



MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY

Waste Analysis Plans – A State Perspective

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Background

- **40 CFR 264.31 Design and operation of facility.**

Facilities must be designed, constructed, maintained, and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to the air, soil or surface water which could threaten human health or the environment.

- Safe, Legal and Ethical Management of Hazardous Waste in Short and Long Term

Challenges

- Short and long term risk management
 - No “events”
 - Long term protection of human health and environment
 - LDRs as an important part of long term stewardship
- Safer permits/licenses
- Decrease in the time it takes to issue permits/licenses
- Level playing field
- Enforceability
- All of this with less federal resources

Opportunities

- Use PIT to help “level the playing field”
- Develop tools that standardize basic WAP components at a national level
 - Available to everybody
 - Updated to stay current
 - Decrease permitting time frames
- Better “front end” waste characterization and acceptance discipline will improve LDF compliance
- Oversight

Implementation

- More field presence
 - Focused inspections
 - Credible threat of enforcement
 - Fix the stupid stuff
- Focus on verification of “generator knowledge”
 - Waste acceptance procedures
 - Risk management up front
 - Very important for “mixed batches”
- Other tools to help to increase confidence in LDR compliance
 - Increase verification sampling
 - Difficult
 - Other surrogate inspection components
 - Mixing patterns
 - Mixing times

Selecting National RCRA Permitting Priorities for FY2020

Prepared by the RCRA Permit Integrity Team (PIT)

IMPROVING TIMELINESS AND QUALITY OF PERMITS/STREAMLINING PERMITS			
	<p>A. Tools for Expediting Permit Issuance EPA and many states are reducing the expected time frames for issuing RCRA permits. Sharing of tools and process would be very helpful.</p>	<ul style="list-style-type: none">• Identify and share tools and processes that expedite permit issuance.• Compile lessons learned from ASTSWMO Training Conference and LEAN efforts with state best practices to increase efficiency.• Create tools for streamlining corrective action-only permits (e.g., share templates and checklists for corrective action permits).	<ul style="list-style-type: none">• Under EPA's FY2018-2022 Strategic Plan, the Agency's goal is to issue its permits within six months.• Forthcoming EPA state permit oversight policy and framework will seek to evaluate permit timeliness.• EPA/ORCR is in the process of adapting the automated Texas permit application checklist tool for the federal regulations. <p>Source: ASTSWMO</p>

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E. Improved Coordination Between RCRA Permit Writers and RCRA Inspectors

Strengthen the relationship between those who write permits and those who enforce permits to better use feedback and input to assist compliance and protect human health and the environment.

- Implement permit writer and inspector workshops nationwide.

- Region 1 recently collaborated with NEWMOA on a permit writer/inspector workshop in December 2017.

Source: EPA ORCR & OECA

WASTE ANALYSIS PLANS (WAPS)			
	<p>I. Hazardous Waste Determinations (Hazardous Waste Managed as Non-Hazardous Waste)/Deficient Waste Analysis Plans</p> <p>When states require TSDFs to subject all waste accepted to waste analysis, they are finding that wastes being managed as non-hazardous are often, in fact, RCRA hazardous waste (characteristic or meets listing). Some of this relates to deficient waste analysis plans (WAPs), for example, that depend too heavily on generator knowledge or marketing information or in cases where companies use one waste analysis plan for multiple sites. Also, additional guidance on waste profiling and compatibility is needed.</p>	<ul style="list-style-type: none"> • Assess state implementation of the 2015 Waste Analysis Plan guidance. • Conduct national audit of waste analysis plans with respect to hazardous waste determinations. • Develop guidance on waste profiling and compatibility. 	<ul style="list-style-type: none"> • ORCR published the Waste Analysis Plan Guidance in 2015. • This issue has also been raised to EPA's enforcement office. <p>Source: ASTSWMO</p>
	<p>J. Waste Analysis Plans Compliant with Land Disposal Restrictions - Phase II</p> <p>Continue work started under the FY2018/2019 permitting priority to make long-term improvements to assist compliance with land disposal restrictions (LDRs).</p>	<ul style="list-style-type: none"> • Establish a national expert team to assist regions and states in reviewing WAPs. • Develop policy/rulemaking related to clarifying sampling type and frequency. 	<ul style="list-style-type: none"> • WAPs/LDR was named one of two permitting priorities for FY2018/2019; EPA expects to soon communicate findings related to this priority. <p>Source: WAP PIT Team</p>

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