

**Arizona Department of Environmental Quality
Waste Programs Division – Solid Waste Rule Development Process**

**Tucson/Pima County Household Hazardous Waste Program's
Title 18. Environmental Quality
Chapter 13. Department of Environmental Quality Solid Waste Management
Redline Draft Comments**

August 1, 2008

1. **R18-13-101. Solid Waste Definitions**

Daily throughput. The daily throughput is requested in cubic yards. Historically, household hazardous waste (HHW) programs/facilities record materials collected by weight (pounds) as opposed to volume (Tons or cubic yards). In determining the regulatory threshold an average specific gravity will be assumed to convert pounds to cubic yards. Absent other direction the specific gravity of water of 8 pounds per gallon will be used for this calculation.

Defined time period. This definition is based on a common fiscal year. The daily throughput should also be based on the defined time period as opposed to the calendar year basis.

Permanent household waste collection center. This definition does not make a distinction of where the HHW is being generated. HHW can be collected at satellite (non-permanent) collection sites or sites that accept glycol based antifreeze and then transported to permanent HHW collection centers for consolidation in preparation for recycling/disposal. Conditionally Exempt Small Quantity Generator (CESQG) hazardous materials are/may also be collected at permanent household waste collection centers.

2. **R18-13-600(3 & 4). Solid Waste Facilities Subject to Best Management Practices:**

Applicability. Permanent HHW collection centers and facilities that accept CESQG are listed separately. These facilities are commonly one in the same and accept both HHW and CESQG materials. Further, US EPA in a memorandum dated July, 1992, clarifies that HHW and CESQG waste may be mixed by State-approved HHW programs and remain only subject to the CESQG requirements, even if the mixture exhibits a characteristic. If the mixture will be considered by ADEQ a hazardous waste and subject to RCRA, then the impact on HHW collection centers will have detrimental consequences. HHW collection centers would be faced with substantial burdens and costs associated with full Subtitle C requirements. If HHW collection centers were to manage these two waste types separately, the impact will be just as substantial with the added paperwork requirements, increased storage and handling space requirements, increased packaging costs, and increased shipping and disposal costs. In addition, the draft rule only allows for storage of CESQG of no more than 90 days, a storage requirement

typically imposed on Large Quantity Generators. Small Quantity Generators have a storage limit of 180 days (270 days if shipped to off-site disposal facilities over 200 miles). Individual CESQG's have no storage limits under Subtitle C requirements. The 90 day storage limit will pose a substantial burden on HHW/CESQG collection facilities in meeting the time limits.

3. **R18-13-601(D8) General Requirements for Solid Waste Facilities Subject to Best Management Practices; Requirement for a Solid Waste Facility Notice.** No criteria is specified for determining the design capacity of the facility.
4. **R18-13-603(A). General Requirements for Solid Waste Facilities Subject to Best Management Practices; Basic Design and Operating Standards.** Scavenging must be prevented, as stated in this section. HHW collection centers manage many household type materials collected by redistributing to the public many still useful materials in their original containers and with original labels. Paint is also consolidated at these collection centers and packaged in 5-gallon containers and labeled appropriately, which is then redistributed to the public for its original intended use. Materials that are banned for use by the EPA or spent materials are not redistributed to the public. No provisions are made for this type of household waste management. HHW collection centers would be faced with substantial burdens and costs, including increased storage and handling space requirements, increased packaging costs, and increased shipping and disposal costs. This type of waste management/recycling is both beneficial for the environment, the public and municipalities operating these collection centers.

R18-13-603(D). The storm water run-on and run-off does not specify if this requirement will be imposed on facilities protected by roofing systems, or materials that are covered, where the storm water does not come in contact with the HHW/CESQG materials stored on-site. This requirement does not specify if storm water from the facility yard or parking areas will also be affected, even if no HHW/CESQG materials are not stored in those areas.

5. **R18-13-609(B & D).** Additional requirements. Section B prescribes requirements for identifying materials received and requires waste analysis. Original labels, not requiring laboratory analysis, identify most items. Laboratory analysis will be costly if required for all items or waste streams. Materials with no labels are often categorized by hazard by using a haz-cat system, not requiring laboratory analysis. This type of method should be allowed. Section D addresses facility personnel training. Many programs utilize trained volunteers to assist at collection centers - volunteers are considered personnel when working at the collection center.