



RCRA Updates January 2020

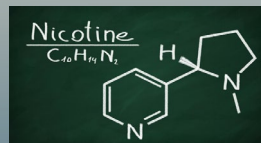
please hold your questions

Marcus Rivas – EPA Region 7

For the Air & Waste Management Association Meeting – 29 Jan 2020

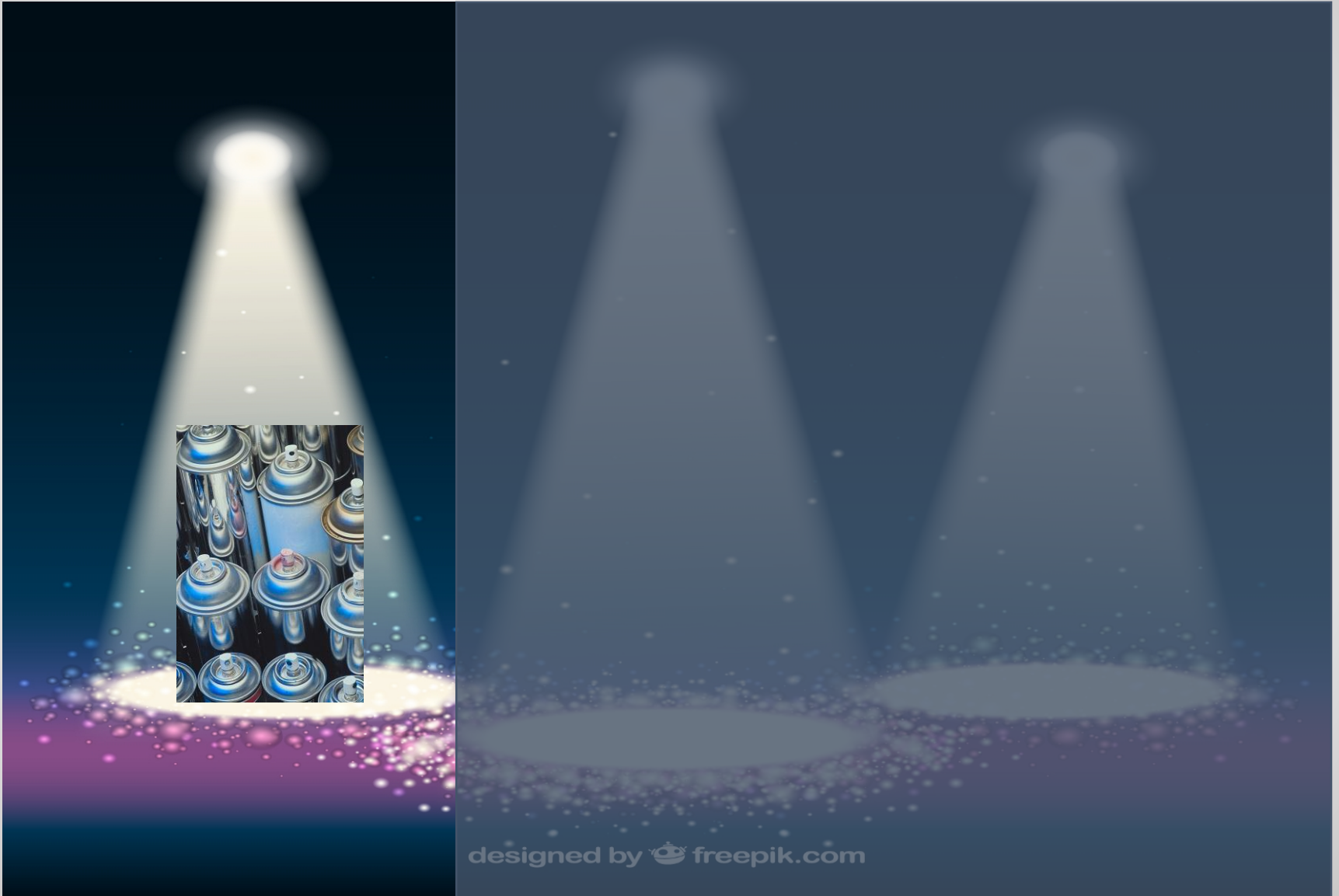


RCRA Updates



designed by  freepik.com

Aerosol Rule



Aerosol Rule

- Proposed March 2018 [[83 FR 11654](#)]
- Used/referenced programs in New Mexico, Colorado, California, Utah, & Ohio
- Signed 15 Nov 2019, promulgated 09 Dec 2019 [[84 FR 67202](#)]
- Effective 07 Feb 2020 in Iowa & Indian Country [Region 7; non-HSWA, for reg geeks]



Aerosol Rule



- Won't go over UW standards or classes
(Large versus Small Handlers)
- Assumes cans will be recycled as scrap metal
- FIFRA allows pesticide disposal by this method
- Applies Universal Waste standards
- Does not include gas cylinders
- P-listed cans are still hazardous waste unless triple-rinsed.

