



Solid & Hazardous Waste Regulatory Update

NDEQ Waste Division

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NDEQ Environmental Update, Lincoln NE

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- 1. Solvent-Contaminated Wipes Rule**
- 2. Coal Combustion Residuals - consent decree**
- 3. Retail Sector - Notice of Data Availability**
- 4. White House / EPA Methane Initiative**
- 5. Definition of Solid Waste – next year**



Solvent-Contaminated Wipes

What are “wipes?”

- shop wipes, such as reusable shop towels, rags, disposable wipes and paper towels
- typical uses include machine cleaning and maintenance, parts degreasing, spill clean-up



Source: U.S. EPA



Rule covers 2 types:

- reusable wipes – usually cloth, sent to a laundry
- disposable wipes – paper, may be a HW



Solvent-Contaminated Wipes (cont'd)

Do you or your clients generate wipes?

- printing, publishing, & painting
- auto repair & maintenance; auto-body shops
- manufacturing, fabricated metal products
- plastics & rubber

Do you or your clients receive wipes?

- commercial laundries – launder reusable wipes & return to generators
- MSW landfills – could start receiving disposable wipes if rule adopted



Solvent-Contaminated Wipes (cont'd)

Rule is limited to:

- Large- and Small-Quantity Generators
 - LQG > 1000 kg HW/month; SQG > 100-1000 kg HW/month
 - Does not apply to Conditionally-Exempt Small Quantity Generators (<100 kg HW/month)
- “F001-F005” listed solvents
 - acetone, benzene, methanol, isobutyl alcohol, toluene, creosols, and others
 - In Nebraska regulations: Title 128, Chapter 3, §013
- NO CO-CONTAMINANTS!...more on this later.
- No trichloroethylene in disposable wipes



Solvent-Contaminated Wipes (cont'd)

Required Management Practices

- CONTAINER standard – performance based
 - closed, labeled, can hold free liquids
- 180-day accumulation TIME LIMIT (+ record)



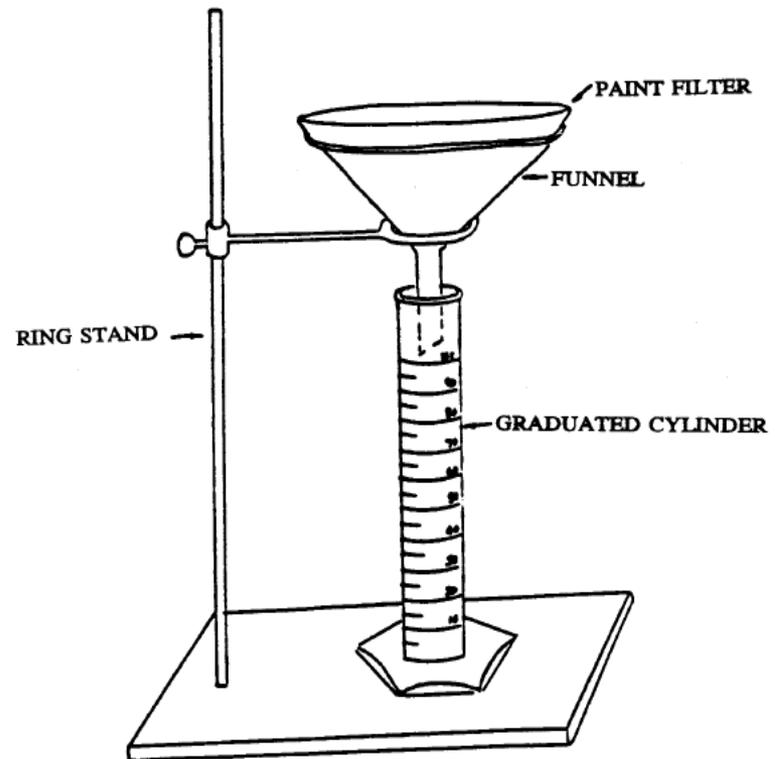
Source: U.S. EPA



Solvent-Contaminated Wipes (cont'd)

Required Management Practices (cont.)

- RECORD-KEEPING
 - laundry, landfill, or HW combustor receiving waste
 - description of how no free liquids condition is met
- NO FREE LIQUIDS
 - the “heart of the rule” according to EPA
 - free liquids managed under applicable HW regulations
 - see “EPA METHOD 9095B” for Paint Filter Test



Source: U.S. EPA



Solvent-Contaminated Wipes (cont'd)

Changes from current NDEQ management requirements

- Disposable Wipes – less stringent
 - CURRENT: must be managed as HW
 - PROPOSED: can be disposed of in a MSW landfill
- Reusable Wipes – more stringent
 - CURRENT: no HW determination necessary if no free liquids and laundry complies with the CWA
 - PROPOSED: HW determination required – 1x



Solvent-Contaminated Wipes (cont'd)

Is a co-contaminant present?

