

US EPA ARCHIVE DOCUMENT



United States
Environmental Protection
Agency

April 2003
EPA530-F-03-003
www.epa.gov/osw

Proposed Revisions to the Hazardous Waste Identification Rule (HWIR)

The Environmental Protection Agency (EPA) is proposing to revise the wastewater treatment exemptions for hazardous waste mixtures found in 40 CFR 261.3(a)(2)(iv)(A)-(G), also known as the "Headworks Rule Exemptions."

Background

The Agency, on November 17, 1981, (46 FR 56582 - 56589) promulgated the original wastewater treatment exemptions for hazardous waste mixtures (headworks) rule exemptions in response to industry concerns about over-regulation of hazardous waste mixtures. The headworks exemptions have been revised occasionally as new wastes have been added to the lists of hazardous wastes.

The headworks rule exemptions are a part of the Resource Conservation and Recovery Act (RCRA) rules that define when wastes are considered to be hazardous, and therefore subject to the more stringent Subtitle C hazardous waste regulations. The exemptions determine when management of hazardous waste mixtures in a wastewater treatment system would result in sludges or effluent discharges that could be safely handled under the non-hazardous regulations.

This action is promulgated under the authority of sections 2002(a), 3001, 3002, 3004, and 3006 of the Solid Waste Disposal Act of 1970, as amended by both the Resource Conservation and Recovery Act of 1976 (RCRA) and the Hazardous and Solid Waste Amendments (HSWA) of 1984.

Action

EPA is proposing the following revisions:

- the addition of two solvents (benzene and 2-ethoxyethanol) to a list of solvents whose mixtures are exempted from the definition of hazardous waste under RCRA. The Agency studied two other solvents, 1,1,2-trichloroethane and 2-nitropropane, and is proposing not to take action at this time;
- the addition of an option to measure solvent chemical levels directly at the headworks of the wastewater treatment system to the current requirement of mass balancing;
- a clarification in the preamble that scrubber waters generated from the incineration of spent solvents listed in the headworks rule would be eligible for the headworks rule exemptions; and
- the addition of listed hazardous wastes (beyond discarded commercial chemical products) as eligible for the *de minimis* exemption, as well as the

addition of non-manufacturing facilities to those that qualify for this exemption if certain conditions are met.

These proposed revisions would expand the existing exemptions, resulting in a net cost savings with no reduction in protection to human health and the environment.

For More Information

This fact sheet and other documents related to the rule are available in electronic format on the Internet at <<http://www.epa.gov/epaoswer/hazwaste/id/headworks/index.htm>>. For additional information, or to order paper copies of any documents, call the RCRA Call Center. Callers within the Washington Metropolitan Area please dial 703-412-9810 or TDD 703-412-3323 (hearing impaired). Long-distance callers please call 1-800-424-9346 or TDD 1-800-553-7672. The RCRA Call Center operates weekdays, 9:00 a.m. to 5:00 p.m.