

HAZARDOUS WASTE NOTIFICATION REQUIREMENTS

The Environmental Protection Agency (EPA) has promulgated changes to the general pretreatment regulations (55 FR 30082) that affect both publicly owned treatment works (POTW) and industrial users of POTWs. One of the changes requires industrial users to submit a new one-time notification of hazardous wastes discharged to sewers. Following is a brief description of this new requirement.

Who Must Notify:

All industrial users who discharge listed or characteristic hazardous wastes under the Resource Conservation and Recovery Act (RCRA) to POTWs. Listed and characteristic wastes under RCRA are described in the Code of Federal Regulations (40 CFR Part 261).

To Whom the Notification Must be Sent:

- Fox River Water Reclamation District
P.O. Box 328
Elgin, Illinois 60121-0328
- U.S.E.P.A. Region 5
Waste Management Division
77 West Jackson Blvd.
Chicago, Illinois 60604
- Illinois E.P.A.
Division of Land Pollution Control
P.O. Box 19276
Springfield, Illinois 62794-9276

Waste Covered by the Notification:

- Any discharge to the POTW of > 15 kilograms (kg) (33 lb.) per calendar month of a RCRA hazardous waste, or a discharge of *any* quantity of an acutely hazardous waste identified in 40 CFR 261.30(d) and 261.33(e), *must* be reported as a *one-time* notification.
- A discharge to the POTW of < 15 kg (33 lb.) per calendar month of a RCRA hazardous waste need *not* be reported, *Except* for acutely hazardous waste identified in 40 CFR 261.30(d) and 261.33(e).
- A subsequent discharge of > 15 kg (33 lb.) per calendar month, or of any quantity of an acutely hazardous waste, *must* be reported as a *one-time* notification.
- Pollutants already reported under 40 CFR 403.12(b), (d), and (e) are *not* subject to this notification requirement.

What the Notification Must Contain:

- The one-time notification must contain the following items of information:
 - Name of the hazardous waste as set forth in 40 CFR Part 261.
 - E.P.A. hazardous waste number.
 - A certification that the industrial user has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- If the industrial user discharges more than 100 kilograms of hazardous waste per calendar month to the POTW, the one-time notification must also contain the following items of information:
 - An identification of the hazardous constituents contained in the hazardous wastes.
 - An estimate of the mass and concentration of such constituents in the wastestreams discharged during the calendar month in which the one-time report is made.
 - An estimation of the mass and concentration of such constituents in the wastestream expected to be discharged during the twelve months following the notification.

How to Count the Volume of Hazardous Waste Discharged:

- If a hazardous waste is mixed with a non-hazardous process or non-process wastestream and the entire mixture is then discharged to the sewer, the volume of hazardous waste in the entire wastestream is counted according to the RCRA “mixture rule” in 40 CFR 261.3(a)(2)(111). The effect of this rule is summarized as follows:
 - *Characteristic wastes:* These are wastes that are classified as hazardous only because they exhibit one of the hazardous characteristics identified in 40 CFR 261.20-261 (i.e., they are ignitable, corrosive, reactive, or toxic). If these wastes are mixed with non-hazardous materials and the mixture is then discharged to the sewer. The notification must be submitted one-time if the entire mixture was actually discharged was more than fifteen kilograms per calendar month in volume. Also, if the mixture discharged still exhibited the characteristic(s).

- *Listed Wastes:* These are wastes that are classified as hazardous pursuant to being listed in 40 CFR 261.30-33. If these listed wastes are mixed with non-hazardous materials and then discharged to the sewer, the entire wastestream is considered hazardous and the notification must be submitted. Thus, only if the entire wastestream containing the hazardous waste amounted to fifteen kilograms per month or less would the exemption discussed above apply.

If an industrial user has any doubt about whether a mixture discharged to the sewer is hazardous, or if the user does not wish to perform any calculations which may be necessary under the mixture rule, the user should submit the one-time notification.

When the Notification Must be Submitted:

Existing dischargers of correctly classed hazardous waste should have already submitted the notification. In the case of regulations under Section 3001 of RCRA identifying *new* hazardous wastes, the notification must be submitted within 90 days of the effective date of such regulations. Lastly, in the case of any substantial changes in the volume or character of any wastestream to the sewers, the user *must* notify the POTW in advance.

For Further Information:

General questions about the requirements should be directed to Michael Dacka of the Fox River Water Reclamation District at (847) 742-2068.

Questions about whether your waste is hazardous should be directed to the EPA RCRA Hotline at (800) 424-9346.