

US EPA ARCHIVE DOCUMENT

1. PROJECT CATEGORY: 2006 Specific Areas of Interest for the State Innovation Grant:
Permitting Innovation (Section 1.3)

2. PROJECT SUMMARY: EPA 2006 State Innovation Grant Proposal (Section 4.2.2.1)

Project Title: Building on Maine's Success in the Environmental Results Program for Permitting

Project Location: State of Maine

Applicant Name: State of Maine Department of Environmental Protection (DEP), Division of Oil & Hazardous Waste Facilities Regulation (DOHWFR) & Office of Innovation and Assistance (OI&A)

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Purpose: DEP is proposing to advance an innovative environmental permitting system based on the lessons learned from our Environmental Results Program (ERP) model for two abbreviated licensing activities that focus on small recycling units; 1. solvent distillation units and 2. precious metal recovery units.

Significant Components: Product substitution and evaluation; Increased recycling and reuse of hazardous waste and streamlined abbreviated hazardous waste permitting under the Resource Conservation and Recovery Act.

Regulatory Flexibility: There should be no regulatory flexibility or changes required from Federal regulations to implement this project. The program will evaluate fee adjustments for small quantity generators for whom this may be applicable.

Project Endorsement: Senior Management of Maine DEP endorses the project concept and our explanation of the project. Official project endorsement letters will be provided by Senior Management representatives as well as from appropriate stakeholders upon final grant submission.

3. Project Narrative (Section 4.2.2.2)

The Maine Department of Environmental Protection Division of Oil & Hazardous Waste Facilities Regulation and Office of Innovation and Assistance seeks funding through EPA's 2006 Innovation Grant Program to conduct a cooperative and innovative project using lessons learned from our focused Environmental Results Program (ERP) including compliance, self-certification, product substitution, waste minimization and pollution prevention assistance efforts focusing on our small quantity generators who could benefit from installation of small recycling units. Under Maine's Hazardous Waste Management rules, small quantity generators receive approval for recycling activities where wastes are beneficially used or reused on the site of generation as well as for treatment for precious metal recovery under Chapter 856, Section 11. There are other activities requiring permits as well, however, these two are the most often requested.

Small companies need technical assistance on assessing current waste management activities, whether a recycling unit would be of benefit or whether substitution of other non-hazardous materials could work for their particular needs. Using the ERP model, we anticipate developing several modules that would walk a facility through a product substitution assessment, recycling and reuse options and a determination of whether a permit is needed for a solvent distillation unit or a totally enclosed unit such as precious metal recovery, and whether they have the protective measures in place to prevent or eliminate a potential release to the environment. Other modules would be developed for ease of completing an application for a license and/or on how to modify their process or facility such that they not need a permit.

The main vision of our project is:

- Target small quantity generators needing technical assistance;
- Stream-line the application process;
- Focus on identification of any regulatory changes needed;
- Target users of solvents and precious metals;
- Focus on reducing VOC's that lead to generating ground level ozone;
- Focus on proper handling of all materials to eliminate potential release to the environment;
- Focus on worker exposure, health and safety including the life cycle of materials at the work place and being carried home;
- Focus on evaluating product substitutions;
- Focus on promoting use of recycling and reuse equipment.

The vehicles we are considering to use for technical assistance purposes could include:

- Further development of our existing ERP model;
- Utilize best management practices guides tailored to meet Maine DEP's abbreviated license regulations;
- Develop and refine an easy to use EMS for these small quantity generators including an easy to understand checklist inclusive of both federal and State of Maine environmental regulations;
- Development of a more efficient permit renewal process.

This Project demonstrates a broad innovation approach because it will reach across Maine through a new approach for identifying users of solvents and precious metals, a self-certifying product use and substitution process and streamline an alternate permit renewal program. The impact of this project will be a significant increase in compliance and a cumulative reduction in hazardous waste generated and reduction in air emissions. The goals are to streamline an existing licensing renewal process and allow DEP to explore alternative approaches to advancing a recycling initiative. We will measure these outcomes by the number of facilities that self-certify while coming into compliance and volumes of air emissions and hazardous waste generated, the amount of waste treated on-site; the amount of waste recycled and reused on-site.

4. Project Schedule and Timeframe (Section 4.2.2.2)

Project Start Date: October 1,2006 Duration: 2 years

Time	Key Activities/Tasks	Products	Measures	Outcomes
Year 1	Develop list of ERP candidates; Compile technical information on treatment, recycling & reuse equipment; Create list of current recycling permits.	Complete list of facilities	NA	Facility contacts; Approved equipment list.
Year 1	Stakeholders discussion	Commitment and development of process	Stakeholder buy-in	commitment
Year 1	Development of self certification for product use and alternatives evaluation.	Develop list of suitable products.	NA	Approved reference list for staff
Year 1	Development of Compliance checklist for abbreviated licenses	Draft checklist	NA	Final Checklist

