Lecture 2

Hazardous Waste Regulations and Hazardous Materials

Hazardous Waste

Superfund adopts lists from RCRA, CAA, CWA, TSCA

RCRA characteristic wastes:

Ignitability Corrosivity

Reactivity Toxicity

RCRA listed wastes:

For example: F001 – waste halogenated solvents

Units of contaminant measurement

| "Parts-per" concentration | Water concentration | Soil concentration |
|---------------------------|------------------------------|--------------------|
| Parts per million (ppm) | mg/L milligrams per liter | mg/kg |
| Parts per billion (ppb) | μg/L micrograms per liter | μg/kg |
| Parts per trillion (ppt) | ng/L nanograms per liter | |

Contaminants of concern

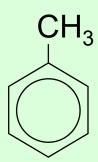
Alkanes – straight- or branched-chain single-bonded hydrocarbons
Usually identified as "Total Petroleum Hydrocarbons" (TPH)

Example: hexane, C₆H₁₄

Aromatic compounds (BTEX)



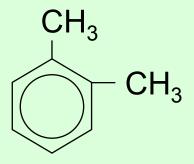
Benzene



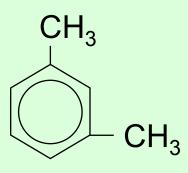
Toluene



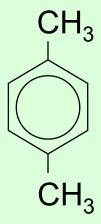
Ethyl benzene



Ortho-xylene



Meta-xylene



Para-xylene

Chlorinated methanes

Carbon tetrachloride

Methylene chloride or dichloromethane

Chloroform

Methyl chloride

Chlorinated ethanes

Chlorinated ethanes

1,2-dichloroethane (1,2-DCA)

chloroethane

Chlorinated ethenes

Tetrachloroethene, tetrachloroethylene, perchloroethylene (PCE or "perc")

$$CI \subset C = C \subset C$$

Trichloroethene, trichloroethylene (TCE)

$$CI \sim C = C < CI$$

Chlorinated ethenes

cis-1,2-dichloroethene, cis-1,2-dichloroethylene (cis-1,2-DCE)

$$CI \subset C = C \subset H$$

trans-1,2-dichloroethene, trans-1,2-dichloroethylene (trans-1,2-DCE)

$$CI \sim C = C \sim CI$$

vinyl chloride

$$CI \subset C \subset H$$

Ketones

Acetone

$$O = C < CH_3$$

$$CH_3$$

Methyl ethyl ketone (MEK) 2-butanone

$$O = C < \frac{C_2 H_5}{CH_3}$$

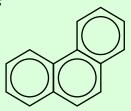
Methyl isobutyl ketone (MIBK) 2-pentanone

$$O = C < \frac{C_3 H_7}{CH_3}$$

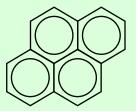
Polynuclear aromatic hydrocarbons (PAHs or PNAs)

Naphthalene

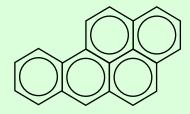
Phenanthrene



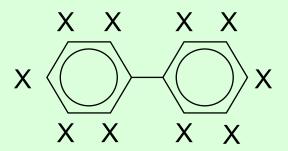
Pyrene



Benzo(a)pyrene (BaP)



Polychlorinated biphenyls (PCBs)



X = possible CI site

Congener – specific PCB molecule

Homologs – molecules with same chemical formula

Aroclor – mixture of PCBs of certain percentage
chlorine

FUEL ADDITIVES

MTBE
Methyl tertiary butyl ether

$$CH_3 - O - C - CH_3$$
 CH_3
 CH_3
 CH_3

FUEL ADDITIVES

Tetraethyl lead

$$CH_3$$

$$CH_2$$

$$CH_3 - CH_2 - Pb - CH_2 - CH_3$$

$$CH_2$$

$$CH_2$$

$$CH_3$$

EDB

Ethylene dibromide

Inorganics

Metals:

```
Arsenic (As), Cadmium (Cd), Chromium (Cr),
Lead (Pb), Mercury (Hg)
```

