

MDNR Hazardous Waste Forum

Hazardous Waste Container Management Concepts

Satellite Accumulation Areas (SAAs)

May 2011

Purpose: Brainstorming by MU staff for different concepts to address stakeholder concerns for the management of hazardous waste at the SAA level. This is a companion piece to the packaging, marking and labeling concepts produced by MDNR for the April 2011 Hazardous Waste Forum meeting.

Background description of concerns: MDNR's interpretation of 40 CFR 262.34(c) differs from the Federal interpretation. Missouri allows the accumulation of up to 55 gallons of each waste stream with only a single container (regardless of size) allowed for each waste stream. When a second container is started or the amount for any single waste stream exceeds 55 gallons, or ANY container reaches one calendar year from the date waste is first placed into it, the first container (again regardless of size) [or container exceeding one year accumulation] must be moved to the hazardous waste management area within three calendar days. Federal interpretation only allows 55 gallons of all waste streams in as many containers as desired in a single SAA. Once 55 gallons are exceeded, the amount exceeding 55 gallons must be moved to the hazardous waste management area within three calendar days. There is no time limit at the Federal level. [While technically only the excess must be moved, most generators move the initially accumulated 55 gallons, leaving the "excess" as the start of the next 55 gallons.]

Concept 1 – No Change

Description: Continue program without change.

Pros: No retraining of generators or inspectors needed.

Cons: Does nothing to address stakeholder concerns first raised four years ago.

Cost to DNR (if any): None.

Cost to Generator (if any): None.

Concept 2 – Tiered Approach – Up to 55 gallons of each waste stream regardless of number of containers

Description: Allows two tiers of compliance. Generator's tier either based on generator status (LQG vs SQG) or preference. Tier one (or possible SQG level): no change to current interpretation. Tier two (or possible LQG level): Allow up to 55 gallons of each waste stream in multiple containers. Generator takes on additional burden to date each container when full. Once 55 gallons are reached on any waste stream, or any container has been at SAA one year from start date, container(s) of that waste stream must be moved to central accumulation area within three calendar days.

Pros: Allows generator flexibility to use container size best suited for each operating area without penalizing generator by premature movement to central accumulation area for choosing a smaller container. Allows generators that want no change to continue business as usual.

Cons: Requires some type of declaration of management method being used – either in advance to MDNR or at the beginning of a regulatory visit.

Cost to DNR (if any): Requires minor retraining of inspectors. Requires rewriting of MDNR guidance.

Cost to Generator (if any): Either no cost or cost saving depending on tier/choice.

Concept 3 – Tiered Approach – 55 gallons of each waste stream but only one container OR 55 gallons of all waste streams combined without regard to number of containers (aka Federal interpretation with Missouri one year time limit)

Description: Allows two tiers of compliance. Generator's tier either based on generator status (LQG vs SQG) or preference. Tier one (or possible SQG level): no change to current interpretation. Tier two (or possible LQG level): Allow up to 55 gallons of all waste streams combined in multiple containers. Once 55 gallons are reached on collective waste streams, or any container has been at SAA one year from start date, adequate [and at least all full] container(s) of waste streams must be moved to central accumulation area within three calendar days to reduce amount at SAA to less than 55 gallons.

Pros: Allows generator flexibility to use container size best suited for each operating area without penalizing generator by premature movement to central accumulation area for choosing a smaller container. Minimizes the amount that can be accumulated at SAA thus increasing safety; an issue MDNR has expressed as a concern Allows generators that want no change to continue business as usual.

Concept 3 – (Continued)

Cons: For generators that choose the “no change” tier it does not increase safety at the SAA – which MDNR has expressed as a concern. Requires some type of declaration of management method being used – either in advance to MDNR or at the beginning of a regulatory visit.

Cost to DNR (if any): Requires minor retraining of inspectors. Requires rewriting of MDNR guidance.

Cost to Generator (if any): Choosing “No change” – no cost. Choosing “Change” – both cost saving or additional cost conceivable based on current number of SAA waste streams and rate of generation. (Those for whom change would add cost would likely choose to not change.)

Concept 4 – Adopt Straight Federal Interpretation

Description: Allow up to 55 gallons of all waste streams combined in multiple containers. Once 55 gallons are reached on collective waste streams adequate [and at least all full] container(s) of waste streams must be moved to central accumulation area within three calendar days to reduce amount at SAA to less than 55 gallons.

Pros: Allows businesses that operate in multiple states to operate in Missouri without change in their SOPs for Missouri-located operations. Increases the allowable storage time for low volume waste streams eliminating the requirement to ship nearly empty containers due to the current one year time limit – thus reducing cost to these generators. Minimizes the amount that can be accumulated at SAA thus increasing safety; an issue MDNR has expressed as a concern.

Cons: Decreases the amount that can be stored at SAA for generators that have multiple waste streams currently accumulated in 55-gallon drums.

Cost to DNR (if any): Requires modification of CSR to eliminate requirement to date containers when waste is first placed in them and the costs associated with making such a change. Requires minor retraining of inspectors. Requires rewriting of MDNR guidance.

Cost to Generator (if any): Potentially increases frequency for shipping wastes from site (but only to those holding more than 55 gallons total – but less than 55 gallons/waste stream - at the SAA for the entire year allowed, then moving to a central facility and holding for 90/180/270/365 [as applicable] before shipping.)

Concept 5 – Adopt Federal Interpretation but retain Missouri one-year accumulation limit

Description: Allow up to 55 gallons of all waste streams in multiple containers. Once 55 gallons are reached on collective waste streams, or any container has been at SAA one year from start date, adequate [and at least all full] container(s) of waste streams must be moved to central accumulation area within three calendar days to reduce amount at SAA to less than 55 gallons.

Pros: Allows businesses that operate in multiple states to operate in Missouri without major change in their SOPs for Missouri-located operations. Minimizes the amount that can be accumulated at SAA thus increasing safety; an issue MDNR has expressed as a concern.

Cons: Does not address generators with low volume waste streams currently required to ship nearly empty containers due to the one year time limit.

Cost to DNR (if any): Requires minor retraining of inspectors. Requires rewriting of MDNR guidance.

Cost to Generator (if any): Potentially increases frequency for shipping wastes from site (but only to those holding more than 55 gallons total – but less than 55 gallons/waste stream - at the SAA for the entire year allowed, then moving to a central facility and holding for 90/180/270/365 [as applicable] before shipping.)

Concept 6 – Extend grace time to move full containers when 55 gallons not exceeded

Description: Retains current regulations but modifies interpretation of when full containers must be moved. New language in interpretation would allow full containers of a waste stream, where the on-site volume of given waste stream is less than 55 gallons total, a more reasonable time frame to move the full container from SAA, such as 30 days. It would still require movement within three days when using 55 gallon drums for accumulation.

Pros: Allows generators that want no change to continue business as usual while addressing the concern of generators using smaller individual containers (for safety or space reasons), particularly those with many SAAs, a more reasonable time frame to remove the full container from the SAA without compromising existing Federal or State regulations.

Cons: None identified.

Cost to DNR (if any): Requires minor retraining of inspectors. Requires rewriting of MDNR guidance.

Cost to Generator (if any): No change or decreased operating costs.