

40 CFR Part 266

[FRL-3990-4]

Hazardous Waste Management System: Identification and Listing of Hazardous Waste; Burning of Hazardous Waste in Boilers and Industrial Furnaces

AGENCY: Environmental Protection Agency.

ACTION: Administrative stay of applicability and amendment to final rule.

SUMMARY: The Environmental Protection Agency is today announcing an administrative stay of the permitting standards for boilers and industrial furnaces adopted pursuant to the Resource Conservation and Recovery Act (56 FR 7206, Feb. 21, 1991) as they apply to coke ovens burning certain hazardous wastes from the coke by-products recovery process. The primary effect of the stay is to halt the application of industrial furnace standards to coke ovens when they reprocess these hazardous wastes while the Agency can evaluate comments on a pending regulatory proposal to exclude such wastes from subtitle C jurisdiction when recycled by reprocessing in coke ovens. Section 266.100(a) is amended by adding a note to reflect this administrative stay.

EFFECTIVE DATE: August 21, 1991.

ADDRESSES: The official record for this administrative stay is identified as Docket number F-91-CBS-FFFFF and is located in the RCRA Docket, room M2427, 401 M Street, SW., Washington, DC, 20460. The public may make an appointment in order to review docket materials by calling (202) 260-9327. The docket is open for inspection from 9 a.m. to 4 p.m., Monday through Friday, excluding Federal holidays. The public may copy material from any regulatory docket at a cost of \$0.15 per page.

FOR FURTHER INFORMATION CONTACT: For general information contact the RCRA/Superfund Hotline, toll free, at (800) 424-9346, or at (703) 920-9810. For technical information concerning this notice, contact Mr. Ron Josephson, Environmental Engineer, Office of Solid Waste (OS-333), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460, (202) 260-4770.

>>>> Preamble has not been included in this file. <<<<

PART 266-STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES

1. The authority citation for part 266 continues to read as follows:

Authority: Sections 1006, 2002(a), 3004, and 3014 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6905, 6912(a), 6924, and 6934).

2. Section 266.100 is amended by revising paragraph (a) to read as follows:

§ 266.100 Applicability.

(a) The regulations of this subpart apply to hazardous waste burned or processed in a boiler or industrial furnace (as defined in § 260.10 of this chapter) irrespective of the purpose of burning or processing, except as provided by paragraphs (b), (c), and (d) of this section. In this subpart, the term "burn" means burning for energy recovery or

destruction, or processing for materials recovery or as an ingredient. The emissions standards of §§ 266.104, 266.105, 266.106, and 266.107 apply to facilities operating under interim status or under a RCRA permit as specified in §§ 266.102 and 266.103.

Note: This provision does not apply to coke ovens processing coke by-products wastes exhibiting the Toxicity Characteristic identified in § 261.24 pending completion of a rulemaking proposed on July 26, 1991 (56 FR 35787). When that rulemaking is complete, EPA will remove this note.)

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