

BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE

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June 25, 2003

Mr. Kevin Godwin
Division of Air Quality
1641 Mail Service Center
Raleigh, NC 27699-1641

Dear Mr. Godwin:

Subject: Draft Title V Operation Permit 05896T15 for Stericycle, Inc./Comments and Request for Public Hearing

The Stericycle Title V Air Quality Operation Permit No. 05896T14 has been reopened for cause. According to Air Permit Review, AQ-16, the new permit seeks to:

1. clarify existing monitoring conditions,
2. define previously undefined terms and conditions, and
3. better organize conditions particularly in regards grouping state-only and federal requirements.

The review lists 10 proposed changes to the existing permit. These comments and requests for clarifications refer to these changes.

A), B), C): Specific Condition 2.1A.1.b.(4) raises the hourly charge rate by 10% based on the **lowest** "3 hour average charge rate measured in the most recent performance test." The 1910 pounds and 1906 pounds charge rates used to determine the new rates are the draft operational setpoints calculated after the March 2002 tests.

Was the actual lowest 3 hour average rate measured during the March 2002 testing 1910 and 1906 pounds given that the permit limit at that time was 1911 pounds? Section 2.2A.1. (State Enforceable Only) sets the maximum charge rate at 1911 pounds per hour.

D): Specific Condition 2.1A.1.b(7) defines international garbage and the sources of this specific waste stream. To the extent that this represents municipal solid waste and the facility is functioning as a municipal solid waste incinerator, there should be a requirement that materials banned from landfills and incinerators by North Carolina statute (§ **130A-309.10**) are excluded as a permit condition. In addition to a plan that prevents incineration of prohibited materials, the statute requires visual inspection of a minimum of 10% of this waste stream.

E): Specific Condition 2.1A.1.b.(8) A. and B. requires the monitoring and recording of visible emissions. The draft permit removes the requirement to have an EPA Reference Method 9 certified observer visually check stack emissions twice a day. Instead, the permittee (Stericycle) is instructed to establish their own standard for "normal" visible emissions over a 30 day period and then check the emissions once each day and log the results with any corrective actions taken. This requirement relies on the subjective judgement by non-certified personnel with no standard method of measurement.

I): Specific Condition 2.1A.1.e(4) addresses waste management and the requirements of 40 CFR 60.55. This condition requires the Permittee to draft a plan to minimize waste and prevent non-conforming waste from being incinerated. Stericycle has proposed a mercury reduction program for its North Carolina customers. Waste acceptance protocols already specifically exclude hazardous waste, such as mercury, but these protocols have not prevented violations. At a minimum, the permit should require an effort to remove mercury from the generators' medical waste stream and documentation of the amount of mercury recovered. Given the volume of waste from other states incinerated in Haw River, implementation of similar programs should be required in those states as well.

J): Multiple Emission Source Specific Condition 2.2A.4 State Enforceable Only. This condition attempts to resolve the Permittee's dilemma in controlling mercury emissions by testing one incinerator unit every quarter instead of once every twenty-four to twenty-six months as required for other toxic air pollutants. More frequent testing increases the probability that excessive mercury will be detected **during a test**. However, the "Operating Scenario Defining Compliance" for mercury is a maximum charge rate and a maximum flue gas temperature. Neither of these parameters were exceeded in the violation that occurred on March 18, 2002. This specific condition allows less frequent testing if four consecutive quarters indicate compliance.

Testing for mercury should be conducted at a level necessary to assure **emissions limits compliance** and not just compliance with an operating scenario that does not reflect a violation.

Request for Public Hearing

The Haw River incinerator receives a variety of wastes from thousands of Stericycle customers located across North Carolina plus eight other states and the District of Columbia. Blue Ridge Environmental Defense League works with our members in Alamance County as well as citizens in other states concerned about the risks associated with medical waste incineration. Questions about hazardous waste reduction efforts, Stericycle's ability to prevent unnecessary incineration, and the level of protection provided by the draft Title V permit remain unanswered.

I request that the Division hold a public hearing to address these issues and to receive additional comment on the draft Title V revisions.

Thank you for the opportunity to comment.

Sincerely,

David Mickey
Blue Ridge Environmental Defense League

cc: Keith Overcash
Laura Butler