



Focus on Proposed amendments to the *Dangerous Waste Regulations*

FROM ECOLOGY'S HAZARDOUS WASTE AND TOXICS REDUCTION PROGRAM

Submit comments on the proposed amendments to:

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Comments on the proposed amendments and the changes to the *Chemical Testing Methods* publication are due by 5 p.m., September 10, 2004.

Proposed amendments to the *Dangerous Waste Regulations* (Washington Administrative Code, chapter 173-303) are available for public review and comment until September 10, 2004.

Most of the proposed changes are requirements the state Department of Ecology (Ecology) must adopt to remain current with the federal rules. Other changes update state requirements and make technical corrections.

A more significant change, which resulted from the Hazardous Waste Facilities Initiative, will extend financial-responsibility requirements to recycling and used-oil facilities. Highlights of the proposed rules are:

- Mercury-containing equipment will become “universal waste” with simpler handling requirements.
- “Knowledge,” as used for waste designation, will be defined to help generators know when they can use knowledge instead of testing their waste.
- Ecology’s publication, *Chemical Testing Methods for Designating Dangerous Wastes*, (#97-407) is being updated for clarity on persistence testing.
- Financial-responsibility requirements will be extended to recyclers and used oil processors.
- Some wastewater-treatment unit operators will be able to accept more wastes from off-site for treatment at their facility.
- Used oil testing requirements are being modified to make it easier for Ecology to request a chlorinated-compounds test instead of requiring full-designation testing.
- The rule will clarify that conditionally exempt small-quantity-generator used oil that is to be burned for energy recovery or re-refined must be managed under the used oil management standards in WAC 173-303-515.
- New corrective action management unit (CAMU) requirements, including the provision that allows “CAMU-eligible” waste to be managed off-site, will be adopted.
- SIC (U.S. Standard Industrial Classification) codes are being changed to NAICS (North American Industry Classification System) codes.
- References to the Uniform Fire Code are being changed to the International Fire Code.

A draft revision of the Chemical Testing Methods for Designating Dangerous Wastes, publication #97-407 is available for review at

<http://www.ecy.wa.gov/laws-rules/activity/wac173303.html> or contact Alex Stone at 360-407-6305, or by e-mail at alst461@ecy.wa.gov, or Leatta Dahlhoff at 425-649-7281, or by e-mail at leda@ecy.wa.gov.

For a copy of the proposed amendments to the Dangerous Waste Regulations, go to

<http://www.ecy.wa.gov/laws-rules/activity/wac173303.html> or call Dave Zink at 360-407-6752 for a paper copy. For more information about the proposed rules, contact Chipper Hervieux at 360-407-6756 or by e-mail at pher461@ecy.wa.gov.

- Spill reporting for tanks will be changed so it is consistent with spill-reporting requirements for all dangerous wastes.
- The “once listed, always listed” rule will change and some listed-waste residues that no longer exhibit the characteristic for which they were listed may be exempt.
- Performance Track facilities will be allowed longer accumulation times.

State Environmental Policy Act and Economic Analysis

A State Environmental Policy Act (SEPA) checklist was prepared for these regulation amendments and a determination of non-significance was issued on July 7, 2004. A small business economic impact statement was prepared and filed with the rule proposal, and cost benefit analysis was drafted. The cost benefit analysis will be finalized prior to adoption. Comments are welcome on the cost benefit analysis and may be sent to Chipper Hervieux. Copies are available with other rule information on the Web site or paper copies are available from Dave Zink at 360-407-6752, or e-mail him (dzin461@ecy.wa.gov).

Public Involvement

Your comments on the proposed rule amendments are welcome and will be considered before adoption. Adoption is scheduled for Nov. 30, 2004. You may submit written comments or attend a public hearing.

A public hearing will be held by simultaneous video conference on Tuesday, August 10, 2004 from 1-4 p.m. You can participate at any of the following locations:

■ **University of Washington, Tacoma**

Administration Building, Room BHS107, 1900 Commerce Street, Tacoma, WA 98402-3100. First floor above street-level businesses (Starbucks).

■ **University of Washington, Seattle**

Magnuson Health Sciences Center, Computing and Communications, UWTR T-Wing, Room 239. Second floor, near the Health Sciences Center Library. NE Pacific Street near 15th Avenue, Seattle, WA 98195-7150.

■ **Spokane Community College**

1810 North Greene Street, Spokane, WA 99207-5399, in the Instructional Media Laboratory

■ **Yakima Valley Community College**

16th Street and Nob Hill Boulevard, Yakima, WA 98907