

US EPA ARCHIVE DOCUMENT



Environmental Fact Sheet

Request for Comments: EPA Announces In-Depth Review of the Land Disposal Restrictions (LDR) Program

To further ensure that human health and the environment are protected from the threats posed by the land disposal of hazardous wastes, the U.S. Environmental Protection Agency (EPA) is announcing an in-depth review of key issues for the Land Disposal Restrictions (LDR) Program. This advance notice presents for public comment a series of technical and policy issues regarding hazardous waste treatment and potential avenues by which the LDR program might be revised.

Background

Congress created EPA's Land Disposal Restrictions (LDR) program in 1984. Before the first LDR rule in 1986, hazardous wastes were simply disposed in surface impoundments or landfills without destroying or immobilizing toxic constituents in the waste. Now that the LDR treatment standards are in place, this has changed substantially. If the wastes when first generated do not already meet the LDR treatment standards, the wastes must be treated to remove, destroy, or immobilize hazardous constituents before they are placed on the land. The LDR program therefore not only reduces the potential for harm to humans and the environment, but it also provides a cost-based incentive to reduce generation of hazardous wastes in the first place. In the end, the LDR treatment standards minimize both the short-term and long-term threats to human health and the environment.

With completion of the LDR Phase IV final rule in May 1998, EPA has established treatment standards for all currently listed and characteristic hazardous wastes. EPA now has the opportunity to embark on a reinvention project to assess how well the LDR program is working, and to examine closely a number of important issues. With our reinvention project, EPA hopes to make the LDR program more cost-effective, flexible, and innovative while continuing to be protective of human health and the environment.

The LDR reinvention effort complements the overall EPA reinvention initiative that began in 1995 when President Clinton, Vice President Gore, and EPA Administrator Carol Browner announced an agenda to make environmental and public health protection programs more efficient

and effective. Since then, EPA has pursued common sense reforms and new ideas that have resulted in cleaner air and water and better waste management. This notice is intended to continue the steady progress of the Agency's reinvention efforts by exploring specific issues in the LDR program that may need to be revised.

In developing this notice, EPA met with affected stakeholders to elicit their feedback on a wide range of issues facing the LDR program. These stakeholders included hazardous waste generators and treaters, environmental groups, and states.

Action

The LDR Advance Notice of Proposed Rulemaking (ANPRM), published on June 19, 2000 (65 *Federal Register* 37932), announces EPA's in-depth review of the LDR program. The issues we describe in the notice could result in changes to the LDR program that would better ensure that the LDR program is environmentally protective, cost-effective, flexible, and innovative.

In this ANPRM, EPA seeks comment on a number of important technical and policy issues regarding hazardous waste treatment that have arisen in recent years. The main issues are briefly discussed in the following bullets.

- EPA wants to investigate how the LDR program can encourage more source reduction and environmentally sound recycling of hazardous wastes, which are preferred alternatives to treatment and disposal of the wastes.
- Through a project known as LDR Innovative Technology Evaluation, or LDRite, EPA hopes to help technology developers understand how their treatment systems could fit into the LDR waste treatment program. We also hope to identify the most promising avenue for evaluating innovative waste treatment technologies -- either formally or informally -- that could help to further minimize threats to human health and the environment. Ultimately, we hope that LDRite will encourage the development of innovative waste treatment technologies that will offer us feasible and more advanced regulatory alternatives to the technologies currently used to establish LDR treatment standards.
- EPA is asking for comment on whether we should create an incinerator ash waste code, which would reduce the paperwork associated with the carry through of multiple waste codes.
- To ensure that the LDR treatment standards are flexible, especially for mixed wastes (i.e., wastes that are both hazardous and radioactive), we are investigating whether to establish methods of treatment rather than numerical LDR standards for specific waste codes to avoid the radiological risks associated with compliance monitoring.
- EPA is taking a close look at stabilization, which is a popular option for treating metal-bearing wastes prior to land disposal. We hope to gather additional information on techniques currently being used to immobilize hazardous wastes and to identify additional cost-effective ways by which we can assure both short-term and long-term effectiveness of immobilized wastes.

- EPA also wants to ensure that the treatment standards we originally set for certain hazardous waste codes continue to be protective of human health and the environment. The main codes we are currently investigating are the F001-F005 listed spent solvent wastes, and the reactive waste codes. We are asking commenters for data and other information to support or refute revisions of the treatment standards for these waste codes.

The ANPRM is intended to present EPA's latest data and potential concerns for public review and comment prior to the development of any specific regulatory amendments. EPA emphasizes that no decisions have been made on what regulatory changes, if any, will ultimately be proposed. We will have a better idea of the potential changes after reviewing the comments that we receive on the ANPRM. If warranted, a proposed rule describing the potential changes to the LDR program will be published in 2001.

For More Information

The *Federal Register* notice and this fact sheet are available in electronic format on the Internet at <http://www.epa.gov/epaoswer/hazwaste/ldr/reinvent.html>. For additional information or to order paper copies of any documents, call the RCRA/Superfund Hotline at (800) 424-9346 (toll free) or (703) 412-9810 in the Washington, D.C. metropolitan area. The RCRA/Superfund Hotline operates weekdays (except federal holidays) from 9:00am to 6:00pm. Additional information may also be requested by writing to the RCRA Information Center (5305W), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, Washington, D.C. 20460.