

EPA—Resource Conservation and Recovery Act (RCRA)

Long-Term Actions

Distribution; 332 Fabricated Metal Product Manufacturing; 2122 Metal Ore Mining; 2111 Oil and Gas Extraction; 326 Plastics and Rubber Products Manufacturing; 331 Primary Metal Manufacturing; 323 Printing and Related Support Activities; 3221 Pulp, Paper, and Paperboard Mills; 482 Rail Transportation; 484 Truck Transportation; 5621 Waste Collection; 56221 Waste Treatment and Disposal; 483 Water Transportation

URL For More Information:

www.epa.gov/epaoswer/hazwaste/gener/manifest/

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RIN: 2050-AG20

2989. REVISIONS TO LAND DISPOSAL RESTRICTIONS TREATMENT STANDARDS AND AMENDMENTS TO RECYCLING REQUIREMENTS FOR SPENT PETROLEUM REFINING HYDROTREATING AND HYDROREFINING CATALYSTS

Priority: Other Significant

Legal Authority: 42 USC 1006; 42 USC 2002(a); 42 USC 3001 to 3009; 42 USC 3014; 42 USC 6905; 42 USC 6906; 42 CFR 6912; 42 USC 6921; 42 USC 6922; 42 USC 6924 to 6927; 42 USC 6934; 42 USC 6937; 42 USC 6938

CFR Citation: 40 CFR 261; 40 CFR 266; 40 CFR 286.40

Legal Deadline: None

Abstract: Pursuant to regulations found at 40 CFR 260.20, the Vanadium Producers and Reclaimers Association (VPRA) submitted a rulemaking petition to the EPA requesting that the Agency amend the hazardous waste regulations affecting the treatment and disposal of certain petroleum refinery process wastes. Specifically, VPRA requested that EPA revise the treatment standards under the Land Disposal Restrictions (LDR) Program for the

disposal of spent hydrotreating and hydrorefining catalysts (waste codes K171 and K172, respectively). EPA is publishing a notice in response to the rulemaking petition, by proposing to amend the Land Disposal Restriction (LDR) requirements for EPA Waste Code K172 by adding numeric treatment standards for certain polynuclear aromatic hydrocarbons (PAHs). EPA is also responding to other elements of the rulemaking petition in this notice. Finally, in response to separate comments received from petroleum industry representatives, EPA is taking this opportunity to propose changes to its regulations to help encourage consistent levels of recycling of spent hydrotreating and hydrorefining catalysts, in a manner that protects human health and the environment.

Timetable:

Action	Date	FR Cite
NPRM	06/00/08	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: SAN No. 5070;

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RIN: 2050-AG34

2990. • AMENDMENT TO THE UNIVERSAL WASTE RULE: ADDITION OF PHARMACEUTICALS AND CONSUMER PRODUCTS IN CONSUMER PRODUCT PACKAGING

Priority: Other Significant

Legal Authority: 42 USC 3007; 42 USC 6912(a); 42 USC 6921; 42 USC 6922; 42 USC 6924; 42 USC 6926; 42 USC 6927; 42 USC 6938

CFR Citation: 40 CFR 273

Legal Deadline: None

Abstract: This action will propose adding hazardous pharmaceutical and consumer product (in the consumer product packaging) wastes to the universal waste system. This incorporation is appropriate because

these wastes are produced by a various and vast community of generators and are often mismanaged due to health care workers and retail chain employees being unfamiliar with the Resource Conservation and Recovery Act regulations. This proposed action will streamline the current regulations governing these wastes, ensuring that hazardous pharmaceutical and consumer product wastes are properly managed.

Expansion of the universal waste system to include hazardous pharmaceutical wastes will allow all pharmaceuticals, waste-like or product-like, to be sent to reverse distribution centers, which have expertise in making hazardous waste determinations and in managing hazardous waste. In addition, the inclusion of hazardous pharmaceutical wastes in the universal waste rule will also encourage health care facilities to manage all their pharmaceutical wastes as universal wastes, particularly wastes that are not regulated as hazardous but which nonetheless pose hazards. Finally, the addition of hazardous pharmaceutical wastes to the rule will facilitate the collection of personal medications from the public at various health care facilities so that they can be properly managed.

