



# Shoptalk

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A quarterly publication for hazardous waste generators

## New Flexibility for Small Quantity Generators

New changes to the *Dangerous Waste Regulations* are aimed at providing small quantity generators with the flexibility to select the most cost-effective way to safely manage their wastes. Ecology has increased the on-site waste accumulation limit and has identified Best Management Practices for the on-site management of small quantity generator wastes.

### Accumulation Limits

Businesses may now accumulate up to the equivalent of four drums of dangerous waste at their site and still retain their status as small quantity generators. Under the old regulations, small quantity generators could not generate or accumulate on-site more than 220 pounds - about one half of a 55-gallon drum - of dangerous waste per month. To maintain small quantity generator status, some businesses had to frequently dispose of small amounts of waste. This usually

resulted in a high per unit cost. Now, small quantity generators can accumulate up to 2200 pounds - about four 55-gallon drums - of dangerous waste on-site, but must stay under the monthly generation limit of 220 pounds.

The rule change allows small quantity generators to take advantage of the savings formerly afforded to those generators transporting large loads of waste. Small quantity generators can transport up to 2200 pounds of accumulated waste off-site at one time if no more than 220 pounds of the waste was generated in any one month.

### Waste Management

Since small quantity generators can accumulate more waste on-site, they must ensure that their wastes do not threaten public health or the environment. The updated regulations make generators responsible for selecting

protective on-site management practices that best fit the unique characteristics of their site. Businesses must consider site specific concerns, such as waste type, container size, available storage area, and their ability to store waste safely. Generators can fulfill their responsibility by

following good housekeeping practices. Ecology recommends the following Best Management Practices for safe management of dangerous waste:

- ✓ Keep wastes in containers that are in good condition.
- ✓ Make sure that labels identify the contents of the container and list any major risks the waste poses to employees, emergency response personnel and the public.
- ✓ Avoid spills by keeping containers closed except when adding or removing waste.
- ✓ Maintain containers so they do not leak, rupture or tip over when being opened, handled or stored.
- ✓ Use secondary containment for containers of liquid waste.
- ✓ Keep volumes of accumulated waste low by properly recycling and routinely disposing of waste.

Ecology does not expect every small quantity generator to accumulate the maximum amount of dangerous waste. Each business will need to find the accumulation quantity and time frame that works best for them.

Turn to the Questions and Answers section on page 4 for information on the lawsuit challenging these changes to the regulations.



Ronnie Walker, painter and Hazardous Waste Manager, and Greg Glunt, Vice President of Auto Tech in Tacoma, were pleased to hear the new regulations will allow them more flexibility and may save them money.

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## Answers to Questions about Recycling Credits

Many generators recycle some wastes off-site. "Recycling credits" are earned for this type of recycling. Here is some important information to help you get every recycling credit you earn.

✓ **What do recycling credits do?**

Recycling credits are credits that can be used as a discount to the amount of waste you annually report. The amount of waste annually reported determines if you are subject to the requirements of pollution prevention planning and fees. You can only get recycling credits when waste is sent off-site for recycling.

For example, if you report manifesting 100 pounds of solvent with a 95% recycling credit, 95 pounds are "discounted" and only 5 pounds are counted towards planning and fees.

✓ **Is documentation required?**

Yes. You must attach all documentation of the credits you are claiming for that calendar year of the Annual Report. You do not have to keep recycling credit documentation in your site record retention files.

And, yes, that is the opposite of our instructions to you for manifest copies. DO NOT attach manifests to your Annual Report. Keep them in your site's hazardous waste files.

✓ **Do they affect my generator status?**

No. Recycling credits only reduce the amount of waste counted to determine your pollution prevention planning status and calculate the planning fee.

✓ **Is there credit for on-site recycling?**

No. Credit is only for waste manifested to a treatment, storage, disposal or recycling facility (TSDR) for reclamation. On-site recycling isn't counted.

For example, if you recycle your solvent on-site, it is not counted for planning status. The count begins with the manifested filters and still bottoms. That total may then be reduced by recycling credits.

✓ **How do I know if I am entitled to a credit and how do I get it?**

Contact your TSDR to find out, then request written documentation. Many TSDRs routinely furnish this information on an annual recap report to their individual customers. You may also receive a separate notification of any entitled credits. Either will provide enough documentation to attach to your annual report.

