Enviroscope

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Proposed Regulations May Alleviate Accumulation Burdens for F006 Generators

As part of the Common Sense Initiative (CSI) for the metal finishing industry, the Environmental Protection Agency (EPA) is proposing an extension to the current accumulation time for F006 generators. The proposal is expected to be published in the *Federal Register* this month. The proposed extension for accumulation is from 90 days up to 180 days, providing the following conditions are met:

1. The generator must be regulated as a Large Quantity Generator (LQG), as defined by generating more than 1,000 kg (2,200 lb) of hazardous waste in a calendar month.
2. The method for disposal of the F006 is legitimate recycling (*i.e.*, metals recovery).
3. No more than 16,000 kg (35,200 lb) is accumulated on-site at any one time.
4. The generator has implemented pollution prevention practices with regard to its metal finishing operations.

Under current regulations, LQGs may accumulate hazardous waste on-site for up to 90 days without a RCRA storage permit. Because of the 90-day restriction, many generators of F006 are not able to produce the quantity needed to make metals recovery economically feasible; therefore, generators will ship the wastes to a low-cost treatment and land disposal, where the environmental benefit of metals recovery is lost.

There are 6,000 generators of F006 in the metal finishing industry. Of these, 1,200 generators are regulated as LQGs. Currently, only 20 percent of F006 being generated is recycled through metals recovery. In order to promote metals recovery as a viable option, the proposed accumulation time will allow for LQGs to generate sufficient quantities of F006 prior to shipping. This can potentially reduce transportation costs in half. There is an estimated 3.1–3.9 million dollar annual savings potential associated with this proposed regulation. The proposed regulation also clearly states that beyond the extension in accumulation time, no other requirements for LQGs will be affected, such as:

- Accumulation units (tanks, containers, containment buildings)
- Documentation of accumulation time
- Labeling and marking
- Preparedness and prevention
- Contingency plan and emergency procedures

- Waste analysis and recordkeeping
- Documentation of compliance

For authorized states, the proposal for additional accumulation time would be considered less stringent than the federal regulation. Therefore, authorized states are not required to modify their programs to reflect this proposal. The EPA, however, strongly encourages states to adopt the additional accumulation time for generators of F006.

Small Quantity Generators

Current regulations for Small Quantity Generators (SQGs) of hazardous waste, as defined by generating more than 100 kg (220 lb) but less than 1,000 kg (2,200 lb), already allow for the 180-day accumulation period with a restriction of no more than 6,000 kg (13,200 lb) on-site at any one time. Additionally, SQGs can accumulate hazardous waste on-site for up to 270 days, if transporting the waste more than 200 miles away for disposal. Extensions for accumulation for up to an additional 30 days can be petitioned for by the SQG under unforeseen, temporary and uncontrollable circumstances. EPA's proposal is not proposing that any of the regulations pertaining to SQGs be changed.

Within the September proposal, the EPA is considering factors such as:

- On-site vs. off-site metal recovery
- Detrimental effects of pollution prevention on F006, regarding metals recovery value
- Appropriateness of the 16,000 kg limit
- Allowing all LQGs of F006 the extended accumulation time, whether or not metals recovery is used
- Not requiring pollution prevention practices in order to be eligible for the additional accumulation time

The potential to greatly reduce the amount of hazardous waste being treated by land disposal methods is within reach. The EPA proposal will aid in minimizing recycling barriers by allowing sufficient quantities of F006 to be accumulated on-site. F006 waste can contain a variety of different metals that often have different market value, as well as a technical metals recovery feasibility issue that must be considered. It is believed that this proposal will likely increase F006 recycling through metals recovery.

Comments on the proposed rule should be directed to: Docket Clerk, U.S. EPA, RCRA Docket (OS-305), 401 M Street, S.W., Washington, DC 20460; E-mail: RCRA-Docket@epamail.epa.gov

About the Columnist

Gina I. Flanagan, CEF, is an environmental scientist with Fehr-Graham & Associates, Rockford, IL. She holds a BS degree in biology from Illinois State University, and has more than 12 years' experience in the metal finishing sector, including all aspects of environmental, health and safety issues. She currently provides environmental consulting and compliance services to a variety of industries. A member of AESF's RCRA/CERCLA Committee, she also serves on the board of managers for AESF's Rockford Branch.