Year 1	Hazardous waste handbook with regulatory indicators	Draft handbook	Develop Specific areas of compliance to measure	Tool to measure specific areas of compliance
Year 1	Create templates for license renewal process	Draft template	NA	Streamlines permit writing
Years 1 & 2	Conduct random and targeted RCRA Inspections using the ERP model	Rate of compliance	Percent of compliance measures	1. Overall compliance measures 2. Specific areas of compliance
Year 1	Evaluate permit renewal process	Draft renewal checklist for site inspection. Draft permit modifications	Develop specific changes and implement	Provide staff guidance on renewals

Time	Key Activities/Tasks	Products	Measures	Outcomes
Year 2	Tabulate number of licenses in compliance per: - Facility - Activity	Rate of compliance	Percent of compliance measures	1. Overall compliance measures 2. Specific areas of compliance
Years 1 & 2	Material Development	Draft documents as needed	NA	Finalized material
Year 2	Mailing 1: Workshop notification	Notification to SQGs	NA	NA
Year 2	Workshop I: Licensing &/or Compliance Certification Information Explained and Distributed	Education and outreach	Course attendees & evaluation	Success of workshop
Year 2	Certification submission requests	NA	NA	NA
Year 2	Certification Reviews	% submitted	% Compliance	Permits issued
Year 2	Compliance Inspections	Regulatory Exposure	% Compliance	% final compliance
Year 2	Stakeholder review process	Formal comments and suggestions	Success of program	Next steps
Year 2	Data reconciliation & distribution	Data analysis	Program evaluation	Success of program

5. Pre-proposal Narrative

Introduction

Maine DEP Hazardous Waste Program is interested in working on streamlining its abbreviated license renewal program while furthering its efforts in establishing an Environmental Results Program. This program hopes to establish an innovative yet sustainable regulatory process that allows for efficient

evaluation of product substitution, waste recycling and reuses options, provides permit assistance and streamlines the permit renewal process.

Pre-screening Threshold Criteria (Section 3.3)

Threshold criterion # 1: This project will look to streamline even further an abbreviated permit renewal process while maintaining consistency with Maine DEP's regulatory requirements. This model will advance the transfer of compliance requirements and pollution prevention information throughout the solvent recycling and precious metals sectors, as we reach out to a larger audience including businesses that currently do not require a Department license but could benefit from a reduction in waste generation. A learning process will be undertaken to understand the business needs and alternative materials that could be put into use would be offered. If a permit is needed to minimize waste generation, a further simplified process will be developed to provide technical and regulatory assistance. Once a permit is obtained, the renewal process will be made more efficient.

Threshold criterion # 2: This project's overarching goal will be to prevent and control pollution by making ease of compliance through a variety of mechanisms including streamlined permitting, self-certification, use of alternative solvents or totally enclosed treatment units. This model will address State specific solid and hazardous waste regulations and air quality regulations.

6. APPLICATION: Program Criteria

The project will build on lessons learned regarding innovation assistance activities including the following most recent compliance outreach projects:

- Medium Quantity Generator Hazardous Waste Outreach & Educational effort (1995)
- Auto Salvage/Auto Repair Compliance and BMP Outreach (2002 - on going)
- Mercury switch video and handbooks (2004-05)
- Universal Waste and Small Quantity Generator RCRA Training seminars & handbooks
- Automobile junkyards training, with BMPs and video (2003-04)

The goals of the environmental improvement component of this project include reducing the pounds of hazardous waste generated, reducing air emissions, reducing the ozone depleting emissions, reducing worker exposures, reducing the amount of highly toxic and carcinogenic compounds being used, increasing the recycling and reuse of hazardous waste. Create a permit renewal system that results in a more efficient use of staff resources and provides incentives to the regulated community.

Target Priority Environmental Areas (Section 1.1 and 5.2.1.1)

This project will include the four major elements of alternatives to permitting which presents the framework as outlined in section 1.1 for environmental innovation including:

- Strengthen EPA's innovation partnership with Maine;
- Target hazardous waste generators appropriate for self-certification and/or licensing using current licensing and manifest data;
- Support the Department's proposed regulatory changes for abbreviated license renewal's that will provide flexibility and support an innovative process for license renewal approvals with or without modifications;
- Streamline and simplify the current application process for ease of use;
- Continue to focus on environmental issues including hazardous waste generation, increased recycling and reuse, reduce greenhouse gases, smog reduction, and protect water quality;

- Foster an innovative license renewal process through the ERP model in Maine by encouraging pollution prevention and compliance based upon appropriate information and not size or amount of waste or air emissions emitted.

This project will target priority environmental issues by using the ERP model, providing technical and regulatory assistance, a streamlined permitting and renewal process and will include compliance through a self-certification of water, air, hazardous waste and toxics regulations. The project will integrate innovation into permitting by implementing an ERP self certification compliance project which has been measured in other state projects as improving environmental performance. We feel this will reduce and prevent environmental impacts and lead ultimately to less chemical waste.

Building on Our Existing knowledge of Innovative Approaches and Expanding the Testing of Priority Innovation (Section 5.2.1.2)

We intend to utilize the ERP tools of training, guidance manuals, self certification, follow-up inspections, and statistical analysis to expand our knowledge base. We will offer an opportunity to pilot this approach with EPA's Performance Track participants.

