

Advanced Hazardous Waste Generator Workshop 2014



Our Mission: To protect and improve the health and environment of all Kansans.

WORKSHOP OVERVIEW

- ❖ Will discuss advanced topics in hazardous waste (HW) management, including:
 - e-Manifesting Update
 - Precious Metals and Batteries Regulation (40 CFR Part 266)
 - Solvent-Contaminated Wipes Rule in KS
 - Used Oil Requirements
 - Evaporation of Waste
 - Corrective Action
 - Weekly Inspections
 - Training
 - 90- and 180-day Storage Limits
- ❖ Opportunity for questions

E-MANIFESTING UPDATE

- ❖ Hazardous Waste Electronic Manifest Establishment Act signed 10/5/2012.
- ❖ Congress failed to fund the e-manifesting system. This pushes back the implementation schedule.

E-MANIFESTING UPDATE

- ❖ EPA has started the Fee Rule work group and expects to have the proposed fee methodology and related policy proposals published in late 2015.
- ❖ EPA hopes to have the Final Fee Rule schedule (amounts) published in late 2017 or early 2018.

E-MANIFESTING UPDATE

- ❖ Production of the e-manifest system is planned for late spring 2018.
- ❖ At this time, it is planned that at least one paper manifest will accompany the waste with the transporter and paper manifests will be used if the system goes down.

E-MANIFESTING UPDATE

- ❖ Generators will be able to view their own information at any time.
- ❖ The public will be able to access information on all shipments after 90 days have passed from the receipt of the shipments at designated facilities.

RECYCLING FOR PRECIOUS METALS RECOVERY

- ❖ Part 266 Subpart F – Recyclable Materials Utilized for Precious Metal Recovery
- ❖ Applies to recyclable materials reclaimed for economically significant amounts of gold, silver, platinum, ruthenium, palladium, irridium, osmium, rhodium, or any combination.

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RECYCLING FOR PRECIOUS METALS RECOVERY

- ❖ Subject to the following requirements:
 - Notification (Form 8700-12)
 - Subpart B of part 262 (generators)
[manifesting requirements]
 - Additional requirements if importing
or exporting.

RECYCLING FOR PRECIOUS METALS RECOVERY

- ❖ Maintain records to demonstrate not accumulating speculatively:
 - Records showing the volume stored at the beginning of the calendar year;
 - The amount of these materials generated or received during the calendar year;
 - The amount of materials remaining at the end of the calendar year.

SPENT LEAD-ACID BATTERIES BEING RECLAIMED

- ❖ There are three choices for managing spent lead-acid batteries:
 - Manage as hazardous waste; or
 - Manage as universal waste; or
 - Manage under 40 CFR Part 266 Subpart G – Spent Lead-Acid Batteries Being Reclaimed.

SPENT LEAD-ACID BATTERIES BEING RECLAIMED

- ❖ If you are a generator who is sending the batteries for recycling (regeneration or otherwise) then you must:
 - Determine if the batteries are hazardous waste (use your knowledge, they contain acid and lead)
 - Ensure that they do not pose a risk to human health or the environment (don't let them leak and store them where they will not be damaged or knocked over)

SOLVENT-CONTAMINATED WIPES RULE IN KS

- ❖ Became effective at the federal level January 2014.
- ❖ Kansas Policy BWM 2013-P2, “Solvent-Contaminated Wipes” allows generators to follow this federal rule in Kansas now (signed December 2013).
- ❖ Technical Guidance Document (TGD) HW-1995-G2, “Solvent-Contaminated Wipes” explains the rule and was revised December 2013.

SOLVENT-CONTAMINATED WIPES RULE IN KS

- ❖ Applies to any wipe contaminated with one or more solvents on the F001 through F005 lists in 40 CFR 261.31 or the corresponding P- or U-listed solvents found in 40 CFR 261.33, or that exhibits the characteristic of ignitability.
- ❖ Applies to wipes being sent for disposal or being laundered (reusable wipes).
- ❖ If a wipe is listed for anything other than solvents, has trichloroethylene (disposable wipes only), or is characteristic for toxicity, corrosivity, or reactivity, it is **NOT** eligible for this rule.

SOLVENT-CONTAMINATED WIPES RULE IN KS

- ❖ Reusable wipes managed under this rule:
 - Are excluded from the definition of solid waste (do not require a hazardous waste determination);
 - Do not count toward the generator status (counting of wastes).

SOLVENT-CONTAMINATED WIPES RULE IN KS

- ❖ Disposable wipes managed under this rule:
 - Are excluded from the definition of hazardous waste (do require a hazardous waste determination);
 - Do not count toward the generator status (counting of wastes).

SOLVENT-CONTAMINATED WIPES RULE IN KS

- ❖ Container management for wipes under this rule:
 - Non-leaking;
 - Closed;
 - Able to contain free liquids;
 - Labeled with the words “Excluded Solvent-Contaminated Wipes”;
 - Marked with the accumulation start date or alternative tracking method;
 - Removed from the site within 180 days.

SOLVENT-CONTAMINATED WIPES RULE IN KS

❖ Recordkeeping

- Documentation of the name and address of all handlers receiving the wipes, including laundries, dry cleaners, landfills, or combustors.
- Records (or labeling) to document that wipes are on-site for 180 days or less.

SOLVENT-CONTAMINATED WIPES RULE IN KS

- ❖ Recordkeeping (continued)
 - Description of how the “no free liquids” condition is satisfied. This must include a description of all technologies, methods, sampling, or knowledge that the generator is using to ensure that wipes sent to handlers contain no free liquids.