Aerosol Rule

- Allows puncturing by Generators or other handlers
- Performance-based standards for UW handlers that puncture/drain
- Waste generated by puncturing must receive a hazardous waste determination (is not universal)
- Listings are retained
- Empty cans do NOT need waste determinations



Aerosol Rule

- What is empty? [[40 CFR 261.7\(b\)](#)]
 - ◇ Pressure in container is ~ atmospheric AND
 - ◇ Waste removed by common practice AND
 - ◇ No more than 2.5cm residue OR
 - ◇ No more the 3% by weight total capacity
 - ◇ No known ACUTE HW chemical commonly found in aerosols (at promulgation)

Aerosol Rule

Questions:

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Region 7 rep on rule development

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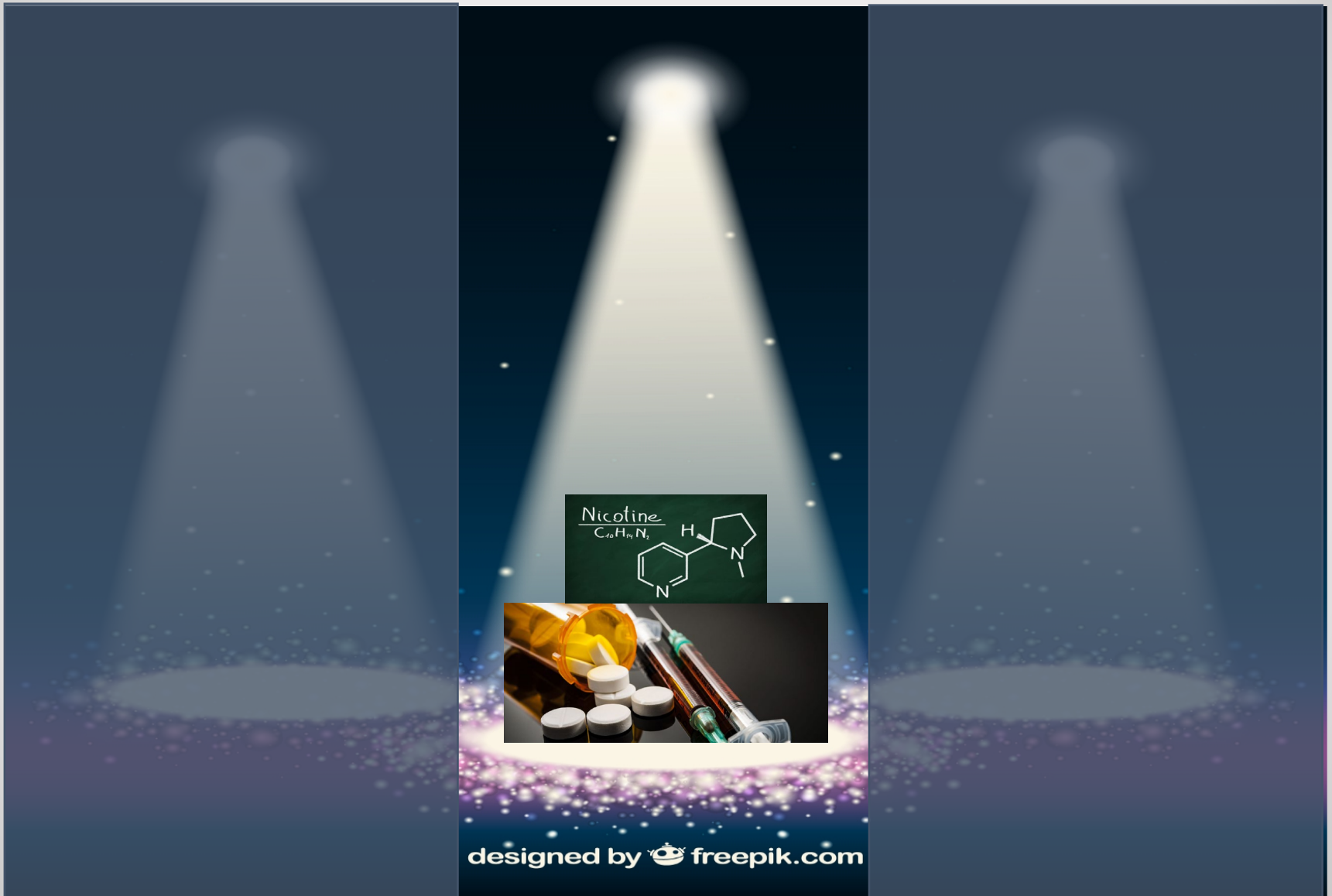
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Aerosol Rule

