

TITLE 20 ENVIRONMENTAL PROTECTION
CHAPTER 2 AIR QUALITY (STATEWIDE)
PART 63 BIOMEDICAL WASTE COMBUSTION

20.2.63.1 ISSUING AGENCY: Environmental Improvement Board.
[11/30/95; 20.2.63.1 NMAC - Rn, 20 NMAC 2.63.100 10/31/02]

20.2.63.2 SCOPE: All geographic areas within the jurisdiction of the Environmental Improvement Board.
[11/30/95; 20.2.63.2 NMAC - Rn, 20 NMAC 2.63.101 10/31/02]

20.2.63.3 STATUTORY AUTHORITY: Environmental Improvement Act, NMSA 1978, section 74-1-8(A)(4), and Air Quality Control Act, NMSA 1978, sections 74-2-1 et seq., including specifically, section 74-2-5(A), (B) and (C)(3).
[11/30/95; 20.2.63.3 NMAC - Rn, 20 NMAC 2.63.102 10/31/02]

20.2.63.4 DURATION: Permanent.
[11/30/95; 20.2.63.4 NMAC - Rn, 20 NMAC 2.63.103 10/31/02]

20.2.63.5 EFFECTIVE DATE: November 30, 1995.
[11/30/95; 20.2.63.5 NMAC - Rn, 20 NMAC 2.63.104 10/31/02]
[The latest effective date of any section in this Part is 10/31/02.]

20.2.63.6 OBJECTIVE: The objective of this Part is to establish requirements for emissions from, and design and operation of, biomedical waste combustion units.
[11/30/95; 20.2.63.6 NMAC - Rn, 20 NMAC 2.63.105 10/31/02]

20.2.63.7 DEFINITIONS: In additions to the terms defined in 20.2.2 NMAC (Definitions), as used in this Part:

A. "Anatomical/pathological waste" means human or animal remains consisting of carcasses, tissues, organs or body parts that may or may not be infectious.

B. "Biomedical waste" means waste that includes anatomical/pathological wastes, infectious wastes, and chemotherapeutic wastes. Incorporated in this definition are wastes generated in health care facilities, medical laboratories, and veterinary clinics that require special handling.

C. "Biomedical waste combustion unit" means any incinerator which is used to dispose of biomedical waste by combustion.

D. "Charging capacity" means the combustion unit manufacturer's or designer's rated capacity expressed in terms of pounds per hour (lb/hr).

E. "Charging rate" means the actual rate at which the subject combustion unit is combusting waste at a given point in time expressed in terms of pounds per hour (lb/hr).

F. "Chemotherapeutic waste" means all wastes resulting from the production or use of antineoplastic agents used for the purpose of stopping or reversing the growth of malignant cells. Chemotherapeutic wastes shall not include any waste containing antineoplastic agents that are listed as hazardous waste.

G. "Continuous emission monitor" means the total equipment required to sample and analyze emissions or process parameters on a continuous basis.

H. "Crematory incinerator" means any combustion unit designed and used solely for the combustion of anatomical/pathological waste including incidental items normally cremated as part of the funeral process.

I. "DSCF" means dry standard cubic foot with standard conditions being a temperature of 68 degrees Fahrenheit and a pressure of 29.92 inches Hg.

J. "DSCM" means dry standard cubic meter with standard conditions being a temperature of 68 degrees Fahrenheit and a pressure of 29.92 inches Hg.

K. "Facility" means one or more biomedical waste combustion units at the same location.

L. "gr" means grains.

M. "Hazardous waste" means hazardous waste as defined in 40 CFR Part 261.3.

N. "Infectious waste" means a limited class of substances that carry a significant risk of transmitting disease, including but not limited to:

(1) microbiology laboratory wastes, including cultures and stocks of infectious agents from clinical research and industrial laboratories, and disposable culture dishes and devices used to transfer, inoculate and mix cultures;

(2) pathological wastes, including human or animal tissues, organs and body parts, removed during surgery, autopsy or biopsy;

(3) disposable equipment, instruments, utensils, and other disposable materials which require special precautions because of contamination by highly contagious diseases;

(4) blood and blood products, including waste blood, blood serum, plasma and blood products;

(5) contaminated sharps, including contaminated hypodermic needles, syringes, scalpel blades, pasteur pipettes and broken glass; and

(6) contaminated animal carcasses, body parts and bedding, especially those intentionally exposed to pathogens in research, in the production of biologicals or the "in vivo" testing of pharmaceuticals.

