

## Ohio Hazardous Waste

# Notifier

A Publication of Ohio EPA, Division of Hazardous Waste Management

## Ohio EPA Gets Thumbs-Up from U.S. EPA

By Dave Sholtis

Ohio EPA's Division of Hazardous Waste Management (DHWM) implements the RCRA hazardous waste management program in Ohio in lieu of U.S. EPA. In exchange for annual grant funding, DHWM must prepare and submit an annual work plan to U.S. EPA that lists expected work outputs and outcomes for the state-led hazardous waste management program. U.S. EPA monitors DHWM's performance through formal mid-year and year-end evaluations consisting of on-site file reviews and analysis of the program area-specific information entered into the national RCRAInfo database.

As in previous years, U.S. EPA once again rated Ohio's program very positively, finding that DHWM administers an effective program.

This year, U.S. EPA was especially pleased with DHWM's performance in the compliance assurance, program development and corrective action program areas. DHWM is proud of its performance and continues to strive for excellence in its implementation of all the hazardous waste management program areas.



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# Business as Usual?

By Neil Wasilk and Tammy McConnell

Some retailers may think they don't generate hazardous waste and therefore don't need to be concerned about compliance. Although common, this misconception can cause major issues for many businesses.

Many retail operations, including supermarkets, pharmacies, convenience stores, home improvement stores and automotive retailers, actually do have the potential to generate hazardous wastes. Probably the most common potentially hazardous waste that retailers handle is used fluorescent bulbs from store lighting fixtures.

Just a few of the other common products that may cause a retailer to become a hazardous waste generator if spilled, damaged, broken or expired include:

- pesticides;
- solvents;
- paint strippers;
- batteries;
- swimming pool cleaning or maintenance chemicals;
- bleaches;
- drain cleaners;
- aerosol cans;
- paints;
- stains;
- fluorescent bulbs; and
- pharmaceuticals.



As a retailer, what should you do if you find a leaking bottle of drain cleaner, a damaged [aerosol can](#) or an expired pharmaceutical? You probably can't sell or recycle these products, but can you just throw them into the trash? No — not without first evaluating each waste stream to determine if it is hazardous. Even if waste is not considered hazardous, solid waste rules and your trash hauler may not allow certain materials to be placed in your trash.

Every waste stream generated must first be [evaluated](#) to determine if the waste is hazardous **before** it can be disposed. [Generator knowledge](#), including a review of the information provided by the product manufacturer, is often the best way to determine if a waste is hazardous. If such an evaluation is not possible, it may be necessary to contact a consultant knowledgeable about hazardous waste rules to test a sample for hazardous waste characteristics. Only wastes determined not to be hazardous, and those also approved for disposal by solid waste rules and your trash hauler, may be thrown out with the regular trash.

So, you've determined that you do, in fact, generate hazardous waste. Now what? The next step is to determine your generator category which, in turn, will determine the [requirements](#) you must comply with.

In general, the more waste you generate, the more rules you are subject to. To help determine your hazardous waste category, review the Division of Hazardous Waste Management's [Generator Handbook](#).

Hazardous waste must be recycled or disposed at a [permitted hazardous waste facility](#). If the waste is [recycled](#) properly, it might not be subject to the hazardous waste rules.

Some hazardous waste, like the fluorescent bulbs mentioned previously, can be managed as [universal waste](#). Universal wastes are specific hazardous waste streams that can be managed under fewer and less complex rules.

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## Business as Usual


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Ohio has four categories of universal waste that may be managed under these reduced requirements. They are:

- fluorescent bulbs/lamps;
- suspended or recalled pesticides;
- mercury-containing thermostats; and
- batteries.

If you find that your retail facility is subject to the hazardous waste rules, there is a good possibility that, in fact, the entire retail distribution chain, including warehouses, distribution centers and transportation operations are also subject to the same rules.

To protect your business and bottom line, be sure you are aware of all hazardous wastes generated at your facility. Train employees in proper waste management procedures. Failure to do so can result in citations for hazardous waste violations.

If you have any questions regarding the hazardous waste rules, please feel free to contact our Regulatory Support staff at (614) 644-2917. 