SOLVENT-CONTAMINATED WIPES RULE IN KS

❖ Free Liquids

- If free liquids occur at the generating facility, they should be removed and properly managed, and would count toward the generator's hazardous waste status.
- If free liquids occur at a handling facility, they should be removed and properly managed and would count toward the handler's hazardous waste status.

SOLVENT-CONTAMINATED WIPES RULE IN KS

- ❖ Important notes about the rule in Kansas:
 - KDHE acknowledges that zipping plastic bags will hold free liquids and can be used adequately to hold wipes.
 - If you are sending disposable wipes to a landfill, make sure that landfill has a synthetic liner. Acceptable Kansas landfills are listed in our TGD.

USED OIL REQUIREMENTS

- ❖ Used oil (UO) is not a hazardous waste as long as it is recycled. Therefore it does not count towards your HW generator classification.
- ❖ Containers and above-ground tanks of UO must be marked with the words “Used Oil” and maintained in good condition.
- ❖ Must use a transporter registered with KDHE unless you are transporting less than 55-gallons of your own used oil to an aggregation point or collection center.

USED OIL REQUIREMENTS

- ❖ Used oil can be burned in an on-site space heater that meets the following:
 - Has a maximum capacity of 0.5 million Btu per hour;
 - Combustion gases are vented to the ambient air;
 - No off-site used oil is accepted (except from do-it-yourselfers).

EVAPORATION OF WASTE

- ❖ Evaporation may be occurring in open containers, pans, and in units designed to evaporate waste.
- ❖ Hazardous waste should not be evaporated without a treatment permit unless it is done in one of the following units:
 - totally enclosed treatment system; or
 - sludge dryer.

EVAPORATION OF WASTE

- ❖ If you choose to evaporate hazardous waste in one of these units, it is a very good idea to seek KDHE's concurrence that you do NOT need a treatment permit.

EVAPORATION OF WASTE

- ❖ Failure to follow the permitting requirements can result in a violation for unlawful treatment of hazardous waste in violation of K.S.A. 65-3441(a)(2).



CORRECTIVE ACTION

- ❖ On 9/20/2013 KDHE received authorization from EPA to administer the Corrective Action (CA) Program
- ❖ Management of sites will transition from EPA to KDHE over time on a case-by-case basis.
- ❖ CA applies to TSDFs (not generator-only status).

CORRECTIVE ACTION

- ❖ If there is a release (spill) at a TSDf, corrective action will now be directed by KDHE (or EPA if the site has not yet transitioned).
- ❖ If there is a spill at a generator-only facility, spill reporting requirements/response actions will be directed by appropriate state or federal agency (no change).

WEEKLY INSPECTIONS

- ❖ Inspection Frequency:
 - LQG and SQG – Weekly (at least every 7 days)
 - KSQG and accumulating CESQG – Monthly (at least every 31 days)
- ❖ Any generator subject to inspection requirements must: inspect their hazardous waste storage containers to ensure that they are not leaking and for deterioration of containers (40 CFR 265.174).

WEEKLY INSPECTIONS

- ❖ Inspections (continued)
 - Record the inspection including:
 - Date and time of the inspection.
 - Name of the inspector (not initials).
 - Notation of the observations made.
 - Date and nature of any repairs or other remedial actions.
 - Maintain the record for 3 years (40 CFR 165.15(d)).

TRAINING

(KSQG AND SQG)

- ❖ Ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies (40 CFR 262.34(d)(5)(iii)).
- ❖ Provide training within 6 months of hire (or transfer to a new position)
- ❖ Repeat training annually

TRAINING

(KSQG AND SQG)

- ❖ Record the following:
 - Name of each employee
 - Date of the training, and
 - Topics covered in the training.
- ❖ Maintain training records for at least three years from the date of the training.

TRAINING (LQG)

- ❖ Facility personnel must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of this part. (40 CFR 265.16)

TRAINING (LQG)

- ❖ The program must be directed by a person trained in HW management procedures and must teach employees HW management procedures relevant to their positions (including contingency plan implementation).

TRAINING (LQG)

- ❖ At a minimum it must ensure that employees are able to respond effectively to emergencies by familiarizing them with emergency procedures, equipment, and systems.
- ❖ The training must be completed within 6 months of hire (or transfer to a new position) and repeated annually.

TRAINING (LQG)

- ❖ Must maintain the following records:
 - Job title for each position related to HW management and the name of the employee(s) filling each job;
 - A written job description for each position listed above (must describe the HW management duties);

TRAINING (LQG)

- ❖ Recordkeeping (continued)
 - Maintain a written description of the type and amount of both introductory and continuing training given to each person filling each HW management position.
 - Records that document that training has been completed.
 - Maintain records until closure of the facility (or for three years from an employee's departure from the facility)

90 AND 180-DAY STORAGE LIMITS

- ❖ Each storage container must have an accumulation start date.
- ❖ LQGs have 90 days from the accumulation start date to ship their waste off-site.
- ❖ SQGs have 180 days from the accumulation start date to ship their waste off-site.
 - 270 days if the waste will be sent 200 miles or more.

90 AND 180-DAY STORAGE LIMITS

- ❖ KDHE can grant one 30-day extension.
- ❖ Storing waste on-site longer than the allowed time requires a RCRA storage permit. Not having that permit and storing waste beyond the allowed time is a serious violation.

CONTACT INFO

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Questions



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