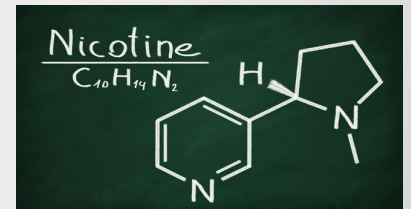


Pharma Rule

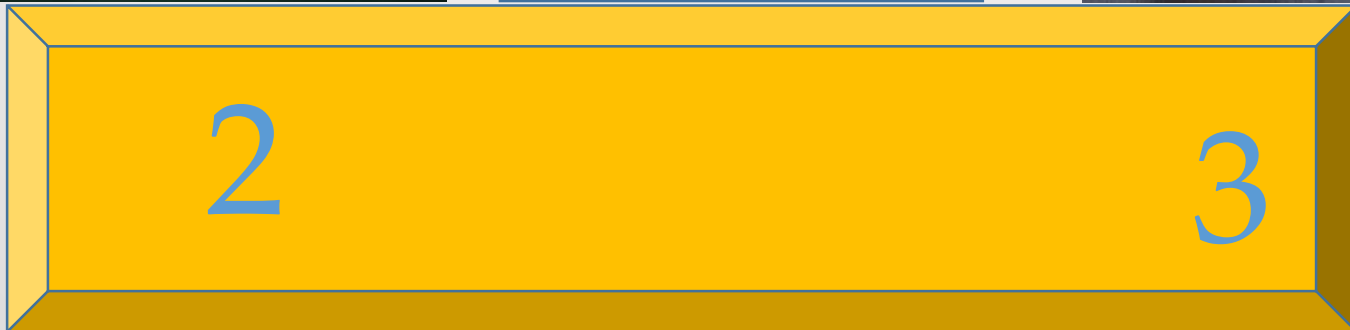
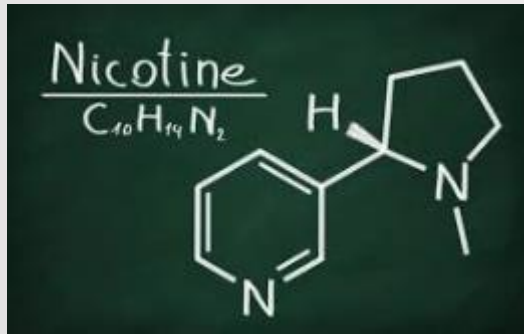


Pharma Rule

- ❖ Signed 11 December 2018,
promulgated 22 Feb 2019 [[84 FR 5816](#)]
- ❖ Effective 21 August 2019 in Iowa &
Indian Country [Region 7; non-HSWA]
- ❖ Effective 21 August 2019 nationwide
for Sewer Prohibition [HSWA]



Pharma Rule



Pharma Rule Sewer Ban

- ❖ Effective nationwide [HSWA]
- ❖ Hazardous Waste Pharmaceuticals may not be sewerred (e.g., no disposal down the drain and no flushing)
- ❖ The sewer prohibition applies to:
 - All Healthcare Facilities
 - All Reverse Distributors
- ❖ Looking for ripple effects



Pharma Rule Nicotine

- ❖ Effective only where adopted
(IA & Indian Country, for Region 7)
- ❖ Amends P075 by removing gums, patches & lozenges



Pharma Rule

Nicotine

- ❖ Keeps in nicotine vaping supplies and other nicotine



Pharma Rule Empty Container



- ❖ Effective only where adopted
(IA & Indian Country, for Region 7)
- ❖ Hazardous Waste Pharmaceuticals (acute & not)
- ❖ No more triple rinse to make empty (sewer ban)
- ❖ Residues in “RCRA empty” containers not hazardous waste
- ❖ Four container standards [visibility]

Pharma Rule

Questions:

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Region 7 rep on rule development