Cyanide CN

Explosives and propellants

$$NO_3$$
 NO_3 NO_3

$$NO_3$$
 NO_3
 NO_3
 NO_3

Perchlorate CIO₄⁻

TNT

RDX

Mixtures

- Aroclor mixture of PCBs
- Coal tar and creosote PAHs, monoaromatic hydrocarbons, trace metals
- Gasoline mixture of aliphatic and aromatic hydrocarbons (plus additives:
 - tetraethyl lead, EDB, EDC in leaded gasoline MTBE, ethanol, other oxygenates in unleaded)

Hydrocarbon Mixtures

Other petroleum hydrocarbon mixtures:

Diesel fuel

Jet fuel (kerosene)

Mineral spirits (Stoddard solvent)

Hydraulic fluid (possibly with PCBs)

Lubricating oils, cutting oils

No. 2 Fuel oil (home heating oil)

No. 4 and 5 Fuel oil (Bunker B and C)

Waste oil

Sources of Information on Chemicals

The Merck Index. Merck & Co., Inc., Rahway, New Jersey.

Verschueren, K., 1983. *Handbook of Environmental Data on Organic Chemicals.*Van Nostrand Reinhold Company, New York.
Montgomery, J. H., 1996. *Groundwater Chemicals Desk Reference - Second Edition.*CRC Press, Inc., Boca Raton, Florida.

Major US Hazardous Waste Laws

CERCLA or Superfund

Comprehensive Environmental Response, Compensation, and Liability Act of 1980

RCRA

Resource Conservation and Recovery Act of 1976

Major US Hazardous Waste Laws

CERCLA or Superfund

Consultant's Early Retirement and Comfort for Life Act

RCRA

Resource Conservation and Recovery Act of 1976

Timeline of Major Legislation

| 1970 | Clean Air Act |
|------|-------------------------------------|
| 1972 | Federal Water Pollution Control Act |
| 1974 | Safe Drinking Water Act |
| 1976 | RCRA |
| 1976 | TSCA (Toxic Substances Control Act) |
| 1977 | Clean Water Act |
| 1980 | Superfund |
| 1986 | EPCRA (Emergency Planning and |
| | Community Right-To-Know Act) |

CERCLA Timeline

1980 CERCLA

Established \$1.6 billion "Superfund" and rules for hazardous waste site identification and cleanup

1986 SARA – Superfund Reauthorization and Amendments

Increased fund to \$8.5 billion Created more stringent cleanup requirements

Provisions of CERCLA

- Established National Priorities List (NPL) of sites to be cleaned up
- EPA to revise National Contingency Plan
- EPA can conduct/require "removals"
- EPA can conduct/require site "remedies"
- Remedies must attain "applicable or relevant and appropriate requirements" (ARARs)
- EPA can recover from Potentially Responsible Parties (PRPs) (also called the "Polluter Pays Principle") -with treble damages!

CERCLA Removal Actions

Short-term cleanup actions
Designed to address emergencies
Limited in:
 cost (<\$2 million)
 duration (<12 months)

CERCLA Removal Action



Union Chemical Superfund Site, Hope, Maine Sept. 1984

Source: Maine DEP files.

See also: McDonald, B. D., 1988. Site Analysis, Union Chemical Company, South Hope, Maine. TS-PIC-88072. Environmental Photographic Interpretation Center, Environmental Monitoring Systems Laboratory, Office of Research and Development, U.S. Environmental Protection Agency, Warrenton, Virginia. May 1988.

Courtesy of The Maine Department of Environmental Protection, Bureau of Remediation and Waste Management. Used with permission.

CERCLA Removal Action

Drum grappler

Drum overpack



Courtesy of The Maine Department of Environmental Protection, Bureau of Remediation and Waste Management. Used with permission.

