

State of Rhode Island
Department of Environmental Management
Office of Air Resources

**In re: Proposed revisions to Air Pollution Control Regulation
No. 39 “Hospital/Medical/Infectious Waste Incinerators”**

DECISION

Introduction

On October 12, 2018 a notice was posted on the websites of the Rhode Island Department of Environmental Management (RI DEM) and the Rhode Island Office of Secretary of State and was sent to interested parties announcing a public comment period to accept comments on the adoption of proposed revisions to Air Pollution Control Regulation No. 39, Hospital/Medical/Infectious Waste Incinerators (250-RICR-120-05-39). Although R.I. Gen. Laws § 42-35-2.8, require that an oral hearing be granted if requested by twenty-five persons, by an agency or by an association having at least twenty-five members, the public notice stated that an oral hearing will be granted if requested by one or more persons during the public comment period. No requests for a public hearing were received. The public comment period ended at 4:00 PM on November 12, 2018.


The purpose of this regulation is to limit emissions from hospital, medical and infectious waste incinerators (HMIWI). The regulation is being amended to incorporate requirements of the Federal New Source Performance Standards (NSPS) for HMIWI, 40 CFR Part 60 Subpart Ec, into Part 39 with the intention of making the RI regulation consistent with current Environmental Protection Agency (EPA) requirements. Additionally, definitions have been added and portions of the regulation that no longer apply have been eliminated. The regulation has been updated to current RI Code of Regulations (RICR) format which required the addition of an incorporated materials section.

No comments were received on the proposed revisions to Air Pollution Control Regulation No. 39, Hospital/Medical/Infectious Waste Incinerators.

Decision

It is the decision of the Department to adopt the proposed revisions to Air Pollution Control Regulation, 250-RICR-120-05-39, “Hospital/Medical/Infectious Waste Incinerators” as proposed. The final amended regulations are appended to this Decision.

11/28/18
Date


Laurie A. Grandchamp, P.E.
Administrator, Environmental Protection