

## Hazardous Waste Forum Summary

The third Hazardous Waste Forum was held April 8, 2009 at the Missouri Department of Natural Resources' Elm Street Conference Center in Jefferson City. Ninety-seven people attended the meeting either in-person or by telephone conference call. Attendees represented hazardous waste generators, hazardous waste permitted facilities, universities, environmental consultants, contractors, manufacturers, attorneys, several Missouri state agencies, local governments and other interested parties. The agenda is available from the Hazardous Waste Forum's Web page at <http://www.dnr.mo.gov/env/hwp/forum/forum.htm>.

### I. Morning Session

#### a. Welcome, Introductions and Review Goals

Bob Geller, Hazardous Waste Program Director, opened the meeting and welcomed the participants. He asked each attendee introduce him or herself. Geller gave a brief history of the forum, stating one of the main purposes of the Hazardous Waste Forum is to look at regulatory and guidance changes that may be appropriate but maintaining the goal of protecting human health and the environment. Geller explained key topics for the April 8 forum will be:

- Missouri Risk-Based Corrective Action, or MRBCA, rules.
- Other department rulemaking efforts.
- Container management regulations.
- Health profiles.

#### b. Department MRBCA status

John Madras provided a brief update on the departmental MRBCA rule. The rule was published in the *Missouri Register* on March 2 and a public hearing on the rule will be held in conjunction with the April 16, 2009 Hazardous Waste Management Commission meeting. Geller commented the department would welcome any comments at the public hearing.

#### c. Consolidated Permitting under new law, 640.017 RSMo

Madras explained a new bill, Senate Bill 1181 – an energy bill including permit coordination – would allow the department to utilize a unified permitting process. He noted that this rule would allow for a coordination of permits between different department programs.

#### d. Tanks RBCA rulemaking

Tim Chibnall provided attendees with an update on the status of the Tanks Risk-Based Corrective Action rulemaking process. The rules, Chibnall said, were originally filed with the Secretary of State Feb. 13, 2009. The Secretary of State requested changes in the rule formatting, but not in

content. The rules should be published in the *Missouri Register* on May 1, 2009, effectively starting the public comment for the rule package, which will run through Aug. 27, 2009. The public hearing will be held August 20 in Jefferson City in conjunction with a Hazardous Waste Management Commission Meeting. If everything remains on schedule, Chibnall said the rules could become effective in February 2010.

**e. Department rulemaking update**

Hazardous Waste Program rule coordinator Tim Eiken gave a brief summary of current and recently completed department rulemaking efforts. Eiken said our intention is to incorporate the 2004 Code of Federal Regulations (CFRs) into our state regulations, plus one rule from after June 2006 – a cathode ray tube rule.

Some of the updates mentioned by Eiken include:

- Revising the 72- hour rule for unloading hazardous waste from railcars.
- Repealing the Missouri regulation on financial assurance with letter of credit with a Missouri bank.
- Adopting the uniform manifest rule
- E-scrap rulemaking.

Eiken also said the department is asking for input about CFR's for next state rule package.

**f. Introduction to Container Management Workgroup**

Dennis Hansen gave an introduction to a Container Management Workgroup that would meet during the afternoon portion of the Hazardous Waste Forum. Hansen said the department has received comments that some container management rules are too costly and need to be reviewed to see if the rules should be modified. Main topics to be discussed by the Container Management Workgroup are:

- Additional rules for secondary containment for more than 1000 kg of liquid hazardous waste.
  - Meant to provide protection but some think the states' rules are too costly.
- Safety equipment requirement
- Container Marking and Labeling
  - These are required in Missouri for the entire time of waste accumulation and the department has received comments about markings. Some think they should only need to mark and label prior to shipment.

To finish the introduction to the Container Management Workgroup, Hansen showed a video describing a fire/explosion at a hazardous waste storage facility in North Carolina.

**g. Introduction to Health Profile Workgroup**

Darleen Groner, Missouri Department of Natural Resources, Cheri Baysinger, Missouri Department of Health and Senior Services and Carrie Yonley, Schreiber, Yonley & Associates, gave a brief overview of what a health profile is, and why a workgroup had been formed. The group explained what the Health Profile Workgroup would be working on during the afternoon portion of the Hazardous Waste Forum.

**h. Generator e-mail**

John Beard with the Hazardous Waste Program's Budget and Planning Section, told the attendees there had been a problem with an e-mail list of hazardous waste generators in Missouri. He asked those in attendance who received this information to confirm their e-mail address so that they could continue receiving e-mail notifications.

**Lunch**

**II. Afternoon Session**

Attendees split into two different workgroups for the afternoon portion of the Hazardous Waste Forum: the Container Management Workgroup and the Health Profile Workgroup. A summary of the Container Management Workgroup meeting can be found on the Container Management Workgroup's Web page at <http://www.dnr.mo.gov/env/hwp/cmgt/cmgt.htm> and a summary of the Health Profile Workgroup can be found on the Health Profile's Web page at [www.dnr.mo.gov/env/hwp/hprofile/prevmeetings.htm](http://www.dnr.mo.gov/env/hwp/hprofile/prevmeetings.htm).

**III. Closing Session**

- a. After the whole group had reassembled, Carrie Yonley briefed the audience on what was accomplished during the Health Profile Workgroup session. She said the group discussed the past and then went through a draft Health Profile rule, tweaked some wording, and re-defined options available for facilities. A final rule could be ready by June 2010. Following a comment from the audience, it was agreed a guidance document would need to be ready to go with the rule.
- b. Alice Geller gave a recap of the Container Management Workgroup. She also asked for anyone interested in being a part of the workgroup, to sign up with her before they leave.

**IV. Conclusion**

Bob Geller thanked everyone for their attendance and participation.