

**GOVERNMENT OF PUERTO RICO/ OFFICE OF THE GOVERNOR**

**FINAL PERMIT TITLE V OPERATING PERMIT  
AIR QUALITY AREA  
ENVIRONMENTAL QUALITY BOARD**



Permit Number:	PFE-TV-4953-16-1103-1884
Operating Permit application received:	November 26, 2003
Issue and/or Effective Date:	November 30, 2010
Expiration Date:	November 30, 2015

In accordance with the provisions of Part VI of the Regulation for the Control of Atmospheric Pollution (RCAP) for Puerto Rico and the provisions of the 40 CFR part 70,

**COMMERCIAL INCINERATION, INC.  
CAROLINA, PUERTO RICO**

hereinafter referred to as The Permittee, or **Commercial Incineration, Inc.** is authorized to operate a stationary source of air contaminants consisting of emissions units described in this permit. Until such time as this permit expires or is modified or revoked, the permittee is allowed to discharge air pollutants from those processes and activities directly related to or associated with air contaminant source(s) in accordance with the requirements, limitations, and conditions of this permit. All conditions in this permit are federally enforceable and state enforceable unless otherwise specified. Requirements which are only state enforceable are identified in the permit. A copy of this permit shall be kept on-site at the above named facility at all times.

Cruz A. Matos Environmental Agencies Building, San José Industrial Park Urbanization  
1375 Ponce de León Avenue, San Juan, PR 00926-2604  
Postal Address: PO Box 11488, San Juan, PR 00910  
Phone 787-767-8181 • Fax 787-756-5906

## TABLE OF CONTENTS

Section I	General Information.....	1
	A. Facility Information .....	1
	B. Process Description.....	1
Section II	Emission Units and Control Device Descriptions.....	2
Section III	General Permit Conditions.....	2
Section IV	Potential Emission.....	14
Section V	Specific Permit Conditions.....	15
	A. Compliance with Rule 405 of the RCAP.....	15
	B. Emission Limitations and Operating.....	16
	C. Requirements for Operators Training and Qualification .....	17
	D. Waste Management Plan.....	22
	E. Performance Testing.....	22
	F. Monitoring Requirements.....	24
	G. Recordkeeping and Reporting Requirements.....	25
	H. Increments of Progress.....	30
	I. Initial Compliance Requirements.....	32
	J. Continuous Compliance Requirements.....	32
Section VI	Insignificant Activities.....	34
Section VII	Permit Shield and Non Applicable Requirements .....	34
Section VIII	Permit Approval.....	36
Appendixes	.....	37
Appendix I	Tables Specified in Rule 405(c)- Incineration of the RCAP	38
Appendix II	Definitions and Abbreviations.....	45

## **Section I – General Information**

### **A. Facility Information**

Company Name: Commercial Incineration, Inc.

Mailing Address: P.O. Box 9086

City: Carolina State: P.R. Zip Code: 00988

Plant Name: Commercial Incineration, Inc.

Plant Location: PR-3 Km. 13.5  
Carolina, PR.

Responsible Official: Orlando Mercado, Operations Manager

Phone: 787-750-0738

Technical Contact: Orlando Mercado, Operations Manager

Fax: 787-750-1119

Primary SIC Code: 4953

### **B. Process Description**

Commercial Incineration, Inc. is located at Avenue 65<sup>th</sup> Infantry, State Road PR-3, Km. 13.6 Canovanillas Industrial Park in the Municipality of Carolina. Commercial Incineration, Inc. is dedicated to the collection, temporary storage and disposal by incineration of commercial and industrial non-hazardous solid wastes.

The incineration is recognized as a method of waste disposal. An incinerator is an enclosed device that either uses controlled flame combustion and is not a boiler, sludge dryer, or a carbon regeneration unit, or meets the definition of an infrared or plasma arc incinerator. Industrial non-hazardous waste is process waste associated with electric power generation and manufacturing of materials such as pulp and paper, iron and steel, glass, and concrete. This waste usually is not classified as either municipal waste or hazardous waste by federal or state laws. On the other hand, municipal solid waste (MSW) is the waste discarded by households, hotel/motels, and commercial, institutional, and industrial sources. MSW typically consists of everyday items

such as product packaging, grass clippings, furniture, clothing, bottles, food scraps, newspapers, appliances and others. It does not include wastewater.

**Commercial Incineration, Inc.** is a major source for atmospheric pollutants because it has the potential to emit more than 10 tons per year of hydrochloric acid (HCl), which is hazardous atmospheric pollutant. Also the facility is Title V due to its applicability of Rule 405(c) of the RCAP for Puerto Rico (from the provisions of the 40 CFR part 60 subpart DDDD).

**Section II – Emission Units and Control Device Descriptions**

The emission unit regulated by this permit is the following:

Emission Unit	Description	Control Device
EU-1	Atlas Incinerator, model 2500AR, type continuous. First Chamber: 1.68 MMBtu/hr Second Chamber: 4.20 MMBtu/hr Hourly oxidation rate: 1,250 lb/hr (5,720,000 lb/yr) Fuel use: Propane at 120 gallons per day (62.6 gallons per hour) Type of waste: commercial and industrial non-hazardous solid waste Operating schedule: 4,576 hours per year	None (control measures)

**Section III – General Permit Conditions**

1. **Sanctions and Penalties: Commercial Incineration, Inc.** is obligated to comply with all terms, conditions, requirements, limitations and restrictions set forth in this permit. Any violation of the terms of this permit will be subject to administrative, civil or criminal penalties as established in the Puerto Rico Environmental Public Policy Act, Article 16 (Act Number 416, September 22, 2004, as amended).
2. **Right of Entry:** As specified under Rules 103 and 603(c)(2) of the RCAP, **Commercial Incineration, Inc.** shall allow the Board or an authorized representative, upon presentation of credentials and other documents as may be required by law, to perform the following activities:
  - a. Enter upon **Commercial Incineration, Inc.** premises where an emission source is located or where emissions related activities are conducted, or where records must be kept under the conditions of this permit, under the RCAP, or under the Clean Air Act;

- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit, under the RCAP, or under the Clean Air Act;
  - c. Inspect and examine any facility, equipment (including monitoring and air pollution control equipment), practices or operations (including QA/QC methods) regulated or required under this permit; as well as sampling emissions of air quality and fuels; and
  - d. As authorized by the Clean Air Act and the RCAP, to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements.
3. **Sworn Statement:** All reports required pursuant Rule 103(D) of the RCAP (this is semiannual monitoring reports and annual compliance certification) shall be submitted together with a sworn statement or affidavit by the Responsible Official or a duly authorized representative. Such sworn statement shall attest to the truth, correctness and completeness of such records and reports.
4. **Data Availability:** As specified under Rule 104 of the RCAP, all emission data obtained by or submitted to the Board, including data reported pursuant to Rule 103 of the RCAP, as well as that obtained in any other way, shall be available for public inspection and may also be made available to the public in any additional manner that the Board may deem appropriate.
5. **Emergency Plan:** As specified under Rule 107 of the RCAP, **Commercial Incineration, Inc.** shall have available an Emergency Plan which must be consistent with adequate safety practices, and provides for the reduction or retention of the emissions from the plant during periods classified by the Board as air pollution alerts, warnings or emergencies. These plans shall identify the emission sources, include the reduction to be accomplished for each source, and the means by which such reduction will be accomplished. These plans will be available for any representative of the Board at any time.
6. **Control Equipment: Commercial Incineration, Inc.** shall comply with Rule 108 of the RCAP, as follows:
  - a. All air pollution control equipment or control measures shall provide for continuous compliance with applicable rules and regulations. Such equipment or measures shall be installed, maintained, and operated according to those conditions imposed by the Board, within the specified operating limitations of the manufacturer.

- b. The collected material from air pollution control equipment shall be disposed in accordance with applicable rules and regulations. The removal, manipulation, transportation, storage, treatment or disposal will be done in such or manner that shall not to produce environmental degradation, and in accordance with applicable rules and regulations.
- c. The Board may require, when deemed appropriate to safeguard the health and welfare of human beings, the installation and maintenance of additional, complete and separate air pollution control equipment of a capacity equal to the capacity of the primary control equipment. Furthermore, the Board may require that such additional air pollution control equipment be operated continuously and conjunctionally with the primary air pollution control equipment.
- d. All air pollution control equipment shall be operated at all times while the source being controlled is in operation.
- e. In the case of a shutdown of air pollution control equipment for the necessary scheduled maintenance, the intent to shutdown such equipment shall be reported to the Board at least three days prior to the planned shutdown. Such prior notice shall include, but is not limited to the following:
  - (1) Identification of the specific source to be taken out of service with its location and permit number.
  - (2) The expected length of time that the air pollution control equipment will be out of service.
  - (3) The nature and quantity of emissions of air pollutants likely to be permitted during the shutdown period.
  - (4) Measures such as the use of off-shift labor and equipment that will be taken to minimize the length of the shutdown period.
  - (5) The reasons why it will be impossible or impractical to shutdown the operating source during the maintenance period.
- f. **Commercial Incineration, Inc.** shall to the extent possible, maintain and operate at all times, including periods of start-up, shutdown and malfunction, any affected source and the associated air pollution control equipment, in a manner consistent with the original manufacturers design specifications and in compliance with applicable rules and regulations and permit conditions.

