 62 Subpart III. Your unit may require an operating permit.*   “Sewage sludge” for the purpose of reducing the volume of sewage by removing combustible matter.   * *Depending on the construction date, your incinerator may be subject to 40 CFR 60 Subparts O or LLLL. Your unit may require an operating permit.*   “Hazardous Waste” – *If you plan to incinerate hazardous waste, your incinerator is likely subject to RCRA regulations. Contact the U.S. EPA for further information (see* [*rcra-regulations#haz*](https://www.epa.gov/rcra/resource-conservation-and-recovery-act-rcra-regulations#haz)*).* | | | | |
| Rated Capacity: | *Prior to the installation of one or more incinerators with a cumulative rated capacity of 1,000 pounds or more per hour (12 tons/day), the source requires a minor permit under 18 AAC 50.502(b)(4)****.*** | | | |
| The incinerator may also require a minor permit if the potential emissions exceed the minor permit thresholds. Emissions estimations may be performed based on emission factors derived from the incinerator’s manufacturer or EPA AP-42 emission factors clearinghouse ([ap-42-emissions-factors](https://www.epa.gov/air-emissions-factors-and-quantification/ap-42-compilation-air-emissions-factors)). Contact APP for further instructions. | | | | |
| **Pollutant** | | **Potential to Emit (PTE)** | | **Minor Permit Limit** |
| Carbon Monoxide (CO)  (within 10 km of a CO nonattainment area) | |  | | 100 ton/year (TPY) |
| Nitrogen Oxides (NOx) | |  | | 40 TPY |
| Sulfur Dioxide (SO2) | |  | | 40 TPY |
| PM-10 | |  | | 15 TPY |
| PM-2.5 | |  | | 10 TPY |
| Lead | |  | | 0.6 TPY |

The Department charges a fee per hour of staff time for technical assistance. See 18 AAC 50.400(h). This fee can be waived for qualifying small businesses. For permit application information or technical assistance, please forward a copy of this checklist and the incinerator unit specifications to:  
Jesse Jack, (907) 269-4718, [Jesse.Jack@alaska.gov.](mailto:Jesse.Jack@alaska.gov.) or

Grace Germain, (907) 269-3065, [Grace.Germain@alaska.gov](mailto:Grace.Germain@alaska.gov)

Or contact the Air Permits Program at: Alaska Department of Environmental Conservation, 555 Cordova Street, Anchorage, AK 99501, <https://dec.alaska.gov/air/air-permit/>.

Regulations and Permit Applicability Checklist for Incinerators

# References:

**State Regulations: Alaska Administrative Code (AAC)**

18 AAC 50.040 Federal standards adopted by reference

18 AAC 50.050 Incinerator emission standards

18 AAC 50.110 Air Pollution Prohibited

18 AAC 50.065 Open burning

18 AAC 50.326(e) Insignificant emission units: emission rate basis.

18 AAC 50.502 Minor permits for air quality protection

# Federal Regulations:

**40 CFR Part 60:**

Subpart Cb – Emissions guidelines and compliance times for large (combustion capacity greater than 250 tons/day) municipal waste combustors (MWCs) constructed on or before September 20, 1994

Subpart Ce – Emission guidelines and compliance times for hospital/medical/infectious waste incinerators constructed no later than December 1, 2008, or modified no later than April 6, 2010

Subpart E – Standards of performance for incinerators with a charging rate of more 45 metric tons/day, constructed or modified after August 17, 1971, and not covered by Subparts Cb, Eb, AAAA, BBBB, or 40 CFR 62 Subparts FFF or JJJ

Subpart Ea – Standards of performance for large MWCs constructed after December 20, 1989, and on or before September 20, 1994

Subpart Eb – Standards of performance for large MWCs constructed after September 20, 1994, or modified after June 19, 1996

Subpart Ec – Standards of performance for hospital/medical/infectious waste incinerators constructed after December 1, 2008, or modified after April 6, 2010

Subpart O – Standards of performance for sewage treatment plants and sewage sludge incinerators constructed or modified after June 11, 1973

Subpart AAAA – Standards of performance for small (capacity of at least 35 tons/day but no more than 250 tons/day) MWCs constructed after August 30, 1999, or modified after June 6, 2001

Subpart BBBB\* – Emission guidelines and compliance times for small MWCs constructed on or before August 30, 1999

Subpart CCCC – Standards of performance for commercial and industrial solid waste incineration (CISWI) units constructed after June 4, 2010 (*includes CISWI units constructed after November 30, 1999, until the CISWI is subject to an approved state plan or federal plan that implements Subpart DDDD*).

Subpart DDDD\* – Emission guidelines and compliance times for CISWI units constructed on or before June 4, 2010, or modified no later than August 7, 2013

Subpart EEEE – Standards of performance for other solid waste incineration (OSWI) units constructed after December 9, 2004, or modified on or after June 16, 2006

Subpart FFFF\* – Emission guidelines and compliance times for OSWI units constructed on or before December 9, 2004

Subpart LLLL – Standards of performance for new sewage sludge incineration (SSI) units constructed after October 14, 2010, or modified after September 21.2011

Subpart MMMM\* – Emission guidelines and compliance times for existing SSI units constructed on or before October 14, 2010

**40 CFR Part 62:**

Subpart FFF – Federal plan requirements for large MWCs constructed on or before September 20, 1994

Subpart HHH – Federal plan requirements for hospital/medical/infectious waste incinerators constructed no later than December 1, 2008, or modified no later than April 6, 2010

Subpart III – Federal plan requirements for CISWI units constructed on or before November 30, 1999. Cyclonic barrel burners are currently exempt from this Subpart.

Subpart JJJ – Federal plan requirements for small MWCs constructed on or before August 30, 1999

\* There must be an EPA approved state plan or a federal plan to implement and enforce the emission guidelines. The Department has not developed or submitted any state plans to the U.S. EPA in accordance with the procedures outlined in 40 C.F.R. Part 60, Subparts BBBB, DDDD, FFFF, and MMMM.

If you own or operate an incinerator that is subject to these rules, please contact the Air Permits Program for guidance, as most affected facilities are required to submit an initial notification.

1. Incinerators used solely for cremating human or animal remains are **exempt** from **federal** incinerator regulations. [↑](#footnote-ref-1)