

**EPA EXPECTED TO RE-DEFINE 'BEST AVAILABLE CONTROL TECHNOLOGY' FOR SOLID WASTE INCINERATORS TO INCLUDE SOURCE SEPARATION AND RECYCLING. IF APPROVED THIS COULD AFFECT ALL PROPOSED INCINERATORS THAT HAVE NOT YET RECEIVED THEIR PERMITS.** "EPA Administrator William Reilly soon will make a major waste disposal policy call that could pave the way toward redefining technology requirements for waste incinerators to include source separation and recycling. The decision, which could set nationwide guidance, has been forced on Reilly by a (EPA) Region X request for him to remand a state permit for a waste-to-energy incinerator, a request that has set off an intense debate on the issue within EPA headquarters. Region X wants the state permit, covering a **Spokane, WA,** incinerator, to designate recycling as best available control technology (BACT). The permit as originally issued does not include a recycling requirement, which has never been recognized as BACT. The state approved the permit last December but within a week environmentalists petitioned EPA to review the permit. The Office of Air & Radiation (OAR) reportedly opposed the region's request on grounds that it is impossible to quantify emissions reductions that could be obtained by requiring recycling, while other EPA offices support the move as a way to push the agency's new pollution prevention goals. **State officials and the waste management industry are calling for Reilly to reject the Region X request and to follow a national rulemaking process if EPA wants to change its policy.** 'It's a big departure because best available control technology has focused on add-on equipment,' while Region X wants the Spokane waste-to-energy mass burn incinerator to conduct source separation and recycling as BACT...On March 7, Region X sent a memo to Reilly, obtained by Inside EPA, asking him to review its concerns and to remand the Prevention of Significant Deterioration (PSD) permit for the Spokane incinerator to the Washington State Dept. of Ecology for revision. "Considering recycling within a BACT analysis is a national policy change and should be done through national decision making processes,' the state ecology department says in a March 27 response to the region's recommendation...A requirement for BACT to include recycling could 'undermine solid waste management' in the state, says a state official. The department says that redefining BACT now 'unfairly changes the rules of the game' and raises many difficult questions about the exact requirements for recycling that might be required under BACT. 'This is a national policy decision,' not one that ought to be made by a regional permit for a single plant, says a source within the **National Solid Waste Management Assn's Institute of Resource Recovery**...A decision from Reilly is expected within a few weeks, following recommendations from OAR, the Office of General Counsel, the Office of Policy, Planning and Evaluation, and possibly other offices, including the office of solid waste. The issue is undergoing a 'good deal of deliberation right now,' says an agency source. An OAR source, unwilling to comment on substantive issues because the matter is 'highly sensitive' and is under administrative review, nevertheless points out that 'there's a lot of concern that a decision be made quickly' because the state contract contains financial penalties if the project is delayed." Inside EPA, April 7, 1989.

**NEW YORK: FEDERAL AVIATION ADMINISTRATION OPPOSES INCINERATOR ASH LANDFILLS NEAR SYRACUSE AIRPORT.** "Two top safety officials at the Federal Aviation Administration, already on record as opposing a landfill site in the town of Clay, said Thursday (4-6-89) that the agency also would advise against putting one in the town of Van Buren. That advice mainly is prompted by the proximity of both sites to small air fields, but also because both are directly under flight paths of jets entering and exiting Syracuse Hancock International Airport. A bird attracted to a landfill 'could be sucked into an engine, cause a stall, and in the worst case scenario cause a crash,' said Vincent Cimino, bird program director at the FAA regional office at John F. Kennedy Int'l Airport in N.Y. City. The FAA does not have the power to veto a landfill, but its

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recommendations have great weight with the state Department of Environmental Conservation, which patterned its regulations after the FAA's. 'The FAA does have veto power if the landfill exceeds height regulations,' said Ben Marvin, a spokesman for the DEC. 'They (FAA officials) can only comment on the location, but we take the issue of aircraft safety very seriously.' Any written recommendation would be of use in lawsuits brought by any passengers injured in a plane crash, said William J. DeGraaff, manager of the FAA's safety and standards branch. (According to the county consultants, **William F. Cosulich**;) 'The FAA has been known to take court action to prevent the development of new landfills'...two examples given were on a landfill near JFK Int'l Airport, and the closure of the Morgantown landfill in West Virginia...Most of the site for the Van Buren landfill lies within 10,000 feet of Camillus. That is the limit prescribed by the FAA and the DEC for a runway used by turbojets. The county planned on putting raw garbage on the northern section of the Van Buren site just outside that limit, while putting the ash and the hardfill inside the limit. Birds, argued the county, would be attracted by the raw garbage, and would not enter the exclusion zone. The FAA disagreed. '**We have seen ash landfill attract birds,**' said DeGraaff. 'Our order (FAA regulations concerning birds) doesn't differentiate. A landfill is a landfill'...Van Buren poses additional problems. Because the airport is 200 feet higher than the landfill site, planes from Camillus Airport likely would fly over the area in the 500 to 1000-foot altitude range, where bird accidents are most likely to occur, said the officials. The site is within a 20-mile radius of Syracuse Hancock International Airport...' The Post Standard, NY, April 7, 1989, page B-3.

**MAGPIES SEEN FEEDING ON INCINERATOR ASH IN UMEA, SWEDEN.** In August 1988, **Waste Not** editors together with Tom Webster of the Center for the Biology of Natural Systems, toured an incinerator in Umea, Sweden. Umea is a large university town, 400 miles north of Stockholm. The editors were struck by the scene of a number of magpies feeding on the incinerator ash outside the plant. The magpies were perched on the rim of the large ash containers waiting to go to landfill. There were several magpies, flying back and forth, and the contents of the incinerator ash kept them very busy. This particular incinerator, built in the early 70's abuts a very large housing complex and is situated close to the University of Umea which houses a very large hospital. The incinerator generates electricity and produces steam for heating and hot water needs of the town of Umea, approx. population 60,000. According to the chief engineer **only 25% of the energy produced by the incinerator is generated by the burning of garbage.** 75% of the energy is produced by the burning of oil, wood and peat. 80% of the peat burned in the incinerator is imported from Finland. According to **Greenpeace** officials in Sweden, the Umea incinerator emits more dioxin than any other incinerator in Sweden. In Umea there was little evidence of recycling and even less awareness of the toxicity of incinerator ash. Umea's incinerator ash is sent to an unlined landfill along with the town's sewer sludge. The practice of landspreading Umea's sewer sludge stopped in the summer of 1988 because of the high levels of metals found in the sludge.

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**Paul & Ellen Connett, Editors**  
82 Judson Street  
Canton, New York 13617  
(315)379-9200

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