O. "mg" means milligrams.

P. "ng" means nanograms.

Q. "Opacity" means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background.

R. "Operation" means the acts of ash removal, preheating of combustion unit, waste loading, combustion, burndown and cooldown.

S. "Part" means an air quality control regulation under Title 20, Chapter 2 of the New Mexico Administrative Code, unless otherwise noted; as adopted or amended by the Board.

T. "PCDD/PCDF" means total tetra- through octa-chlorinated dibenzo-para-dioxins and dibenzofurans.

U. "Same location" means the same or contiguous property that is under common ownership or control, including properties that are separated only by a street, road, highway, or other public right-of-way. Common ownership or control includes properties that are owned, leased, or operated by the same entity, parent entity, subsidiary, subdivision, or any combination thereof, including any municipality or other governmental unit, or any quasi-governmental authority.

V. "Shutdown" means the cessation of all waste charging operations.

W. "Startup" means the setting into operation of any air pollution control equipment, process equipment or process for any purpose except routine phasing in of equipment.

X. "Total charging capacity" means the aggregate of all charging capacities of biomedical combustion units located at a facility.

[11/30/95; 20.2.63.7 NMAC - Rn, 20 NMAC 2.63.107 10/31/02]

20.2.63.8 AMENDMENT AND SUPERSESSION OF PRIOR REGULATIONS: This Part amends and supersedes Air Quality Control Regulation ("AQCR") 2020 -- Biomedical Waste Combustion filed March 8, 1991.

A. All references to AQCR 2020 in any other rule shall be construed as a reference to this Part.

B. The amendment and supersession of AQCR 2020 shall not affect any administrative or judicial enforcement action pending on the effective date of such amendment nor the validity of any permit issued pursuant to AQCR 2020.

[11/30/95; 20.2.63.8 NMAC - Rn, 20 NMAC 2.63.106 10/31/02]

20.2.63.9 DOCUMENTS: Documents cited in this Part may be viewed at the New Mexico Environment Department, Air Quality Bureau, Runnels Building, 1190 Saint Francis Drive, Santa Fe, NM 87505 [2048 Galisteo St., Santa Fe, NM 87505].

[11/30/95; 20.2.63.9 NMAC - Rn, 20 NMAC 2.63.108 10/31/02]

20.2.63.10 to 20.2.63.199 [RESERVED]

20.2.63.200 APPLICABILITY:

A. The requirements of this regulation apply to the owner or operator of any biomedical waste combustion unit located at a facility with a total charging capacity of less than 50 tons per day. The requirements of this regulation do not apply to crematory incinerators.

B. In addition to the requirements of this regulation, any applicable federal regulation in 40 CFR Part 60 -- Standards of Performance for New Stationary Sources shall apply in full. Whenever there is a conflict between this regulation and a federal counterpart, the more stringent requirement shall apply.
[11/30/95; 20.2.63.200 NMAC - Rn, 20 NMAC 2.63.200 10/31/02]

20.2.63.201 GENERAL REQUIREMENTS:

A. No one shall combust biomedical waste in a single chamber combustion unit. All single chamber combustion units shall be taken out of service and removed from the facility.

B. No one shall combust material marked with radiation symbols as required by 20.3.1 NMAC - 20.3.20 NMAC (Radiation Protection Regulations), or material having a radioactivity level greater than background, in a combustion unit subject to this Part.

C. Hazardous waste may not be combusted in a combustion unit subject to this regulation unless a permit to do so pursuant to the Resource Conservation and Recovery Act has been obtained from the Hazardous Waste Bureau of the Department.

D. Infectious wastes are defined as "special wastes" and as such are subject to 20.9.1 NMAC (New Mexico Solid Waste Management Regulation).

E. Any biomedical waste combustion unit located at a facility with a total charging capacity of 50 tons per day or more or which accepts off-site municipal solid waste from a non-generator of biomedical waste must also meet the requirements of 20.2.62 NMAC (Municipal Waste Combustion).