## eDRUMS Update

**By Paula Canter**

The new Web-based Hazardous Waste Annual Report software (eDRUMS) is now available through [Ohio EPA's eBusiness Center](#) for the completion of the 2009 report due March 1, 2010. DHWM encourages all facilities to file reports electronically because it increases efficiency and data quality. You will be able to copy a past report and use it as the starting point for a new report, saving you time, if your waste streams are fairly consistent (even if you did not file your report electronically before).

If a facility's Responsible Official (RO) already has a PIN, signing up for the new eDRUMS service is easy and quick.

If the RO doesn't have a PIN yet, begin the process now by following the steps below. Do not wait until mid-February because that won't allow enough processing time.

The eBusiness Center pre-report creation steps are as follows:

1. To obtain an account, click on "Create New Account" at <https://ebiz.epa.ohio.gov/login.jsp>. If you already have an account, go to Step 2. If you already have an account and a PIN, go to Step 4.

2. After logging in, the RO (the person meeting the requirements of OAC rule [3745-50-42](#)) must apply for a PIN by clicking "Request New PIN" in the "Welcome" screen. This involves printing a Subscriber Agreement form, taking it to a notary for identity verification, signing it in the presence of the notary, and mailing it to Ohio EPA. If you already have an eBusiness Center PIN, go to Step 4.

**NOTE:** Steps 3-5 do not apply to report preparers who are not ROs. However, the RO must complete these steps before you can start working.

3. Once Ohio EPA approves the PIN request and mails the PIN letter to the RO, the RO must activate the PIN. To do this, click on the "Activate PIN" row under "My Tasks".

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## eDRUMS

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4. The RO can request the service by clicking on “view/edit” in the Facilities column for “Hazardous Waste Annual Report Service (eDRUMS).” The RO will search for and select the facility and then enter their PIN to attest he/she is a Responsible Official for this facility as defined in the rule. DHWM staff review these service requests. The RO will receive an e-mail once the request is processed.

5. After the service request is accepted, the RO can begin working on the report by clicking on the service name and selecting the facility, or can delegate access rights to other users (including consultants) by clicking on “view/edit” in the Delegations column for the service.


6. If you are a report preparer or read-only user, you will receive an e-mail once the RO has delegated access rights to you. Click on the Hazardous Waste Annual Report Service and select the facility to get started.

DHWM has already begun distribution of 2009 annual report information through the electronic news service. To read previous messages or to find out more, access the following Web-based resources:

- [Annual Report Web page](#);
- [eBusiness Center](#);
- [Answer Place](#); and
- [Electronic News Service Subscription Management](#).

The [2009 Annual Report Web page](#) contains copies of slides and Webinar presentation recordings given by DHWM to educate users about getting started in the eBusiness Center and using eDRUMS.

Questions about eDRUMS should be directed to Paula Canter, System Administrator, [paula.canter@epa.state.oh.us](mailto:paula.canter@epa.state.oh.us)


Questions about eBusiness Center accounts or PINs should be directed to the eBusiness Center Helpdesk at [ebizhelpdesk@epa.state.oh.us](mailto:ebizhelpdesk@epa.state.oh.us) or by phone at (877) 372-2499 (1-877-EPA-BIZZ). 



**Ever feel like you don't know everything about Ohio's regulations but don't know which questions to ask?**

Ohio EPA will be hosting a [Compliance Assistance Conference on May 5, 2010](#).

This conference will be a one-day event with contributions from each program division. Topics will include regulations relating to solid and infectious waste, air, water and hazardous waste. The hazardous waste portion will cover generator requirements, annual reports and used oil regulations.

This event is always well-received and a great opportunity to speak with Ohio EPA staff as well as other people in the regulated community. Even if you think you know everything about environmental regulations, this still may be a valuable opportunity to stay informed about recent rule changes. More information about the conference schedule and registration details will be coming soon, so stay tuned! 

# Federal Rulemaking

By Karen Hale

U.S. EPA plans to publish several rulemaking actions in the [Federal Register](#) over the next few months. In addition, U.S. EPA recently proposed to withdraw the emission comparable fuel rules. Below are short summaries of recently published and anticipated rulemaking actions.