CERCLA Removal Action – Drum Consolidation



Courtesy of The Maine Department of Environmental Protection, Bureau of Remediation and Waste Management. Used with permission.

Source: Maine DEP files.

CERCLA Removal Action – Drum Consolidation



Source: Maine DEP files.

Courtesy of The Maine Department of Environmental Protection, Bureau of Remediation and Waste Management. Used with permission.

ARARs (Applicable or relevant and appropriate requirements)

Example of applicable:

RCRA regulations for off-site disposal of site soils

Example of relevant and appropriate:

Maximum contaminant levels (MCLs) set under Safe Drinking Water Act are used as clean-up levels for ground water

PRP Liability

Includes any of:

- Current facility owner or operator
- Owner or operator when site was contaminated
- Those who arranged to treat or dispose waste at facility
- Transporters of waste to facility
- Generators of waste
- May include individuals, corporate officers, corporations, landlords

"Strict, joint and several liability"

Strict:

Government does not need to prove intent or negligence

Joint and several:

Each and every PRP at Superfund site can be held liable for **entire** cleanup cost

Government has flexibility to find PRPs with "deep pockets"

Superfund and Litigation

Government can pursue some or all PRPs in court

PRPs can sue other PRPs for contribution

PRPs are also subject to citizen suits for health or property damage

PRPs can sue for insurance coverage

Identifying Superfund Sites

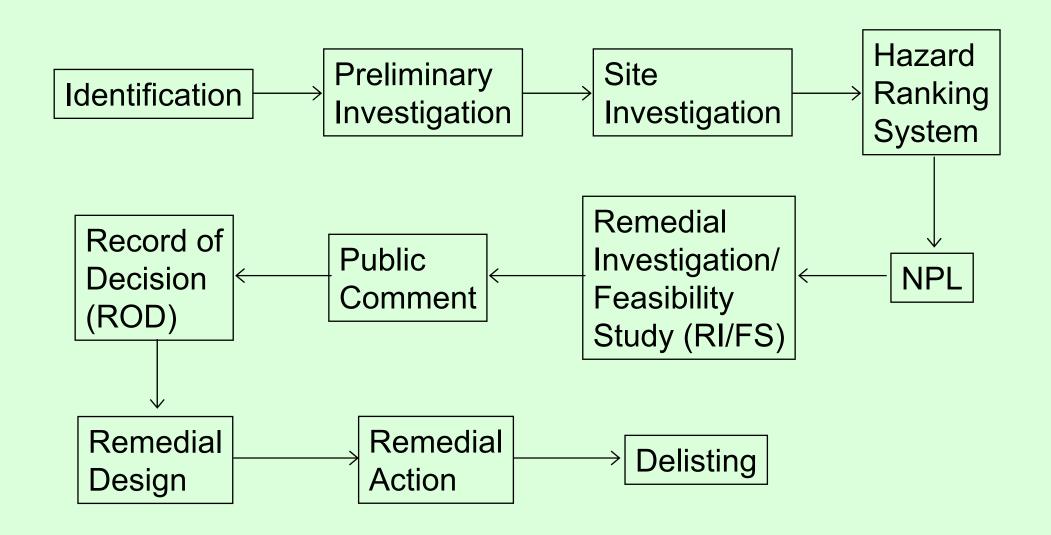
Spills in excess of "reportable quantity" of hazardous substances must be reported

Facilities that treated, stored, or disposed of hazardous substances must report unless covered by RCRA