- g. **Commercial Incineration, Inc.** shall maintain copies of all the monthly calibrations and inspections of the control equipments, if any. The permittee shall record in a logbook all the periods when the control equipment is in shutdown and the process continues its operation. All the records shall be available to the EQB personnel.
7. **Compliance Certification:** As specified under Rule 602(c)(2)(ix)(C) of the RCAP, the permittee shall submit each year a compliance certification. This certification must be submitted to both the Board and the EPA<sup>1</sup> no later than April 1<sup>st</sup> of each year. The compliance certification shall include, but is not limited to, the information required under Rule 603(c) of the RCAP as follows:
- a. The identification of each term or condition of the permit that is the basis of the certification; and
  - b. The compliance status. Each deviation shall be identified and taken into account in the compliance certification; and
  - c. A statement indicating whether the compliance was continuous or intermittent; and
  - d. The methods or other means used for determining the compliance status with each term and condition, currently and over the reporting period consistent with sections (a)(3)-(5) of Rule 603 of the RCAP; and
  - e. Identification of possible exceptions to compliance, any periods which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 (CAM) occurred; and
  - f. Such other facts as the Board may require to determine the compliance status of a source.
8. **Regulation Compliance:** As specified under Rule 115 of the RCAP, any violation to the RCAP, or to any other applicable rule or regulation, shall be grounds for the Board to suspend, modify, or revoke any relevant permit, approval, variance or other authorization issued by the Board.

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<sup>1</sup> The certification to the EQB shall be mailed to: Manager, Air Quality Area, P.O. Box 11488, San Juan, PR 00910. The certification to the EPA shall be mailed to: Chief, Enforcement and Superfund Branch CEPD, US EPA – Region II, Centro Europa Building, 1492 Ponce de Leon Ave. Stop 22, Santurce PR 00909.

9. **Location Approval:** As specified under Rule 201 of the RCAP, nothing in this permit shall be interpreted as authorizing the location or construction of a major stationary source, or the modification of a major stationary source, or a major modification of a significant source, without obtaining first a location approval from the Board and without first demonstrating compliance with the National Ambient Air Quality Standards (NAAQS). This permit does not allow the construction of new minor sources without the required permit under Rule 203 of the RCAP.
  
10. **Objectionable Odors:** As specified under Rule 420 of the RCAP, **Commercial Incineration, Inc.** shall not cause or permit emissions to the atmosphere of any matter which produces an *objectionable* odor that can be perceived in an area other than that designated for industrial purposes. If odors are detectable beyond **Commercial Incineration, Inc.** property perimeter, and complaints are received, the permittee shall investigate and take measures to minimize and/or eliminate the odors, if necessary. [This condition is enforceable only by the State].
  
11. **Permit Renewal Applications:** As established under Rule 602 (a)(1)(iv) of the RCAP, **Commercial Incineration, Inc.**'s applications for permit renewal shall be submitted at least 12 months prior to the date of permit expiration. A responsible official must certify all required applications consistent with paragraph (c)(3) of Rule 602 of the RCAP.
  
12. **Permit Duration:** As specified under Rule 603 of the RCAP, the following terms will apply during the duration of this permit:
  - a. **Expiration:** This authorization shall have a fixed term of 5 years. The expiration date will be automatically extended until the Board approves or denies a renewal application (Rule 605(c)(4)(ii) of the RCAP) but only in those cases where **Commercial Incineration, Inc.** submits a complete renewal application at least 12 months before the expiration date. [Rules 603 (a)(2), 605 (c)(2), and 605(c)(4) of the RCAP]
  
  - b. **Permit Shield:** As specified under Rule 605 (c)(4)(i) of the RCAP, the permit shield may be extended until the time the permit is renewed if a timely and complete renewal application is submitted.
  
  - c. In case that this permit is subject to any challenge by third parties, the permit shall remain in effect until the time it is revoked by a court of law with jurisdiction in the matter.

13. **Recordkeeping Requirement:** As established under Rule 603(a)(4)(ii) of the RCAP, **Commercial Incineration, Inc.** shall retain records of all required monitoring data and support information for a period of 5 years from the date of the monitoring sample, measurement, report, or application.
14. **Reporting Requirement:** As established under Rule 603(a)(5)(i) of the RCAP, **Commercial Incineration, Inc.** shall submit reports of all required monitoring every 6 months, or more frequently if required by the Board or any other underlying applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official as established under Rule 602(c)(3) of the RCAP.
15. **Deviations Reporting due to Emergencies:** According to Rule 603(a)(5)(ii) of the RCAP, any deviation resulting from an upset (such as sudden malfunction or breakdown) or emergency conditions, as defined in Rule 603(e) of the RCAP, must be reported within the next 2 working days of the time when emission limitations were exceeded due to the emergency, if **Commercial Incineration, Inc.** wishes to assert the affirmative defense authorized under Rule 603(e) of the RCAP. If **Commercial Incineration, Inc.** raises the emergency defense upon an enforcement action, the permittee shall demonstrate that such deviation occurred due to an emergency and that the Board was adequately notified. If such emergency deviation lasts for more than 24 hours, the affected units may be operated until the end of the cycle or 48 hours, whichever occurs first. The Board may only extend the operation of an emission source in excess of 48 hours, if the source demonstrates to the Board's satisfaction that the National Air Quality Standards have not been exceeded and that there is no risk to the public health.
16. **Deviation Reporting (Hazardous Air Pollutants):** The source shall act as specified in its Emergency Response Plan (established in Rule 107 (C) of the RCAP), when such Plan has demonstrated that there is no significant impact at the fenceline or shall shut down its operations immediately if there is a significant impact at the fenceline. (This condition is state-enforceable only). Pursuant to Rule 603 (a)(5)(ii)(b), a notification will be required if a deviation occurs that results in the release of emissions of hazardous air pollutants for more than an hour in excess of the applicable limit. The permittee shall notify the Board within 24 hours of the deviation. For the discharge of any regulated air pollutant that continues for more than 2 hours in excess of the applicable limit, the Permittee shall notify the Board within 24 hours of the deviation. The Permittee shall also submit to the Board, within 7 days of the deviation, a detailed written report which includes probable causes, time and duration of the deviation, remedial action taken, and steps which are being taken to prevent a reoccurrence.

17. **Severability Clause:** As established under Rule 603(a)(6) of the RCAP, the clauses in this permit are severable. In the event of a successful challenge to any portion of the permit in an administrative or judicial forum, or in the event any of its clauses is held to be invalid, all other portions of the permit shall remain valid and effective, including those related to emission limits, terms and conditions, be they specific or general, as well as monitoring, record keeping and reporting requirements.
18. **Permit Noncompliance:** As established under Rule 603(a)(7)(i) of the RCAP, **Commercial Incineration, Inc.** must comply with all conditions of this permit. Permit noncompliance constitutes a violation of the RCAP and will be grounds for taking the appropriate enforcement action, impose sanctions, revoke, terminate, modify, and/or reissue the permit, or to deny a permit renewal application.
19. **Defense not Allowed:** As specified under Rule 603(a)(7)(ii) of the RCAP, it shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
20. **Permit Modification and Revocation:** As specified under Rule 603(a)(7)(iii) of the RCAP, the permit may be modified, revoked, reopened, reissued, or terminated for cause. The filing of a request by **Commercial Incineration, Inc.** for a permit modification, revocation, reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
21. **Property Rights:** As specified under Rule 603(a)(7)(iv) of the RCAP, this permit does not convey any property rights of any sort, nor does it grant any exclusive privilege.
22. **Obligation to Furnish Information:** As specified under Rule 603(a)(7)(v) of the RCAP, **Commercial Incineration, Inc.** shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, **Commercial Incineration, Inc.** shall also furnish to the Board copies of records required to be kept by the permit.
23. **Changes in Operating Scenarios:** As specified under Rule 603(a)(10) of the RCAP, **Commercial Incineration, Inc.** shall record in a logbook, contemporaneously with making a change from one operating scenario to another, the scenario under which it is operating. This logbook must be kept at **Commercial Incineration, Inc.** facility at all times. This condition is applicable only if the permit includes alternate operating scenarios.

24. **Prohibition on Default Issuance:** As specified under Rule 605(d) of the RCAP, it shall never be considered that a permit has been issued by default as a result of the Board's failure to take final action on a permit application within 18 months as of the application completeness date. The Board's failure to issue a final permit within 18 months should be treated as a final action solely for the purpose of obtaining judicial review in a state court.
25. **Administrative Permit Amendments and Permit Modifications:** As specified under Rule 606 of the RCAP, the permit shall not be amended nor modified unless **Commercial Incineration, Inc.** complies with the requirements for administrative permit amendments and permit modifications as described in the RCAP.
26. **Permit Reopenings:** As specified under Rule 608(a)(1), this permit shall be reopened and revised under the following circumstances:
- a. Whenever additional applicable requirements under any law or regulation become applicable to **Commercial Incineration, Inc.**, when the remaining permit term is of 3 or more years. Such reopening shall be completed 18 months after promulgation of said applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended pursuant to Rule 605(c)(4)(i) or Rule 605(c)(4)(ii) of the RCAP.
  - b. Whenever EQB or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emission standards or other terms or conditions of the permit.
  - c. Whenever EQB or EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
27. **Changes in Name or Responsible Official:** This permit is issued to **Commercial Incineration, Inc.** In the event that the company and/or installation change its name, the responsible official must submit an administrative amendment to this permit to reflect the change in name. If the event that the responsible official changes, the new responsible official must submit no later than 30 days after the change, an administrative amendment including a sworn statement in which he/she accepts and promises to comply with all the conditions of this permit.

