

Federal Rule-making Update

By Karen Hale

Coal Combustion Residues

In June 2010, U.S. EPA proposed federal rules to regulate coal combustion residues (CCR) produced from coal-fired electric power plants as a special waste, subject to regulation under the hazardous waste rules (subtitle C option), or as a non-hazardous waste (subtitle D option). The CCRs include fly ash, bottom ash, flue gas desulfurization material and boiler slag.

Both options impose requirements on CCR disposal in surface impoundments, landfills and, if applicable, dam safety. The subtitle C option also imposes storage, manifesting and treatment requirements. The comment period on this proposal ends Nov. 19, 2010. To learn more, visit [U.S. EPA's webpage](#).

Sequestration of Carbon Dioxide

U.S. EPA is considering a rule to explore management options for carbon destined for sequestration. One option is a conditional exemption from the RCRA requirements for sequestered carbon dioxide. U.S. EPA plans to propose a rule in December 2010.

Episodic Generation

Episodic generation occurs when a generator infrequently moves into a higher hazardous waste generator category, and becomes subject to more stringent requirements. This may occur due to a tank cleanout, spill or inventory disposal. U.S. EPA is considering development of specific regulations to address episodic generation.

Pharmaceuticals as Universal Wastes

U.S. EPA is considering a supplemental rule proposal to their 2008 proposal to add pharmaceuticals to the list of universal wastes. The proposal will address issues of concern, including notification and manifesting requirements, identified during the comment period.

Solvent-Contaminated Industrial Wipes

In 2003, U.S. EPA proposed to conditionally exclude solvent-contaminated wipes from the definition of hazardous waste and exclude laundered wipes from the definition of solid waste. A final rule is expected to be adopted in July 2012.

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New Ban on Mercury Button Cell Batteries

Ohio/Federal Program Differences

Guidance on Pharmaceutical Waste Disposal

Coming Soon

Definition of Solid Waste

U.S. EPA plans another set of revisions to the definition of solid waste rule. The revisions will address environmental justice concerns expressed after adoption of the 2008 rule revisions. A proposed rule is expected in July 2011.

To learn more about U.S. EPA's rule-making efforts, please see [U.S. EPA's rule-making gateway](#).