The incorporation of hazardous consumer product wastes into the universal waste rule will facilitate the recycling of these products and therefore, reduce their illegal disposal into municipal solid waste landfills and combustors. In addition, consumer products, similar to pharmaceuticals, are often returned by retailers for manufacturer credit. Under the rule, consumer product, regardless of the reason for their return or recall, will not be considered waste until deemed so by the redistribution center. Deferring the waste determination will simplify the compliance requirements for retail stores and will ensure the proper management of these wastes by transferring the function to those who have the expertise in waste determination and management: The manufacturers.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/08	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

EPA—Resource Conservation and Recovery Act (RCRA)

Long-Term Actions

Government Levels Affected: Local, State

Additional Information: SAN No. 5127;

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RIN: 2050-AG39

CFR Citation: 40 CFR 261.4(a)

Legal Deadline: None

Abstract: This rulemaking provides a site-specific exclusion from the regulatory definition of solid waste for certain wastewater treatment sludges (otherwise designated as Hazardous Waste No. F006) when they are used as ingredients in the production of cement. Without this exclusion, the sludges being legitimately recycled as substitutes for raw materials would remain subject to hazardous waste regulatory requirements, including the need for a storage permit by the cement manufacturer, which is a major disincentive to recycling the sludges in this manner. This XL project tests the presumption that these sludges can be safely recycled without regulatory oversight.

Timetable:

Action	Date	FR Cite
NPRM	06/06/01	66 FR 30349
Supplemental NPRM	04/14/03	68 FR 18042
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State

Additional Information: SAN No. 4565; Project Sponsor has notified Agency of desire to withdraw project and therefore the Agency will withdraw the proposal.

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RIN: 2090-AA29

2991. PROJECT XL SITE-SPECIFIC RULEMAKING FOR THE IBM SEMICONDUCTOR MANUFACTURING FACILITY IN HOPEWELL JUNCTION, NEW YORK

Priority: Info./Admin./Other

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6922; 42 USC 6924(y); 42 USC 6938

**Environmental Protection Agency (EPA)
Resource Conservation and Recovery Act (RCRA)**

Completed Actions

2992. STANDARDS FOR THE MANAGEMENT OF COAL COMBUSTION WASTES—NON-POWER PRODUCERS AND MINEFILLING

Priority: Economically Significant

Legal Authority: 42 USC 6907(a)(3); 42 USC 6944

CFR Citation: 40 CFR 257

Legal Deadline: None

Abstract: This action results from EPA's regulatory determination for fossil fuel combustion wastes (see 65 FR 32214, May 22, 2000), in which the Agency concluded that coal combustion wastes could pose significant risks to human health and the environment if they are not properly managed. As described in the regulatory determination, there is sufficient evidence that adequate controls may not be in place. The intended benefits of this action will be to prevent contamination or damage to ground waters and surface waters, thereby

avoiding risk to human health and the environment, including ecological risks.

The National Research Council (NRC) established the Committee on Mine Placement of Coal Combustion Wastes in September 2004. The NRC published the committee's findings on March 1, 2006, in a report entitled "Managing Coal Combustion Residues in Mines." The NRC stated that there are three primary regulatory mechanisms that could be used to develop enforceable standards: (1) Changes to the Surface Mining Control and Reclamation Act of 1977 (SMCRA) regulations to address coal combustion residues (CCRs, also known as coal combustion byproducts (CCBs) and coal combustion wastes); (2) Joint Department of Interior's Office of Surface Mining (OSM) and EPA rules pursuant to the authority of SMCRA and RCRA (the Resource Conservation and Recovery Act); or (3) RCRA-D rules that are enforceable through a SMCRA permit. Regardless of the regulatory mechanism selected, the NRC recommended that coordination

between OSM and EPA efforts is needed and would foster regulatory consistency with EPA's intended rule-making proposal for CCR disposal in landfills and impoundments.

As such OSM plans to revise their regulations so that they will expressly provide for the placement of CCBs as part of surface coal mining and reclamation operations permitted under title V of SMCRA and in the reclamation of abandoned mine lands under an abandoned mine lands (AML) reclamation program approved under section 405 of the Act. OSM intends for these regulations to minimize the possibility that the placement of CCB could cause adverse impacts on public health and the environment.

With respect to CCB placement in mines with SMCRA permits, OSM is considering the adoption of regulations that would specifically identify the permit application requirements and performance standards in the existing regulations in 30 CFR Chapter VII that