

Program Evaluation Hazardous Waste Determinations

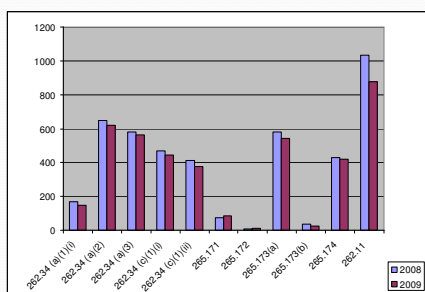
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Objectives of Discussion

- Provide findings to date on program evaluation EPA is conducting related to waste determinations
- Obtain feedback and other ideas

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Common Violations



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Why is the waste determination process the cornerstone of HW management?

- The entire program hinges on proper HW identification
- If HW are not identified they cannot be properly managed
- Generators may follow the wrong requirements

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Discussion topics we have had with several States

- Challenges hazardous waste generators face in waste determination
- Factors that influence generators' ability to accurately conduct waste determination
 - Firm characteristics
 - State program characteristics
 - Assistance providers, consultants, and trade associations
 - Other factors
- Recommended changes to the hazardous waste program

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Discussion Questions

- Why do you think generators have a difficult time complying with the hazardous waste determination regulations?
- What types of firms, or firm characteristics, have the most difficulty complying with hazardous waste determination regulations?
- Are there features of state hazardous waste programs that particularly effective in increasing compliance with hazardous waste determination regulations?
- To what extent do assistance providers, consultants, trade associations, or others influence generators in making proper hazardous waste determinations?
- If you had the opportunity, what would be the thing you would want EPA or your state to do differently to help more generators make accurate hazardous waste determinations?

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Why do you think generators have a difficult time complying with the hazardous waste determination regulations?

Findings to Date

- Awareness that HW has been generated (e.g., peripheral waste streams)
- Lack of knowledge and interpretation/understanding of rules
 - No test for reactivity and corrosivity
- Arrogance
- Poorly prepared – no business plan; overwhelmed
- Resource constraints, particularly small businesses
- Significant decreases in state resources – less outreach and inspections
- Reliance on transporters and suppliers, etc. seeking facility's business
- Language barriers
- Lack of compliance training on part of community colleges

Note: Some of these findings are co-linear or related to one another.

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What types of firms have the most difficulty complying with hazardous waste determination regulations?

Findings to Date

- “Culture of the firm” – i.e., education of owners, business plan, procedures in place
- Age of firm (new vs. mature)
- Age of owner – older owners find it difficult to change
- Financial health of firm
- Complexity of operations
- Size of firm and associated resources to support environmental compliance (e.g., “mom and pops”)

Note again: Some of these findings are co-linear or related to one another.

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Are there features of state hazardous waste programs that particularly effective in increasing compliance with hazardous waste determination regulations?

Findings to date

- Active, hands-on outreach (Vt, NH, NJ, Mass.)
- Mandatory generator training (NH)
- Voluntary training (NJ, NC, Vt?)
- Mandatory certification/recertification (MN, Mo)
- Computer-assisted training (Ct under development)

Issue: Measuring program effectiveness

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Potential areas of improvement

Findings to Date

- Work with suppliers of chemicals – better labels to identify hazards
 - OSHA may be developing better MSDS – need to check out
- Create proper incentives and disincentives in rules
- Define, in plain English, “generator knowledge”
- Provide guidance describing procedure generators need to use in making HW determination
- Mandate generator training
- Mandate generator certification/re-certification of their waste determinations
- Webinars for new generators
- Leverage resources (better communications and sharing of information developed among the states)
- Compliance fee for training

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So what's missing?

- Any additional problems not identified?
- Any state programs that should be highlighted?
- Any potential solutions missing that should be mentioned?

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