Once hazardous waste rules are adopted at the federal level, Ohio EPA generally must adopt the same version of the rule. Therefore, for the most effect, we encourage you to participate in the hazardous waste rulemaking process at the federal level. For more information and tips about commenting on federal rules, please see the Summer 2003 [Notifier](#).



## **Standards for the Management of Coal Combustion Residues Generated by Commercial Electric Power Producers – Proposed Rule – Expected in the near future**

U.S. EPA is assessing the development of regulations for coal combustion residues (CCR). The regulations will apply to landfill and surface impoundments that manage coal combustion wastes from commercial electric power companies. It is likely that U.S. EPA will take comment on several regulatory approaches: 1) regulate CCR as hazardous waste; 2) regulate CCR as non-hazardous waste and 3) regulate wet CCR as hazardous waste and dry CCR as non-hazardous waste.

## **Hazardous Waste Technical Corrections and Clarifications Rule – Joint Proposed and Direct Final Rule – Expected February 2010**

The rule will correct and clarify the hazardous waste rules associated with hazardous waste identification, manifesting, generator requirements and hazardous waste permit and interim status standards. This action will not create new regulatory requirements.


## **Episodic Generation – Proposed rule – Expected September 2010**

U.S. EPA is considering the development of a specific regulation to address facilities that, as a result of certain events, occasionally move into a higher hazardous waste generator status. Examples of such events include tank cleanouts, generation of wastes during demolition and process upsets.

## **Transboundary Movement of Hazardous Waste including Spent Lead Acid Batteries – Final rule – January 2010**

U.S. EPA has finalized a rule that will require exporters and importers of wastes destined for recovery to/from a foreign country to follow export/import notification, consent and recordkeeping requirements for wastes considered hazardous waste under U.S. national procedures (i.e., wastes meeting the definition of hazardous waste in 261.3, universal wastes and spent lead acid batteries).

## **Emissions Comparable Fuel Rule - Proposed Withdrawal of the Rule – Published Dec. 8, 2009**

This rule expanded the amount of hazardous waste that could be burned as a fuel under an exemption to the hazardous waste rules. It was effective on March 20, 2009. An environmental group petitioned U.S. EPA to reconsider the rule and withdraw it. On Dec. 8, 2009, U.S. EPA published a federal register notice proposing that the rule be withdrawn. The comment period for this proposed rule ended January 22, 2010. 

# Greener Cleanup Workshop

By Lynn Ackerson

DHWM's Sustainability Team is writing a Sustainability Strategy that includes, among other topics, green remediation. According to U.S. EPA, greener cleanups or green remediation is the practice of considering all environmental effects of remedy implementation and incorporating options to maximize the net environmental benefit of cleanup actions.

Core elements of [U.S. EPA Region 5's Interim Greener Cleanup Policy](#) are energy; air; water; land and ecosystems; and materials and waste. DHWM's Sustainability Strategy will likely support Region 5's Interim Greener Cleanup Policy.

To learn more, DHWM encourages you to attend U.S. EPA's workshop by Webinar at one of [Ohio EPA's offices](#). The Webinar will be broadcasted on February 9, 2010 from 10:00 a.m. to 5:30 p.m. EST. The information is relevant for anyone who:

- works in or with a hazardous substances and/or petroleum cleanup program;
- has responsibility for cleaning up a contaminated site;
- is involved in the redevelopment process;
- works within a local government unit that handles urban planning or blighted properties;
- wonders what greener cleanups or green remediation looks like in practice;
- hasn't reviewed U.S. EPA Region 5's Interim Greener Cleanup Policy; or
- wants to learn what the six states in Region 5 are doing with respect to greener cleanups.

At this point, registration for the Webinar is closed. But, if you're interested in participating at an [Ohio EPA office](#) near you please contact Pam McCoy at (614) 644-3846 or [pam.mccoy@epa.state.oh.us](mailto:pam.mccoy@epa.state.oh.us).

If you have any questions, or want more information on the Webinar, please contact:

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