

US EPA ARCHIVE DOCUMENT

**SESSION 5**

**THE RESOURCE CONSERVATION AND  
RECOVERY ACT:**

**RCRA'S CHANGING FOCUS**



## Session 5 Agenda: RCRA's Changing Focus

- ▶ Regulatory Incentives
- ▶ 2008 Environmental Indicator Goals
- ▶ 2020 Challenge
- ▶ Resource Conservation Challenge
- ▶ Cleanup & Redevelopment
- ▶ Upcoming Rulemakings

The focus of the RCRA program continues to shift from regulating waste to encouraging recycling and resource conservation.



**EPA designed mechanisms to give incentives to help achieve goals of the RCRA program**

- ▶ Recycling process itself is not regulated (yet any prior or subsequent management of the hazardous waste is)
  
- ▶ Some programs offer regulatory relief to members of the regulated community that achieve superior environmental results
  - Project XL
  - National Environmental Performance Track Program
  
- ▶ Streamlined permitting processes
  - Remedial action plans
  - Standardized permits (proposed)



As of January 2003, EPA is no longer accepting proposals for new XL projects.



2008 Environmental Indicator Goals

**In response to new GPRA measures, new RCRA baseline facilities must meet the following goals by the end of FY2008:**

- ▶ Assess 100% of new facilities
- ▶ Control all identified unacceptable human exposures at 95% of new facilities
- ▶ Control migration of contaminated groundwater at 80% of new facilities
- ▶ Select final remedies at 30% of new facilities
- ▶ Complete construction of remedies at 20% of new facilities

As of May 2004, 1000 out of 1700 facilities had met EI goals.



The Program's Environmental Indicator goals for 2005 are to have human exposures under control at 95% of the 1714 high priority facilities, and have migration of contaminated groundwater under control at 70% of the high priority facilities. To date, 74% of the high priority have achieved a "yes" for human exposures and 63% have achieved a "yes" for the groundwater environmental indicator.

2020 Challenge

**In order to develop a vision for the future of RCRA, the Agency has developed the following goals for the year 2020:**

- ▶ Reduce waste and increase the efficient and sustainable use of resources
- ▶ Prevent exposures to humans and ecosystems from the use of hazardous chemicals
- ▶ Manage wastes and clean up chemical releases in a safe, environmentally sound manner




Resource Conservation Challenge

**The Resource Conservation Challenge is a new national EPA initiative**

- ▶ Focuses on conserving valuable resources through waste reduction and energy recovery
- ▶ EPA challenges the United States to:
  - Increase the national recycling rate to 35 percent by 2005
  - Cut in half the generation of 30 priority chemicals in hazardous waste by the year 2005
- ▶ EPA will rely on the development of voluntary partnerships to meet the Resource Conservation Challenge







The Resource Conservation Challenge is a national effort to find flexible, yet more protective ways to conserve natural resources through waste reduction and recovery, so this is an initiative focusing on the first two tiers of the hierarchy.

Challenging Ourselves to Change Our Ways

Everyone has a role in preserving our environment. We're asking makers of goods, sellers of goods, and buyers of goods to join us in a better way of doing business.

We must all:

- Adopt a resource conservation ethic;
- Operate more efficiently;
- Purchase more wisely; and
- Make and use products that are easy to recycle and composed of recycled materials.

Show overhead


- current inefficient cradle to grave model ( waste is not a valuable resource)
- move to a more efficient RCC model

**EPA's National Waste Minimization Partnership Program** focuses on reducing or eliminating the generation of HW containing any of **30 Waste Min. Priority Chemicals (WMPCs)**. This list replaces the list 53 chemicals EPA identified in its 1998 FR Draft RCRA Waste Min. PBT Chemical List.