[11/30/95; 20.2.63.201 NMAC - Rn, 20 NMAC 2.63.300 10/31/02]

20.2.63.202 EMISSION LIMITS:

A. Emission Limits: The owner or operator shall not cause or allow any emission limit in subsection A of 20.2.63.210 NMAC to be exceeded.

B. Compliance:

(1) Compliance with the emission limit for carbon monoxide (CO), for units required to have continuous CO monitoring, shall be determined by continuous emission monitor measurements as calculated in the form of 4-hour block averages. For units not equipped with continuous CO monitoring equipment compliance shall be determined by manual tests conducted in accordance with 20.2.63.205 NMAC.

(2) Compliance with the emission limits for particulate matter, sulfur dioxide, nitrogen dioxide, hydrogen chloride, PCDD/PCDF, and metals shall be determined by manual tests conducted in accordance with 20.2.63.205 NMAC. For metals, the percent removal shall be calculated as the percent difference between the measured concentrations at the inlet and outlet of the air pollution control system.

(3) As surrogate for compliance with metals removal efficiency requirements, the owner or operator may comply with an emission limitation for cadmium (Cd) of fifty (50) micrograms per kilogram of waste combusted. The emission limit for cadmium cannot be used as surrogate for mercury.

(4) Compliance with the opacity limit in subsection A of 20.2.63.210 NMAC shall be determined by continuous emission monitor measurements and 40 CFR Part 60, Appendix A, Method 9 as calculated in the form of 6-minute averages.

(5) The owner or operator of a biomedical waste combustion unit located at a facility with a total charging capacity of up to four hundred (400) pounds per hour may obtain a written exemption from the Air Quality Bureau from the applicable emission limits set forth in subsection A of 20.2.63.210 NMAC and may obtain a written exemption from the Air Quality Bureau from emission monitoring requirements as stated in subparagraph (c) of paragraph (1) of subsection A of 20.2.63.204 NMAC provided that:

(a) The owner or operator complies with the emission limits set forth in subsection A of 20.2.63.210 NMAC for biomedical waste combustion units located at a facility with a total charging capacity of less than two hundred (200) pounds per hour; and

(b) The owner or operator obtains a written exemption from the Air Quality Bureau that contains a condition limiting the operation of such biomedical waste combustion unit to six hours in any one day. The violation of such an exemption condition shall be a violation of this regulation.

[11/30/95; 20.2.63.202 NMAC - Rn, 20 NMAC 2.63.400 - 401 10/31/02]

20.2.63.203 DESIGN AND OPERATING REQUIREMENTS:

A. Design Requirements:

(1) All combustion units shall be equipped with a secondary combustion chamber which provides for turbulent mixing by ensuring that the air being supplied to the combustion zone has sufficient momentum to

penetrate the combustion gases. The secondary combustion chamber shall also provide one second of residence time, as measured from the location where the maximum temperature has been fully developed and is calculated with consideration of design-specific furnace parameters including chamber volume, volumetric air flow rate, and excess air rate.

(2) Primary combustion chamber temperature must be maintained at not less than fourteen hundred (1400) degrees Fahrenheit.

(3) Secondary combustion chamber temperature must be maintained at not less than eighteen hundred (1800) degrees Fahrenheit.

(4) Auxiliary burners must be designed to provide the combustion chamber temperatures as described in paragraphs (2) and (3) of subsection A of 20.2.63.203 NMAC without the assistance of the heat content of the waste. The auxiliary burner fuel and the combustion air shall be modulated automatically to maintain a secondary chamber exit temperature of at least eighteen hundred (1800) degrees Fahrenheit and a primary chamber temperature of at least fourteen hundred (1400) degrees Fahrenheit.

(5) The waste charging system of any combustion unit must be designed to prevent disruption of the combustion process as waste is charged. Batch charged units must be equipped with a lockout mechanism to prevent charging after start-up. Units with automatic charging systems shall be equipped with a sealed feeding device capable of preventing combustion upsets during charging. The volume of the loading system shall be designed to prevent overcharging.

(6) For batch charged units, waste shall not be ignited until the secondary chamber exit temperature is established and holding at eighteen hundred (1800) degrees Fahrenheit for at least fifteen (15) minutes. Interlocks shall be provided which prevent opening the charging door after ignition and until the burn-down and cool-down periods are complete.