28. **Changes in Ownership:** This permit is issued to **Commercial Incineration, Inc.** In the event that the company and/or installation is transferred to a different owner or change operational control and the Board determines that no other change in the permit is necessary, the new responsible official must submit an administrative amendment. The administrative amendment shall include a sworn statement in which the new responsible official accepts and promises to comply with all the conditions of this permit, and a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee. This is not applicable if the Board determines that changes to the permit are necessary.
29. **Renovation/Demolition Work:** **Commercial Incineration, Inc.** shall comply with the provisions set forth in 40 CFR §61.145 and §61.150, and Rule 422 of the RCAP when conducting any renovation or demolition activities of asbestos containing materials at the facility.
30. **Risk Management Plan:** If during the effectiveness of this permit, the permittee is subject to the 40 CFR Part 68, he/she shall submit a Risk Management Plan according with the compliance schedule in the 40 CFR Section 68.10. If during the effectiveness of this permit, the permittee is subject to the 40 CFR Part 68, as part of the annual compliance certification required under 40 CFR Part 70, the permittee shall submit a compliance certification with the requirements of Part 68, including the recordkeeping and the Risk Management Plan.
31. **General Duty Requirements:** **Commercial Incineration, Inc.** has the general obligation of identifying hazards which may result from accidental releases of any controlled substance under section 112(r) of the Clean Air Act or any other extremely hazardous substance in a process, using appropriate hazard assessment techniques, designing, maintaining, and operating a safe facility and minimizing the consequences of accidental releases if they occur as required in section 112(r)(1) of the Clean Air Act and Rule 107(D) of the RCAP.
32. **Requirements for Refrigerants (Climatologic and Stratospheric Ozone Protection):**
- a. In the event that **Commercial Incineration, Inc.** has equipment or appliances, including air conditioning units, which use Class I or II refrigerants as defined in 40 CFR part 82, subpart A, Appendices A and B, **Commercial Incineration, Inc.** shall take the necessary measures to ensure that all maintenance, service or repair services performed are done so according to the practices, certification and personnel requirements, disposition requirements, and recycling and/or recovery equipment certification requirements specified under 40 CFR part 82, subpart F.

- b. Owners/ operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR §82.166.
  - c. Service on Motor Vehicles: If **Commercial Incineration, Inc.** performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), **Commercial Incineration, Inc.** is subject to all the applicable requirements as specified in 40 CFR part 82, subpart B, Servicing of Motor Vehicle Air Conditioners. The term motor vehicle as used in subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term MVAC as used in subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo or system used on passenger buses using HCFC-22 refrigerant.
33. **Labeling of Products Using Ozone-Depleting Substances: Commercial Incineration, Inc.** shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR part 82, subpart E.
- a. All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to §82.106
  - b. The placement of the required warning statement must comply with the requirements pursuant to §82.108.
  - c. The form of the label bearing the required warning statement must comply with the requirements pursuant to §82.110.
  - d. No person may modify, remove, or interfere with the required warning statement except as described in §82.112.
34. **Roof Surface Coating: Commercial Incineration, Inc.** shall not cause or permit the roof surface coating by applying hot tar or any other coating material containing organic compounds without previous notification to the Board. The use of used oil or hazardous waste for roof surface coating is prohibited. [This is a state-only requirement.]
35. **Open Burning:** As specified under the Rule 402 of the RCAP, the permittee shall not cause or permit the open burning of refuse in their premises except as established under Rule 402 (E) of the RCAP to conduct training or research of fire fighting techniques, as previously approved by the Board.

36. **Fugitive Emissions:** Compliance with Rule 404 of the RCAP:

- a. **Commercial Incineration Inc.** shall use water or suitable chemicals for chemical stabilization and the control of dust in the demolition of a building or structures, construction operations, quarrying operations, the grading of roads, or the clearing of lands.
- b. **Commercial Incineration, Inc.** shall not cause or permit the discharge of visible emissions of fugitive dust beyond the boundary line of the property on which the emissions originate.
- c. When air pollutants escape from a building or equipment and cause and nuisance or violate any regulations, the Board may order that building or equipment in which processing, handling, and storage are done, be tightly closed and/or ventilated so that all emissions from the building or equipment are controlled to remove or destroy such air pollutants before being discharged to the open air. The implementation of this measure should not create occupational health hazards.

37. **Compliance Clause:** Under no circumstances does compliance with this permit exempt **Commercial Incineration, Inc.** from complying with all other applicable state or federal laws, regulations, permits, administrative orders or applicable court orders.

38. **Emissions Calculations:** **Commercial Incineration, Inc.** shall submit, on or before April 1<sup>st</sup> of each year, the actual or permissible emissions calculations for the previous calendar year. The emissions calculations shall be submitted on the forms prepared by EQB for this purpose and the responsible official must certify all the information submitted as true, correct and representative of the permitted activity.

39. **Annual fee:** As specified under Rule 610 of the RCAP, **Commercial Incineration, Inc.** must submit an annual payment based on the emissions calculations for each regulated pollutant. The payment will be based on their actual emissions at a rate of \$37.00 per ton, unless the Board decides otherwise as permitted under Rule 610(b)(2)(iv) of the RCAP. This payment for the previous calendar year must be made on or before June 30 of each year.

40. **New or Amended Regulation:** Whether a federal or state regulation is promulgated or amended and the facility is affected by it, the owner or operator shall comply with the requirements of the new or amended regulation.

41. **Reports:** Any requirement of information submittal to the Board shall be addressed to: Manager, Air Quality Area, P.O. Box 11488, San Juan, P.R. 00910.

42. **Reservation of Rights:** Except as expressly provided in this Title V permit:

- a. Nothing herein shall prevent EPA or the Board from taking administrative enforcement measures or seeking legal or equitable relief to enforce the terms of the Title V permits, including but not limited to the right to seek injunctive relief, and imposition of statutory penalties, and/or fines.
- b. Nothing herein shall be construed to limit the rights of EPA or the Board to undertake any criminal enforcement activity against **Commercial Incineration, Inc.** or any person.
- c. Nothing herein shall be construed to limit the authority of EPA or the Board to undertake any actions in response to conditions that present an imminent and substantial endangerment to public health or welfare, or the environment.
- d. Nothing herein shall be construed to limit **Commercial Incineration, Inc.'s** rights to administrative hearing and judicial appeal of termination/ revocation/ disputes over modification/ denial actions in accordance with regulations and the Environmental Public Policy Act.

**Section IV – Allowable Emissions**

- A. The emissions described on the following table represent the facility allowable emissions at the moment of the permit application and will be used only for payment purposes. According to Resolution RI-06-02<sup>2</sup>, the emission calculations shall be based on **Commercial Incineration, Inc.'s** actual emissions, although calculations based on the facility allowable emissions will be accepted. If **Commercial Incineration, Inc.** decides to realize the calculations based on allowable emissions, **Commercial Incineration, Inc.** shall pay the same charge per ton as the facilities that decide to do the calculations based on actual emissions. Also, when **Commercial Incineration, Inc.** applies for a modification, administrative change or minor modification to its Title V permit, the source will pay only those charges related with any emission increase (if any) per tonnage, based on the change and not based on the total fees paid previously according to Rule 610(a) of the RCAP.

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<sup>2</sup> EQB Resolution - Payment procedure of Title V operation fees and charges for Title V renewal permits (Procedimiento de Pago de los cargos de operación de Título V y Cargos por renovación de permiso Título V) issued on March 20, 2006.

The emission factor to calculate the allowable emissions should be taken from Table 8 – Emission Factor for Commercial and Industrial Solid Waste Incinerator (uncontrolled multiple chambers), under the State Plan for CISWI that is included in Appendix 1 (See Table 5 in Appendix I in this permit). Yearly payment may vary depending on annual charge rate.

Pollutants	Maximum Annual Charge Rate (Ton/yr)
	Emissions (Ton/yr)
CDD/CDF TEQ	2,860 2.600E-06
CO	14.30
PM	10.01
HCl	64.06
Pb	0.109
SO <sub>2</sub>	3.575
Hg	0.106
Cd	0.012
NO <sub>x</sub>	4.290

**Section V – Specific Permit Conditions**

**A. Emission Unit: EU-1 (CISWI unit) – Atlas 2500AR Waste Incinerator:**

1. Pursuant to Rule 405(c)(1)(C) of the RCAP, if the permittee makes changes that meet the definition of modification or reconstruction on or after June 1, 2001 the CISWI unit will be subject to 40 CFR part 60 subpart CCCC (Standards of Performance for Commercial and Industrial Solid Waste Incineration) and the State plan will no longer apply to the unit.
2. As established under Rule 405(c)(1)(D) of the RCAP, if the permittee makes physical or operational changes to the existing CISWI unit primarily to comply with the State Plan, the 40 CFR part 60 subpart CCCC does not apply to that unit, as such changes are not considered modifications or reconstructions.
3. Unit EU-1 shall only burn solid commercial and industrial non-hazardous solid waste. Unit EU-1 is not allowed to burn hazardous waste or hospital or medical infectious waste.

