**Section 229.110 General Applicability**

a) Except as provided for in subsections (b), (c), (d) and (e) of this Section and Section 229.112 of this Subpart, this Part applies to all HMIWIs for which:

1) Construction commenced either on or before June 20, 1996, or modification was commenced either on or before March 16, 1998; or

2) Construction commenced either after June 20, 1996 but no later than December 1, 2008, or for which modification is commenced after March 16, 1998 but no later than April 6, 2010.

b) An HMIWI otherwise subject to the emission limits in this Part is only subject to the recordkeeping requirements set forth in Section 229.182(b), (f) and (g) of this Part during those periods when it combusts only pathological waste, low-level radioactive waste, or chemotherapeutic waste, provided the owner or operator of the HMIWI notifies the Agency of its intention to operate pursuant to this operating scenario in its CAAPP application submitted in accordance with either Section 229.115(b)(1), Subpart D of this Part, or Section 39.5 of the Act.

c) An HMIWI that combusts only pathological waste, low-level radioactive waste, or chemotherapeutic waste is subject to only the recordkeeping requirements set forth in Section 229.182(c), (f) and (g) of this Part provided that the owner or operator of an HMIWI provides, by December 15, 1999, both the Agency and the USEPA with a written certification of its status as an HMIWI burning only the wastes listed in this subsection.

d) A co-fired combustor is subject only to the recordkeeping requirements set forth in Section 229.182(d), (f) and (g) of this Part, provided that the owner or operator of the combustor is subject to a permit condition limiting its fuel feed stream to co-fired combustor status, provides, by December 15, 1999, both the Agency and USEPA with a written certification of its status as a co-fired combustor, including an estimate of the relative weight of hospital waste, medical/infectious waste, and other fuels and/or waste combusted at the facility.

e) Any hospital that does not operate an HMIWI but that sends any of its hospital waste or medical/infectious waste to an off-site HMIWI is subject only to the waste management plan provisions set forth at Section 229.178 of this Part.

f) Before January 1, 2014, each owner or operator of an HMIWI as defined in subsection (a)(1) of this Section, subject to the emissions limits under Section 229.125(a) or Section 229.126(a), shall comply with all the applicable provisions of this Part.

g) On and after January 1, 2014, an HMIWI as defined in subsection (a)(1) of this Section is no longer subject to the emissions limits under Section 229.125(a) or Section 229.126(a) of this Part, but is subject to the emissions limits under Section 229.125(c) or Section 229.126(c), and shall comply with all the applicable provisions of this Part.

h) On and after January 1, 2014, each owner and operator of an HMIWI as defined in subsection (a)(2) of this Section is no longer subject to the provisions under New Source Performance Standards for Hospital/Medical/Infectious Waste Incinerators (40 CFR 60, subpart Ec), but is subject to the emissions limits under Section 229.125(c) or Section 229.126(c), and shall comply with all the applicable provisions of this Part.

(Source: Amended at 35 Ill. Reg. 16615, effective September 30, 2011)