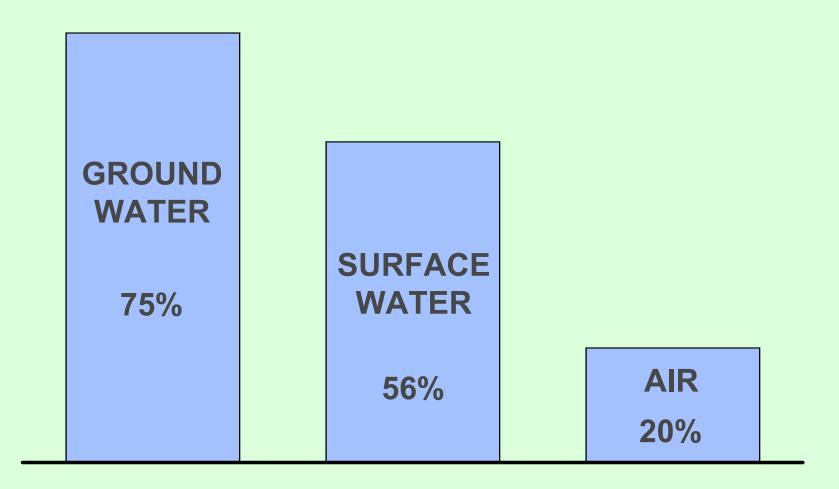
Superfund Reportable Quantities

| Substance | Reportable Quantity (pounds) |
|---------------------|------------------------------|
| Arsenic | 1 |
| Benzene | 10 |
| Coal tar residuals | 1 |
| Dichlorobenzene | 100 |
| Methyl ethyl ketone | 5000 |
| Naphthalene | 100 |
| Tetrachloroethylene | 100 |
| Trichloroethylene | 100 |

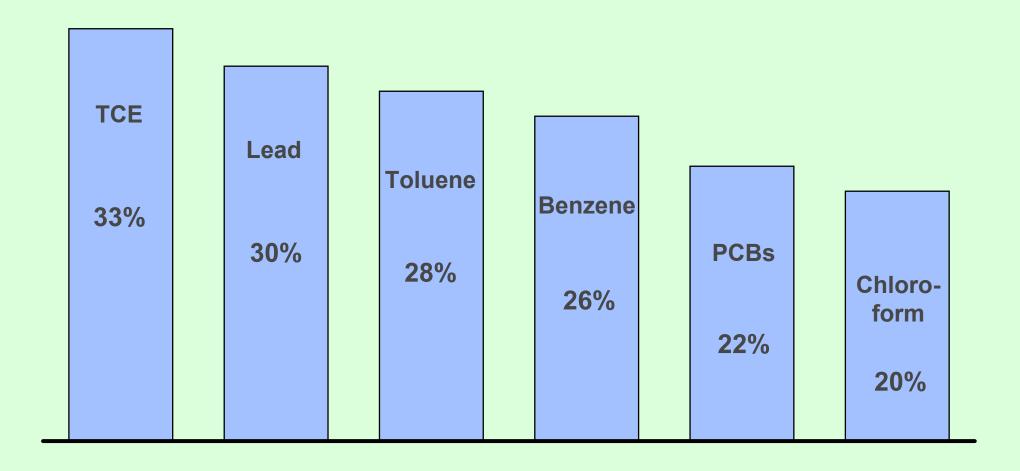
Superfund Process



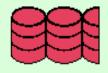
Superfund Sites: Resource Contaminated



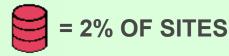
Superfund Sites: Chemical Contaminants

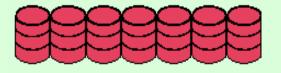


Superfund Sites: Site Use

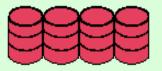


LANDFILLS, TANKS, OTHER

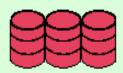




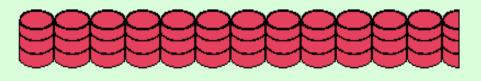
MANUFACTURING



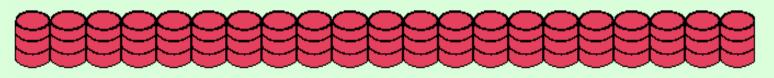
RECOVERY AND RECYCLE



TRANSPORT AND TREATMENT



DISPOSAL



STORAGE

Estimated NPL Cleanup Expenditures

| Source of funds | Annual expenditure | |
|---------------------------|--------------------|--|
| PRP cleanup costs | \$1,560 million | |
| Superfund tax | \$1,330 million | |
| General revenue | \$250 million | |
| PRP transaction costs | \$420 million | |
| Insurer transaction costs | \$360 million | |
| Total | \$3,920 million | |