4. Unit EU-1 is limited to operate a maximum of 4,576 hours per year at a rate of 1,250 lb/hr (5,720,000 lb/yr in a 365 day rolling average) of commercial or industrial solid non-hazardous waste. [PFE-SM-16-0297-0179-III-O, accumulative increase]
5. The maximum consumption of propane as back up fuel in unit EU-1 shall not exceed 102,960 gallons per year with maximum sulfur content of 0.000167% by weight. [Rule 410 of RCAP, accumulative increase]
6. The permittee shall install, maintain and use a weight balance to determine and record the charge of waste to unit EU-1 and maintain a daily record of the weight and type of waste charged to the unit EU-1.
7. The permittee shall keep a copy of the propane supplier certification indicating the fuel sulfur content to demonstrate compliance with the requirement of keeping a daily record of the sulfur content in the fuel. The permittee shall submit to EQB a monthly report indicating the daily fuel consumption and the sulfur content, by weight, for the propane consumed in unit EU-1. This report shall be submitted to the Board within the first 15 days of the month following for which the report is representative. The report shall be addressed to the Chief of the Validations Data and Mathematical Model Division and shall be kept available at any time at the facility for EQB and EPA revision. [Rule 410 of the RCAP]
8. As specified in Rule 603(a)(4)(ii) of the RCAP, the permittee shall retain all records of required monitoring data and supporting information for a period of 5 years from the date of the monitoring sample, measurement, report or application. These include the records of the waste charged to the unit and the fuel consumption reports.

**B. Emission Limitations and Operating Limits**

1. On the date that the initial performance test is completed or is required to be completed under the Rule 405 of the RCAP, whichever date comes first; **Commercial Incineration, Inc.** must meet the emission limitations specified in Table 1 (See Table 1 of Appendix I of this permit) of Rule 405(c) of the RCAP. [Rule 405(c)(2)(A) of the RCAP]
2. On the date that the initial performance test is completed or is required to be completed, whichever date comes first, the designated facility must meet the established operating limits. [Rule 405(c)(2)(C) of the RCAP]

3. If an air pollution control devices other than a wet scrubber is used, or emissions are limited in some other manner, to comply with the emission limitations under Rule 405(c)(2) of the RCAP, the owner or operator of a designated facility must petition EQB for specific operating limits to be established during the initial performance test and continuously monitored thereafter. The initial performance test must not be conducted until after the petition has been approved by the Administrator. According to Rule 405(c)(2)(E) of the RCAP, the petition must include the following items:
  - a. Identification of the specific parameters proposed to use as additional operating limits.
  - b. A discussion of the relationship between these parameters and emissions of regulated pollutants, identifying how emissions of regulated pollutants change with changes in these parameters, and how limits on these parameters will serve to limit emissions of regulated pollutants.
  - c. A discussion of how will establish the upper and/or lower values for these parameters, which will establish the operating limits on these parameters.
  - d. A discussion identifying the method that will be used to measure and the instrument that will be used to monitoring these parameters, as well as the relative accuracy and the precision of these methods and instruments.
  - e. A discussion identifying the frequency and methods for recalibrating the instruments that will be used for monitoring these parameters.
4. The emission limitations and operating limits apply at all times except during EU-1 unit startups, shutdowns, or malfunctions. Each malfunction must last no longer than 3 hours. [Rule 405(c)(2)(F) of the RCAP]

**C. Requirements for Operators Training and Qualification**

Pursuant to Rule 405(c)(3) of the RCAP:

1. No CISWI unit can be operated unless a fully trained and qualified CISWI unit operator is accessible, either at the facility or can be at the facility within 1 hour. The trained and qualified CISWI unit operator may operate the CISWI unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified CISWI unit operators are temporarily not accessible, the procedures in Rule 405 section (c)(3)(L) must be followed.

2. Operator training and qualification must be obtained through a program approved by the Board or by completing the requirements included in paragraph (c)(3)(C) under Rule 405 of the RCAP. [Rule 405(c)(3)(B) of the RCAP]
3. Training must be obtained by completing an incinerator operator training course that includes training, at a minimum, the elements described in the following paragraphs:
  - a. Training on the subjects listed in the following paragraphs:
    - (1) Environmental concerns, including types of emissions.
    - (2) Basic combustion principles, including products of combustion.
    - (3) Operation of the specific type of incinerator to be used by the operator, including proper startup, waste charging and shutdown procedures.
    - (4) Combustion controls and monitoring.
    - (5) Operation of air pollution control equipment and factors affecting performance (if applicable).
    - (6) Inspection and maintenance of the incinerator and air pollution control devices.
    - (7) Actions to correct malfunctions or conditions that may lead to malfunction.
    - (8) Bottom and fly ash characteristics and handling procedures.
    - (9) Applicable Federal, State, and local regulations, including Occupational Safety and Health Administration workplace standards.
    - (10) Pollution prevention, and
    - (11) Waste management practices.
  - b. An examination designed and administered by the instructor.

- c. Written material covering the training course topics that can serve as reference material following completion of the course.
4. As established under Rule 405(c)(3)(D) of the RCAP, the operator training course must be completed by the later of the three dates specified in the following paragraphs:
  - a. The final compliance date.
  - b. Six months after CISWI unit startup.
  - c. Six months after an employee assumes responsibility for operating the CISWI unit or assumes responsibility for supervising the operation of the CISWI unit.
5. The operator qualification must be obtained by completing a training course that satisfies the criteria under Rule 405(c)(3)(B) of the RCAP. [Rule 405(c)(3)(E) of the RCAP]
6. Qualification is valid from the date on which the training course is completed and the operator successfully passes the examination required under Rule 405(c)(3)(C)(ii). [Rule 405(c)(3)(F) of the RCAP]
7. Pursuant to Rule 405(c)(3)(G) of the RCAP to maintain qualification, **Commercial Incineration, Inc** must complete an annual review or refresher course covering at a minimum, the topics described in the following paragraphs:
  - a. Update of regulations.
  - b. Incinerator operation, including startup and shutdown procedures, wastes charging, and ash handling.
  - c. Inspection and maintenance.
  - d. Responses to malfunctions or conditions that may lead to malfunction.
  - e. Discussion of operating problems encountered by attendees.
8. **Commercial Incineration Inc.** must renew a lapsed operator qualification by one of the methods specified in the following paragraphs: [Rule 405(c)(3)(H) of the RCAP]

- a. For a lapse of less than 3 years, you must complete a standard annual refresher course describe in condition 7 of this section.
  - b. For a lapse of 3 years or more, **Commercial Incineration, Inc.** must repeat the initial qualification requirements in condition 5 of this section.
9. Pursuant to Rule 405(c)(3)(I) of the RCAP, documentation must be available at the facility and readily accessible for all CISWI unit operators that addresses the ten topics described below. Must maintain this information and the training records required by Rule 405(c)(3)(K) of the RCAP in a manner that they can be readily accessed and are suitable for inspection upon request.
  - a. Summary of the applicable standards under the Rule 405 of the RCAP.
  - b. Procedures for receiving, handling and charging waste.
  - c. Incinerator startup, shutdown, and malfunction procedures.
  - d. Procedures for maintaining proper combustion air supply levels.
  - e. Procedures for operating the incinerator and associated air pollution control systems within the standards established under this rule.
  - f. Monitoring procedures for demonstrating compliance with the incinerator operating limits.
  - g. Reporting and record keeping procedures.
  - h. The waste management plan required under Rule 405(c)(4)(A) through (c)(4)(C) of the RCAP.
  - i. Procedures for handling ash.
  - j. A list of the wastes burned during the performance test.
10. **Commercial Incineration, Inc.** must establish a program for reviewing the information listed in condition 9 of this section, with each incinerator operator. [Rule 405(c)(3)(J) of the RCAP]

- a. The initial review of the information listed in Rule 405(c)(3)(I) (Condition 9 of this section) must be conducted by the later of the three dates specified in the following paragraphs:
    - (1) The final compliance date.
    - (2) Six month after CISWI unit startup.
    - (3) Six months after being assigned to operate the CISWI unit.
  - b. Subsequent annual reviews of the information listed in Rule 405(c)(3)(I) must be conducted no later than 12 months following the previous review.
11. Pursuant to Rule 405(c)(3)(K) of the RCAP, **Commercial Incineration, Inc.** must also maintain the information specified in the following paragraphs:
- a. Records showing the names of CISWI unit operators who have completed review of the information in Rule 405(c)(3)(I) as required by Rule 405(c)(3)(J), including the date of the initial review and all subsequent annual reviews.
  - b. Records showing the names of the CISWI operators who have completed the operator training requirements under Rule 405(c)(3)(A), met the criteria for qualification under Rule 405(c)(3)(E), and maintained or renewed their qualification under Rule 405(c)(3)(G) or (c)(3)(H) of the RCAP. Records must include documentation of training, the dates of the initial refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.
  - c. For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.
12. If all qualified operators are temporarily not accessible (i.e., not at the facility and not able to be at the facility within 1 hour), the designated facility must meet one of the two criteria specified in the paragraphs below, depending on the length of time that a qualified operator is not accessible. [Rule 405(c)(3)(L) of the RCAP]

- a. When all qualified operators are not accessible for more than 8 hours, but less than 2 weeks, the CISWI unit may be operated by other plant personnel familiar with the operation of the CISWI unit who have completed a review of the information specified in Rule 405(c)(3)(I) within the past 12 months. However, must record the period when all qualified operators were not accessible and include this deviation in the annual report as specified under Rule 405(c)(7)(G).
- b. As specified under Rule 405(c)(3)(L)(ii) of the RCAP, when all qualified operators are not accessible for 2 weeks or more, must take the two actions that are described in the following paragraphs:
  - (1) Notify the EPA and the Board of this deviation in writing within 10 days. In the notice, state what caused this deviation, what you are doing to ensure that a qualified operator is accessible, and when you anticipate that a qualified operator will be accessible.
  - (2) Submit a status report to the EPA and to the Board every 4 weeks outlining what you are doing to ensure that a qualified operator is accessible, stating when you anticipate that a qualified operator will be accessible and requesting approval from the EPA to continue operation of the CISWI unit. Must submit the first status report 4 weeks after notifying the EPA and the Board of the deviation under Rule 405(c)(3)(L)(ii)(1). If the EPA notifies you that your request to continue operation of the CISWI unit is disapproved, the CISWI unit may continue operation for 90 days, then must cease operation. Operation of the unit may resume if you meet the two requirements in the following paragraphs:
    - i. A qualified operator is accessible as required under Rule 405(c)(3)(A).
    - ii. Notify the EPA and the Board that a qualified operator is accessible and that **Commercial Incineration Inc.** are resuming operation.

