

**§ 444.11 Definitions.**

As used in this part the general definitions and abbreviations in 40 CFR part 401 shall apply.

*Commercial hazardous waste combustor* means any thermal unit, except a cement kiln, that is subject either to 40 CFR part 264, subpart O; 40 CFR part 265, subpart O; or 40 CFR part 266, subpart H if the thermal unit burns RCRA hazardous wastes received from off-site for a fee or other remuneration in the following circumstances. The thermal unit is a commercial hazardous waste combustor if the off-site wastes are generated at a facility not under the same corporate structure or subject to the same ownership as the thermal unit and

(1) The thermal unit is burning wastes that are not of a similar nature to wastes being burned from industrial processes on site or

(2) There are no wastes being burned from industrial processes on site. Examples of wastes of a "similar nature" may include the following: Wastes generated in industrial operations whose wastewaters are subject to the same provisions in 40 CFR Subchapter N or wastes burned as part of a product stewardship activity. The term commercial hazardous waste combustor includes the following facilities: a facility that burns exclusively waste received from off-site; and, a facility that burns both wastes generated on-site and wastes received from off-site. Facilities that may be commercial hazardous waste combustors include hazardous waste incinerators, rotary kiln incinerators, lime kilns, lightweight aggregate kilns, and boilers. A facility not otherwise a commercial hazardous waste combustor is not a commercial hazardous waste combustor if it burns RCRA hazardous waste for charitable organizations, as a community service or as an accommodation to local, state or government agencies so long as the waste is burned for no fee or other remuneration.

*Commercial hazardous waste combustor wastewater* means wastewater attributable to commercial waste combustion operations, but includes only wastewater from air pollution control systems and water used to quench flue gas or slag generated as a result of

commercial hazardous waste combustor operations.

*Off-site* means outside the boundaries of a facility.

*On-site* means within the boundaries of a facility.

*Parameters* are defined as Parameters at 40 CFR 136.2 in Table 1B, which also cites the approved methods of analysis.

(1) *Arsenic* means total arsenic, Parameter 6.

(2) *Cadmium* means total cadmium, Parameter 12.

(3) *Chromium* means total chromium, Parameter 19.

(4) *Copper* means total copper, Parameter 22.

(5) *Lead* means total lead, Parameter 32.

(6) *Mercury* means total mercury, Parameter 35.

(7) *pH* means hydrogen ion, Parameter 28.

(8) *Silver* means total silver, Parameter 62.

(9) *Titanium* means total titanium, Parameter 72.

(10) *TSS* means total suspended solids, Parameter 55.

(11) *Zinc* means total zinc, Parameter 75.

*POTW* means a publicly owned treatment works.

**§ 444.12 Monitoring Requirements**

(a) Both direct and indirect discharges must monitor to establish compliance with their limitations and standards. Thus, all the permits of all direct dischargers must include requirements to monitor, according to EPA-approved test procedures, each pollutant limited in the permit, the volume of effluent discharged from each outfall, and other appropriate measurements subject to notification requirements. See 40 CFR 122.44(i). EPA's pretreatment regulations similarly require indirect dischargers to monitor to demonstrate compliance with pretreatment standards. See 40 CFR 403.12(g).

(b) Incorporation by reference:

(1) Compliance with the monitoring requirements may be accomplished using approved test procedures listed in the table to this paragraph. Most of these test procedures have previously been incorporated by reference at 40