(7) For continually charged combustion units, the charging of waste shall automatically cease through the use of an interlock system if:

(a) The combustion unit's secondary chamber temperature drops below 1800 degrees Fahrenheit for any continuous fifteen-minute period; or

(b) The carbon monoxide emissions are equal to or greater than 50 ppm by volume, corrected to seven percent (7%) O₂ on a dry basis for any continuous 15-minute period.

B. Stack Height Requirements: Exhaust stack height for all biomedical waste combustion units shall be in accord with "good engineering practice" (GEP).

(1) For purposes of this Part, GEP is defined as the greater of:

(a) $H_g = H + 1.5L$ where: H_g = Good engineering practice stack height measured from the ground-level elevation at the base of the stack, H = Height of nearby structure(s) measured from the ground-level elevation at the base of the stack, L = Lesser dimension, height or projected width, of nearby structure(s), provided that the Department may require the use of a field study or fluid model to verify GEP stack height for the source; or

(b) The height demonstrated by a fluid model or a field study approved by the Department, which ensures that the emissions from a stack do not result in excessive concentrations of any air pollutant as a result of atmospheric downwash, wakes, or eddy effects created by the source itself, nearby structures or nearby terrain features.

(2) For purposes of this Part, the definitions in 40 CFR Sections 51.100(Z), (ff), and (hh)-(kk) (1987) are hereby incorporated as state regulations.

C. Operating Requirements:

(1) The owner or operator of a biomedical waste combustion unit shall not manually charge the primary combustion chamber through doors open to the atmosphere while the unit is operating. Charging of waste for units other than batch units shall be by mechanical means which prevents upsets in the burn cycle.

(2) Each combustion unit shall operate so that during shutdown the combustion unit continues to meet applicable emission limitations and the secondary combustion chamber temperature is maintained at 1800 degrees Fahrenheit or above until the waste is completely combusted.

(3) Combustion units utilizing control devices to attain emission limits must be designed such that the flue gas temperature at the outlet of the final control device does not exceed three hundred (300) degrees Fahrenheit unless a demonstration is made that an equivalent collection (removal) of heavy metals and toxic organics can be achieved at a higher temperature or through the use of alternate technologies.

[11/30/95; 20.2.63.203 NMAC - Rn 20 NMAC 2.63.500 - 502 10/31/02]

20.2.63.204 MONITORING:

A. Emission Monitoring:

(1) Continuous emission monitors shall be installed, calibrated, maintained, and operated, and shall continuously record data for the following:

(a) For biomedical waste combustion units located at a facility with a total charging rate of 1000 pounds per hour or greater;

- (i) carbon monoxide (CO);
- (ii) oxygen (O₂); and
- (iii) opacity.

(b) If an opacity monitor cannot be applied satisfactorily, alternate apparatus may be employed, on a case by case basis, with the written approval of the Department, to demonstrate acceptable operation of the particulate removal device.

(c) For biomedical waste combustion units located at a facility with a total charging capacity of less than one thousand (1000) pounds per hour;

- (i) oxygen (O₂); and
- (ii) carbon monoxide (CO).

(2) The owner or operator of any combustion unit shall install, calibrate, maintain, operate, and continuously record the temperature of gases leaving the primary and secondary combustion chambers and the outlet of the final air pollution control device, where present. Such monitors shall have an accuracy of plus or minus 0.75 percent of the temperature being measured expressed in degrees Celsius or plus or minus 2.5 degrees Celsius, whichever is greater. Sensors shall be located such that flames from the burners do not impinge on the sensors.

(3) At least ninety (90) days prior to initial startup, the owner or operator shall submit a report to the Department which describes, for each monitor, the location, specifications, procedures for calibration, operation, maintenance, data evaluation, and reporting. Monitoring equipment shall not be installed prior to Department approval of the report.

(4) The continuous emission monitors which measure oxygen (O₂) and carbon monoxide (CO) shall complete a minimum of one cycle of operation for each successive fifteen-minute period. One-hour averages shall be calculated from four (4) or more data points equally spaced over each one-hour period.