✓ **Do all TSDRs give the same credits?**

No. You will need to check with each TSDR that you used during the year for that year's recycling credit. Not all waste streams are eligible for credits and not all TSDRs choose to use reclamation processes.

✓ **Can recycling credits change from one year to the next?**

Yes. They can vary from one year to the next even for the exact same waste

stream. Credit is based on the portion of a stream that is reclaimed for immediate reuse for the same or like product.

Using the solvent example, if your TSDR has a guaranteed market, the credit will be fairly stable. If the demand for recovered solvent falls, the credit amount will fall too.

✓ **Will you accept 100% credit?**

No. Reclamation and recycling processes recover only a part of incoming waste streams. The portion of the waste stream that must be disposed is not eligible for credit.

Credit is based on the amount of product recovered, not the amount of waste sent for recycling.

✓ **Do I need any special forms?**

No. Each TSDR can supply your written documentation in any format they choose. Report your credits on the Annual Dangerous Waste Report.

✓ **What if I can't get documentation in time to meet the March 1 reporting deadline?**

If you have difficulty getting the required documentation from your TSDR, notify Holly Sullivan (360) 407-6733.

✓ **What if I find I was entitled to recycling credits after I've submitted my annual report?**

Contact Holly Sullivan (360) 407-6733. Recycling credit amendments can be accepted until December 31 of the year the report is due.

### Free Info

To order: Call 1-800-633-7585 or (360) 407-7472.

**Recycling Spent Chlorofluorocarbon and Hydrochlorofluorocarbon Refrigerants, #95-422**

- Lists the regulatory requirements for businesses generating and/or reclaiming these refrigerants

**Dangerous Waste Regulations, Ch. 173-303, Pub #92-91**

(amended 11/95) - 1995 update of codes.

### Environmental Equity

A statewide study on environmental equity was completed at the request of the 1994 Legislature. The study looked at the distribution of 889 facilities and contaminated sites throughout Washington. Ecology looked at where these facilities are located and where toxic releases have occurred. This information was compared to the number of minority or low-income people living in the area.

Statewide, the data show that low-income and minority communities have a large number of the facilities located

in their area, compared to communities with different populations. Communities of low-income residents have more facilities nearby than are located near minority communities. Facility location and chemical releases varied between counties.

Call John Ridgway at the Hazardous Substance Information Office at (800) 633-7585, or, at (360) 407-6713 if you have questions about the study, or to receive a copy of the final report and supplemental atlas.

## Inventory Reports Due March 1, 1996

Businesses that store hazardous chemicals must report annually to state and local governments under the federal Emergency Planning and Community Right-to-Know Act. Ecology staff recently sent out Tier Two Reporting Packets to nearly 3500 previous reporters. Reports for the 1995 reporting period are due March 1, 1996.

Chemicals like gasoline and bagged cement are reportable at 10,000 pounds. Chemicals such as ammonia and chlorine are classified as Extremely Hazardous Substances and are reportable at much lower thresholds. Ammonia is reportable at 500, and chlorine is reportable at 100 pounds. The reporting requirements apply to the maximum amount of a chemical on-site at any one time in 1995.

To find out if you should be reporting or to request a reporting packet, call toll-free 1-800-633-7585 and press 1, or (360) 407-6893.

## Tax Exemption for Pollution Prevention

Pollution control equipment may now be exempt from sales and use taxes. A new law applies to equipment installed and used in a manufacturing operation to prevent air pollution, water pollution and contamination that might otherwise result from the manufacturing operation.

Your manufacturing operation might be eligible for this exemption when you purchase new and replacement machinery that will be directly used in a manufacturing operation. The exemption applies to installation, labor and services.

For more information please contact Richard Dittrich, Department of Revenue, at (360) 786-6133, or 1-800-647-7706.

## Free Technical Assistance Available

Toxics reduction specialists at Ecology's Northwest Regional office recently surveyed five hundred \$35 Hazardous Waste Education Fee payers. Ecology staff wanted to find out why some companies have not used our free technical assistance. It turns out that eighty percent of the respondents said they did not know Ecology has a non-enforcement technical assistance program!

All of the respondents who use Ecology's technical assistance are satisfied. The surveyed businesses are most eager to get answers to basic compliance questions over the phone. They also would like Ecology to provide information on what other companies are doing to reduce waste. Most frequently, respondents ask for:

- ✓ A number to call for technical assistance.
- ✓ Ecology to make sure everyone follows the same environmental rules.
- ✓ Ecology to provide more free or low-cost recycling services.