Measured Improvement in Program Results from Project Implementation (Section 5.2.1.3)

This innovative compliance, technical assistance and permitting project differs from other approaches for our small hazardous waste generators by simplifying and streamlining the assessment of product substitution and recycling and reuse options. We hope to provide state of the art information of technical options now available to our generators. This process will include training, outreach, offer a self-certification form and amend current abbreviated licensing and permit renewal requirements. Maine DEP's RCRA program learned the value of educational opportunities based on the success of previous outreach efforts and initiatives.

Improved Efficiencies: This project should identify opportunities for chemical waste recycling and reuse for companies that could benefit from an expedited licensing and renewal process through a streamlined approach that should increase administrative efficiencies by increasing DEP's time inspecting and decreasing DEP's time spent enforcing against non-compliers and preparing permits.

Reduced Regulatory Burden: For businesses that could benefit from recycling their current wastes being generated with waste minimization and a streamlined permitting process or having the option to use a non-hazardous solvent being substituted and reduce the need for filing for a permit.

Reduced Waste and Worker Exposure: An expected measure of quantifiable environmental improvements should provide a reduction in hazardous waste shipments, an increase in compliance rates, product replacement and overall provide an increase in pollution prevention.

Improved Innovative Outreach: DEP will distribute hazardous waste handbooks and will work closely with appropriate businesses by getting their input regarding certification format, content, workshop design and implementation. We will provide plain language guidance of our data results for stakeholders to understand the reporting and tracking of their environmental results measures.

The expected outcome from this project is toxics and hazardous waste reduction for solvent handlers & precious metal users, increased worker safety and health awareness, reduced worker exposures, groundwater protection, and increased environmental awareness. These will be measured through existing data bases as well as through the self audit process, which will highlight and ensure identification and correction of high risk environmental activities including the use of hazardous chemicals, improper safety and health practices and release of toxic air emissions.

The long-term results of this project will be to successfully move the RCRA program towards sustainability with an improved and streamlined permitting process for our largest class of abbreviated licenses. Other long-term results expected will be improved compliance, reduction in the volume of hazardous chemical use and waste generations, reduction in air emissions, reduction in worker exposure to chemicals, evaluation of product substitution alternatives, improved working conditions, increased recycling and reuse, and improved environmental quality of the surrounding community.

Transferring Innovation (Section 5.2.1.4)

The innovation of this project will be transparent and readily transferred to other states and the EPA by Maine having all applications, certifications and guidance documents electronically available. We will utilize other programs such as the small business assistance programs and pollution prevention list serves to notify others of the availability of available documents including our Web site link address. Promotion of compliance assistance through the public workshops will further guarantee this success. Our experience in delivering compliance information and pollution prevention assistance has a proven track record. This will foster an innovative environmental problem solving mechanism both internally and externally. Businesses will have a better venue to have compliance and pollution prevention information in a plain language format that they will be able to look to for practical support. Plain language compliance information will also be presented through training, site visits, appropriate guides and an audit or certification guidebook with checklist.

Project Cost (Section 5.2.1.5)

Costs are outlined on page 7.

Project Technical Feasibility (Section 5.2.1.6)

This innovative permitting project described throughout this grant will incorporate staff's permitting experience on application requirements and site inspections. We anticipate simplifying the renewal process such that site inspections could be used to verify current status and expedite the approval process to further encourage facilities to take advantage of expanded recycling opportunities. The feasibility of this project is high and our department is ready to move the project forward. This project as indicated will incorporate a high degree of collaboration with other internal department staff as well as outside vendors, manufacturers and users.

Team Proposal (Section 5.1.2.7)

We intend to explore all options and opportunities to partner with Recycling Equipment Manufacturers to obtain the most current technologies and information on alternative materials, equipment, products, identify any limitations, determine ease of use and promote appropriate success stories to our generators. We will establish and maintain a database of users, business locations, equipment in use, capacities and limitations.

Address other EPA Regional-State Priorities (Section 5.2.2.1)

This proposal supports both DEP's PPA and US EPA's pollution prevention goals by seeking to reduce waste and improve performance of hazardous waste generators utilizing new technologies. We will collaborate with EPA Region 1 on implementation during the project period.

Institutional Readiness and Commitment (Section 5.2.2.2)

The RCRA program has a long history of innovative initiatives including an education and outreach effort to our medium quantity generators which was previously funded by EPA, development of fluorescent lamp policy long before universal wastes were adopted rules, and workshops for generators including the infrastructure to develop and implement such projects. The key personnel who will be involved are Scott Whittier, Division Director, Stacy Ladner, RCRA unit licensing manager and all of RCRA staff will be called upon to assist with permitting and inspections. Ron Dyer, Director of Office of Innovation and

Assistance, Julie Churchill and Sarah Lippert will also be available resources to call upon as needed and particularly will provide current alternative chemical and processes information.

Inclusion of a Public Involvement Processes (Section 5.2.2.3)

A plan to ensure public awareness and participation in this project will be developed including outreach to stakeholders such as our hazardous waste generators, recycling equipment manufacturers and the Pollution Prevention Compliance Advisory Committee. A workshop will be offered to roll-out the project.

7. PRELIMINARY BUDGET

[Withheld by EPA]