(5) The continuous emission monitor which measures opacity shall complete a minimum of one cycle of operation for each successive ten-second period. Six-minute averages shall be calculated from thirty-six (36) or more data points equally spaced over each six-minute period.

(6) Data recorded during periods of continuous emission monitor breakdown, repairs, calibration checks, and zero and span adjustments shall not be included in calculated data averages.

(7) Emission data shall be obtained from each continuous emission monitor which represents a minimum of seventy-five (75) percent of all operational hours for each twenty-four (24) hour period beginning at twelve (12) midnight. Failure to meet the seventy-five (75) percent data capture requirement of this section shall cause the combustion unit to be shutdown as required by subsection B of 20.2.63.204 NMAC.

(8) The owner or operator shall ensure each continuous emission monitor meets the requirements of 40 CFR Part 60, Appendix F -- Quality Assurance Procedures and shall submit to the Department all reports specified by subject requirements. The required reports shall be submitted quarterly.

B. Continuous Emission Monitor Malfunction: Whenever any required continuous emission monitor cannot meet the data capture requirement of paragraph (7) of subsection A of 20.2.63.204 NMAC and the owner or operator does not obtain the required data from an alternate monitor or test method, the combustion unit shall cease operation for the time necessary to comply with paragraph (7) of subsection A of 20.2.63.204 NMAC.

C. Performance Evaluation:

(1) During or within thirty (30) days of the emission tests required by 20.2.63.205 NMAC, the owner or operator shall conduct a performance evaluation of each continuous emissions monitor in accordance with the procedures of 40 CFR Part 60, Appendix B -- Performance Specifications.

(2) The performance evaluation required by paragraph (1) of subsection C of 20.2.63.204 NMAC shall be repeated on an annual basis or after any major equipment malfunction which requires component replacement, or at additional times when the Department has reason to believe the monitor performance is inadequate.

(3) The owner or operator shall provide at least thirty (30) days prior notice to the Department before conducting any performance evaluation.

(4) A written report of each performance evaluation shall be furnished to the Department within thirty (30) days from the end of the test period.

[11/30/95; 20.2.63.204 NMAC - Rn, 20 NMAC 2.63.600 - 602 10/31/02]

20.2.63.205 EMISSION TESTING:

A. Emission Testing:

(1) Within sixty (60) days of first achieving the maximum charging rate, but not more than one hundred eighty (180) days from the date of initial startup, the first annual performance test shall be conducted.

(2) Units with charging capacity less than two hundred (200) pounds per hour:

(a) The owner or operator of any biomedical waste combustion unit that has a charging capacity of less than two hundred (200) pounds per hour shall conduct an annual performance test to demonstrate compliance with the emission standards for particulate matter (PM), carbon monoxide (CO) and hydrogen chloride (HCl).

(b) The initial performance test for combustion units subject to this paragraph shall include PCDD/PCDF and the following metals:

- (i) arsenic and compounds (expressed as arsenic)
- (ii) beryllium and compounds (expressed as beryllium)
- (iii) cadmium and compounds (expressed as cadmium)
- (iv) chromium and compounds (expressed as chromium)
- (v) lead and compounds (expressed as lead)
- (vi) mercury and compounds (expressed as mercury).

(c) The required performance test for PCDD/PCDF and metals shall be conducted once, provided that PCDD/PCDF emission test results indicate compliance with the standard set forth in subsection A of 20.2.63.202 NMAC (i.e. the table in subsection A of 20.2.63.210 NMAC).

(3) Units with charging capacity of two hundred (200) pounds per hour or greater:

(a) The owner or operator of any biomedical waste combustion unit located at a facility with a total charging capacity of two hundred (200) pounds per hour or greater shall conduct a performance test to demonstrate compliance with the standards for particulate matter (PM), carbon monoxide (CO), hydrogen chloride (HCl), sulfur dioxide (SO₂), nitrogen dioxide (NO₂), total tetra-through octa-chlorinated dibenzo-para-dioxins and dibenzofurans (PCDD/PCDF), and the following metals:

- (i) arsenic and compounds (expressed as arsenic)
- (ii) beryllium and compounds (expressed as beryllium)
- (iii) cadmium and compounds (expressed as cadmium)
- (iv) chromium and compounds (expressed as chromium)
- (v) lead and compounds (expressed as lead)
- (vi) mercury and compounds (expressed as mercury).

