§ 60.1545 Does this subpart directly affect municipal waste combustion unit owners and operators in my State?

(a) No, this subpart does not directly affect municipal waste combustion unit owners and operators in your State. However, municipal waste combustion unit owners and operators must comply with the State plan you developed to implement the emission guidelines contained in this subpart. Some States may incorporate the emission guidelines contained in this subpart into their State plans by direct incorporation by reference. Others may include the model rule text directly in their State plan.

(b) All municipal waste combustion units must be in compliance with the requirements established in this subpart by December 6, 2005, whether the municipal waste combustion unit is regulated under a State or Federal plan.

§ 60.1550 What municipal waste combustion units must I address in my State plan?

(a) Your State plan must address all existing small municipal waste combustion units in your State that meet two criteria:

(1) The municipal waste combustion unit has the capacity to combust at least 35 tons per day of municipal solid waste but no more than 250 tons per day of municipal solid waste or refuse-derived fuel.

(b) Small power production units. Units are exempt from your State plan if four requirements are met:

(1) The municipal waste combustion unit qualifies as a small production facility under section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C)).

(2) The unit combats homogeneous waste (excluding refuse-derived fuel) to produce electricity.

(3) You are notified by the owner or operator that the unit qualifies for the exemption.

(4) The owner or operator of the unit keeps daily records of the amount of municipal solid waste combusted.

§ 60.1555 Are any small municipal waste combustion units exempt from my State plan?

(a) Small municipal waste combustion units that combust less than 11 tons per day. Units are exempt from your State plan if four requirements are met:

(1) The municipal waste combustion unit is subject to a federally enforceable permit limiting the amount of municipal solid waste combusted to less than 11 tons per day.

(2) You are notified by the owner or operator that the unit qualifies for the exemption.

(3) You receive from the owner or operator of the unit a copy of the federally enforceable permit.

(4) The owner or operator of the unit keeps daily records of the amount of municipal solid waste combusted.

(b) Small power production units. Units are exempt from your State plan if four requirements are met:

(1) The unit qualifies as a small production facility under section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C)).

(2) The unit combats homogeneous waste (excluding refuse-derived fuel) to produce electricity.

(3) You are notified by the owner or operator that the unit qualifies for the exemption.