

## Hazardous Waste Regulations Workshop

A workshop was held on September 30, 2008, in Carson City with a video link to NDEP's Las Vegas office. A total of 22 people attended including both locations. Copies of the proposed state regulations and summaries of the federal rules to be adopted by reference were distributed to the attendees.

Don Cripe of the Bureau of Waste Management made the following remarks:

Good morning, my name is Donald Cripe, and I am employed by the Nevada Division of Environmental Protection, Bureau of Waste Management. The intent of this workshop is to provide an informal opportunity for the public to comment on regulations proposed for adoption. These proposed regulations will likely be presented to the State Environmental Commission for adoption as state regulations early next year.

The proposed rulemaking will revise Nevada Administrative Code (NAC) 444.8427, 84275, 850, 8632, 8688, 8871, 8881, 8926, 8931, 8941, 9006, 9011, and 9452 (contained in Sections 1-4, and 6-14) replacing July 1, 2007, with July 1, 2008. This revision is required to update the adoption of federal hazardous waste regulations by reference.

The revision to NAC 444.86325 (contained in section 5) amends the list of exceptions to federal regulations and parts and sections not adopted by reference to include a federal rule covering waste specific to mining operations located in Missouri, Oklahoma, and Kansas.

Additionally, the proposed rulemaking proposes to adopt by reference three new federal rules. They are summarized as follows:

### SFY08 RCRA REVISIONS

- 1. Title:** Exclusion of Oil-Bearing Secondary Materials Processed Gasification System to Produce Synthesis Gas

**Reference:** 73 FR 57 - 72

**Promulgation Date:** January 2, 2008

**Effective Date:** February 1, 2008

**Summary:** This rule amends an existing exclusion to the definition of solid waste that applies to oil-bearing hazardous secondary materials generated at a petroleum refinery when these materials are recycled by inserting them back into the petroleum refining process and certain other conditions are met. The exclusion allows these materials to be inserted into the same petroleum refinery where they are generated, or sent directly to another petroleum refinery. This rule adds "gasification" to the list of already recognized petroleum refinery processes (*e.g.*, distillation, catalytic cracking, fractionation, and thermal cracking units) and adds a definition for the term "gasification."
- 2. Title:** NESHAP: Final Standards for Hazardous Waste Combustors (Phase I Final Replacement Standards and Phase II) Amendments

**Reference:** 73 FR 18970-18984

**Promulgation Date:** April 8, 2008

**Effective Date:** April 8, 2008

**Summary:** This rule finalizes amendments to the October 12, 2005 rule - National Emission Standards for Hazardous Air Pollutants: Final Standards for Hazardous Air Pollutants for Hazardous Waste Combustors (Phase I Final Replacement Standards and Phase II) (Checklist 212). It clarifies compliance monitoring provisions and corrects typographical errors and omissions.

**3. Title:** F019 Exemption for Wastewater Treatment Sludges from Auto Manufacturing Zinc Phosphating Processes

**Reference:** 73 FR 31756-31769

**Promulgation Date:** June 4, 2008

**Effective Date:** June 4, 2008

**Summary:** This rule amends the F019 waste code listing for federally regulated hazardous waste to exempt the wastewater treatment sludge generated from zinc phosphating processes used in automobile assembly, provided the wastes are not placed outside on the land prior to shipment to a landfill for disposal and the waste is disposed in a landfill unit subject to certain liner requirements. Wastes that meet these conditions will be exempted from the listing from their point of generation, and will not be subject to any RCRA Subtitle C management requirements for generation, storage, transport, treatment, or disposal. Generators will be required to maintain records on site to show that the waste meets to conditions of the listing.

A fourth new federal rule has not been adopted but is referenced in the NAC 444.86325 list of exceptions.

**4. Title:** Criteria for the Safe and Environmentally Protective Use of Granular Mine Tailings Known as ``Chat''

**Reference:** 72 FR 39331-39353

**Promulgation Date:** July 17, 2007

**Effective Date:** September 17, 2007

**Summary:** This rule promulgates mandatory criteria for the environmentally protective use of chat in transportation projects carried out, in whole or in part, with Federal funds. The chat covered by this rule is from the lead and zinc mining areas of Oklahoma, Kansas and Missouri, known as the Tri-State Mining District.

The regulated community is encouraged to consult UNR's Business Environmental Program at 800-882-3233 for free, confidential environmental compliance assistance.

A copy of the proposed regulations and workshop minutes may be obtained by calling NDEP at (775) 687-9464 or may be viewed and downloaded via NDEP's public notice website at <http://ndep.nv.gov/admin/public.htm#waste>.

Questions should be directed to Don Cripe (687-9464) or Jim Trent (687-9478).

This concludes the public hearing portion of this meeting. Does anyone have questions concerning this rulemaking?

No questions were asked, and the public hearing closed.