Resource Conservation Challenge

**To promote successful resource conservation projects, EPA has identified several initial areas of focus, or "challenges"**

- ▶ Construction and Demolition Debris
- ▶ Electronics
- ▶ Green Buildings
- ▶ Hospitals
- ▶ Industrial Wastes
- ▶ Schools
- ▶ Targeted Chemicals
- ▶ Tires



Presentations on the Resource Conservation Challenge from the RCRA National Meeting are available at [www.epa.gov/epaoswer/tow/conserv/index.htm](http://www.epa.gov/epaoswer/tow/conserv/index.htm)

In an effort to identify successful resource conservation projects and coordinate the message of their successes, EPA identified several initial areas of focus, or "challenges." These challenges were either groups of related existing projects or areas of unfinished business that had the potential for development of successful voluntary partnerships. For each of these challenge areas, we have developed, or are currently developing, voluntary partnerships that will contribute to resource conservation. These partnerships are mutual, consisting both of external partners' commitments to meet measurable objectives and EPA's commitment to provide appropriate support.



Resource Conservation Challenge

**EPA relies on the development of voluntary partnerships to meet the Resource Conservation Challenge**

- ▶ The National Waste Minimization Partnership Program
- ▶ The WasteWise Partnership Program
- ▶ The GreenScapes Alliance
- ▶ The Product Stewardship Partnerships
- ▶ The Coal Combustion Products Partnership
- ▶ The Plug-In To eCycling Program




Partners are designed to provide smarter faster voluntary solution to safeguard or environment

EPA has developed two ways that partnership projects can enter the RCC.

- 1) The Agency may select projects,
- 2) or they may be nominated by industry, government agencies (local, state, other federal), tribes, or any nongovernmental organizations.

EPA will evaluate all nominated projects on the scope of the problem identified; goals and measures expected; and methods used to conserve resources and to address environmental problems. The selected projects are managed by a Steering Committee, which reports to the EPA Assistant Administrators. Each partnership project is expected to be different, and many types of partnerships may be formed.

These partnerships are examples of the 6 program elements

- product stewardship
- Priority chemical reduction
- Greening the government
- beneficial use of materials
- energy conservation
- environmentally friendly design

Resource Conservation Challenge

**The National Waste Minimization Partnership Program encourages companies to make innovative changes in manufacturing and production processes to reduce the use of priority chemicals**

- ▶ Voluntary partnerships help reduce the generation of hazardous wastes containing any of 30 Waste Minimization Priority Chemicals (WMPCs)
- ▶ Goal is to reduce the quantity of WMPCs found in hazardous waste by 50 percent by 2005



National  
Waste  
Minimization  
Partnership  
Program



**The 30 chemicals were selected for their persistent bioaccumulation, and toxic qualities**

**To establish this list The Waste Minimization Prioritization Tool was used** this was a Windows-based program that generated a relative ranking of chemicals to determine which persistent, bioaccumulative, and toxic (PBT) chemicals found in hazardous waste pose serious, long-term health and ecological concerns and were best managed through preventative rather than remedial measures.

In 1998 53 chemicals were identified (Notice of Availability: Draft RCRA Waste Minimization Persistent, Bioaccumulative and Toxic (PBT) Chemical List." [Federal Register: November 9, 1998. Volume 63, Number 216. Page 60332-60343])

Currently the list of 30 Waste Minimization Priority Chemicals (WMPCs) replaces the list of 53 Chemicals EPA identified in its 1998 Federal Register "Twenty six of the chemicals in the current list were also in the draft list published in 1998. The remaining four chemicals in the current list were added in response to comments and new information EPA received from the public regarding the Agency's methodology for selecting the 53 chemicals in the draft list.

Resource Conservation Challenge

**The WasteWise Partnership Program is a successful program that seeks to reduce MSW through:**

- ▶ Waste prevention
- ▶ Recycling collection
- ▶ The purchase of recycled goods
- ▶ The manufacture of recycled goods



Building from the Waste Minimization program another partnership program is wastewise.

WasteWise is a free, voluntary partnership program that helps organizations eliminate costly municipal solid waste, benefiting their bottom line and the environment. WasteWise is a flexible program that allows partners to design municipal solid waste reduction programs tailored to their needs.

More than 1200 partners from business, government, and institutions have reported a reduction of 35 million tons of municipal solid waste

You will see that all of these partnerships are as much a part of each other as they are separate programs.