Probst, K. N., D. Fullerton, R. E. Litan, and P. R. Protney, 1995. *Footing the bill for Superfund Cleanups, Who Pays and How.* The Brookings Institution and Resources for the Future, Washington, D.C.

ESTIMATED AVERAGE SITE CLEANUP COSTS

| Site type | Cost (\$ million) | Site type | Cost (\$ million) |
|------------------------|-------------------|---------------------|-------------------|
| Chemical manufacturing | 41 | Surface impoundment | 25 |
| Drum recycling | 19 | Plating | 14 |
| Landfill | 29 | Mining | 170 |
| Waste oil | 32 | Wood treating | 41 |
| Leaking tank | 34 | Manufacturing | 14 |

Probst, K. N., D. Fullerton, R. E. Litan, and P. R. Protney, 1995. *Footing the bill for Superfund Cleanups, Who Pays and How.* The Brookings Institution and Resources for the Future, Washington, D.C.

Other Models for Site Cleanup

- United Kingdom makes site identification and cleanup enforcement a local responsibility with recovery from responsible parties
- Denmark negligence standard through 2000; strict liability thereafter
- Netherlands cleanup standard depends on use, "Dutch list" cleanup standards used by many countries
- Poland remediation negotiated as part of privatization Japan – negligence standard

European Union Principles

Polluter Pays under strict liability

Cleanup standard is use-dependent

No retroactive liability

Countries have the option of how to enforce liability (e.g. operators only or other parties, proportional liability rather than joint and several)

Lenders, individuals in companies not liable

Government permit-issuing authorities may be liable

RCRA Timeline

- 1965 Solid Waste Disposal Act
- 1970 Resource Recovery Act
- 1976 RCRA
 - Established "cradle to grave" system for tracking hazardous waste
- 1984 HSWA (Hazardous and Solid Waste Amendments)
 - Established "Corrective Action"

RCRA Subtitles

- A. General Provisions
- B. Office of Solid Waste
- C. Hazardous Waste Management
- D. State or Regional Solid Waste Plans
- E. Resource and Recovery

- F. Federal Responsibilities
- G. Miscellaneous Provisions
- H. Research, Development,Demonstration andInformation
- I. Underground Storage Tanks

RCRA Corrective Action

Superfund Process

Preliminary Assessment/ Site Investigation (PA/SI)

Remedial Investigation (RI)

Feasibility Study (FS)

Remedial Design/Remedial Action (RD/RA)

RCRA CA Process

RCRA Facility Assessment (RFA)

RCRA Facility Investigation (RFI)

Corrective Measures Study (CMS)

Corrective Measures Implementation (CMI)

Laws and Regulations

Law or statute – general statement of intent passed by U.S. Congress

Regulation – specific rules written by EPA for carrying out law (e.g., 40 CFR 300)

Policies and guidance – informal rules issued by EPA

258.23

Electronic Code of Federal Regulations

Title 40--Protection of Environment

CHAPTER I--ENVIRONMENTAL PROTECTION AGENCY

PART 258--CRITERIA FOR MUNICIPAL SOLID WASTE LANDFILLS

| , | |
|-----------------|---|
| • <u>258.1</u> | Purpose, scope, and applicability. |
| • <u>258.2</u> | Definitions. |
| • <u>258.3</u> | Consideration of other Federal laws. |
| • <u>258.10</u> | Airport safety. |
| • <u>258.11</u> | Floodplains. |
| • <u>258.12</u> | Wetlands. |
| • <u>258.13</u> | Fault areas. |
| • <u>258.14</u> | Seismic impact zones. |
| • <u>258.15</u> | Unstable areas. |
| • <u>258.16</u> | Closure of existing municipal solid waste landfill units. |
| • 258.20 | Procedures for excluding the receipt of hazardous waste. |
| • <u>258.21</u> | Cover material requirements. |
| • <u>258.22</u> | Disease vector control. |

