



Legislative and Regulatory Updates

Hazardous Waste Advisory Committee
May 24, 2018

RCRA Regs Update and Authorization



- DEEP is working with EPA on a schedule to update our HW regulations.
- Currently proposing a two-phase approach:
- Phase 1 - adopt federal rules through 7/1/2008 plus:
 - 3 EPA Rules necessary for the e-Manifest.
 - Possible portions of the Generator Improvements Rule (GIR).
- Phase 2 - adopt federal rules through ~ 2018.

RCRA Regs Update and Authorization (Cont.)

- PA 17-242 requires DEEP to adopt GIR or submit a report to the legislature proposing an alternative schedule.
- Due to Incorporation by reference format, DEEP will not be able to adopt all of the GIR in Phase 1.
 - Might be able to adopt certain pieces of it (e.g., consolidation of CESQG waste at LQG sites and episodic generation requirements for CESQGs and SQGs).
 - Developing a Survey Monkey survey to solicit information from stakeholders on preferences for adoption (more on this later).

Solvent Wipes Rule



- DEEP has adopted EPA's 2013 Solvent Wipes Rule.
- Effective date: 8/25/2017.
- Solvent wipes now subject to a special, streamlined set of requirements.
- For more information, see a detailed [DEEP PowerPoint presentation](#) from 2017.

Solvent Wipes - Eligible Materials



- “Wipe” = cloth, paper, non-woven wiper, rag, pad, or swab made of wood pulp, fabric, cotton, polyester, or other material.
- “Solvent Contaminated Wipe”:
 - Contains one or more of the [F001-F005](#) listed solvents and their [U-listed counterparts](#);
 - Is [characteristically hazardous](#) resulting from one of these solvents; or
 - Exhibits the [characteristic of ignitability](#) due to a non-listed solvent.

Solvent Wipes - Ineligible Materials



- Wipes containing trichloroethylene being sent for disposal.
 - OK if being laundered.
- Wipes that are hazardous for anything other than the constituents listed on the previous slide. Examples:
 - Wipes that are hazardous for TCLP metals only.
 - Wipes that are hazardous for one of the constituents listed on the previous slide and TCLP metals.

Solvent Wipes - Overview of Requirements



- No free liquids allowed (must be managed as HW).
- Stored and transported in rigid (CT), non-leaking, closed containers that are capable of containing any free liquids.
- Labeled “Excluded Solvent-Contaminated Wipes.”
- Marked with accumulation date (CT).
- Cannot be comingled with other wastes (CT).
- 180-day accumulation time limit.
- Generator recordkeeping: destination facility, shipment records.

Solvent Wipes - Launderable Wipes



- No longer have to be managed as HW while on-site.
- However, generators must comply with the conditions for the exclusion (labeling/recordkeeping/no free liquids, etc.) for wipes to be exempt.
- Wipes must be sent to approved facilities (i.e., have a DEEP permit for their wastewater discharge).
- Consider managing wipes as HW until steps have been taken to ensure compliance with the conditions for the exclusion.

Solvent Wipes - Disposable Wipes

- No longer have to be managed as HW.
- However, generators must comply with the conditions for the exclusion (labeling/recordkeeping/no free liquids, etc.) for wipes to be exempt.
- Wipes must be sent to approved facilities (e.g., RRF or out-of-state SWLF).
- Consider managing wipes as HW until steps have been taken to ensure compliance with the conditions for the exclusion.



Solvent Wipes - Practical Impacts



- Some generators may reduce waste generation enough to lower their HW generator status (e.g. LQG to SQG or SQG to CESQG).
- If generators generate wipes that are eligible for the exclusion and others that are NOT eligible, they will have to separate them in order to manage the excluded wipes under the new rule.
- Generators may want to review their processes and find ways to eliminate sources of contamination that might make wipes ineligible for the exclusion.
 - Example: If their solvent wipes contain TCLP lead (ineligible), try to find a way to eliminate the source of the lead.

Generator Improvements Rule

- Issued by EPA on 11/28/2016.
- Federal Effective Date - 5/30/2017.
- None of this rule will be effective in Connecticut until DEEP amends its regulations to adopt it.
- DEEP considering adopting certain portions of the rule in the currently-proposed reg update package.
- Survey Monkey survey coming out soon:
 - Will allow DEEP to solicit info from stakeholders about their preferences for adoption of different parts of the rule.
- Survey link will be sent out on the HWAC listserv.

HAZARDOUS WASTE
FEDERAL LAWS PROHIBIT IMPROPER DISPOSAL.
IF FOUND, CONTACT THE NEAREST POLICE OR
PUBLIC SAFETY AUTHORITY, OR THE
U.S. ENVIRONMENTAL PROTECTION AGENCY.

GENERATOR INFORMATION:
NAME _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____
EPA ID NO. _____ EPA WASTE NO. _____
ACCUMULATION START DATE _____ MANIFEST TRACKING NO. _____

U.S.T. PROPER SHIPPING NAME AND UN OR NA NO. WITH PREFIX

HANDLE WITH CARE!

Proposed EPA Aerosol Can Rule



- EPA proposed rule issued 3/16/2018.
- Comment period ended 5/15/2018.
- DEEP submitted Comments - posted on HW main page.
- Proposal: aerosol cans would be regulated as Universal Waste.
- Aerosol cans are generated by a wide variety of generators:
 - Manufacturing, Service Sector, Retail, others.

Aerosol Can Rule (Cont.)

- Will make management of aerosol cans easier, less-costly, while ensuring safe management.
- Proposed rule would also allow puncturing/draining of aerosol cans provided certain conditions are met.
- Does not address the reactivity issue (D003).
- Until EPA issues final rule and DEEP adopts it, status of aerosol cans remains the same.
 - See DEEP Fact Sheet, “[Management of Aerosol Cans.](#)”



Update of DEEP UST Regs

- DEEP has been working on update of Underground Storage Tank regulations for 3 years.
- RCOSA Section 22a-449(d)-1 and -101 through -113.
- Updated regs should be put out for public notice and comment in the coming months.
- Check the [DEEP Underground Storage Tank web page](#) for updates and information.



Questions?



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