

PART 111 RULE CHANGES, NOW & LATER

West Michigan Air & Waste Management Association
23rd Annual Hazardous Waste Management Workshop
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PROVIDE AN OVERVIEW OF:

Administrative rule changes that
became effective April 5, 2017

Upcoming key rule changes...

2017 Rule Changes

Revised Part 111, Hazardous Waste
Management, of the NREPA

Eleventh amendment to base program
rules

Filed March 29, 2017, effective
April 5, 2017

2017 Rule Changes

State-initiated revisions included:

- Hazardous waste listing changes
- Updates to adopted by reference citations in the rules
- Typographical corrections

2017 Rule Changes

Federal-initiated revisions included:

- Conditional exclusions for solvent contaminated wipes
- Conditional exclusions for CO₂ waste stream injection
- Hazardous waste electronic manifest (e-Manifest) framework

2017 Rule Changes

Federal initiated revisions included:

- Export provisions for cathode ray tube rule
- Vacatur of comparable fuels & gasification rules
- Coal combustion residuals (CCR) disposal
- Adoption of 2015 definition of solid waste (DSW)

Solvent- Contaminated Wipes

(Rule 204 (1)(z) and (2)(q))



Woven or non-woven shop towels, rags, pads, or swabs made of wood pulp, fabric, cotton, polyester blends or other materials

Contains 1 or more of F001 - F005 solvents in Rule 220 or P- or U- listed solvents in Rule 224 or 226

Exhibits a hazardous characteristic per Rule 212 and characteristic results from a LISTED solvent

Exhibits only the hazardous characteristics of ignitability per Rule 212 due to the presence of 1 or more solvents that are NOT LISTED

Solvent-Contaminated Wipes

(Rule 204 (1)(z) and (2)(q))



Solvent-contaminated wipes meeting this criteria managed to meet the rule are excluded from hazardous waste regulation

Generators are not required to count the weight of the wipes in their monthly generator status calculation

Solvent-Contaminated Wipes

(Rule 204 (1)(z) and (2)(q))



TCE containing solvent-contaminated wipes are NOT eligible for the exclusion

Solvent-contaminated wipes that do not qualify for one of the exclusions must be managed as hazardous waste and included in the generator status calculation

Hazardous Secondary Materials & Legitimate Recycling

(Rule 232)



Recycling of HSM for purposes of exclusion or exemption for regulation as a hazardous waste shall be legitimate

Legitimate recycling must meet the legitimacy provisions established in Rule 232

If the criteria are not met, the recycling is not legitimate, and the material is a waste subject to waste regulation!

Coal and Fossil Fuel Combustion Wastes

(Rule 204(2)(e))



Certain coal and fossil fuel combustion wastes are excluded from being a waste subject to hazardous waste regulation when the wastes are:

- generated primarily from the combustion of coal or other fossil fuels
- are co-disposed with fly ash, bottom ash wastes, slag waste, and flue gas emissions
- are not subject to 40 CFR 266.112 and burned as hazardous waste

e-Manifests

(Rules 103, 304, 409, 608)



Rule provides the legal and policy framework to authorize use of e-Manifests

EPA established an advisory board to finalize the electronic reporting and fee system

Use of the e-Manifest will be optional

e-Manifests



E-Manifests go live on June 30, 2018

After then manifest can be submitted by using the e-Manifest system or paper

Paper manifest will cost \$20

e-Manifest will cost \$4

All e-Manifest will go directly to the EPA

No DEQ manifest fees after June 30, 2018

e-Manifests



Find EPA e-Manifest web page at
www.epa.gov/e-manifest

See helpful FAQs at e-
[manifest/eManifestFAQMarch2018.pdf](#)

Proposed Revisions to Michigan's Part 111 Hazardous Waste Rules



Draft represents the 12th amendment to the Part 111 base rules which were authorized on October 30, 1986

Both state and federally-initiated revisions

State-Initiated Revisions

Evaluation of Michigan-only hazardous wastes listings:

- ***122 “S” and “U” codes remaining***
- ***Currently 52 proposed for deletion***

State- Initiated Revisions

Expanded options for conducting verification sampling when there has been a statistically significant increase in ≥ 1 secondary groundwater monitoring parameters

Addition of aerosol cans as universal waste

Typographical corrections

Federally- Initiated Revisions



Generator improvements rule

e-Manifest rule

Generator Improvement Rule Overview



81 FR 85732, November 28, 2016, effective
May 30, 2017

Consistent with federal provisions

Major restructuring of generator requirements

Generator categories: very small quantity
(VSQG), small quantity (SQG), and large
quantity (LQG)

Generator Improvements Rule Overview

1 planned/unplanned episodic event per year with a waiver option for a 2nd unplanned/planned event. Regulatory relief but NO relief from HWUCs. Done via District Offices

VSQG may send hazardous waste to LQG that is under the control of the same person and consolidate it there before shipping to designated facility

QUESTIONS?

