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
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)
Questions:

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Aerosol 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 seweried (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

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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
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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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