(b) The required test for metals may be met by surrogate testing for cadmium as stated in paragraph (3) of subsection B of 20.2.63.202 NMAC.

(c) Source tests shall be conducted annually for the above specified pollutants.

(d) The owner or operator may apply to the Department for a waiver of annual testing for a specific pollutant where performance testing has consistently shown emission rates for that pollutant which are less than those required in this Part, but in no case shall any required test be conducted less than once in every three years.

(4) All performance testing shall be conducted at the design charging capacity using waste that is representative of normal operation while being operated by the facility operator.

(5) The Department may require additional testing if there is a reasonable basis to believe the facility is not in compliance with provision of this Part or any applicable permit condition.

(6) The Department or its representative may conduct unscheduled emission tests at any time during operating hours of the facility.

B. Emission Testing Procedures:

(1) Notice of the test date and a copy of the test protocol shall be submitted to the Department at least thirty (30) days prior to the actual test date.

(2) A representative of the Department shall be given the opportunity to be present during all emission tests required by this Part.

(3) A written copy of all test results shall be furnished to the Department within sixty (60) days from the test date.

(4) Emission tests shall be conducted utilizing the following methods:

- (a) For total particulate matter -- 40 CFR Part 60, Appendix A, Methods 1-5;
- (b) For PCDD/PCDF 40 CFR Part 60, Appendix A, Method 23;
- (c) For cadmium, chromium, and lead 40 CFR Part 60, Appendix A, Methods 1-4 and 12;

- (d) For arsenic 40 CFR Part 61, Appendix B, Method 108;
- (e) For beryllium 40 CFR Part 61, Appendix B, Method 104;
- (f) For mercury 40 CFR Part 61, Appendix B, Method 101A;
- (g) For opacity 40 CFR Part 60, Appendix A, Method 9;
- (h) For hydrogen chloride 40 CFR Part 60, Appendix A, Method 26;
- (i) For cadmium (as surrogate), California Air Resources Board (CARB) ARB Method 424;
- (j) For carbon monoxide 40 CFR Part 60, Appendix A, Method 10;
- (k) For sulfur dioxide 40 CFR Part 60, Appendix A, Method 6; and
- (l) For nitrogen oxide 40 CFR Part 60, Appendix A, Method 7.

(5) The owner or operator may use test methods other than those in paragraph (4) of subsection B of 20.2.63.205 NMAC if the Department has approved the alternate test method prior to the test date. The Department shall rule on proposed alternate test method acceptability within thirty (30) days of receipt of proposal. [11/30/95; 20.2.63.205 NMAC - Rn, 20 NMAC 2.63.700 - 701 10/31/02]

20.2.63.206 RECORDKEEPING AND REPORTING:

A. Quarterly Report: The owner or operator shall submit a report containing the following information to the Department within thirty (30) days from the end of each calendar quarter:

- (1) The hourly average charging rate to each combustion unit;
- (2) The thirty (30) minute average temperature of the primary chamber, the secondary chamber, and the outlet from the final air pollution control device;
- (3) The hourly and four-hour average concentration in mg/dscm corrected to seven percent O₂ of carbon monoxide (CO) as measured by continuous emission monitors;
- (4) The hourly average percent oxygen (O₂) and six-minute average opacity as measured by continuous emission monitors;
- (5) The percent data capture for each twenty-four hour period for each continuous emission monitor;
- (6) The identification of all periods of startup, shutdown, and excess emissions; and
- (7) The reason for any excess emissions and the corrective action taken.

B. Records:

- (1) Records shall be maintained for a period of three years from the date created by the owner or operator for all parameters in subsection A of 20.2.63.206 NMAC and made available upon request for inspection and copying by the Department during operating hours.
- (2) All information submitted to the Department in quarterly reports or emission test reports, or any other information created or obtained by the Department regarding the biomedical waste combustion unit shall be available at the Department's central offices for public inspection and copying during business hours. Section B of 20.2.63.210 NMAC summarizes reporting requirements and their respective due dates.

