

US EPA ARCHIVE DOCUMENT

**United States Environmental Protection Agency  
Solid Waste and Emergency Response  
Office of Solid Waste (5307W)  
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**Evaluation of Hazardous Waste Delisting Program**

The Government Performance and Results Act encourages federal agencies to conduct evaluations to assess the results of their programs. The Environmental Protection Agency (EPA) has conducted an evaluation of its hazardous waste delisting program, which removes low-risk wastes from regulation under Subtitle C of RCRA. The evaluation focuses on the outcomes and impacts of the program, and also provides information to help guide future implementation of the delisting program and other hazardous waste management programs.

**Summary**

Hazardous waste generators can petition EPA to exclude or "delist" a listed hazardous waste from the list of hazardous wastes at 40 CFR §§261.31-.33. EPA will grant the petition to delist the waste after making a determination that the waste does not pose a threat to human health or the environment if managed as non-hazardous. In general, the effect of granting a delisting petition is to exclude the waste from regulation under Subtitle C.

Although authorized State governments can also delist hazardous wastes, this evaluation focused on the federal program. Over the 20-year period from 1980 through 1999, EPA reviewed over 900 petitions to delist wastes, and granted delistings to 136 waste streams generated at 115 separate facilities. Most of the petitions were withdrawn or mooted before the review was complete; 108 were denied.

Overall, a total of 45 million tons of waste has been excluded from subtitle C requirements. The majority of delisted waste streams were treatment residuals and wastewaters; fewer than 15% of the waste streams were as-generated process wastes. Many were low-concentration spent solvents and wastewater treatment sludges. Among the industries which have especially benefitted from delistings are chlor-alkali producers, electroplaters and other metal finishers, and the iron and steel industry.

Since these wastes can be safely managed as non-hazardous, managing these wastes under the strict and comprehensive storage, treatment, and disposal requirements of RCRA Subtitle C brings no significant benefit. By excluding these wastes, therefore, resources can be diverted to more valuable uses. Since 1980, the EPA's hazardous waste delisting program has resulted in an estimated cumulative cost savings between 1.1 billion and 1.3 billion dollars (in 1999 dollars). In 2000 alone, cost savings amounted to \$105.4 million; this is the minimum annual cost savings that can be attributable to the delisting program in each future year. As EPA continues to refine the process for regulating hazardous waste, we expect that these cost savings will grow even more.