

§ 240.200

40 CFR Ch. I (7-1-10 Edition)

(o) *Incinerator* means a facility consisting of one or more furnaces in which wastes are burned.

(p) *Infectious waste* means: (1) Equipment, instruments, utensils, and fomites of a disposable nature from the rooms of patients who are suspected to have or have been diagnosed as having a communicable disease and must, therefore, be isolated as required by public health agencies; (2) laboratory wastes such as pathological specimens (e.g., all tissues, specimens of blood elements, excreta, and secretions obtained from patients or laboratory animals) and disposable fomites (any substance that may harbor or transmit pathogenic organisms) attendant thereto; (3) surgical operating room pathologic specimens and disposable fomites attendant thereto and similar disposable materials from outpatient areas and emergency rooms.

(q) *Municipal solid wastes* means normally, residential and commercial solid wastes generated within a community.

(r) *Open burning* means burning of solid wastes in the open, such as in an open dump.

(s) *Open dump* means a land disposal site at which solid wastes are disposed of in a manner that does not protect the environment, are susceptible to open burning, and are exposed to the elements, vectors, and scavengers.

(t) *Plans* means reports and drawings, including a narrative operating description, prepared to describe the facility and its proposed operation.

(u) *Residue* means all the solids that remain after completion of thermal processing, including bottom ash, fly ash, and grate siftings.

(v) *Responsible agency* means the organizational element that has the legal duty to ensure that owners, operators, or users of facilities comply with these guidelines.

(w) *Sanitary landfill* means a land disposal site employing an engineered method of disposing of solid wastes on land in a manner that minimizes environmental hazards by spreading the solid wastes in thin layers, compacting the solid wastes to the smallest practical volume, and applying and compacting cover material at the end of each operating day.

(x) *Sludge* means the accumulated semiliquid suspension of settled solids deposited from wastewaters or other fluids in tanks or basins. It does not include solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial wastewater effluents, dissolved materials in irrigation return flows or other common water pollutants.

(y) *Solid wastes* means garbage, refuse, sludges, and other discarded solid materials resulting from industrial and commercial operations and from community activities. It does not include solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial wastewater effluents, dissolved materials in irrigation return flows or other common water pollutants.

(z) *Special wastes* means nonhazardous solid wastes requiring handling other than that normally used for municipal solid waste.

(aa) *Thermal processing* means processing of waste material by means of heat.

(bb) *Vector* means a carrier, usually an arthropod, that is capable of transmitting a pathogen from one organism to another.

Subpart B—Requirements and Recommended Procedures

§ 240.200 Solid wastes accepted.

§ 240.200-1 Requirement.

In consultation with the responsible agencies, the owner/operator shall determine what wastes shall be accepted and shall identify any special handling required. In general, only wastes for which the facility has been specifically designed shall be accepted; however, other wastes may be accepted if it has been demonstrated to the responsible agency that they can be satisfactorily processed within the design capability of the facility or after appropriate facility modifications.

§ 240.200-2 Recommended procedures: Design.

(a) In addition to the residential and commercial wastes normally processed

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at municipal-scale incinerators, certain special wastes might be considered for processing. These include: Certain bulky wastes (e.g., combustible demolition and construction debris, tree stumps, large timbers, furniture, and major appliances), digested and dewatered sludges from waste water treatment facilities, raw sewage sludges, and septic tank pumpings.

(b) If the facility is designed to handle special wastes, special areas should be provided where appropriate for storage while they await processing.

§ 240.200-3 Recommended procedures: Operations.

(a) Storage areas for special wastes should be clearly marked.

(b) Facility personnel should be thoroughly trained in any unusual handling required by acceptance of Special Wastes.

§ 240.201 Solid wastes excluded.

§ 240.201-1 Requirement.

Using information provided to them by the waste generator/owner, the responsible agency and the facility owner/operator shall jointly determine specific wastes to be excluded and shall identify them in the plans. The generator/owner of excluded wastes shall consult with the responsible agency in determining an alternative method of disposal for excluded wastes. The criteria used in considering whether a waste is unacceptable shall include the facility's capabilities, alternative methods available, the chemical and biological characteristics of the waste, environmental and health effects, and the safety of personnel. Disposal of pesticides and pesticide containers shall be consistent with the Federal Environmental Pesticides Control Act of 1972 (Pub. L. 92-516) and recommended procedures promulgated thereunder.

§ 240.201-2 Recommended procedures: Design.

(a) Provision for storing, handling, and removing hazardous or excluded wastes inadvertently left at the facility should be considered in design.

(b) Examples of wastes which should be considered for exclusion from the facility include: Hazardous wastes, very

large carcasses, automobile bodies, dewatered sludges from water treatment plants, and industrial process wastes.

§ 240.201-3 Recommended procedures: Operations.

(a) Regular users of the facility should be given a list of excluded materials. The list should also be displayed prominently at the facility entrance. If a regular user persists in making unacceptable deliveries, he should be barred from the installation and reported to the responsible agency.

(b) The operating plan should specify the procedures and precautions to be taken if unacceptable wastes are delivered to the facility or are improperly left there. Operating personnel should be thoroughly trained in such procedures.

§ 240.202 Site selection.

§ 240.202-1 Requirement.

Site selection and utilization shall be consistent with public health and welfare, and air and water quality standards and adaptable to appropriate land-use plans.

§ 240.202-2 Recommended procedures: Design.

(a) Whenever possible, thermal processing facilities should be located in areas zoned for industrial use and having adequate utilities to serve the facility.

(b) The site should be accessible by permanent roads leading from the public road system.

(c) Environmental factors, climatological conditions, and socioeconomic factors should be given full consideration as selection criteria.

§ 240.202-3 Recommended procedures: Operations.

Not applicable.

§ 240.203 General design.

§ 240.203-1 Requirement.

A plan for the design of new facilities or modifications to existing facilities shall be prepared or approved by a professional engineer. A list of major considerations and the rationale for the