- apply process knowledge
 - to identify any co-contaminants & testing needed
- laboratory testing

What are the costs of lab testing?

- Paint filter test – \$10
- RCRA total metals – \$158
- RCRA TCLP Inorganics – \$240
- RCRA TCLP Volatiles – \$185; Semi-V's – \$325



Solvent Wipes Public Outreach

What?	When?
Initial Outreach	May 2014
Feedback on Draft Regulations	Summer 2014
Legal Notice Period	Sept. – Oct. 2014
EQC Hearing Date	October 9, 2014



Coal Combustion Residuals



Source: Associated Press



Coal Combustion Residuals (cont'd)

EPA evaluating regulation under:

- RCRA subtitle C – treat as hazardous waste
- RCRA subtitle D – treat as solid waste

Recent consent decree

- an agreement between EPA , supervised by Federal Court for D.C. District
- orders EPA to take final action on its subtitle D proposal by December 19, 2014
- no order on subtitle C proposal



Retail - Notice of Data Availability

Walmart 

CVS/pharmacy[®]
Expect something *extra*.SM

LOWE'S[®]
Home Improvement Warehouse





Retail - Notice of Data Availability (cont'd)

Types of Retailers

- big box stores, chain pharmacies, transporters
- many recent enforcement actions

Key issues

- diverse products – HW determination difficult
- employees with little to no RCRA awareness
- “reverse distribution” – unsold, undamaged products returned to supply ctr. for resale
- episodic generation – returns, recalls, expires



Federal Methane Initiative

Methane concerns

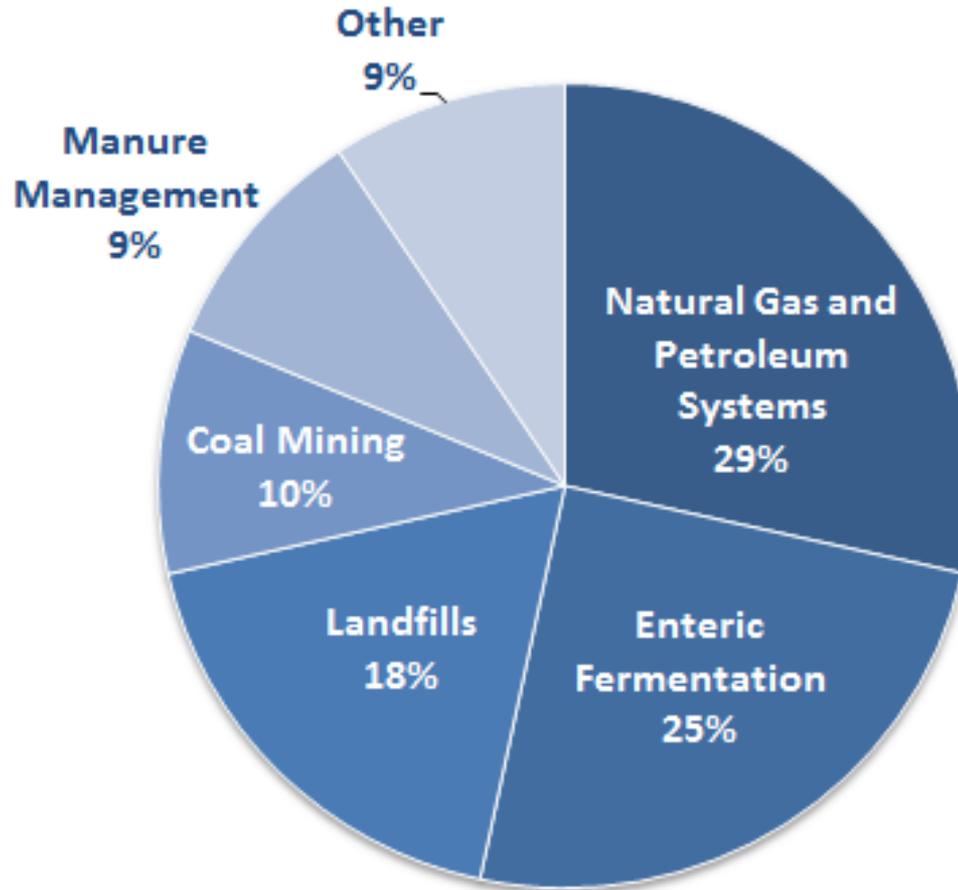
- 9% of U.S. greenhouse gas emissions
- 20x greater impact on climate change than CO₂, but shorter life in atmosphere
- coal mines, agriculture, oil & gas, landfills

Role of MSW landfills

- Landfill Gas to Energy & food waste reduction
- Notice & comment rulemaking to consider:
 - proposed update to standards for *new* landfills
 - possible update to standards for *existing* landfills



U.S. Methane Emissions, By Source



Source: U.S. EPA, *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2012*



Contact Information

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**Please contact me if you need help
providing comment on proposed state or
federal regulation changes.**



Questions