To utilize Ecology's non-enforcement technical assistance program, call your regional office and ask to speak to a Toxics Reduction Specialist (phone numbers are on page 4.)

## You Deserve Recognition

*Apply for the Governors Award for Outstanding Achievement in Pollution Prevention.* Businesses with outstanding achievements in pollution prevention are encouraged to apply. Applicants must demonstrate significant accomplishments in reducing pollutants at the source, and serve as leaders in their community. Previously recognized award recipients may apply for continued excellence awards. The application deadline has not yet been set. For information and an application call (360) 407-7472.

## Hazardous Waste Generator Workshops

Ecology workshops help hazardous waste generators learn about compliance issues. Attend to find answers to compliance questions and to ensure that your business keeps within all guidelines and regulations.

**Remember your annual report is due on March 1, 1996.**

**Eastern and Central Regions:**  
Call Jan Brysden at (509) 456-2876 to preregister. FREE.

<b>Yakima</b>	Jan. 10 8am - 4pm
<b>Spokane</b>	Jan. 23 9am - 5pm
<b>Tri Cities</b>	Jan. 25 9am - 5pm
<b>Okanogan</b>	Jan. 15 6 - 9pm
<b>Wenatchee</b>	Jan. 16 6 - 9pm
<b>Goldendale</b>	Jan. 17 6 - 9pm

**Southwest Region:**  
To register call (360) 407-6357  
**Two hour workshops** for the smaller generator. \$10.

<b>Aberdeen</b>	Jan. 16
<b>Chehalis</b>	Jan. 17
<b>Vancouver</b>	Jan. 18
<b>Tacoma</b>	Jan. 22

**Quarterly half-day workshops** \$15 in advance, or \$20 at the door.  
**Lacey** Feb. 13, sessions 1 & 2  
**Lacey** Feb. 15, sessions 1 & 2

**Northwest Region:**  
To register call Victoria Sutton at (206) 649-7085. Cost is \$22, which includes lunch.

<b>Mt Vernon</b>	Jan. 30 9am - 4pm
<b>Everett</b>	Feb. 1 9am - 4pm
<b>Bremerton</b>	Feb. 6 9am - 4pm
<b>Seattle</b>	Feb. 8 9am - 4pm

## Questions and Answers

**Q** I heard that Ecology was sued over the recent changes to the *Dangerous Waste Regulations*. Is that true?

**A** Yes. A lawsuit has been filed challenging the new regulations. This may raise questions about potential liability for businesses that choose to manage wastes under the new rules.

If Ecology loses the lawsuit, the most likely scenario is that the new rules will become invalid. The previous version of the rules (January 1994 version) would come back into effect at that point. Generators would be required to manage their waste under the prior rules. Ecology believes that any waste that was accepted at a solid waste landfill under the amended rules would still be considered properly disposed under the dangerous waste regulations.

Ecology will keep businesses informed of further developments so they can plan accordingly. Of course, businesses should seek advice from their own counsel if they have concerns about potential financial risks. Contact your regional office for more information.

**Q** What other changes are included in the *Dangerous Waste Regulation* amendments?

**A** The methods for identifying dangerous waste have changed. Also, some lower hazard dangerous wastes have fewer management requirements and can now be disposed of in solid waste landfills that meet stringent protection standards. *Shoptalk* will discuss these changes in future issues.

## Shoptalk News

Our apologies to those of you who did not receive the Autumn *Shoptalk* until December, and for anyone who received two copies. Duplicate copies were accidentally mailed to several addresses. When the error was discovered, copies were sent to those unintentionally omitted from the first mailing.

*Shoptalk* has switched from a six to a four page format. Issues will be mailed four times a year.

*Shoptalk* is now on the Internet at the Ecology Home page. The *Shoptalk* internet address is:  
<http://www.wa.gov/ecology/shop61.html>

## Ecology Contacts

Remember, your business is liable for all hazardous wastes generated. If you are uncertain about your responsibilities as a hazardous waste generator, call your nearest Ecology office and ask for a hazardous waste specialist. For information on reducing or recycling hazardous waste, ask for the toxics reduction staff, also at the following numbers:

*Bellevue:* (206) 649-7000

*Lacey:* (360) 407-6300

*Yakima:* (509) 575-2490

*Spokane:* (509) 456-2926

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## Shoptalk

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