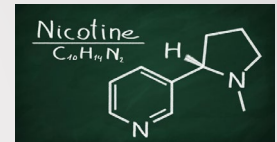
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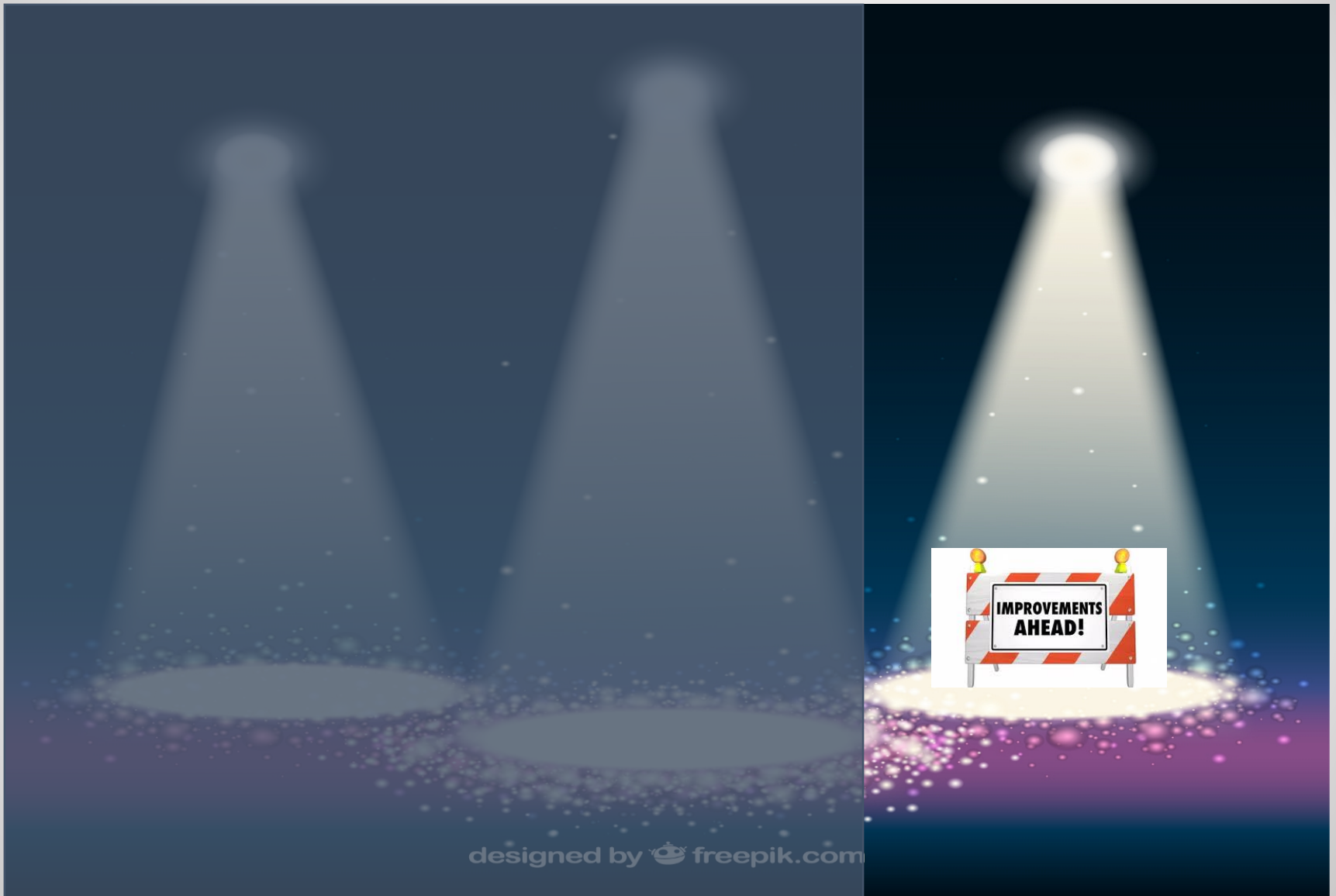
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Pharma Rule



Generator Improvements Rule



Generator Improvements Rule

- ✓ Signed 2016, promulgated 28 Nov 2016
[[81 FR 85732](#)]
- ✓ Effective 30 May 2017 in Iowa & Indian Country [Region 7; non-HSWA]
- ✓ Not yet effective in Kansas, Missouri, nor Nebraska [expect to occur in next several years]
- ✓ **BUT** by policy, Kansas in discrete areas...



http://www.kdheks.gov/waste/policies/BWM_2017-P2.pdf

Generator Improvements Rule

Episodic

- ✓ Effective in Iowa & Indian Country (Region 7)
- ✓ Two allowances per year for non-LQGs
 - ❑ Planned (30-days prior notice)
 - ❑ Unplanned (within 72-hours notice)
- ✓ 60-day project period, timely applications!
- ✓ Requires EPA ID number
- ✓ Not on Biennial Report

Generator Improvements Rule

VSQG Consolidation

- ✓ Effective in Iowa & Indian Country (Region7)
- ✓ LQG gives prior notice for all VSQGs
- ✓ VSQGs have liberal options

Generator Improvements Rule Closure

- ✓ Somewhat effective nationwide
 - Added containers (Iowa & Indian Country in Region7)
- ✓ Reminds LQG of obligation
- ✓ Can delay until facility de-commissioning while noting in operating record

Generator Improvements Rule

SQG Re-notification

- ✓ Effective in Iowa & Indian Country (Region7)
- ✓ Due 01 September 2021
- ✓ Thereafter, re-notification due every four years
- ✓ Kansas & Missouri environmental programs have an annual update process in place



Generator Improvements Rule

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Generator Improvements Rule



After the meeting, get e-Manifest help!

- ❖ getting registered,
- ❖ using reports,
- ❖ learning new fees, or
- ❖ your other questions



We have laptop & Internet access to do it!

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