



July 6, 2004

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Ronald E. Bastian, PE
Ronald O. Kagel, PhD

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OAR Docket
Environmental Protection Agency
Mail Code B102
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Attn: Docket No. OAR-2004-0022

The Coalition for Responsible Waste Incineration (CRWI) is pleased to submit comments on the proposed rule National Emission Standards for Hazardous Air Pollutants: Proposed Standards for Hazardous Air Pollutants for Hazardous Waste Combustors (Phase I Final Replacement Standards and Phase II) (69 Fed. Reg. 21198, April 20, 2004). CRWI represents 26 companies with hazardous waste combustion interests. These companies account for a significant portion of the U.S. capacity for hazardous waste combustion as well as a significant portion of the consultant, vendor, and laboratory expertise. In addition, CRWI is advised by a number of academic members with research interests in hazardous waste combustion. Since its inception, CRWI has encouraged its members to reduce the generation of hazardous waste. However, for certain hazardous waste streams, CRWI believes that combustion is a safe and effective method of treatment, reducing both the volume and toxicity of the waste treated. CRWI seeks to help its member companies both to improve their operations and to provide lawmakers and regulators helpful data and comments.

In general, CRWI supports a majority of the proposed changes in this rule.

1. We believe that EPA chose the correct methods for developing standards to satisfy both the "maximum reduction" and the "achievable" requirements of the Clean Air Act. We urge the Agency to use these methods to set the final standards.

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2. We support a risk-based chlorine standard in the proposed rule and encourage EPA to include it in the final rule.
3. We support EPA allowing twelve months for Phase I sources to initiate their comprehensive performance test for the permanent replacement standards.
4. We support EPA adding areas where a RCRA Class 1 with prior approval permit modification process can be used. We believe this will assist in making the transition from RCRA permits to Title V permits.
5. We support the use of chlorine as surrogates for PM, mercury, SVM, and LVM for hydrochloric acid production furnaces.

We also have concerns about a number of areas, including the following.

1. We are concerned that the data from a number of facilities that are included in the top performers are not appropriate. Some of these concerns are:
 - Several facilities have closed or have been removed from RCRA service;
 - The design and operation of certain facilities (e.g., use of large amounts of natural gas fuel and small amounts of waste) are not representative of the general population of facilities in the subcategory; and
 - A number of facilities have already upgraded to meet the interim standards.
2. We are concerned that the chlorine and PM standards for incinerators were derived from data that are of questionable quality.
3. We are concerned that new facilities will not be able to demonstrate compliance with the PM and chlorine standards for new incinerators because these standards are below the practical quantification limits for the test methods.
4. We are concerned that the requirement for the risk-based chlorine standard must be approved before they take effect. Given the track record for the permitting authority on approving comprehensive performance test plans, we do not think the proposed approval scheme is workable.

Details for all these positions and others are in the attached specific comments.



Thank you for considering these comments. If you have additional questions, please contact us at 202-452-1241 or crwi@erols.com.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Melvin Keener', with a long horizontal flourish extending to the right.

Melvin Keener, Ph.D.
Executive Director

cc: CRWI Board
Jim Berlow, EPA
Hugh Davis, EPA
Mike Galbraith, EPA