

**DEQ**  
**Land Protection**  
**Division**

**RCRA Update**

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# Solvent-Contaminated Wipes

## Final Rule

- ▣ 2003 – EPA published a proposed rule to conditionally exclude reusable wipes and disposable wipes from hazardous waste regulation. (68 FR 65586)
- ▣ The final rule was published on July 31, 2013, and became effective federally on January 31, 2014.

# Purpose of the Rule

Specifically, the rule includes:

- A conditional exclusion from the definition of solid waste for solvent-contaminated wipes sent for cleaning (“reusable wipes”)

-40 CFR 261.4(a)(26)



And.....

# Purpose of the Rule

- A conditional exclusion from the definition of hazardous waste for solvent-contaminated wipes sent for disposal (“disposable wipes”)  
-40 CFR 261.4(b)(18)



# What's Included

- ▣ Wipes containing one or more F001-F005 listed solvents listed in §261.31 or the corresponding P- or U- listed solvents found in §261.33, including:
  - Acetone
  - Benzene
  - n-Butanol
  - Chlorobenzene
  - Creosols
  - Cyclohexanone
  - 1,2-Dichlorobenzene
  - Ethyl acetate
  - Ethyl benzene
  - 2-Ethoxyethanol
  - Isobutyl alcohol
  - Methanol
  - Methyl ethyl ketone
  - Methyl isobutyl ketone
  - Methylene chloride
  - Tetrachloroethylene
  - Toluene
  - 1,1,2 Trichloroethane
  - **Trichloroethylene (\*For reusable wipes only.)**
  - Xylenes

# What's Included Cont.'

- ▣ **Wipes that exhibit a hazardous characteristic resulting from a solvent listed in part 261.**
  
- ▣ **Wipes that exhibit only the hazardous characteristic of ignitability when containing one or more non-listed solvents.**

# What's Not Included

- ❑ Wipes that contain listed hazardous waste other than solvents.
- ❑ Wipes that exhibit the characteristic of toxicity, corrosivity, or reactivity due to non-listed solvents or contaminants other than solvents.
- ❑ Wipes that are hazardous waste due to the presence of trichloroethylene (disposable wipes only).

# 6 Conditions of the Exclusions

- ▣ Storage
- ▣ Labeling
- ▣ Accumulation
- ▣ No Free Liquids
- ▣ Record Keeping
- ▣ Handling Facilities

# Conditions of the Exclusions

## 1. Storage

Solvent-contaminated wipes must be accumulated, stored, and transported in non-leaking, closed containers that are able to contain free liquids should they occur.

Containers must be “closed” during accumulation and “sealed” during transport.

## 2. Labeling

Containers must be labeled “Excluded Solvent-Contaminated Wipes”.

Containers must be labeled during accumulation, storage and transport.

# Conditions of the Exclusions

## **3. Accumulation Time Limit**

Solvent-contaminated wipes may be accumulated for up to 180 days from the start date of accumulation.

Generators must keep documentation that the 180-day time limit is being met.

## **4. No Free Liquids -the “heart” of the rule**

Solvent-contaminated wipes may not contain free liquids at the point of being sent for cleaning on site or sent off site for cleaning or disposal.

Must pass the paint filter test. Liquids are subject to the hazardous waste regulations.

# Conditions of the Exclusions

## **5. Record Keeping**

Name and address of the destination facility (laundry, combustor, or landfill) that is receiving the solvent-contaminated wipes.

Documentation that the 180-day time limit is being met.

Description of the process the generator is using to meet the “no free liquids” condition.

## **6. Handling Facilities**

Reusable wipes must be sent to a laundry or dry cleaner whose discharge is regulated under sections 402 or 307 of the Clean Water Act.

Disposable wipes must go to : a regulated combustor, boiler, or industrial furnace, a Subtitle D solid waste landfill with a leachate collection system, or a hazardous waste landfill.

# New Outreach Program

- ▣ **Compliance Assistance and Self-certification Program**
  - **Initially focus on a subset of the SQG Universe**
  - **Main goal of increasing compliance rates**
  - **Voluntary**
  - **Pilot Self-certification Checklist planned in 2014**

# Compliance Assistance and Self-certification Program

## ▣ Why SQGs?

- High population but low priority (on EPA's scale)
  - ▣ 8 commercial TSDs (annual inspection)
  - ▣ ~185 LQGs (every 5 years)
  - ▣ ~600 SQGs (no federal requirement)
  
- Generally smaller facilities
  - ▣ Little to no dedicated environmental staff
  - ▣ Higher turnover
  - ▣ Compliance is lower priority due to resources

# Compliance Assistance and Self-certification Program

- ▣ Compliance is our #1 goal
  - Self-certification checklist with a detailed guidance document
  - Centralized training program
  - Interaction with DEQ staff in a non-enforcement setting while receiving guidance & training
  - Various other training material (calendars, reminder post-cards)

# Compliance Assistance and Self-certification Program

C.	Training & Emergency Response	Yes	No	N/A
1.	Do you perform & <b><i>document</i></b> training to all personnel involved with hazardous waste management, and ensure they are thoroughly familiar with proper hazardous waste handling, emergency response procedures, and other job-specific hazardous waste management responsibilities of their jobs?			
2.	Do you have a designated emergency coordinator?			
3.	Have you posted emergency phone numbers and location of emergency equipment next to the telephone?			
4.	Have you determined and provided the appropriate emergency equipment for your facility?			
5.	Do you ensure there is sufficient aisle space around to allow unobstructed movement of personnel and equipment in container storage areas?			
6.	Have you attempted to make emergency response arrangements as appropriate for your facility?			
7.	If you answered “NO” to any of the questions in section C, please indicate the item (example C.4.) and explain how and by what date you plan to return to compliance.			

# Compliance Assistance and Self-certification Program

- ▣ **Self-certification & Compliance Follow-up**
  - **Generators self-certify compliance**
  - **Percentage of certification are randomly selected for follow-up**
  - **DEQ staff will compare certification records with follow-up results**
  - **Areas of low compliance will be the focus of future centralized training sessions**

# That's all for the RCRA Update

▣ Questions?

Thank You