**D. Waste Management Plan<sup>3</sup>**

1. The owner or operator of a designated facility must submit a waste management plan no later than the date for submittal of the final control plan. [Rule 405(c)(4)(B) of the RCAP]
2. Pursuant to Rule 405(c)(4)(C) of the RCAP, a waste management plan must include consideration of the reduction or separation of waste -stream elements such as paper, cardboard, plastics, glass, batteries, or metals; or the use of recyclable materials. The plan must identify any additional waste management measures, and the source must implement those measures considered practical and feasible, based on the effectiveness of waste management measures already in place, the costs of additional measures, the emissions reductions expected to be achieved, and any other environmental or energy impacts they might have.

**E. Performance Testing**

1. All performance tests must consist of a minimum of three test runs conducted under conditions representative of normal operations. [Rule 405(c)(5)(A) of the RCAP]
2. Must document that the waste burned during the performance test is representative of the waste burned under normal operating conditions by maintaining a log of the quantity of waste burned (as required in Rule 405(c)(7)(A)(ii)(1)) and the types of waste burned during the performance test.
3. All performance tests must be conducted using the minimum run duration specified in Table 1 (See Appendix I of this permit.) of the Rule 405. [Rule 405(c)(5)(C) of the RCAP]
4. Method 1 of appendix A of 40 CFR Part 60 and contained in the Rule 405 must be used to select the sampling location and number of traverse points.

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<sup>3</sup> A waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream in order to reduce or eliminate toxic emissions from incinerated waste. [Rule 405(c)(4)(C) of the RCAP]

5. Method 3A or 3B of appendix A of 40 CFR Part 60 and contained in the Rule 405 must be used for gas composition analysis, including measurement of oxygen concentration. Method 3A or 3B must be used simultaneously with each method.
6. As established under Rule 405(c)(5)(F) of the RCAP, all pollutants concentrations, except for opacity, must be adjusted to 7 percent oxygen using the following equation:

$$C_{adj} = C_{meas} (20.9-7) / (20.9-\%O_2)$$

Where:

$C_{adj}$  = pollutant concentration adjusted to 7 percent oxygen;

$C_{meas}$  = pollutant concentration measured on a dry basis;

$(20.9-7)$  = 20.9 percent oxygen - 7 percent oxygen (defined oxygen correction basis);

20.9 = oxygen concentration in air, percent; and

$\%O_2$  = oxygen concentration measured on a dry basis, percent.

7. **Commercial Incineration, Inc.** must determine dioxins/furans toxic equivalency by following the procedures in paragraphs below:
  - a. Measure the concentration of each dioxin/furan tetra-through octa-congener emitted using EPA Method 23, contained in Rule 405 of the RCAP.
  - b. For each dioxin/furan congener measured in accordance with paragraph (c)(5)(G)(i) of Rule 405, multiply the congener concentration by its corresponding toxic equivalency factor specified in Table 3 (See Appendix I of this permit) of the Rule 405.
  - c. Sum the products calculated in accordance with paragraph (c)(5)(G)(ii) of Rule 405 to obtain the total concentration of dioxins/furans emitted in terms of toxic equivalency.

8. **Commercial Incineration, Inc.** must use results of the performance tests to demonstrate compliance with the emission limitations in Table 1 (See Appendix I of this permit) of the Rule 405. [Rule 405(c)(5)(H) of the RCAP]

**F. Monitoring Requirements**

1. If something other than a wet scrubber is used to comply with the emission limitation under Rule 405(c)(2)(A), **Commercial Incineration, Inc.** must install, calibrate (to the manufacturer's specifications), maintain, and operate the equipment necessary to monitor compliance with the site-specific operating limits established using the procedures in Rule 405(c)(2)(E). [Rule 405(c)(6)(C) of the RCAP]
2. Except for monitoring malfunctions, associated repairs, and required quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments of the monitoring system), you must conduct all monitoring at all times the CISWI unit is operating. [Rule 405(c)(6)(D) of the RCAP]
3. Do not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or quality control activities for meeting the requirements of this rule, including data averages and calculations. **Commercial Incineration, Inc.** must use all the data collected during all other periods in assessing compliance with the operating limits. [Rule 405(c)(6)(E) of the RCAP]

**G. Recordkeeping and Reporting Requirements**

1. Pursuant to Rule 405(c)(7) of the RCAP, **Commercial Incineration Inc.** must maintain the items (as applicable) as specified in the following paragraphs for a period of at least 5 years:
  - a. Calendar date of each record.
  - b. Records of the data described in the following paragraphs:
    - (1) The CISWI unit charge dates, times, weights, and hourly charge rates.

- (2) For affected CISWI unit that establish operating limits for control other than wet scrubbers under Rule 405(c)(2)(E) of the RCAP, **Commercial Incineration, Inc.** must maintain data collected for all operating parameters used to determine compliance with the operating limits.
- c. Identification of calendar dates and times for which monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control (except for downtime associated with zero and span and other routine calibration checks). Identify the operating parameters not measured, the duration, reasons for not obtaining the data, and a description of corrective actions taken.
  - d. Identification of calendar dates, times, and durations of malfunctions and a description of the malfunction and the corrective action taken.
  - e. Identification of calendar dates and times for which data show a deviation from the operating limits in Table 2 (See Appendix I of this permit) of the Rule 405 or a deviation from other operating limits established under Rule 405(c)(2)(E) with a description of the deviations, reasons for such deviations, and a description of corrective actions taken.
  - f. The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable. Retain a copy of the complete test report including calculations.
  - g. Records showing the names of CISWI unit operators who have completed review of the information in this permit as required by Rule 405(c)(3)(J), including the date of the initial review and all subsequent annual reviews.
  - h. Records showing the names of the CISWI operators who have completed the operator training requirements under Rule 405(c)(3)(A) of the RCAP, met the criteria for qualification under Rule 405(c)(3)(E), and maintained or renewed their qualification under Rule 405(c)(3)(G) or (c)(3)(H). Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

- i. For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.
  - j. Records of calibration of any monitoring devices as required under Rule 405(c)(6) of the RCAP.
  - k. Equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment.
  - l. The information listed in Rule 405(c)(3)(I).
  - m. On a daily basis, keep a log of the quantity of waste burned and the types of waste burned (always required).
2. Pursuant to Rule 405(c)(7)(B) of the RCAP, all records must be available onsite in either paper copy or computer-readable format that can be printed upon request, unless an alternative format is approved by the Administrator.
3. The reporting requirements are summarized in Table 4 (See Table 3 of Appendix I of this permit) of the Rule 405. [Rule 405(c)(7)(C) of the RCAP]
4. The waste management plan must be submitted no later than the date for submittal of the final control plan. [Rule 405(c)(7)(D) of the RCAP]
5. **Commercial Incineration, Inc.** must submit the information specified in the following paragraphs no later than 60 days following the initial performance test. The facilities manager must sign all reports. [Rule 405(c)(7)(E) of the RCAP]
  - a. The complete test report for the initial performance test results obtained under Rule 405(c)(9), as applicable.
  - b. The values for the site-specific operating limits established in Rule 405(c)(2)(C) or (c)(2)(E) of the RCAP, as applicable.

6. As established under Rule 405(c)(7)(F) of the RCAP, an annual report must be submitted no later than 12 months following the submission of the information in Rule 405(c)(7)(E). Subsequent reports must be submitted no more than 12 months following the previous report. If the unit is subject to permitting requirement under Title V of the Clean Air Act or the Part VI of the RCAP, it may be required to submit these reports more frequently.
7. The annual report required under Rule 405(c)(7)(F) must include the items listed in the following paragraphs. If there is a deviation from the operating limits or the emission limitations, also a deviation report must be submitted as specified in Rule 405(c)(7)(H), (c)(7)(I), (c)(7)(J), (c)(7)(K) and (c)(7)(L) of the RCAP. [Rule 405 (c)(7)(G) of the RCAP]
  - a. Company name and address.
  - b. Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.
  - c. Date of report and beginning and ending dates of the reporting period.
  - d. The values for the operating limits established pursuant to Rule 405(c)(2)(C) or (c)(2)(E) of RCAP.
  - e. If no deviation from any emission limitation or operating limit that applies to **Commercial Incineration, Inc.** has been reported, a statement that there was no deviation from the emission limitations or operating limits during the reporting period, and that no monitoring system used to determine compliance with the operating limits was inoperative, inactive, malfunctioning or out of control.
  - f. The highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported.
  - g. Information recorded under Rule 405(c)(7)(A)(ii)(6) and (c)(7)(A)(iii) through (v) for the calendar year being reported.
  - h. If a performance test was conducted during the reporting period, the results of that test.

