



CHATHAM COUNTY COMMISSIONERS

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Resolution of the Chatham County Board of Commissioners

REQUESTING THE ADOPTION OF STATE RULES REQUIRING EARLY IMPLEMENTATION OF FEDERAL STANDARDS FOR HOSPITAL, MEDICAL AND INFECTIOUS WASTE INCINERATORS

WHEREAS, on October 6, 2009, the United States Environmental Protection Agency (“USEPA”) adopted federal regulations in 40 CFR 60 Subpart Ce – entitled “Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators” for existing medical waste incinerators (“New Federal Standards”); and

WHEREAS, the New Federal Standards establish lower emission rates and additional operating conditions than existing state and prior federal regulations; and

WHEREAS, the New Federal Standards require states to promulgate new state rules that will require existing medical waste incinerators to comply with the New Federal Standards no later than October 6, 2014, and obtain USEPA approval of the new state rules within two years after October 6, 2009; and

WHEREAS, a public hearing is scheduled for May 25, 2010 for the “Title V” permit renewal for a medical waste incinerator in Haw River in adjoining Alamance County owned by Stericycle, Incorporated; and

WHEREAS, the timing of this permit renewal is such that renewal will occur prior to implementation of the new USEPA rules by the North Carolina Environmental Management Commission; and

WHEREAS, Stericycle’s annual waste incineration at its facility was reported as over 26 million pounds last year, with the high probability for prevailing winds to carry emissions into Chatham County from this location; and

WHEREAS, public concerns regarding medical waste incineration have been recently expressed by other local governments, specifically Mecklenburg County, the nearby Towns of Matthews and Stallings, Orange County and members of the public and environmental groups; and

WHEREAS, those emissions from waste incineration contain significant levels of many toxic chemicals including lead, mercury, cadmium, dioxins and particulate matter; and

WHEREAS, since the North Carolina Department of Air Quality has already initiated the rulemaking process to incorporate the New Federal Standards into the North Carolina rules, it would be more efficient for the State to adopt a statewide rule as required by USEPA and follow the County's request for early statewide implementation of the New Federal Standards than for the County to obtain special permission for its local regulations to be inconsistent with State rules;

NOW THEREFORE BE IT RESOLVED, that the Chatham County Board of Commissioners respectfully requests that the North Carolina Environmental Management Commission adopt State rules implementing the October 6, 2009 federal guidelines (40 CFR 60 Subpart Ce Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators) with an effective compliance date for existing medical waste incinerators of no later than October 6, 2012 to include new operating conditions, completing modifications, beginning operations and demonstrating compliance by stack test by that date.

Adopted this 17th day of May, 2010.

Sally Kost, Chair

ATTEST:

Sandra B. Sublett, CMC, NCCCC, Clerk to the Board
Chatham County Board of Commissioners