

E-Manifest and Other Hot Topics in RCRA

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Hot topics

- e-Manifest
- The hazardous waste generator improvements rule
- Aerosol cans may become universal waste
- Healthcare facilities and waste pharmaceutical products

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e-Manifest System

- Why e-manifest?
 - Improved waste tracking
 - More timely access to information
 - Better data management, could simplify biennial reporting
 - Time and cost savings—\$75 million per year

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e-Manifest System (continued)

- Hazardous Waste Electronic Manifest Establishment Act of 2012
- First regulations codified on February 7, 2014
- User fee rule issued January 3, 2018

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e-Manifest System (continued)

- EPA developed web-based system and format
- Used for hazardous waste and any waste that a state requires to be manifested
- System launched June 30, 2018
- All manifest data must be entered in e-manifest system

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e-Manifest System (continued)

- e-Manifest expected to be the norm, eventually
- Paper still an option for foreseeable future
 - Most generators still using paper
- Generators may initiate paper manifest, subsequently converted to electronic by transporter (hybrid)

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e-Manifest System (continued)

- Electronic signatures must be CROMERR-compliant
- Must set up account in RCRAinfo to access system
 - Electronic signature agreement
- To satisfy DOT requirements, after e-signatures, one paper copy is printed to carry in truck
- Use paper copies if system goes down

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e-Manifest System (continued)

- Receiving facilities will pay user fees, pass on to generators
 - \$15.00 for mailed in paper manifest
 - \$10.00 for scanned image upload
 - \$6.50 for data and image upload
 - \$5.00 for electronic manifest (fully electronic and hybrid)

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e-Manifest System (continued)

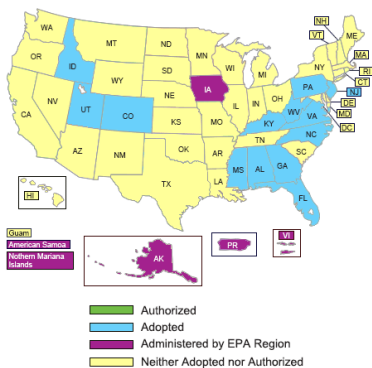
- New (5-page) paper manifest used as of June 30, 2018
- DHS list of chemicals of interest
- www.epa.gov/E-manifest
- e-Manifest frequently asked questions
- Work with your waste management vendors

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Changes to Hazardous Waste Generator Regulations

- Consolidate regs in Part 262, reduce cross-references to Parts 261 and 265
- VSQGs replaces CESQGs; VSQGs can ship to offsite LQGs controlled by same "person"
- Rules for episodic generation
- Failure to comply with conditions for exemption is considered a TSD facility operating without a permit
- More emphasis on hazardous waste determinations and their documentation
- Additional requirements for satellite and 90/180/270-day accumulation units

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Examples of Indication of the Hazard



Words identifying an applicable characteristic



DOT label or placard



OSHA hazard statement or pictogram



NFPA Code 704, chemical hazard label

Major RCRA Rules Under Development

- Aerosol cans added to universal waste program—proposed March 16, 2018
- Management standards for hazardous waste pharmaceuticals—proposed September 25, 2015

Aerosol Cans Added to Universal Waste Program

- Aerosol cans are often D001 and may be P/U-listed
 - No mention of D003 in preamble
- Goal is to improve recycling and reduce the cost of aerosol can management
- Proposed requirements almost identical to those for existing universal wastes

Aerosol cans—continued

- Primary benefits of universal waste program
 - Can accumulate universal wastes for one year
 - Hazardous waste manifests/LDR forms are not required for shipments of universal waste
 - DOT rules still apply
 - Container inspections not required
 - May ship to and receive from other handlers

Aerosol cans—continued

- Primary compliance requirements
 - Proper packaging required—must prevent releases to the environment
 - Marking/labeling required [e.g., “Universal Waste—Aerosol Can(s)”]
 - Employee training required
 - EPA ID number required for large quantity handlers
 - Waste tracking required for large quantity handlers

Aerosol cans—continued

- Would allow puncturing under controlled conditions
 - Recycle empty punctured cans
 - Use device designed to safely puncture and contain residuals/emissions
 - Establish written procedures
 - Train operators
 - Prevent fires and releases
 - Manage residues properly

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Aerosol cans—continued

- Would not be applicable unless adopted by the state
- Five states already allow universal waste management of aerosol cans (California, Colorado, New Mexico, Ohio, and Utah)

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Proposed Management Standards for Hazardous Waste Pharmaceuticals

- Will be regulated under new Part 266, Subpart P
 - Healthcare facilities regulations
 - Creditable vs. non-creditable
 - Reverse distributors regulations

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Hazardous Waste Pharmaceuticals—continued

- Sewer ban (VSQGs included)
- Controlled substances managed under DEA regulations are exempt from RCRA
- Unit-dose containers (<1 liter or 1,000 pills)
- Dispensed syringes managed as medical waste
- Revisions to P075 nicotine listing

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When will the rules be finalized?

- Aerosol cans added to universal waste program—final rule August 2019
- Management standards for hazardous waste pharmaceuticals—final rule October 2018

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Thank you!

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