- i. If **Commercial Incineration, Inc.** met the requirements of Rule 405(c)(10)(A) or (B), and did not conduct a performance test during the reporting period, you must state that you met the requirements of Rule 405(c)(10)(A) or (B), and, therefore, you were not required to conduct a performance test during the reporting period.
  - j. Documentation of periods when all qualified CISWI unit operators was unavailable for more than 8 hours, but less than 2 weeks.
8. **Commercial Incineration, Inc.** must submit a deviation report if any recorded 3-hour average parameter level is above the maximum operating limit or below the minimum operating limit established under this permit, if the bag leak system alarm sounds for more than 5 percent of the operating time for the 6-month reporting period, or if a performance test was conducted that deviated from any emission limitation. [Rule 405(c)(7)(H) of the RCAP]
9. The deviation report must be submitted by August 1 of that year for data collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data collected during the second half of the calendar year (July 1 to December 31). [Rule 405(c)(7)(I) of the RCAP]
10. In each report required under Rule 405(c)(7)(H) and (I), for any pollutant or parameter that deviated from the emission limitations or operating limits specified in the Rule 405, include the six items described in the following paragraphs:
  - a. The calendar dates and times the unit deviated from the emission limitations or operating limit requirements.
  - b. The averaged and recorded data for those dates.
  - c. Duration and causes of each deviation from the emission limitations or operating limits and your corrective actions.
  - d. A copy of the operating limit monitoring data during each deviation and any test report that documents the emission levels.
  - e. The dates, times, number, duration, and causes for monitoring downtime incidents (other than downtime associated with zero, span, and other routine calibration checks).

- f. Whether each deviation occurred during a period of startup, shutdown, or malfunction, or during another period.
  - g. If all qualified operators are not accessible for 2 weeks or more, you must take the two actions in the following paragraphs:
    - (1) Submit a notification of the deviation within 10 days that includes the three items in the following paragraphs:
      - i. A statement of what caused the deviation.
      - ii. A description of what you are doing to ensure that a qualified operator is accessible.
      - iii. The date when you anticipate that a qualified operator will be available.
    - (2) Submit a status report to the EPA and to the Board every 4 weeks that includes the three items in the following paragraphs:
      - i. A description of what you are doing to ensure that a qualified operator is accessible.
      - ii. The date when you anticipate that a qualified operator will be accessible.
      - iii. Request approval from the EPA to continue operation of the CISWI unit.
11. If your unit was shutdown by the EPA, under the provisions of the Rule 405(c)(3)(L)(ii)(2), due to a failure to provide an accessible qualified operator, you must notify the EPA and the Board that you are resuming operation once a qualified operator is accessible. [Rule 405(c)(7)(L) of the RCAP]
12. Pursuant to Rule 405(c)(7)(M) of the RCAP, **Commercial Incineration, Inc.** must submit notifications as provided in 40 CFR section 60.7 and Rule 405 of the RCAP.

13. Submit initial, annual, and deviation reports electronically or in paper format, postmarked on or before the submittal due dates. [Rule 405(c)(7)(N) of the RCAP]
14. If EQB agrees, **Commercial Incineration, Inc.** may change the semiannual or annual reporting dates. Refer to 40 CFR section 60.19 (c) and in the Rule 405 of the RCAP for procedures to seek approval to change the reporting date. [Rule 405(c)(7)(O) of the RCAP]

#### **H. Increments of Progress**

1. As established under Rule 405(c)(8)(A) of the RCAP, if **Commercial Incineration Inc.** plans to achieve compliance more than one year following the effective date of State Plan approval, **Commercial Incineration Inc.** must meet the two increments of progress specified in the following paragraphs:
  - a. Submit a final control plan.
  - b. Achieve final compliance.
2. Table 5 (See Table 4 of the Appendix I of this permit) of the Rule 405 specifies the compliance dates for each of the increment of progress.
3. The notification of achievement of increments of progress must include the three items specified in the following paragraphs:
  - a. Notification that the increment of progress has been achieved.
  - b. Any items required to be submitted with each increment of progress.
  - c. Signature of the owner or operator of the CISWI unit.
4. Notifications for achieving increments of progress must be postmarked no later than 10 business days after the compliance date for the increment. [Rule 405(c)(8)(D) of the RCAP]

5. If **Commercial Incineration, Inc.** fail to meet an increment of progress, you must submit a notification to the EPA and to the Board, postmarked within 10 business days after the date for that increment of progress in Table 5 (See Table 4 of the Appendix I of this permit) of the Rule 405 of the RCAP. **Commercial Incineration, Inc.** must inform the EPA and the Board that **Commercial Incineration, Inc.** did not meet the increment, and **Commercial Incineration, Inc.** must continue to submit reports each subsequent calendar month until the increment of progress is met. [Rule 405(c)(8)(E) of the RCAP]
6. As established under Rule 405(c)(8)(F) of the RCAP, for your control plan increment of progress, you must satisfy the two requirements specified in the following paragraphs:
  - a. Submit the final control plan that includes the five items described as follows:
    - (1) A description of the devices for air pollution control and process changes that you will use to comply with the emission limitations and other requirements of the Rule 405.
    - (2) The types of waste to be burned.
    - (3) The maximum design waste burning capacity.
    - (4) The anticipated maximum charge rate.
    - (5) If applicable, the petition for site-specific operating limits under Rule 405(c)(2)(E) of the RCAP.
    - (6) Maintain an onsite copy of the final control plan.
7. For the final compliance increment of progress, **Commercial Incineration, Inc.** must complete all process changes and retrofit construction of control devices, as specified in the final control plan, so that, if the affected CISWI unit is brought online, all necessary process changes and air pollution control devices would operate as designed. [Rule 405(c)(8)(G) of the RCAP]
8. If **Commercial Incineration, Inc.** close your CISWI unit but will restart it prior to the final compliance date in the State plan, you must meet the increments of progress specified in Rule 405(c)(8)(A) of the RCAP.

9. If **Commercial Incineration, Inc.** close your CISWI unit but will restart it after your final compliance date, you must complete emission control retrofits and meet the emission limitations and operating limits on the date your unit restarts operation. [Rule 405(c)(8)(I) of the RCAP]
10. If **Commercial Incineration, Inc.** plan to close your CISWI unit rather than comply with the State plan, submit a closure notification, including the date of closure, to the EPA and to the Board by the date your final control plan is due. [Rule 405(c)(8)(J) of the RCAP]
11. Pursuant to Rule 405(c)(8)(K) of the RCAP, if your unit is to be exempted, you must request the exemption by written, as specified in Rule 405(c)(1)(B), by the date the final control plan is due.

#### **I. Initial Compliance Requirements**

1. As specified under Rule 405(c)(9)(A) of the RCAP, **Commercial Incineration, Inc.** must conduct an initial performance test, as required under 40 CFR Section 60.8 and contained in Rule 405(c) of the RCAP, to determine compliance with the emission limitations in Table 1 (See Appendix I of this permit) of the Rule 405 and to establish operating limits using the procedure in Rule 405(c)(2)(C) or (c)(2)(E) of the RCAP, as applicable. The initial performance test must be conducted using the test methods listed in Table 1 of the Rule 405 and the procedures in Rule 405(c)(5) of the RCAP.
2. The initial performance test must be conducted no later than 180 days after your final compliance date. Your final compliance date is specified in Table 5 of the Rule 405 (See Table 4 of the Appendix I of this permit). [Rule 405(c)(9)(B) of the RCAP]

#### **J. Continuous Compliance Requirements**

1. Pursuant to Rule 405(c)(10)(A) of the RCAP, **Commercial Incineration Inc.** must conduct an annual performance test for particulate matter, hydrogen chloride, and opacity for each CISWI unit to determine compliance with the emission limitations. The annual performance test must be conducted using the test methods listed in Table 1 of the Rule 405 and the procedures in Rule 405(c)(5) of the RCAP.

2. **Commercial Incineration, Inc.** must continuously monitor the operating parameters specified in Rule 405(c)(2)(C) or (c)(2)(E) of the RCAP, as applicable. Operation above the established maximum or below the established minimum operating limits constitutes a deviation from the established operating limits. Three-hour rolling average values are used to determine compliance (except for baghouse leak detection system alarms) unless a different averaging period is established under Rule 405(c)(2)(E). Operating limits do not apply during performance tests. [Rule 405(c)(10)(B) of the RCAP]
3. **Commercial Incineration, Inc.** must only burn the same types of waste used to establish operating limits during the performance test. [Rule 405(c)(10)(C) of the RCAP]
4. Pursuant to Rule 405(c)(10)(D) of the RCAP, **Commercial Incineration, Inc.** must conduct annual performance tests for particulate matter, hydrogen chloride, and opacity within 12 months following the initial performance test. Conduct subsequent annual performance tests within 12 months following the previous one.
5. **Commercial Incineration, Inc.** can test less often for a given pollutant if you have test data for at least 3 years, and all performance tests for the pollutant (particulate matter, hydrogen chloride or opacity) over 3 consecutive years show that you comply with the emission limitation. In this case, you do not have to conduct a performance test for that pollutant for the next 2 years. You must conduct a performance test during the third year and no more than 36 months following the previous performance test. [Rule 405 (c)(10)(E) of the RCAP]
6. If your CISWI unit continues to meet the emission limitation for particulate matter, hydrogen chloride, or opacity, you may choose to conduct performance tests for these pollutants every third year, but each test must be within 36 months of the previous performance test. [Rule 405(c)(10)(F) of the RCAP]
7. As established under Rule 405 (c)(10)(G) of the RCAP, if a performance test shows a deviation from an emission limitation for particulate matter, hydrogen chloride, or opacity, you must conduct annual performance tests for that pollutant until all performance tests over a 3-year period show compliance.

8. **Commercial Incineration, Inc.** may conduct a repeat performance test at any time to establish new values for the operating limits. The EPA and or the Board may request a repeat performance test at any time. [Rule 405(c)(10)(H) of the RCAP]
9. Pursuant to Rule 405(c)(10)(I) of the RCAP, **Commercial Incineration, Inc.** must repeat the performance test if the feed stream is different than the feed streams used during any performance test used to demonstrate compliance.

