

SUMMARY OF REASONS/CHANGES PROPOSED FOR DIVISION 14, HAZARDOUS WASTE PROGRAM ADEM ADMINISTRATIVE CODE

RCRA §3006(b) requires that authorized State Programs be “equivalent” to the Federal program and continue to maintain equivalency as the Federal program changes. Thus, in order to retain state primacy in the hazardous waste program, ADEM must update its Administrative Code to reflect changes in the federal requirements for the regulation of hazardous waste.

ADEM is proposing that the Environmental Management Commission adopt regulations reflecting changes made to EPA’s regulations from July 1, 2010 through June 30, 2011. These changes include adoption of the Federal rule to remove saccharin and its salts from the list of hazardous constituents and the Federal technical corrections and clarifications rule. In addition, regulatory language has been added to clarify certain regulations in the existing rules. For example, a clarifying statement on the use of drip pads by Small Quantity Generators has been added as well as language to clarify existing requirements for the management of used oil filters and rinsing of containers that once held acute hazardous waste. Wastewater treatment sludge generated at Mercedes-Benz U.S. International has been added to the list of hazardous wastes excluded from non-specific sources. A rule has been added to revise the current lamp crushing standards. Clarifying language has been added on the varying implications of a generator’s annual notification. The Department is also proposing to correct a number of typographical and citation errors in the existing regulations.

**SUMMARY OF CHANGES
PROPOSED FOR DIVISION 14,
HAZARDOUS WASTE PROGRAM
ADEM ADMINISTRATIVE CODE**

RULE	COMMENTS/REASONS FOR CHANGE
335-14-1-.02	Made technical corrections as part of the Federal technical corrections and clarifications rule; removed the annual notification chart from the generator definitions and created a separate definition to include the chart; made minor technical and typographical errors, and renumbered definitions.
335-14-2-.01	Added language to clarify the existing requirement for the rinsing of containers that once held acute hazardous waste.
335-14-2-.04	Removed listing for saccharin and its salts (U202) as part of Federal rule.
335-14-2-Appendix VIII	Removed listing for saccharin and its salts (U202) as part of Federal rule.
335-14-2-Appendix IX	Added wastewater treatment sludge generated at Mercedes-Benz U.S. International to the list of hazardous wastes excluded from non-specific sources.
335-14-3-.01	Removed the annual notification schedule and added clarifying language on the varying implications of a generator's annual notification.
335-14-3-.03	Added rule to require adequate documentation for waste removed from tanks and added a clarifying statement on the use of drip pads by Small Quantity Generators.
335-14-3-.08	Corrected typographical error.
335-14-3-.12	Made technical corrections as part of the Federal technical corrections and clarifications rule.
335-14-4-.01	Removed the annual notification schedule.

335-14-5-.01	Made technical corrections and corrected typographical errors.
335-14-5-.02	Removed the annual notification schedule and made minor grammatical correction.
335-14-5-.04	Made minor grammatical correction.
335-14-5-.05	Clarified existing regulation and made minor grammatical correction.
335-14-5-.06	Corrected typographical errors.
335-14-5-.23	Added rule to require adequate documentation for weekly drip pad inspections.
335-14-6-.02	Removed the annual notification schedule and corrected regulatory citation.
335-14-6-.05	Corrected typographical errors.
335-14-6-.07	Corrected typographical errors.
335-14-6-.08	Corrected regulatory citations and made technical corrections.
335-14-6-.11	Corrected regulatory citation.
335-14-6-.14	Corrected regulatory citation.
335-14-6-.15	Corrected typographical errors.
335-14-6-.16	Corrected typographical errors.
335-14-6-.23	Added rule to require adequate documentation for weekly drip pad inspections.
335-14-6-.31	Corrected regulatory citation.
335-14-6-Appendix I	Corrected typographical error.
335-14-8-.01	Added rule to revise current lamp crushing standards.
335-14-8-.02	Corrected typographical errors, corrected regulatory citations and made minor technical corrections.
335-14-8-.03	Corrected regulatory citation.
335-14-8-.04	Corrected regulatory citations and corrected typographical error.

335-14-8-.06	Corrected regulatory citations.
335-14-8-.08	Corrected regulatory citation.
335-14-8-.09	Corrected typographical error.
335-14-8-.10	Corrected typographical errors.
335-14-8-.15	Made minor technical corrections.
335-14-17-.02	Added language to clarify existing requirements for the management of used oil filters and corrected typographical error.
335-14-17-.03	Removed the annual notification schedule.
335-14-17-.05	Removed the annual notification schedule; added rule for maintenance and operation of transfer facilities and corrected typographical errors.
335-14-17-.06	Removed the annual notification schedule and corrected typographical errors.
335-14-17-.07	Removed the annual notification schedule.
335-14-17-.09	Removed duplicative language.