

Hazardous Waste Connection

Compliance Information for Generators in Kansas

Fall 2010

Vol. 10, No. 2

INSIDE

Director's Comments.....2

Free Hazardous Waste
Generator Workshops2

New Generator
Classification System3

Contacts & Upcoming
Events.....4

Summary of Changes to the Hazardous Waste Regulations

While the new hazardous waste regulations will look very different than they previously did, the actual requirements that generators must comply with are not that different. The following list is not all inclusive, but is a summary of the changes that may affect you:

Numbering system – the new regulations have a completely new numbering system **Adopting through 2006 CFRs or Federal Regulations (Yellow copies)** – This will not include the new definition of solid waste

Generator classification changes, including new definitions, new class, and new names **Less regulation** for generators of between 55 lbs and 220 lbs per month of hazardous waste

- Monthly rather than weekly inspections (also includes generators of 0 to 55 lbs)
- Ability to take hazardous waste to a household hazardous waste facility permitted to manage business waste (also includes generators of 0 to 55 lbs)
- Additional requirement to train employees within 6 months of hire and provide annual training after that and to document all training (more stringent than previous requirements)
- Exceeding 2,200 pounds of hazardous waste on-site will cause them to become a Small Quantity Generator
- New option for posting preparedness and prevention information when the facility has no land line and is dependent on cell phones

(Continued on Page 2)

Hazardous Waste Connection

Kansas Department of Health & Environment



Prepared and Distributed by
Bureau of Waste Management

Please direct inquiries and opinions to:
KDHE – BWM
Hazardous Waste Connection
1000 SW Jackson
Suite 320
Topeka, KS 66612-1366

For subscription information call:
(785) 296-1600

email: bwm_web@kdheks.gov

www.kdheks.gov
www.kdheks.gov/waste

*KDHE Mission
As the state's environmental protection and
public health agency, KDHE promotes
responsible choices to protect the health
and environment for all Kansans.*

Where is KDHE different than EPA and why?

We often get the questions, why are KDHE's regulations different than EPA's and how are they different? KDHE is required by statute (KSA 65-3451) to regulate anyone generating 55 pounds or more per month of hazardous waste. EPA regulates only those generators who generate 220 pounds or more per month. Therefore, KDHE will continue to regulate anyone who generates 55 pound or more of hazardous waste per month. In fact, that is one of the major differences between KDHE and EPA. The new regulations create a special class of generators (Kansas Small Quantity Generators or KSQGs) for those generating 55 pounds to 220 pounds of hazardous waste per month. By separating them (they were formerly part of the larger Kansas Generator class of 55 pounds to 2,200 pounds per month) into their own class, we are able to regulate them to a lesser degree than those generating between 220 and 2,200 pounds per month (Small Quantity Generators or SQGs). Following are some other major differences faced by many of our generator classes:



Differences affecting all generator classes:

- Satellite accumulation container definition is different than EPA. KDHE allows only one container of waste up to 55 gallons (not pounds) at each point of generation. EPA allows multiple containers. However, KDHE also views each waste stream as a separate point of generation, thus allowing you to have multiple satellite accumulation containers stored in close proximity as long as each contains a different waste stream. This requirement did not change significantly from our old regulations.

(Continued on Page 3)

Director's Comments

by Bill Bider, Director, Bureau of Waste Management

I have been the director of the Bureau of Waste Management for over 17 years and seen many changes to solid and hazardous waste regulations. This issue of Hazardous waste Connection focuses on a comprehensive update to the hazardous waste regulations. Never has an update involved so much work to fully satisfy the U.S. EPA and never has the outcome been so valuable to the regulated community. Without adding many new requirements, the new regulations are easier to follow than the old regulations because the numbering system and facility classification nomenclature are more consistent with the federal regulations. Some details are presented in this newsletter but much more information will be provided in the upcoming generator workshops.

Compliance with applicable hazardous waste regulations requires regular training and ongoing vigilance. Compliance does not just happen. Management must make it a priority and employees need reminders and encouragement. Compliance with the many details of the applicable rules (like labeling, keeping lids closed, and recordkeeping) do not necessarily cost much, but major failures in these areas can be costly with respect to penalties and potential legal expenses. I encourage you all to become very familiar with the new regulations by thoroughly studying the articles in this newsletter and by attending one of the generator workshops. You can minimize your future liabilities by taking advantage of these training opportunities.

Hazardous Waste Regulations Change Summary *(Continued from Page 1)*

Additional requirements for generators of between 220 lbs and 2,200 lbs per month:

- Requirement to train employees within 6 months of hire and provide annual training after that and to document all training
- Storage time limit of 180 days (or 270 when shipping waste more than 200 miles) imposed
- Allowed to accumulate up to 13,200 lbs (6,000 kg) on-site
- Exceeding amount of waste (13,200 lbs) or time limit, will cause them to become an unpermitted Treatment, Storage, and Disposal Facility (TSDF)
- New option for posting preparedness and prevention information when the facility has no land line and is dependent on cell phones

60-day time limit to update Notification of Regulated Waste Activity form when information changes

Commercial Chemical Product is defined to help distinguish between waste and product

The majority of requirements for generators are **NOT** changing, including:

- Basic Container Management Requirements (labeling, dating, condition, closure, etc.)
- Acute Hazardous Waste (P-List) requirements
- Used Oil Requirements
- Universal Waste Requirements
- Recordkeeping
- Manifests
- Annual Monitoring Fees



Free Hazardous Waste Generator Workshops

Learn about the new Kansas Hazardous Waste Regulations

Morning sessions are advanced workshops providing a brief update to the changes and where Kansas differs from the federal regulations. *Afternoon/evening sessions* are introductory courses in hazardous waste (RCRA) and will incorporate all new Kansas regulations.