Show "Celebrating our Partners"

Benefits

- save money
- Promoted by EPA
- Free to join
- Give you a competitive edge

Resource Conservation Challenge

**The GreenScapes Alliance is designed to help preserve natural resources and prevent waste and pollution by encouraging holistic decisions**

- ▶ Encourages reduction, reuse, and recycling of waste materials in large land use applications
- ▶ Examples include:
  - Four million miles of roadside landscaping
  - Brownfields land revitalization
  - Beautification and maintenance of office complexes
  - Golf courses
  - Parks




The (EPA's) GreenScapes program provides cost-efficient and environmentally friendly solutions for large-scale landscaping. Designed to help preserve natural resources and prevent waste and pollution, GreenScapes encourages companies, government agencies, and other entities to make more holistic decisions regarding waste generation and disposal and the associated impacts on land, water, air, and energy use. By focusing on the "4 Rs"—reduce, reuse, recycle, and rebuy—you can help improve both your bottom line and the environment.

- Using recycled products for example using recycled plastic for signs instead of wood
- Start composting
- Be smart about pesticide and fertilizer use
- Use plants in a smart way to reduce energy use Deciduous trees planted appropriately along the south sides of buildings can reduce air conditioning costs by up to 20 percent

Resource Conservation Challenge

**The Product Stewardship Partnerships involve efforts to reduce the life-cycle impacts of products through voluntary stewardship partnerships**

- ▶ Businesses
- ▶ Retailers
- ▶ Consumers
- ▶ State and Local Governments
- ▶ Federal Government




Product stewardship is a product-centered approach to environmental protection. Also known as extended product responsibility (EPR), product stewardship calls on those in the product life cycle--manufacturers, retailers, users, and disposers--to share responsibility for reducing the environmental impacts of products.


- 1) manufacturers have the greatest ability, and therefore the greatest responsibility, to reduce the environmental impacts of their products Reducing use of toxic substances, designing for reuse and recyclability, and creating takeback programs are just a few of the many opportunities for companies to become better environmental stewards**
  - 2)retailers are one of the gateways to product stewardship. From preferring product providers who offer greater environmental performance, to educating the consumer on how to choose environmentally preferable products, to enabling consumer return of products for recycling,
  - 3)Ultimately, it is the consumer who makes the choice between competing products and who must use and dispose of products responsibly. Without consumer engagement in product stewardship, there is no closing of the loop.**
  - 4) state and local governments are essential to fostering product stewardship.
  - 5)Product Stewardship program has primarily focused on end-of-life considerations as a means of driving environmentally conscious design and resource conservation.
- To this end, EPA's Product Stewardship program has supported projects in a number of product areas, ranging from electronics to carpet.

Resource Conservation Challenge


**The Plug-In To eCycling Program aims to increase the safe recycling of old consumer electronics by providing incentives to manufacturers and retailers**

- ▶ Private sector partners have committed to make more recycling opportunities available to the public

-AT&T Wireless	-Best Buy Company
-Recycle America Alliance	-Staples
-Dell	-Envirocycle
-Intel	-JVC
-Lexmark	-NxtCycle
-Panasonic	-Sony
-Sharp	



Approximately 33 million personal computers were replaced by businesses and households in 2002.





### Why Recycle Electronics?

- *Electronics are a fast growing portion of America's trash* - with 70 million computers destined to become obsolete by 2005.
- *Electronics are made with valuable materials.* In 2001, over 210,000 tons of selected electronic equipment materials were recovered from electronics including steel, glass, plastic, and precious metals.
- *Plus, electronics can present an environmental hazard if they are disposed of improperly.* With an average of four pounds of lead in many older TV picture tubes or computer monitors, along with other potentially hazardous materials, electronics call for special handling at the end of their lives.