Explosive gases control.

http://www.state.fl.us/

State 2-letter abbreviation

Example: Florida - FL











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Public Safety

Science &

Technology Transportation

Quick Topics

Deferred Comp. Program

Volunteers & Donations

Military Service

Compensation Law



Florida's Latest News

FIRST BATTLE IN WAR ON RESIDENTIAL CITRUS CANKER IS WON: COMMISSIONER **BRONSON CREDITS** HILLSBOROUGH COUNTY RESIDENTS WITH SUCCESS

TALLAHASSEE- Florida Agriculture Commissioner Charles H. Bronson has announced the lifting of the 20 square mile citrus canker quarantine zone in Hillsborough County, including Sun City Center. The quarantine zone has been in effect since citrus canker was first discovered in the area in the fall of 1999. This marks the first quarantine removal in an area where the 1,900 foot cutting policy has been applied.

More Info, Archives, Agency News

GOVERNOR BUSH CELEBRATES GRAND OPENING OF NEW COCA-

e-Government Services

Corporations DBPR Online Services DOI Online Licensing Driver's License Vehicle Registration e-Renewals @ Health eTaxes for Business Fishing/Hunting License High Tech Jobs Unemployment/ Reemployment

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External Affairs

Communications | Energy | Environmental Education |
Everglades Restudy | General Counsel | Inspector General |
Legislative & Governmental Affairs | Strategic Projects &
Planning | Ombudsman

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Geological Topics Geology Programs | Geology Questions |
Publications | Sinkhole Report & Oil/Gas Forms

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Compressed Air | Drinking Water | Florida Clean Indoor Air Act | Food Hygiene | Food & Waterborne Illness | Onsite Sewage | Pesticide Surveillance | Radiation Control | Radon | Smoking in Public Places Regulations

Land Programs

About Greenways & Trails | Agriculture | Coastal & Aquatic | Invasive Species | Plant Life | State Lands

Law Enforcement

Clean Marina | Emergency Response | Environmental | Investigations | Marine Enforcement | Park Patrol | Public | Education & Training | Wildlife Violators

Marine Mammals

Manatee | Marine Turtles | Right Whale

Marine Research

Florida Marine Research Institute

Resource Assessment

Environmental Laboratories | Laboratory Contacts | Everglades | GIS Data | Guidance | Library | Mercury | QA | Reports | SOPs | Training

Transportation

Environmental Management | Highway Beautification Program | Scenic Highway Program | Transportation Enhancement Program

Waste Management

Batteries | Brownfields | Cleansweep-Pesticides |
Contaminated Soils Forum | Drycleaning | Electronics | Full
Cost Accounting | Hazardous Waste | Institutional Controls
Registry | Mercury | Pesticide Poisoning | Petroleum Cleanup
Programs | Pollution Prevention | Recycling | Site Investigation
| Solid Waste | Solid Waste Grants | Storage Tank Regulation
| Tires | Used Oil | Voluntary Cleanup | Waste Cleanup



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Department of Environmental Protection



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Brownfields Redevelopment

Cleansweep-Pesticides

Contaminated Soils Forum

Drycleaning

Electronics

Full Cost Accounting

<u>Hazardous</u> Waste

Hazardous Waste Financial Responsibility

Institutional Controls Registry & Procedures Guidance

Mercury

Petroleum Cleanup

Programs

Pollution

Solid Waste Main Page



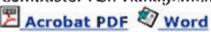
Solid Waste Rules & Forms

Chapter 62-701, F.A.C., Solid Waste Management Facilities Effective 5/27/01





Chapter 62-702, F.A.C., Solid Waste Combustor Ash Management Effective 1/12/99



Chapter 62-704, F.A.C., Certification of Resource Recovery and Recycling Equipment Effective 12/17/96



