

National Steering Committee Conference Call

February 2, 2010

Region

I Sara Johnson, NH
II Ky Asral, NJ
III Terry Polen
IV James Robinson, Adrienne Fagler, Paul Wagner, Almanetta?
V Mike Nelson, Dave Fiedler, Renee Bashel, Annette Fulgenzi,
Stacey Pfeffer, Susan Lowery
VI Anne Marie Callery
VII Cathy Colglazier, Dan Nickey, Barb Johnson
VIII Christine Hoefler
IX
X Joan Meitl, Rebecca Hillwig

USEPA Angela Suber, Joan Rogers, Seth Hemingway (OECA),
Scott Throwe, Rob Lichinsky, Charlotte Mooney, Jim
O'Leary

Annette Fulgenzi, Chair, National Steering Committee, presided:

- a) Jim O'Leary and Charlotte Mooney (Office of Solid Waste) gave a RCRA update & overview. The Office of Solid Waste has 2 major areas of work: solid waste rules and hazardous waste rules. The Office authorizes state-run hazardous waste programs. State rules for hazardous waste must be as strict as or stricter than the Federal rules. Non-hazardous waste programs run by states have more freedom to develop program priorities for their own state.

Resource Conservation is challenged with moving waste management on a path toward sustainability. Initiatives like the WasteWise Program encourages reduction of waste and reuse of materials and other programs also exist to achieve sustainable goals.

Another challenge is to get generators to identify their waste as hazardous.

Rules currently being worked on by the Office of Solid Waste include Combustion Residuals, CERCLA 108B, MACT Standard for hazardous waste combustors, solid waste combustor, college & university laboratories, and pharmaceutical waste disposal.

The combustion residuals rule focuses on the management of waste (ash) primarily from coal fired processes.

CERCLA 108B tries to establish financial assurance from certain industries (a target list of industries are still being developed) for cleanups of any future environmental damage.

Open Discussion:

Seth asked: Is any final rule in need of compliance assistance?

Charlotte replied: Yes, getting generators up to speed on the basics. Many generators are unaware of hazardous waste requirements.

Mike asked: Are you (Office of Solid Waste) quantifying how many generators are out there?

Jim replied: We have a list of known generators, but there are many that are still unaccounted for.

Sara Stated: Misinformation on what is or is not hazardous waste has come from auto body paint suppliers in her state of New Hampshire.

Phyllis commented: identifying what is hazardous waste has been a problem for generators in her state.

Jim replied: Hazardous guidance is 30 years old and as things have changed over the years a new look at hazardous waste identification guidance may be needed.

Annette stated: Targeting a particular industrial sector, will help that sector identify what hazardous wastes they could potentially generate, is the best way to develop guidance.

Phyllis commented: Cross media partnership at EPA would be useful.

Stacy asked: Is there any change to the Universal Waste Rules?

Charlotte replied: The Pharmaceutical rule is a Universal Waste rule, and so is the new rule on industrial wipes, which is waiting on a risk analysis before going final. She also added that states could make their own Universal Waste rules.

For any questions on Solid Waste call:
Charlotte at 703-308-7025 or Jim at 703-308-8827

- b) Scott Throwe & Rob Lischinsky, (OECA) gave an update on the Area Source Implementation Guidance:
State and Local agencies will be the ones implementing Area Source Rules and the guidance document is supposed to help with the implementation. The guidance document was reviewed by the SBO/SBEAP and our comments were incorporated into the guidance document.

In an effort to provide more compliance assistance OECA would like to aggregate compliance tools from various web sites. This aggregation of compliance tools would provide consistent compliance assistance without reinventing the wheel.

The guidance document is designed to allow for flexibility in the implementation of these area source rules, so that states can set their own priorities for compliance monitoring.

- c) Joan Rogers and Angela Suber gave the SBO update:
On March 4th there will be a meeting with Deputy Administrator Rob Perciasepe and small business representatives. Renee, Annette, and Glen were invited. There was a national conference planning committee kickoff-meeting on January 12th. The next meeting will be on February 16th.
The SBO now has webinar capability and will use it for training sessions.

- d) Seth Hemingway gave the OECA update:
OECA met with the Assistant Administrator for Enforcement and Compliance Assurance, who confirmed that she generally supports using integrated strategies to solve environmental problems. Integrated Strategies use multiple compliance assurance tools (monitoring, enforcement, incentives (self disclosure policies, and compliance assistance) to solve an environmental problem instead of using only one tool. The Office of Compliance is looking to stretch their limited compliance resources by encouraging better planning how to strategically combine compliance assurance effort to maximize the benefit. They found that by having on-going random inspections occurring during outreach campaigns, facilities will be more interested in seeking out and

acting on information on coming into compliance because of the credible threat of enforcement. For more information on this approach see EPA's Guide for Solving Environmental Problems Using an Integrated Strategic Approach (<http://www.epa.gov/compliance/resources/policies/assistance/strategicguide.pdf>).

In response to last months NSC conference call discussion regarding the possibility of using air enforcement penalties to fund State assistance programs, Seth said that would be unlikely, but there are existing programs that may be suitable. Environmentally beneficial projects may be able to use penalty money.

e) Subcommittee Updates

1. Awards Subcommittee: Phyllis stated that the committee will be open for nominations for the SBO/SBAEP awards on February 12th.
2. Measurement Subcommittee: Phyllis said they will be scheduling a call and will be looking at various issues with the annual reports.
3. Tech Subcommittee: Dan reported that the committee went over the NESHAP 6H as well as the area sources rules. The next call will go over what to present at the national conference.
4. Climate Change Subcommittee:
5. Multimedia Subcommittee: The Multimedia Subcommittee Conference Call on Feb 9th will discuss waste/RCRA issues.
6. Open Discussion: Ann Marie asked will the NSC will be commenting on the new Ozone Standard? The NSC felt that more information on the ozone standard needs to be introduced to the Committee, so the NSC will try to get Charlie Adams to give an overview of the ozone rule.