C. Upset Condition:

- (1) The provisions of 20.2.7 NMAC (Excess Emissions During Malfunction, Startup, Shutdown, or Scheduled Maintenance) shall not apply to any biomedical waste combustion unit.
- (2) Whenever the temperature requirements of 20.2.63.203 NMAC or any emission limit in subsection A of 20.2.63.202 NMAC for which compliance is based on continuous emissions monitoring is exceeded, the operator shall take the following actions:
 - (a) Cut off waste charging to the combustion unit;
 - (b) Notify the Department verbally of the exceedance within four hours of its occurrence or prior to twelve noon of the next business day should the exceedance occur during non-business hours;
 - (c) Note in the operating record the time and date of the exceedance, when shutdown began, and when shutdown was complete;
 - (d) Identify and correct the cause of the upset condition before resuming operation of the unit; and
 - (e) Note in the operating record the corrective action taken and the time and date of startup.

[11/30/95; 20.2.63.206 NMAC - Rn, 20 NMAC 2.63.800 - 802 10/31/02]

20.2.63.207 MANAGEMENT OF ASH:

A. Handling, Storage, and Transportation:

- (1) All handling and storage of fly ash and bottom ash shall be conducted in a closed system which prevents ash from becoming airborne.
- (2) Transporters of Biomedical Waste Combustion Ash (BWC ash):

- (a) Shall not accept or transport BWC ash unless it has been treated or is securely covered to prevent release of fugitive dust;
- (b) Shall cover vehicles to prevent fugitive dust loss during transport; and
- (c) Shall line or seal vehicles in such a manner to prevent any leakage of liquids or fugitive dust during transport.

B. Opacity: Handling, storage, and transportation of fly ash and bottom ash shall not result in a release to the atmosphere exceeding zero percent opacity. Compliance with this requirement shall be determined by visual observation as specified in 40 CFR Part 60, Appendix A, Method 9.

C. Disposal: Disposal of fly ash and bottom ash shall be in compliance with the applicable requirements of 20.9.1 NMAC (New Mexico Solid Waste Management Regulation).
[11/30/95; 20.2.63.207 NMAC - Rn, 20 NMAC 2.63.900 - 902 10/31/02]

20.2.63.208 OPERATOR TRAINING:

A. A trained combustion unit operator shall be present at the facility in which a combustion unit is located whenever waste is being combusted. The facility employed operator will control the operation of the combustion unit during performance testing.

B. All combustion unit operators or their immediate supervisor on-site must have completed the following qualifying training. Operator training shall include a program of study approved by the Department. The owner or operator shall submit a proposed program of study to include the following:

- (1) Proper waste handling;
- (2) Identification of waste types acceptable for combustion;
- (3) Combustion unit design and waste combustion theory;
- (4) Proper combustion unit startup, operation, shutdown, and maintenance procedures;
- (5) Work safety procedures, including infectious disease control procedures for the facility;
- (6) Applicable air pollution, solid waste, and wastewater management regulations;
- (7) Air pollution control equipment operation and maintenance; and
- (8) A minimum of two (2) burn cycles of hands-on combustion unit operation under the supervision

of another trained operator or the combustion unit manufacturer's representative.

C. Operator training shall include an annual review lasting at least eight hours. The required review may contain but shall not be limited to reviews of operation and maintenance procedures, topic specific conferences, manufacturers updates, and regulatory updates. The content of the annual review shall be approved by the Department.

D. Every operator shall have visible proof of completion of the required initial training and annual review posted or filed in the work area at the facility.

E. Upon completion of the development of a training course by the American Society of Mechanical Engineers (ASME) which is specific to biomedical waste combustion units, subsection B of 20.2.63.208 NMAC shall be superseded and the ASME training course shall be required.
[11/30/95; 20.2.63.208 NMAC - Rn, 20 NMAC 2.63.1000 10/31/02]

20.2.63.209 COMPLIANCE SCHEDULE FOR EXISTING BIOMEDICAL WASTE COMBUSTION UNITS:

A. Biomedical waste combustion units in existence before April 8, 1991 shall achieve compliance with the standards and requirements of this Part by April 8, 1992. Each owner or operator of an existing biomedical waste combustion unit who intends to permanently cease operating the unit shall remove the unit from the facility by October 5, 1991. The Department shall be notified of the intent to cease operating by July 7, 1991. Each owner or operator of an existing biomedical waste combustion unit shall either demonstrate compliance with the requirements of this Part or submit a schedule of compliance to the Department by July 7, 1991.