Registration is required.

Register at:

http://www.kdheks.gov/waste/p_workshops.html

For more information - contact Rebecca Wenner at 785-296-1604 or rwenner@kdheks.gov

City	Date	Sessions
Topeka	11/02/10	9 - 11 am 1 - 4 pm; 6 - 9 pm
Webinar	11/02/10	9 - 11 am
KC Area	11/04/10	9 - 11 am 1 - 4 pm; 6 - 9 pm
Salina	11/10/10	1 - 4 pm
Dodge City	11/16/10	1 - 4 pm
Colby	11/17/10	1 - 4 pm
Hays	11/18/10	1 - 4 pm
Pittsburg	11/29/10	1 - 4 pm
Chanute	11/30/10	1 - 4 pm
Wichita	12/14/10	10 - 12 noon 1 - 4 pm; 6 - 9 pm
KC Area	12/15/10	9 - 11 am 1 - 4 pm

New Generator Classification System

One of the most noticeable changes to the regulations will be the change in how we define generators and what each class of generators is called. We currently have three generator classes but under the new regulations, we will have four classes. The names of our generator classes were changed to more closely match the federal terms. The following table summarizes the changes in terminology.

Generators	Old (Current) Kansas Generator Classification	New (Proposed) Kansas Generator Classification	Federal (EPA)
Generators of less than 25 kg (55 lbs) of hazardous waste/month	Kansas small quantity generator	Conditionally exempt small quantity generator (CESQG)	Conditionally-exempt small quantity generator (CESQG)
Generators of 25 kg (55 lbs) or more but no more than 100 kg/month	Kansas generator	Kansas small quantity generator (KSQG)	
Generators of greater than 100 kg (220 lbs) but less than 1,000 kg (2,200 lbs) of hazardous waste/month		Small quantity generator (SQG)	Small quantity generator (SQG)
Generators of 1,000 kg (2,200 lbs) or more of hazardous waste/month	EPA generator	Large quantity generator (LQG)	Large quantity generator (LQG)

KDHE/EPA Differences

(continued from Page 1)

- Satellite accumulation containers must be labeled with the words “Hazardous Waste” in Kansas. EPA allows these containers to be labeled with either the words “Hazardous Waste” or the contents of the containers. KDHE requires the words “Hazardous Waste”.
- If analytical testing is done as part of a hazardous waste determination, then the testing must be done by a KDHE certified laboratory.

Differences affecting only CESQGs and KSQGs

- Inspections of containers of hazardous waste are required. A change to the regulation is that the frequency of those inspections has been reduced from weekly to monthly.

Differences affecting only KSQGs

- They are regulated as a generator in Kansas, whereas they are a conditionally exempt small quantity generator at the federal level.
- Must meet the same preparedness and prevention requirements as the SQGs.
- Must obtain an EPA identification number using the Notification of Regulated Waste Activity form.
- Must send hazardous waste off-site under a hazardous waste manifest (existing requirement) or alternatively have the option of taking small amounts of hazardous waste to a household hazardous waste facility that is permitted to handle business waste (new option under the revised regulations).

Differences affecting KSQGs and SQGs only

- Those KSQGs and SQGs that do not have a land-line for telephone and are completely dependent on cell phones have a new option for posting emergency preparedness information.
- Training must be documented and must be provided to new employees within 6 months of their hire date (or transfer to a new position) and it must be provided annually after that. EPA requires training, but does not specify initial or annual and does not require that the training be documented.

Differences affecting KSQGs, SQGs, and LQGs

- They must update information on their Notification of Regulated Waste Activity form and submit it to KDHE within 60 days of the information changing. This is an existing requirement, but the 60-day time limit is new.
- They must pay an annual monitoring fee (existing requirement).

264-21

ADDRESS SERVICE REQUESTED



Contacts

Hazardous waste generator issues

Rebecca Wenner 785-296-1604 rwenner@kdheks.gov
Jim Rudeen 785-296-1603 jrudeen@kdheks.gov

Special waste disposal

Tony Guy 785-296-0681 tguy@kdheks.gov

Hazardous waste transporter registration

Sarah Fulton 785-296-0005 sfulton@kdheks.gov

Hazardous waste permitting

Mostafa Kamal 785-296-1609 mkamal@kdheks.gov

Groundwater monitoring

Brad Roberts 785-296-5639 broberts@kdheks.gov

Bureau Director

Bill Bider 785-296-1612 wbider@kdheks.gov

District Offices

North Central District - Salina 785-827-9639
Northeast District - Lawrence 785-842-4600
Northwest District - Hays 785-625-5663
South Central District - Wichita 316-337-6020
Southeast District - Chanute 620-431-2390
Southwest District - Dodge City 620-225-0596
Satellite Office - Ulysses 620-356-1075



Kansas Department of Health and Environment
Bureau of Waste Management
1000 SW Jackson, Suite 320 Topeka, KS 66612-1366
Ph 785-296-1600 or 1-800-282-9790 Fax 785-296-8909
www.kdheks.gov/waste www.kansasdontspoilit.com

Upcoming Events

Hazardous Waste Generator Workshops start November 2nd. See page 2 for more information.