



# Air Pollution Control Division

## Small Business Assistance Program

### A Guide to Air Permitting Requirements for Incinerators

This document provides an overview of the air permitting, operating, training, and recordkeeping requirements for facilities that operate an incinerator in the State of Colorado.

#### Air Permitting Requirements

An incinerator is any furnace used to burn solid waste (such as paper, cafeteria waste, etc.) for the purpose of reducing the volume of the waste by removing combustible matter. Because the operation of an incinerator will emit air pollutants, facilities that utilize incinerators are subject to Colorado air emission reporting and permitting requirements.

Under Colorado Regulation No. 1, Section III.B.1 and Colorado Regulation 3 Part B, Section III.D.7, all facilities that operate an incinerator are required to have an air permit. To begin the air permitting process, facilities must file an Air Pollution Emission Notice (APEN) with the Colorado Department of Public Health and Environment (CDPHE) Air Pollution Control Division (Division). The Division will use the information provided in the APEN to prepare your air permit.

#### Air Pollutant Emission Notices (APENs)

You must submit the form titled “General Air Pollutant Emission Notice” to report information about your incinerator and the control technology you are using to reduce the emissions of regulated pollutants such as particulate matter and carbon monoxide. All APEN and related forms are available through the Division and can be downloaded at: [www.colorado.gov/pacific/cdphe/air-permits](http://www.colorado.gov/pacific/cdphe/air-permits). The afterburner on your incinerator is not considered an add-on control device for APEN filing purposes.

If you have more than one incinerator, you may submit information for these incinerators on the same APEN as long as you meet the requirements of Regulation No. 3, Part A, Section II.B.4. Regulation 3 requires sources grouped on an APEN to be identical units that share a similar location within a facility; none should have previously been issued a separate air emission permit.

APENs are valid for five years and must be renewed at least 30 days before the expiration date (date the last APEN was filed with the Division). Revised APENs must be submitted to the Division when certain changes occur at your facility such as a name change, a change

in ownership, a change in the business location, or a significant change in emissions.

The form titled “**Supplement to Air Pollutant Emission Notice (APEN) for Incinerators**” must be submitted along with the initial APEN. (You are not required to submit the Supplemental form with subsequent APEN renewals on the same equipment). The Supplemental form provides additional information about the incinerator that can be useful to the Division in determining air emissions from the incinerator. The Supplemental form can be found here: [www.colorado.gov/pacific/cdphe/supplemental-apens](http://www.colorado.gov/pacific/cdphe/supplemental-apens).

## **Air Permits**

The Division will use the information provided on the APEN and Supplemental form to prepare your air permit and determine the specific terms and conditions of the permit. Permit conditions may include visible emissions requirements, hourly and annual burn rates (pounds per hour and/or tons per year of waste), and a list of specific types of wastes that can be burned in the incinerator.

In Colorado, Construction Permits are issued in two phases: “Issuance 1” and “Final Approval to Operate”.

- Issuance 1 of a permit allows the plant to be constructed and begin operation. The source must self-certify to Issuance 1 of the permit once in operation within 180 days of receiving the first issued permit.
- After the owner certifies that the operation is in compliance with the conditions of Issuance 1 of the permit, the Division issues a “Final Approval to Operate” letter to operate under the conditions of Construction Permit Issuance 1. This letter confirms the completion of the self-certification requirements of that permit. The source is issued an invoice for processing time for this letter, and must pay the invoice within 30 days of receipt. Please note that if the permit processing fee is not paid within 30 days of receipt, you will be in violation of your permit conditions and may result in revocation of the permit.
- If the source modifies an existing permit, the source will be issued Construction Permit Issuance 2 (Issuance number determined by modification sequence). The source may have to self-certify to the new Issuance if required by the permit.

A permit describes key areas that an operator needs to address. The permit defines the type of air pollution control measures to be used, limits the annual production at the site, provides guidelines for opacity (how dense the visible emissions are allowed to be), and includes recordkeeping requirements.

