

7011.1270 PERFORMANCE TEST, WASTE COMPOSITION STUDY, AND ASH SAMPLING FREQUENCY.

Subpart 1. **Generally.** The owner or operator of a waste combustor must conduct the performance tests required in part 7011.1265, subpart 5, based on the schedules in this part.

Subp. 2. Class A waste combustors.

A. The owners or operators of class A waste combustors must conduct performance tests:

(1) once within the normal start-up;

(2) once annually after the test in subitem (1), but not more than 12 months following the initial performance test, except that fugitive emissions from ash handling need only to be tested once within normal start-up as required in subitem (1);

(3) annually on all units until all annual performance tests for all units for a two-year period indicate a PCDD/PCDF emission concentration less than or equal to 15 ng/dscm, corrected to seven percent O₂, or as provided in item B; and

(4) for mercury emissions, every three months for class A waste combustors that are not burning RDF or as provided under items D and E.

B. If all PCDD/PCDF performance tests for all units for a two-year period indicate that PCDD/PCDF emissions are less than or equal to 15 ng/dscm corrected to seven percent O₂ from each unit, then the owner or operator may choose to test one unit for PCDD/PCDF once annually after the test in item A, subitem (2), but not more than 12 months following the previous performance test. Thereafter, the owner or operator may continue to test a different unit for PCDD/PCDF each year, in sequence.

C. The owner or operator must specify what the PCDD/PCDF performance testing schedule is each time a pretest notification is given under part 7017.2030.

D. The owner or operator of a class A waste combustor may implement testing for mercury not less than once every 12 months if the facility has demonstrated that mercury emissions have been below 50 percent of the facility's permitted long-term limit for three consecutive years.

E. The owners or operators of class A waste combustors combusting RDF may choose to conduct performance tests for mercury every 12 months. If a test shows that an emission limit for mercury from a waste combustor combusting RDF is exceeded, the commissioner must require testing every three months thereafter until compliance with the standard is demonstrated.

F. The owner or operator of a class A waste combustor must complete a waste composition study every five years.

Subp. 3. Class II and C waste combustors.

A. The owners or operators of class II and C waste combustors must conduct performance tests:

- (1) once within the normal start-up, except as provided in subitem (3);
- (2) once annually after the test in subitem (1), but not more than 12 months following the initial performance test, except as provided in subitem (3) or as provided in item B; and
- (3) for mercury emissions, every three months for class C waste combustors that are not burning RDF or as provided in items C and D.

B. Fugitive emissions from ash handling do not need to be tested more frequently than the initial test required in item A, subitem (1). If three annual performance tests for a three-year period show compliance with standards in part 7011.1225, the owner or operator may continue to conduct annual testing or may choose to conduct performance tests every 2-1/2 years, except as required by item A, subitem (3). At a minimum, a performance test must be conducted every 2-1/2 years, but no more than 30 months following the previous compliance test. If a performance test indicates noncompliance with applicable standards, the owner or operator must resume annual testing for three years for that pollutant for which noncompliance was demonstrated. If three annual performance tests for the three-year period show compliance with standards in part 7011.1225, the owner or operator may again conduct performance testing every 2-1/2 years.

C. The owner or operator of a class C waste combustor that is not burning RDF may implement testing for mercury not less than once every three years or according to federal applicable requirements, whichever is more stringent, if the facility has demonstrated that mercury emissions have been below 50 percent of the facility's permitted long-term limit for three consecutive years. However, if a mercury performance test shows mercury emissions greater than 50 percent of the facility's permitted mercury limit, the owner or operator must resume annual mercury stack sampling until emissions are below 50 percent of the facility's permitted mercury limit. Once the facility demonstrates that mercury emissions are again below 50 percent of the facility's permitted limit, the facility may resume testing every three years, upon notifying the commissioner in writing.

D. The owners or operators of waste combustors combusting RDF may choose to conduct performance tests for mercury emissions every 12 months. If a test shows that emission limits for mercury from a waste combustor combusting RDF are exceeded, the commissioner must require performance testing every three months until compliance is demonstrated.

E. For waste combustors accepting municipal solid waste, the owner or operator must complete a waste composition study every five years.

Subp. 4. Class III and D waste combustors.

- A. The owners or operators of class III and D waste combustors must conduct performance tests:
- (1) once within the normal start-up;
 - (2) every 2-1/2 years after the test in subitem (1), but not more than 30 months following the initial performance test;

(3) for class III waste combustors, every three months for emissions of mercury or as provided in item B;

(4) for class D waste combustors, every 2-1/2 years for emissions of mercury; and

(5) for ash, in accordance with part 7045.0131, every 30 months for toxicity by toxic characteristic leach procedure for arsenic, barium, cadmium, chromium, lead, mercury, selenium, and nickel.

B. The owner or operator of a class III waste combustor may implement testing for mercury not less than once every three years or according to federal applicable requirements, whichever is more stringent, if the facility has demonstrated that mercury emissions have been below 50 percent of the facility's permitted long-term limit for three consecutive years. However, if a mercury performance test shows mercury emissions greater than 50 percent of the facility's permitted mercury limit, the owner or operator must resume annual mercury stack sampling until emissions are below 50 percent of the facility's permitted mercury limit. Once the facility demonstrates that mercury emissions are again below 50 percent of the facility's permitted limit, the facility may resume testing every three years, upon notifying the commissioner in writing.

C. The owners or operators of class III and D waste combustors must complete a waste composition study every five years.

Subp. 5. Class IV waste combustors. The owners or operators of class IV waste combustors must conduct performance tests:

A. once within the normal start-up;

B. every five years after the test in item A, but not more than 60 months following the initial performance test; and

C. for ash, in accordance with part 7045.0131, every 60 months for toxic characteristic leach procedure for arsenic, barium, cadmium, chromium, lead, mercury, selenium, and nickel.

Subp. 6. Class I waste combustors.

A. The owners or operators of class I waste combustors that are not combusting RDF must conduct performance tests for mercury emissions every three months, except that a facility may implement testing for mercury not less than once every 12 months if the facility has demonstrated that mercury emissions have been below 50 percent of the facility's permitted long-term limit for three consecutive years.

B. The owners or operators of class I waste combustors that are combusting RDF may choose to conduct performance tests for mercury every 12 months. If a test shows that an emission limit for mercury from a waste combusting RDF is exceeded, the commissioner must require testing every three months thereafter until compliance with the standard is demonstrated.

C. The owners or operators of class I waste combustors must complete a waste composition study every five years.

Statutory Authority: *MS s 115.03; 116.07*

History: *18 SR 2584; 22 SR 1975; 41 SR 763; 46 SR 1209*

Published Electronically: *May 16, 2022*