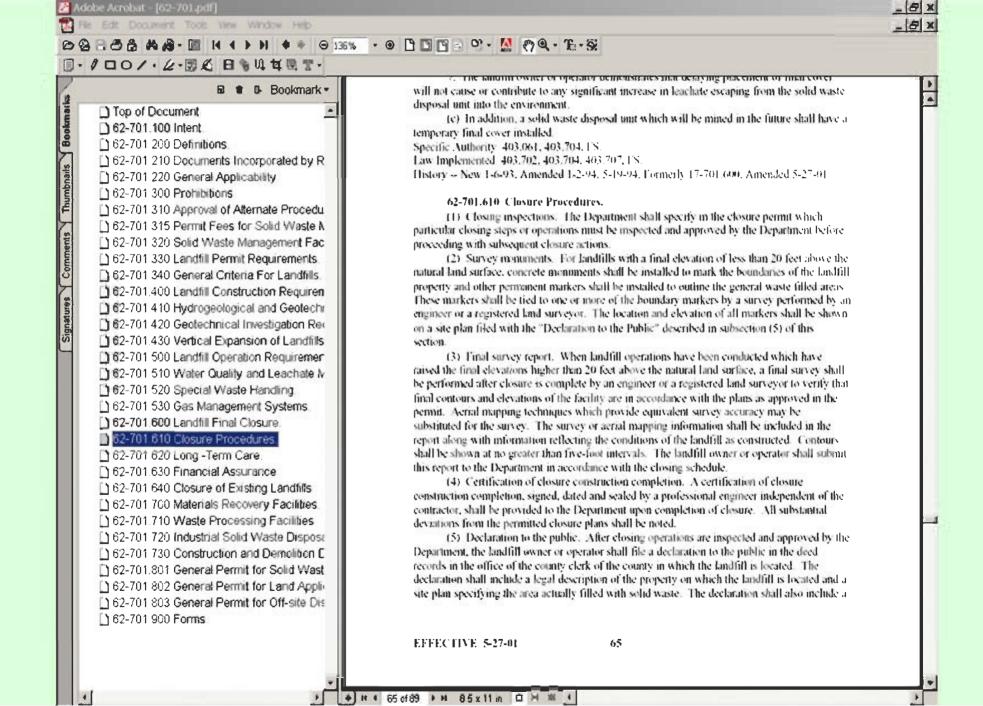
Chapter 62-708, F.A.C., Full Cost
Accounting Effective 11/11/90



Chapter 62-709, F.A.C., Criteria for the Production and use of Compost Made from Solid Waste Effective 10/22/00



Compost Rule Forms



SOURCES OF GROUND-WATER CONTAMINATION

Designed discharges

On-site wastewater disposal Injection wells Land application

Storage, treatment and disposal

Landfill

Open dumps

Residential disposal

Surface impoundments

Waste tailings

Waste piles

Material stockpiles

Graveyards

Animal burial

Aboveground storage tanks

Underground storage tanks

Containers

Open burning and detonation

Radioactive disposal

Transport and transmission

Pipelines

Materials transport

Activities with incidental releases

Irrigation

Pesticide application

Fertilizer application

Animal feeding operations

De-icing salt application

Urban runoff

Atmospheric deposition

Mining and mine drainage

Activities altering flow patterns

Oil and gas production wells

Other wells

Excavation

Natural sources

Surface-water interaction

Natural leaching

Salt-water intrusion

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EPA Wastes Publications

EPA Wastes Topics

EPA Superfund Publications

EPA RCRA Corrective Action

EPA Federal Register

Remediation Technologies Screening Matrix

CLU-IN Cleanup Information

Ground Water Remediation Technologies

TechDirect Newsletter