More information on the air permitting process is located in the guidance document, “Reporting Your Air Emissions and Applying for Air Permits Step-by-Step for Colorado Small Businesses.” This document is available at: [www.colorado.gov/pacific/cdphe/apen-and-permitting-guidance](http://www.colorado.gov/pacific/cdphe/apen-and-permitting-guidance)

## Operating Requirements

Operation of the incinerator equipment must comply with the Colorado Regulation No. 6, Subpart VII, *New Source Performance Standards (NSPS Subpart E) for Incinerators* and state air requirements that include the following:

- Particulate matter emissions must not exceed 0.10 grains per dry standard cubic foot of flue gas, corrected to 12% CO<sub>2</sub>. A stack test must be conducted prior to final approval of the air permit to show compliance with this requirement.
- A stack test may not be required if data are available that shows an identical unit has been tested in Colorado for Regulation No. 6 particulate standard compliance. The stack test must be conducted in accordance with the methodology provided in 40 CFR Subpart E (40 CFR Part 60.54). The Division maintains a list of units that have been stack tested in Colorado.
- Visible emissions from the stack are not to exceed 20% opacity (Regulation No. 1, Section II.A.1). An opacity test includes a six-minute opacity reading using EPA Method 9. The opacity test should be conducted at the same time as the stack test unless stack test data is available from an identical unit tested in Colorado. If stack test data is available, an opacity test on each incinerator must still be conducted prior to final approval of the air permit to show compliance with this requirement.

Note: Opacity is the degree (in percent) an air pollutant obscures the view of a trained observer. For example, at 20% opacity, the observer can see 80% of a background (e.g., the sky) from a specific angle through the smoke emitted from the incinerator stack. The Division maintains a list of stack and opacity testing firms to assist sources with performance tests. This list is available at [www.colorado.gov/pacific/cdphe/inspections-and-enforcement](http://www.colorado.gov/pacific/cdphe/inspections-and-enforcement).

- Your incinerator is subject to the odor requirements of Regulation No. 2 and you must not allow the emission of detectable odors from the facility.
- You must maintain monthly records of burn rates (daily rates) and hours of operation at your facility. Burns rates are equal to the batch weight divided by hours of operation (cycle time); this is a typical requirement of an air permit for an incinerator. An example of a combined burn log and maintenance log is provided in Appendix A of this document.
- Annual records of actual consumption rate (e.g., weight of material burned or number burned, depending on your air permit requirements) must be maintained at your facility.
- Your facility may only burn the type(s) of materials as listed in the air permit. Other material (e.g., paper or contraband) must not be charged into the unit(s) without prior approval from the Division. Submission of an APEN and the appropriate fee is

required to modify your air permit to reflect a change in equipment, process, or type of material burned.

- The permit number must be permanently affixed on the incinerator for identification purposes.
- Equipment operations and maintenance must be in accordance with the manufacturer's procedures and guidelines. A copy of the manufacturer's operating instructions must be kept at the facility.
- During start-up of the unit, the secondary combustion zone must be preheated to the temperature specified in the manufacturer's operating instructions before starting the primary chambers (typically 1600 degrees F or greater).
- Both the primary and secondary combustion temperatures must be maintained at the operating levels specified by the manufacturer (typically 1600 degrees F or greater).
- At all times, including periods of start-up, shutdown, and malfunction, the incinerator and control equipment must be properly operated and maintained. The Division recommends that you maintain an operating and maintenance log specifying start-up temperatures, charge temperatures, hours of operation, and preventive and corrective maintenance performed on the unit. An example of a combined burn log and maintenance log for an incinerator is provided in Appendix A of this document.

## **Training Requirements**

Trained personnel who are competent and knowledgeable of the unit's operating instructions and maintenance procedures must operate the incinerator. The Division recommends that facilities submit documentation of personnel training (such as a training certificate) to the Division to demonstrate compliance.

## **Recordkeeping Requirements**

The owner or operator shall maintain records as follows:

- Performance test data (e.g., stack test and opacity test) must be maintained for at least five years. The Division recommends that you keep this data for the life of the incinerator.
- Records of burning rates, consumption rates, and hours of operation must be maintained for at least two years. These records should be available for Division inspection upon request.
- Operating and maintenance records must be maintained for at least two years. These records should be available for Division inspection upon request.

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## **SMALL BUSINESS ASSISTANCE**

The Small Business Assistance Program (SBAP) is available to answer questions you may have regarding environmental issues at your site. The SBAP can help you understand regulations, determine what your company has to do to be in compliance, help you fill out required forms, calculate your emissions, or provide information by presenting a workshop for your company or for your industry. We are here to help, and our services are always free.

- ❖ **Air Pollution Control Division (APCD): (303) 692-3100**
- ❖ **Small Business Assistance Program: (303) 692-3175 or 3148**
- ❖ **Small Business Ombudsman: (303) 692-2135**

