



MISSOURI
DEPARTMENT OF
NATURAL RESOURCES

Hazardous Waste Rule Amendments

Training
Dec. 9, 2015

Hazardous Waste Rule Amendments

- Regulation changes were prompted by passage of Section 260.373.1 Revised Statutes of the State of Missouri
- New rules effective Dec. 30, 2015

Adopting Federal Rules

- Update incorporation by reference of Code of Federal Regulations (CFR) to July 1, 2013; plus solvent wipes and electronic manifest rules
 - Current rules incorporate by reference July 1, 2010, edition
 - Amendments of 12 rules will be updated to the July 1, 2013, edition

Rules Affected by Incorporation by Reference of 2010 CFR

10 CSR 25

- Ch. 3, 4, 5 and 7
- 6.263 - Transporters
- 9.010 - Resource Recovery
- 11.279 - Used Oil
- 13.010 - PCBs
- 16.273 - Universal Waste Rule

Adopted Federal Rules Include:

- Removal of Saccharin and its Salts from the Lists of Hazardous Wastes, Dec. 7, 2010
- Corrections to the Academic Laboratories Generator Standards, Dec. 20, 2010
- Revisions of the treatment standards for carbamate wastes, June 13, 2011
- Hazardous Waste Technical Corrections and Clarifications, April 13, 2012
- Conditional Exclusion for Solvent Contaminated Wipes, July 31, 2013
- Hazardous Waste Electronic Manifest Rule, Feb. 7, 2014

Identification of Hazardous Waste

- Removal of state specific household hazardous waste requirements for treatment, storage or disposal facilities (TSDFs)
- Elimination of exclusion for hazardous secondary materials processed into zinc fertilizers

Zinc Fertilizer Exclusion

- Originally adopted in 2006
- Affected only one facility
- Standards are not protective

10 CSR 25-13.010 – Polychlorinated Biphenyls

- Updated incorporation by reference of CFR
- Removed additional MO language for exception reporting as we did for generator exception reporting in Ch. 5

Electronic Manifest Rule

- “Hazardous Waste Electronic Manifest Establishment Act” enacted Oct. 2012
- Requires U.S. Environmental Protection Agency (EPA) to establish a national e-manifest system in partnership with industry and the states
- Gives waste handlers option to complete, sign, transmit and store manifest info electronically

Electronic Manifest Rule Progress

- Two different rules planned by EPA to implement the statute
- First of the two rules – authorizes electronic manifests
- Handlers cannot begin tracking until EPA establishes the system
- System was to be online by Oct. 5, 2015
 - EPA has not received funding for this; however, progress has been made so you may track online:
<http://www3.epa.gov/epawaste/hazard/transportation/manifest/e-man.htm>

E-Reporting

- A web based system is now available
- Large Quantity Generators (LQGs) that utilize this system can choose to report annually instead of quarterly
- You must register to use the system before you can access it
- You can find more info at:
<http://dnr.mo.gov/env/hwp/downloads/hwfacgen-reports.htm>

Solvent Wipes Rules

- Wipe: woven or non-woven shop towel, rag, pad or swab made of wood pulp, fabric, cotton, polyester blends or other material
- Solvent-contaminated wipe – wipe that, after use or after cleaning up a spill
 - Contains one or more of the F001 through F005 solvents;
 - Exhibits a hazardous characteristic when that characteristic results from a listed solvent; or
 - Exhibits only the hazardous waste characteristic of ignitability due to the presence of solvents that are not listed

Solvent Wipes Rules

- Solvent-Contaminated Reusable Wipes: Solvent-contaminated wipes sent for cleaning and reuse are not solid wastes, provided the conditions of the exclusion are met

Solvent Wipes Rules

- Modifies Resource Conservation and Recovery Act (RCRA) hazardous waste regulations for solvent-contaminated wipes
- 40 CFR 261.4(a)(26) reusable wipes – conditional exclusion from the definition of solid waste
- 40 CFR 261.4(b)(18) disposable wipes – conditional exclusion from the definition of hazardous waste
- More stringent than existing department interpretations for laundered wipes