### Section VI – Insignificant Emission Units

Since there is no requirement to update the insignificant activities list, activities may have changed since this filing; however, **Commercial Incineration, Inc.** must include the list for insignificant activities, which are exempted because of size or production rate, and those that may need a construction permit under Rule 203 of the RCAP.

### Section VII – Permit Shield

- A. As specified under Rule 603(D) of the RCAP, compliance with the conditions of the permit shall be deemed compliance with any applicable requirement as of the date of permit issuance, but only if such applicable requirement is included and specifically identified in the permit. Moreover, the permittee shall be deemed in compliance with any other requirement specifically identified in the permit as Non Applicable.

#### 1. Non-Applicable Requirements for Unit EU-1

Non-Applicable Requirements	Regulation	Reason for Non- Applicability
Standards of Performance for Commercial and Industrial Solid Waste Incineration Units for which construction is commenced after November 30, 1999 or for which modification or reconstruction is commences on or after June 1, 2001.	<b>Federal</b> 40 CFR part 60, subpart CCCC.	EU-1 unit is not subject to the requirements of this subpart because the unit was constructed in 1990, before the applicability date as discussed in the subpart.
Requirements for non-hazardous solid waste incinerators.	<b>State</b> Rule 405(a) Incineration of the RCAP.	EU-1 unit is exempted from this regulation because the Emission Guidelines and Compliance Schedule for Commercial Industrial Solid Waste Incinerators under Rule 405(c) of the RCAP applies.
Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Hospital/Medical/Infectious Waste Incinerators.	<b>Federal</b> 40 CFR part 60, subpart Ec.	The incinerator is not allowed to burn Hospital/Medical/Infectious Waste.



COMMERCIAL INCINERATION, INC.  
CAROLINA, PUERTO RICO  
PFE-TV-4953-16-1103-1884  
PAGE 36 OF 53

In San Juan, Puerto Rico, **November 16, 2010.**

**ENVIRONMENTAL QUALITY BOARD**

*/s/*  
Reynaldo Matos Jiménez  
Associate Member

*/s/*  
Edwin Irizarry Lugo, Esq.  
Vice-President

*/s/*  
Pedro J. Nieves Miranda, Esq.  
President

COMMERCIAL INCINERATION, INC.  
CAROLINA, PUERTO RICO  
PFE-TV-4953-16-1103-1884  
PAGE 37 OF 53

## **APPENDIXES**

**Appendix I – Tables Specified in Rule 405(c) of the RCAP – Incineration**

**Table 1 – Emission Limitations**

<b>Pollutant</b>	<b>Emission Limitations<sup>a</sup></b>	<b>Averaging Time</b>	<b>Method of Compliance</b>
Cadmium	0.004 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 29 of appendix A of 40 CFR Part 60).
Carbon monoxide	157 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Performance test (Method 10, 10A, or 10B, of appendix A of 40 CFR Part 60).
Dioxins/furans (toxic equivalency basis).	0.41 nanograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 23 of appendix A of 40 CFR Part 60).
Hydrogen chloride	62 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Performance test (Method 26A of appendix A of 40 CFR Part 60).
Lead	0.04 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 29 of appendix A of 40 CFR Part 60).
Mercury	0.47 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 29 of appendix A of 40 CFR Part 60).
Opacity	10 percent	6-minute averages	Performance test (Method 9 of appendix A of 40 CFR Part 60).
Oxides of nitrogen	388 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Performance test (Methods 7, 7A, 7C, 7D, or 7E of appendix A of 40 CFR Part 60).

<b>Pollutant</b>	<b>Emission Limitations<sup>a</sup></b>	<b>Averaging Time</b>	<b>Method of Compliance</b>
Particulate matter	70 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 5 or 29 of appendix A of 40 CFR Part 60).
Sulfur dioxide	20 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Performance test (Method 6 or 6C of appendix A of 40 CFR Part 60).

<sup>a</sup>All emission limitations (except for opacity) are measured at 7 percent oxygen, dry basis at standard conditions.

**Table 2 – Toxic Equivalency Factors**

<b>DIOXIN/FURAN CONGENER</b>	<b>TOXIC EQUIVALENCY FACTOR</b>
2, 3, 7, 8-tetrachlorinated dibenzo-p-dioxin	1
1, 2, 3, 7, 8-pentachlorinated dibenzo-p-dioxin	0.5
1, 2, 3, 4, 7, 8-hexachlorinated dibenzo-p-dioxin	0.1
1, 2, 3, 7, 8, 9-hexachlorinated dibenzo-p-dioxin	0.1
1, 2, 3, 6, 7, 8-hexachlorinated dibenzo-p-dioxin	0.1
1, 2, 3, 4, 6, 7, 8-heptachlorinated dibenzo-p-dioxin	0.01
octachlorinated dibenzo-p-dioxin	0.001
2, 3, 7, 8-tetrachlorinated dibenzofuran	0.1
2, 3, 4, 7, 8-pentachlorinated dibenzofuran	0.5
1, 2, 3, 7, 8-pentachlorinated dibenzofuran	0.05
1, 2, 3, 4, 7, 8-hexachlorinated dibenzofuran	0.1
1, 2, 3, 6, 7, 8-hexachlorinated dibenzofuran	0.1
1, 2, 3, 7, 8, 9-hexachlorinated dibenzofuran	0.1
2, 3, 4, 6, 7, 8-hexachlorinated dibenzofuran	0.1
1, 2, 3, 4, 6, 7, 8-heptachlorinated dibenzofuran	0.01
1, 2, 3, 4, 7, 8, 9-heptachlorinated dibenzofuran	0.01
octachlorinated dibenzofuran	0.001

**Table 3 – Summary of Reporting Requirements<sup>a</sup>**

<b>Report</b>	<b>Due date</b>	<b>Contents</b>	<b>Reference</b>
Waste Management Plan	No later than the date specified in Table 5 for submittal of the final control plan.	Waste management plan	Rule 405(c)(7)(D) of the RCAP
Initial Test Report	No later than 60 days following the initial performance test.	Complete test report for the initial performance test.	Rule 405(c)(7)(E) of the RCAP
Annual Report	No later than 12 months following the submission of the initial test report. Subsequent reports are to be submitted no more than 12 months following the previous report.	Name and address Statement and signature by responsible official. Date of report Values for the operating limits. If no deviations or malfunctions were reported, a statement that no deviations occurred during the reporting period. Highest recorded 3-hour average and the lowest 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported. Information for deviations or malfunctions recorded under Rule 405(c)(7)(A)(ii)(6) and (iii) through (v). If a performance test was conducted during the reporting period, the results of the test. If a performance test was not conducted during the reporting period, a statement that the requirements of Rule 405(c)(10)(E) or (F) were met. Documentation of periods when all qualified CISWI unit operators were unavailable for more than 8 hours but less than 2 weeks.	Rule 405(c)(7)(F) and (G) of the RCAP
Emission Limitation or Operating Limit Deviation Report	By August 1 of that year for data collected during the first half of the calendar year. By February 1 of the following year for data collected during the second half of the calendar year.	Dates and times of deviations Averaged and recorded data for these dates. Duration and causes for each deviation and the corrective actions taken. Copy of operating limit monitoring data and any test reports. Dates, times, and causes for monitor downtime incidents. Whether each deviation occurred during a period of startup, shutdown, or malfunction.	Rule 405(c)(7)(H), (I) and (J) of the RCAP
Qualified Operator Deviation Notification	Within 10 days of deviation	Statement of cause of deviation Description of efforts to have an accessible qualified operator. The date a qualified operator will be accessible.	Rule 405(c)(7)(K)(i) of the RCAP
Qualified Operator Deviation Status Report	Every 4 weeks following deviation	Description of efforts to have an accessible qualified operator The date a qualified operator will be accessible. Request for approval to continue operation.	Rule 405(c)(7)(K)(ii) of the RCAP

<sup>a</sup> This table in only a summary, see the referenced sections of the rule for the complete requirements.

COMMERCIAL INCINERATION, INC.  
CAROLINA, PUERTO RICO  
PFE-TV-4953-16-1103-1884  
PAGE 42 OF 53

<b>Report</b>	<b>Due date</b>	<b>Contents</b>	<b>Reference</b>
Qualified Operator Deviation Notification of Resumed Operation	Prior to resuming operation	Notification that you are resuming operation	Rule 405(c)(7)(L) of the RCAP

**Table 4 – Increments of Progress and Compliance Schedules**

<b>Comply with these increments of progress</b>	<b>By these dates</b>
Increment 1 - Submit final control plan	6 months after the effective date of EPA plan approval. (October 12, 2004).
Increment 2 - Achieve final compliance	18 months after the effective date of EPA plan approval, or by December 1, 2005, whichever date is earlier. (October 12, 2005).

