August 3, 2012

Dennis McLerran

EPA Region 10

1200 6th Ave, RA-140
Seattle WA, 98101

Dear Mr. McLerran,

On October 6, 2009 the EPA promulgated, and on April 4, 2011 subsequently amended, the Emission Guidelines for Existing Hospital, Medical, and Infectious Waste Incinerators. States were required to submit to the EPA a 111(d)/129 plan to implement and enforce the Emission Guidelines by October 6, 2010.

DEQ initially sent a negative declaration letter to EPA in lieu of a 111(d)/129 plan. DEQ sent the negative declaration because Oregon’s only known hospital/medical/infectious waste incinerator, which meets the applicability requirements under 40 CFR part 60 subpart Eb, is exempt from the Emission Guidelines rule. However, DEQ recently discovered another hospital/medical/infectious waste incinerator in Oregon. This incinerator is also exempt from the Emission Guidelines rule, but only if it meets certain recordkeeping and reporting requirements. EPA recently informed DEQ that if a state has a source subject to the recordkeeping and reporting requirements in the Emission Guidelines rule, it is required to submit a 111(d)/129 plan. Therefore, DEQ is withdrawing its hospital/medical/infectious waste incinerator negative declaration and will request delegation of authority of the Federal Plan.

If you need additional information or have any questions, please contact Jerry Ebersole at (503) 229-6974 or by email at EBERSOLE.Gerald@deq.state.or.us.

Uri Papish

Program Operations Manager

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