



AROW Conference Regulatory Updates

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Proposed Regulatory Changes and Industry Impact

- Redefinition of Solid Waste
- Canada Landfill Treatment Standards
- E Manifesting
- Impacts and Trends both Outlets and Generators



What is the “Re-Definition of Solid Waste”

- Spent materials,
- Listed sludges, and
- Listed by-products

Would not be a solid waste
(therefore not a hazardous
waste) if they are reclaimed.





Discard is not taking place if:

- Reclamation is “under the control of the generator”, or
- Materials transferred by a generator to a reclamation facility.
- Materials are not speculatively accumulated, and
- The Generator and Reclaimer are located in the U.S.

“Transferred Base Conditions” Generator Sends to a Reclamation Facility

- Material is only handled by Generator, Transporter and Reclaimer.
- The Generator must make “reasonable efforts” to ensure material is legitimately recycle.
- Keep records for 3 years.



Reclamation Facilities Condition

- Maintain shipping records for at least three years;
- Manage excluded materials in a manner that is at least as protective as that employed for comparable raw material;
- Comply with the financial assurance requirements that apply to permitted hazardous waste management facilities.
- Submit one-time notice to the appropriate agency,
- Ensure that the excluded materials they receive are legitimately recycled.





Hazardous Waste Not Eligible for the Exclusions

- Hazardous secondary materials that are burned for energy recovery, that are used "in a manner constituting disposal," or
- That are inherently waste-like under the current regulations would not be eligible for the proposed exclusions.

A Must Legitimacy Factors

- Recycled material provides a useful contribution to the recycling process or to the product of the recycling process
- Must produce a valuable product.



To Consider Legitimacy Factors

- Secondary material is managed as a valuable commodity.
- Product does not contain “toxics along for the ride” at significantly elevated levels found in the comparable products.
- Exhibit a characteristic the product does not.



Economic impacts of this proposal if it is finalized

- EPA estimates the proposed rule would affect approximately 4,600 facilities.
- Would de-regulate approximately 650 million tons of hazardous waste annually, and
- Provide cost savings to industry of approximately \$107 million per year.
- The materials that would be de-regulated or subject to reduced regulation include those which are already being recycled under the current regulatory system, as well as materials that would be shifted from disposal or incineration to recycling.
- The proposal would provide environmental benefits by decreasing pollution and energy consumption that would otherwise be needed to extract raw materials for use in manufacturing.



Canada Regulatory Changes

- Current landfill outlets (Sarnia) are not required to meet landfill treatment standards for UHC's
- Some outlets (Stablex) currently meet US treatment standards
- October 2009 all Canada landfills required to meet current US treatment standards



Wastes Currently Going to Canada

- Mercury Compounds
- Oxidizers
- Sulfides/Cyanides
- Refinery Waste (K listed) Large volume





Impact in US

- Increased costs shift focus to keep materials in US disposal outlets
- Capacity becomes concern
- High BTU solids and sludges shifted to kilns (refinery)
- Other materials currently going to the kiln refused



E-MANIFESTING

- Electronic manifest
- Electronic signature
- Centralized web-based IT System EPA will host
- National System will be funded by service fees



U.S.EPA Request Comment

- **MANDATORY OR VOLUNTARY**
- **VIEWS ON CONFIDENTIAL BUSINESS INFORMATION**

E-Manifest

- Waste handlers have the option to complete, send, and store manifest electronically.
- Inspectors have the ability to access and review last three years worth of electronic manifest from the system.



Paper Copies of Manifest

- Current regulations will continue to apply including mailing the manifest copies to States and the Generator.
- Multiple Generators on a shipment can be received with E-Manifest and Paper copies



Confidential Business Information

- Organized up to date electronic data is now available to EPA, States & Competitors.
- Difficulty in claiming manifest as CBI
- If USEPA did agree to CBI, it would not be mandatory for the States to manage it as CBI





Reuse/Reduce/Recycle

- PCI's ability to recycle organic laden solids "SDS" unit
- Companies making shift to recycle equipment (pot stills, thin film evaporators, distillation columns)
- Wastes become commodity, value found, decrease costs



Economic Impact to Generators

- Increased efforts for “Green” movement shifts materials from waste to product
- Shift causes other wastes that do not exhibit desired qualities for Thermal Treatment increase in cost (High water, Lower BTU)



Economic Impact Cont

- Demand for Concrete low, Kilns running at half capacity with further plans of shutdown
- Canada Treatment standards shifting material to kilns taking up capacity
- Increased costs for fuel blending materials

THANK YOU

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A Tradebe Company

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Thank You

