

# *Special Waste*

## CT Regulation 22a-209

Hazardous Waste Advisory Committee

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Connecticut Department of Energy and Environmental Protection

# Topics

- What is Special Waste
- Overlapping regulation and other options
- Common violations
- Commingling of Special Waste with Hazardous Waste
- On-site management practices observed in the field



# What is Special Waste

## 22a-209-1 Special Waste Definition

*“Any of the following that are not hazardous waste in Statute 22a-115 or radioactive materials in Statute 22a-148”*

- Water treatment, sewage treatment or industrial sludge, liquid, solid, and contained gases;
- fly ash, casting sand or slag;
- contaminated dredge spoils;
- tires;
- asbestos;
- biomedical waste;
- bulky waste;
  - land clearing debris and demolition waste
- Residue
  - Bottom ash, air pollution control residue, and other residues from combustion processes at resource recovery facilities, and municipal solid waste incinerators, and biomedical waste incinerators



# Overlapping Regulations

- Resource Conservation and Recovery Act (RCRA)
  - 40 CFR 262.11 “Hazardous Waste Determinations”
- Special Wastes are Solid Waste under RCRA meaning each is subject to hazardous waste determinations, except (unless mixed with HW):
  - Sewage treatment sludge
  - Asbestos
  - Biomedical
- Hazardous waste determination process is described in
  - 40 CFR Part 261.2 “definition of solid waste”
  - 40 CFR Part 261.3 “definition of hazardous waste”
  - 40 CFR Part 261.4 “exclusions”



# Other Options for Special Waste

- Some Special Wastes are also Connecticut Regulated Waste (“CR01 – CR05”)
  - Water treatment and industrial sludges – CR04 (liquid) or CR05 (solid)
  - Casting sand and sand blasting debris – CR05
  - Slag – CR05 (unless scrap metal or by-product under RCRA)
  - Oil contaminated solids with no free liquids - CR05
    - ✓ Paint filter test 9095B
- Some Special Waste qualify for “Special Waste Authorization”



# Connecticut Regulated Waste (CRW)

CRW codes	Waste type	Descriptions
CR01	Waste containing 50 ppm or greater of PCBs	Any waste material containing or contaminated by PCBs (Polychlorinated Biphenyls) in concentrations at or above 50 ppm (parts per million). These include, but are not limited to, PCB oils, items and equipment.
CR02	Waste oil not miscible in water	Oil or petroleum that is no longer suitable for the services for which it was manufactured due to the presence of impurities or a loss of original properties, and is not <i>miscible</i> in water. These include, but are not limited to, crude oil, fuel oil, lubricating oil, kerosene, diesel fuel, motor oil, non-halogenated oil, and oils that are recovered from oil separators, oil spills or tank bottoms. <b>inspector comment – if waste oil is a fuel reused as a fuel, not a Solid Waste (or Special Waste) since regulated under RCRA 261.2(c)(2)(B)(ii)</b>
CR03	Waste water soluble oil	Oil or petroleum that is no longer suitable for the services for which it was manufactured, due to the presence of impurities or a loss of original properties and is <i>miscible</i> in water. These include, but are not limited to, cutting oil emulsions or coolants
CR04	Waste chemical liquid	Any wastes that are liquid, free flowing and/or contain free draining liquids and are toxic, hazardous to handle and/or may cause contamination of ground and/or surface water if improperly managed. These wastes may include, but are not limited to latex and solvent paint wastes, grinding wastes, waste sludges, antifreeze wastes and glycol solutions.
CR05	Waste chemical solid	Any chemical solid or semi-solid from a commercial, industrial, agricultural or community activity. These wastes may include, but are not limited to, grinding dusts, tumbling sludges, scrap plastic and rubber flash, and other ground or chipped waste solid.



# Connecticut Regulated Waste (CRW)

- A table, not part of any regulation or statute
- CRW waste descriptions were developed as a way to track certain non-RCRA Solid Waste going to in-state RCRA and non-RCRA commercial waste management facilities
- Commercial facility permit requires non-RCRA Solid Waste be tracked and managed same as RCRA Hazardous Waste
- Commercial facility permits require use of CRW waste codes

**CRW waste descriptions developed prior to RCRA Used Oil Rule (40 CFR 279)**



# Special Waste Authorization

- Allows certain Special Waste to go to permitted Solid Waste facilities
  - Resources Recovery Facilities
  - Land Disposal Facilities (i.e., Manchester Landfill)
- The Facility's permit identifies the category of Special Waste
- Facility gives the generator the "Special Waste Authorization"
  - Facility determines the testing required for each Special Waste

Dry paint  
Dry paint debris  
Used oil contaminated debris  
Fuel contaminated debris  
Sand blasting media

Baghouse dust  
Foundry sand  
Paint booth filters  
Powder coating  
Contaminated soil



# Common Violations

## Failing to do hazardous waste determinations

- ✓ Required by RCRA 262.11

## Failing to have a Solid Waste Permit

- ✓ Required by Solid Waste Statute and Regulation
  - Storing greater than 10 cubic yards on-site for greater than 45-days
  - Disposal (placed on ground or buried)
  - Burning



# Commingling of Waste

- Inspectors see little intentional commingling of Special Waste with Hazardous Waste to avoid regulation
  - If intentional it becomes a criminal or civil enforcement case
- Most mixing is a result of process practices
  - Spent corrosives mixed in one container or tank
  - Baghouse dust collectors mixed into one load
  - Paint and paint debris mixed into one container
  - Contaminated absorbents and debris mixed in one container



# Observed Waste Management Practices

Type special waste	Permitted RCRA TSDF	Permitted Solid Waste Facility	Other observed practices (on-site disposal is not an acceptable option)
Used oil contaminated debris (no free liquids)	Yes (CR02 or CR05)	Yes	Fuel at paper plant in ME
Fuel contaminated debris	Yes (CR02 or CR05)	Yes	Fuel at paper plant in ME
Used oil filters (drained)	Yes (CR05)	No	Metal recycling Disposed on-site
Baghouse dust collector (buffing)	Yes (CR05)	Yes	Disposed on-site
Baghouse dust collector (metal working)	Yes (CR05)	No	Metal recycling Disposed on-site
Baghouse dust collector (wood working)	No	Yes	Disposed on-site
Powder coat overspray	Yes (CR05)	Yes	Some reused
Paint booth filters	Yes (CR05)	Yes	None observed
Foundry sand	Yes (CR05)	Yes	Disposed on-site



# A few more

Type special waste	Permitted RCRA TSDF	Permitted Solid Waste Facility	Other observed practices
Contaminated soil	Yes (CR05)	Yes	Disposed on-site
Fly ash	Yes (CR05)	Yes	Plant food (zinc)
Slag	No	No	Metal recycling
Tumbling sludge	Yes (CR04)	Yes (if dry)	Disposed on-site
Copper etch	Yes (CR04)	No	Metal recycling Herbicide
Antifreeze	Yes (CR04)	No	On-site recycling
Grit blast media	Yes (CR05)	Yes	Sealtec block (plastic) Disposed on-site
Fuel	Yes (CR02) or off-spec product	No	None observed
Fuel oil tank bottoms	Yes (CR02) or off-spec product	No	None observed



# Questions?

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