Solvent Wipes Rules

****applicable to both exclusions**

- May be accumulated by the generator for up to 180 days prior to being sent for cleaning or disposal
- Non-leaking closed container, that can contain free liquids, should they occur
- Marked “Excluded Solvent-Contaminated Wipes”

Solvent Wipes Rules

****applicable to both exclusions**

- No free liquids in container prior to being sent for cleaning or disposal
- Closed containers
- Maintain records

Solvent Wipes Rules

- Summary Chart
 - http://www.epa.gov/sites/production/files/2015-11/documents/sumry_chrt_wipes_fnl_rul_070913.pdf

10 CSR 25-7.264 – Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDFs)

- Areas of emphasis
 - Makes owner/operator responsibilities consistent with federal regulations
 - Eliminates Missouri’s “24 hour rule” interpreting EPA’s policy on permitted and interim status storage (EPA 24 hour policy still applies)
 - Eliminates the Missouri specific requirements for import of hazardous waste, content of waste analysis plans and information placed in the facility operating record

10 CSR 25-7.264 – Hazardous Waste TSDFs

- **Areas of emphasis (cont.):**
 - Eliminates surface water monitoring requirements for regulated units (handled under corrective action as needed)
 - Eliminates Missouri-specific closure requirements for units that close with contaminant levels above background but below residential levels (deed notice/survey plat)
 - Eliminates Missouri-specific financial assurance requirements
 - Retains option for storage of hazardous waste within 50 feet of property line

10 CSR 25-7.264 – Hazardous Waste TSDFs

- Areas of emphasis (cont.):
 - Eliminates Missouri-specific, location, design/construction and operating standards for hazardous waste management units including those that are land-based
 - Eliminates the Missouri-specific requirements for health profiles
 - Retains option on railcar management plans

10 CSR 25-7.265 – Interim Status Hazardous Waste TSDFs

- Updated incorporation by reference of Code of Federal Regulations
- Areas of emphasis:
 - Makes owner/operator responsibilities consistent with federal regulations
 - Eliminates Missouri’s “24 hour rule” interpreting EPA’s policy on permitted and interim status storage (EPA 24 hour policy still applies)
 - Eliminates the Missouri-specific requirements for import of hazardous waste

10 CSR 25-7.265 – Interim Status Hazardous Waste TSDFs

- **Areas of emphasis (cont.):**
 - Eliminates Missouri-specific financial assurance requirements
 - Eliminates Missouri-specific closure requirements for units that close with contaminant levels above background but below residential levels (deed notice/survey plat)
 - Eliminates Missouri specific design and operating standards for hazardous waste management units
 - Retains option on railcar management plans (language expanded to mirror 10 CSR 25-7.264)

10 CSR 25-7.266 – Boilers and Industrial Furnaces

- Updated incorporation by reference of Code of Federal Regulations
- Areas of emphasis:
 - Makes owner/operator responsibilities consistent with federal regulations
 - Removes references/requirements for design and operating standards contained in 10 CSR 25-7.264 and 10 CSR 25-7.265

10 CSR 25-7.268 – Land Disposal Restrictions

- Updated incorporation by reference of Code of Federal Regulations
- Areas of emphasis:
 - Makes owner/operator responsibilities consistent with federal regulations
 - Eliminates land disposal prohibitions and treatment standards for certain types of dioxin wastes

10 CSR 25-7.270 – Hazardous Waste Permit Process

- Updated incorporation by reference of Code of Federal Regulations
- Areas of emphasis:
 - Makes owner/operator responsibilities consistent with federal regulation
 - Eliminates Missouri-specific requirements for elementary neutralization and wastewater treatment units
 - Eliminates Missouri-specific permit application information requirements including seismic evaluation/certification, certain technical details, habitual violator and health profile

10 CSR 25-8.124 – Public Participation

- Unlike other rules, MO does not incorporate 40 CFR part 124 by reference
- MO rule restates requirements of federal rule with state-specific language

Moving Forward

- New webpage now available with newsletter and other guidance
<http://dnr.mo.gov/env/hwp/enf/ruleupdate.htm>
- Now preparing new checklists and factsheets
- Will discuss changes with facility managers during inspections

Questions ?

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