B. Proposed schedules of compliance shall contain the following:

- (1) Owner or operator's name and address;
- (2) Date of submittal;
- (3) Description of facility;
- (4) Description of the property upon which the facility is located;
- (5) The following increments of progress;

(a) A date or dates by which contracts for each major phase of construction or installation of emission control systems, or process modification, or orders for their component parts, will be awarded;

(b) A date or dates of initiation of each major phase of on-site construction or installation of emission control equipment or process modification;

(c) A date or dates by which each major phase of on-site construction or installation of emission control equipment or process modification is to be completed; and

(d) Date or dates by which final compliance is to be achieved.

(6) A detailed description of the methods or devices to be used to achieve compliance.

[11/30/95; 20.2.63.209 NMAC - Rn, 20 NMAC 2.63.1100 10/31/02]

20.2.63.210 BIOMEDICAL WASTE COMBUSTION TABLES:

A. Emission Limits:

Total Charging Capacity(1)	Pollutants						
	PM(2)	HCl	CO	NOx	SO2	PCDF	Metals(3)
<200 lb/hr	0.08 gr/dscf	<4 lb/hr or 99%	60 mg/dscm			500 ng/dscm	
200 lb/hr to 999 lb/hr	0.03 gr/dscf	40 mg/dscm	60 mg/dscm	235 mg/dscm	80 mg/dscm	5 ng/dscm	99% removal or Cd surrogate at 50 ug/kg of waste burned
>1000 lb/hr	0.015 gr/dscf	40 mg/dscm	60 mg/dscm	235 mg/dscm	80 mg/dscm	5 ng/dscm	99% removal or Cd surrogate at 50 ug/kg of waste burned
(1) The emission limit for opacity is ten percent (10%) for all charging capacities.							
(2) The particulate matter emission limit is set at twelve percent (12%) CO2. All other emission limits are set at seven percent (7%) O2.							
(3) The ninety-nine percent (99%) removal efficiency requirement applies to the following metals except for mercury which requires a ninety percent (90%) removal efficiency: arsenic, beryllium, cadmium, chromium, and lead.							

B. Summary Table of Reporting Requirements:

REPORT DESCRIPTION	REFERENCE	DATE DUE TO DEPARTMENT
Notice of CEM performance evaluation	paragraph (3) of subsection C of 20.2.63.204 NMAC	At least 30 days prior to performance evaluation
CEM Performance	paragraph (4) of subsection C of 20.2.63.204 NMAC	Within 30 days from the end of the test period
Notice of emission testing and test protocols	paragraph (1) of subsection B of 20.2.63.205 NMAC	At least 30 days prior to the actual test date
Copy of emission test results	paragraph (3) of subsection B of 20.2.63.205 NMAC	Within 60 days from test date
Quarterly report of CEM and temperature monitoring results	subsection A of 20.2.63.206 NMAC	Within 30 days of the end of each calendar quarter
Intent to cease unit operations	subsection A of 20.2.63.209 NMAC	Within 90 days of July 7, 1991 (1)
Schedule of compliance	subsection A of 20.2.63.209 NMAC	Within 90 days of July 7, 1991 (1)
(1) Date applies to units in existence before April 8, 1991.		

[11/30/95; 20.2.63.210 NMAC - Rn, 20 NMAC 2.63.1200 10/31/02]

HISTORY OF 20.2.63 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the commission of public records-state records center and archives:

EIB/AQCR 2020, Air Quality Control Regulation 2020 - Biomedical Waste Combustion, 03/08/91.

History of Repealed Material: [RESERVED]

Other History:

EIB/AQCR 2020, Air Quality Control Regulation 2020 - Biomedical Waste Combustion, 03/08/91 was **renumbered** into first version of the New Mexico Administrative Code as 20 NMAC 2.63, Biomedical Waste Combustion, filed 10/30/95.

20 NMAC 2.63, Biomedical Waste Combustion, filed 10/30/95 was **renumbered, reformatted and replaced** by 20.2.63 NMAC, Biomedical Waste Combustion, effective 10/31/02.