**Table 5 – Emission Factors for CISWI**

<b>EMISSION FACTORS, <i>lb emitted per lb waste charge</i></b>				
<b>POLLUTANT</b>	<b>UNCONTROLLED</b>		<b>WET SCRUBBER</b>	<b>SOURCE OF FACTORS</b>
	<b>Multiple Chamber</b>	<b>Single Chamber</b>		
CDD/CDF TEQ	9.09 E-10		1.0 E-11	HMIWI
CO	5.0 E-03	1.0 E-02	1.52 E-04	AP-42 Table 2.1-12 / HMIWI
PM	3.5 E-03	7.5 E-03	3.20 E-04	AP-42 Table 2.1-12 / HMIWI
HCl	2.24 E-02		3.54 E-05	HMIWI
Pb	3.80 E-05		3.32 E-06	HMIWI
SO <sub>2</sub>	1.25 E-03	1.25 E-03	3.20 E-04	AP-42 Table 2.1-12 / HMIWI
Hg	3.70 E-05		1.31 E-06	HMIWI
Cd	4.10 E-06		4.6 E-07	HMIWI
NO <sub>x</sub>	1.5 E-03	1.0 E-03	1.5 E-03	AP-42 Table 2.1-12 / HMIWI

## **Appendix II - Definitions and Abbreviations**

### **A. Definitions:**

1. Act – Clean Air Act, as amended, 42 U.S. 7401, et seq.
2. Administrator (For the purpose of Rule 405(c)) - Means the Administrator of the U.S. Environmental Protection Agency (EPA) or his/her authorized representative or Administrator of a State Air Pollution Control Agency.
3. Agricultural waste - Means vegetative agricultural materials such as nut and grain hulls and chaff (e.g., almond, walnut, peanut, rice, and wheat), bagasse, orchard pruning, corn stalks, coffee bean hulls and grounds, and other vegetative waste materials generated as a result of agricultural operations.
4. Air curtain incinerator - Means an incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor. (Air curtain incinerators are not to be confused with conventional combustion devices with enclosed fireboxes and controlled air technology such as mass burn, modular, and fluidized bed combustors).
5. Auxiliary fuel - Means natural gas, liquefied petroleum gas, fuel oil, or diesel fuel.
6. Bag leak detection system - Means an instrument that is capable of monitoring particulate matter loadings in the exhaust of a fabric filter (i.e., baghouse) in order to detect bag failures. A bag leak detection system includes, but is not limited to, an instrument that operates on turboelectric, light scattering, light transmittance, or other principle to monitor relative particulate matter loadings.
7. Board – Means the Environmental Quality Board (EQB) of the Commonwealth of Puerto Rico.

8. Calendar quarter - Means three consecutive months (no overlapping) beginning on: January 1, April 1, July 1, or October 1.
9. Calendar year - Means 365 consecutive days starting on January 1 and ending on December 31.
10. Chemotherapeutic waste - Means waste material resulting from the production or use of antineoplastic agents used for the purpose of stopping or reversing the growth of malignant cells.
11. Clean lumber - Means wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote.
12. Commercial and industrial solid waste incineration (CISWI) unit - Means any combustion device that combusts commercial and industrial waste, as defined in this rule. The boundaries of a CISWI unit are defined as, but not limited to, the commercial or industrial solid waste fuel feed system, grate system, flue gas system, and bottom ash. The CISWI unit does not include air pollution control equipment or the stack. The CISWI unit boundary starts at the commercial and industrial solid waste hopper (if applicable) and extends through two areas:
  - a. The combustion unit flue gas system, which ends immediately after the last combustion chamber.
  - b. The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. It includes all ash handling systems connected to the bottom ash handling system.

12. Commercial and industrial waste - Means solid waste combusted in an enclosed device using controlled flame combustion without energy recovery that is a distinct operating unit of any commercial or industrial facility (including field-erected, modular, and custom built incineration units operating with starved or excess air), or solid waste combusted in an air curtain incinerator without energy recovery that is a distinct operating unit of any commercial or industrial facility.
13. Contained gaseous material - Means gases that are in a container when that container is combusted.
14. Cyclonic barrel burner - Means a combustion device for waste materials that is attached to a 55 gallon, open-head drum. The device consists of a lid, which fits onto and encloses the drum, and a blower that forces combustion air into the drum in a cyclonic manner to enhance the mixing of waste material and air.
15. Deviation - Means any instance in which an affected source subject to Rule 405, or an owner or operator of such a source:
  - a. Fails to meet any requirement or obligation established by Rule 405, including but not limited to any emission limitation, operating limit, or operator qualification and accessibility requirements;
  - b. Fails to meet any term or condition that is adopted to implement an applicable requirement in Rule 405 and that is included in the operating permit for any affected source required to obtain such a permit; or
  - c. Fails to meet any emission limitation, operating limit, or operator qualification and accessibility requirement in Rule 405 during startup, shutdown, or malfunction, regardless or whether or not such failure is permitted by this regulation.
16. Dioxins/furans - Means tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans.

17. Discard - Means, for purposes of Rule 405(c) and 40 CFR part 60, subpart DDDD, burned in an incineration unit without energy recovery.
18. Drum reclamation unit - Means a unit that burns residues out of drums (e.g., 55 gallon drums) so that the drums can be reused.
19. Energy recovery - Means the process of recovering thermal energy from combustion for useful purposes such as steam generation or process heating.
20. EPA – Means the United States Environmental Protection Agency.
21. EQB – Means the Board; the Environmental Quality Board of the Commonwealth of Puerto Rico.
22. Fabric filter - Means an add-on air pollution control device used to capture particulate matter by filtering gas streams through filter media, also known as a baghouse.
23. Low-level radioactive waste - Means waste material which contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable Federal or State standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or by-product material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2014(e)(2)).
24. Malfunction - Means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused, in part, by poor maintenance or careless operation are not malfunctions.
25. Modification or modified CISWI unit (For the purpose of Rule 405(c)) - Means a CISWI unit you have changed later than June 1, 2001 and that meets one of two criteria:

- a. The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the CISWI unit (not including the cost of land) updated to current costs (current dollars). To determine what systems are within the boundary of the CISWI unit used to calculate these costs, see the definition of CISWI unit.
  - b. Any physical change in the CISWI unit or change in the method of operating it that increases the amount of any air pollutant emitted for which section 129 or section 111 of the Clean Air Act has established standards.
26. Part reclamation unit - Means a unit that burns coatings off parts (e.g., tools, equipment) so that the parts can be reconditioned and reused.
27. Particulate matter (For the purpose of Rule 405(c)) - Means total particulate matter emitted from CISWI units as measured by Method 5 or Method 29 of appendix A of 40 CFR Part 60.
28. Pathological waste - Means waste material consisting of only human or animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable).
29. Rack reclamation unit - Means a unit that burns the coatings off racks used to hold small items for application of a coating. The unit burns the coating overspray off the rack so the rack can be reused.
30. Reconstruction (For the purpose of Rule 405(c)) - Means rebuilding a CISWI unit and meeting two criteria:
  - a. The reconstruction begins on or after June 1, 2001.

- b. The cumulative cost of the construction over the life of the incineration unit exceeds 50 percent of the original cost of building and installing the CISWI unit (not including land) updated to current costs (current dollars). To determine what systems are within the boundary of the CISWI unit used to calculate these costs, see the definition of CISWI unit.

31. Refuse – derived fuel (For the purpose of Rule 405©) – Means a type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. This includes all classes of refuse-derived fuel including two fuels:

- a. Low-density fluff refuse-derived fuel through densified refuse-derived fuel.
- b. Pelletized refuse-derived fuel.

32. Shutdown (For the purpose of Rule 405(c)) - Means the period of time after all waste has been combusted in the primary chamber.

33. Solid waste (For the purpose of Rule 405(c)) - Means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1342), or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2014). For purposes of 40 CFR 60 subpart DDDD and subpart CCCC, solid waste does not include the waste burned in the fifteen types of units described in Rule 405(c)(1)(B).

34. Standard conditions - When referring to units of measure, means a temperature of 681°F (201°C) and a pressure of 1 atmosphere (101.3 kilopascals).
35. Startup period (For the purpose of Rule 405) - Means the period of time between the activation of the system and the first charge to the unit.
36. Wet scrubber – Means an add-on air pollution control device that utilizes aqueous or alkaline scrubbing liquor to collect particulate matter (including nonvaporous metals and condensed organics) and/or to absorb and neutralize acid gases.
37. Wood waste - Means untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include:
- a. Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.
  - b. Construction, renovation, or demolition wastes.
  - c. Clean lumber.
38. You - Throughout the Rule 405(c) means the owner or operator of a CISWI unit.

**B. Abbreviations**

AP-42	Compilation of Air Pollutants Emission Factors of EPA
ASTM	American Society for Testing and Materials
Board	Environmental Quality Board of Puerto Rico
Btu	British thermal unit

CISWI	Commercial and Industrial Solid Waste Incinerators
CFR	Code of Federal Regulations
$C_{adj}$	Pollutant concentration adjusted to 7 per cent oxygen.
$C_{meas}$	Pollutant concentration measured on a dry basis.
CO	Carbon Monoxide
EPA	Environmental Protection Agency
EQB	Environmental Quality Board of Puerto Rico
GPD	Gallons per day
HAP	Hazardous Atmospheric Pollutants
NAAQS	National Ambient Air Quality Standards
$NO_x$	Nitrogen oxides
NSPS	New Source Performance Standards
PM	Particulate Matter
$PM_{10}$	Particulate Matter with a size less than or equal to 10 micrometers in aerodynamic mass median diameter
PSD	Prevention of Significant Deterioration
RCAP	Regulation for the Control of Atmospheric Pollution of the Environmental Quality Board
SIC	Standard Industrial Classification
$SO_2$	Sulfur Dioxide
VOC	Volatile Organic Compounds

COMMERCIAL INCINERATION, INC.  
CAROLINA, PUERTO RICO  
PFE-TV-4953-16-1103-1884  
PAGE 53 OF 53

**C. Notification Address**

Compliance Notifications and Permit Modifications

Environmental Quality Board  
Air Quality Area  
P.O. Box 11488  
San Juan, P.R. 00910