Resource Conservation Challenge

**The Coal Combustion Products Partnership (C<sup>2</sup>P<sup>2</sup>) Program is an effort to help promote the beneficial use of CCPs**

- ▶ An active effort to work with agencies at both the federal and state levels, as well as industry organizations
- ▶ Environmental benefits include
  - Reduced greenhouse gas emissions
  - Reduced land disposal requirements
  - Reduced utilization of virgin resources



Coal combustion products (CCPs) are the by-products generated from burning coal in coal-fired power plants. These byproducts include fly ash, bottom ash, boiler slag and flue gas desulfurization gypsum.

Barriers include legal, institutional, economic, market, informational,

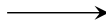
**co-sponsors**

the American Coal Ash Association (ACAA),  
the Utility Solid Waste Activities Group (USWAG),  
and Department of Energy (DOE)

Cleanup & Redevelopment

**Office of Solid Waste and Emergency Response is encouraging cleanup and reuse of contaminated sites**

- ▶ RCRA Cleanup Reforms (rounds 1 & 2)
- ▶ One Cleanup Program
- ▶ Land Revitalization Initiative
- ▶ RCRA Brownfields
- ▶ Special provisions and **flexibility** for remediation waste management





## Modifications to RCRA rules associated with solvent-contaminated shop towels and wipes

- ▶ Solvent-contaminated industrial wipes are used throughout industry for equipment cleaning and other related facility operations
- ▶ Spent wipes can be hazardous when solvent used is listed (e.g., F001) or characteristic (e.g., D001)
- ▶ EPA is proposing to conditionally exclude:
  - Disposed solvent-contaminated wipes from definition of hazardous waste
  - Reused industrial wipes that are sent to laundries for cleaning from definition of solid waste
- ▶ Proposal published November 20, 2003 (68 FR 65586)



Upcoming Rulemakings

## Office of Solid Waste is preparing to submit draft legislation for implementing the Basel Convention

- ▶ Multilateral environmental agreement that regulates the import and export of hazardous waste among the parties to it
- ▶ Establishes legal obligations to ensure that such wastes are managed in an environmentally sound manner
- ▶ Passage of draft legislation will enable the United States to ratify the Convention



The United States signed the Basel Convention in 1990.



Upcoming Rulemakings

### **EPA plans to ease RCRA regulatory burden for hazardous waste community**

- ▶ OSW Burden Reduction Initiative plans to reduce the reporting requirements at hazardous waste facilities to meet the goals of the 1995 Paperwork Reduction Act
  
- ▶ If finalized, this rule will eliminate, streamline, or reduce:
  - One third of the reporting & recordkeeping requirements
  - Record retention time
  - LDR notification & certification requirements
  - Personnel training requirements
  - Facility self-inspection requirements



EPA proposed the Burden Reduction Initiative on January 17, 2002 (67 FR 2517).



Upcoming Rulemakings

## Proposed revisions to the RCRA definition of solid waste regulations (a.k.a. “ABR” proposal)

- ▶ In response to the decision of the U.S. Court of Appeals for the DC Circuit in *Association of Battery Recyclers v. EPA*
- ▶ Proposal includes two major components:
  - Materials recycled & reused in a “continuous process within the generating industry” are not wastes
  - Criteria used to determine whether hazardous secondary material recycling is legitimate or sham
- ▶ Proposal published October 20, 2003 (68 FR 61558)



[www.epa.gov/epaoswer/hazwaste/dsw/index.htm](http://www.epa.gov/epaoswer/hazwaste/dsw/index.htm)



Upcoming Rulemakings

## Other upcoming rulemakings per EPA's Semiannual Regulatory Agenda

- ▶ Upcoming Proposed Rules
  - Revisions to SW landfill criteria
  - Revisions to comply with OECD decision
  - Financial test criteria
  - LDR: Macroencapsulation
  - Incentives for Performance Track members
- ▶ Upcoming Final Rules
  - Standardized permits
  - Test Methods Innovation Rule
  - HW Manifest Rule
  - Recycling of cathode ray tubes (CRTs) & mercury-containing equipment
  - NESHAPs: Standards for HW Combustors
  - Burden Reduction Initiative

The most recent Semiannual Regulatory Agenda was published on June 28, 2004 (69 [FR](#) 38169).

