

## **RCRA Hazardous Waste Notification Requirements**

On July 24, 1990, the US Environmental Protection Agency (EPA) promulgated in the *Federal Register* changes to the general pretreatment regulations (cf., 55 *FR* 30082). One of the regulatory changes required was intended to improve control of hazardous wastes introduced to POTWs under the Domestic Sewage Exclusion. To this end, Industrial users must now submit a notification of hazardous wastes discharged to POTW sewerage collection systems. It is a pretreatment program Resource Conservation and Recovery Act (RCRA) reporting requirement. This pretreatment program requirement is codified in the Code of Federal Regulations at 40 CFR 403.12(p), in [Springfield Municipal Code section 4.016](#).

The City of Springfield notifies those industrial users which may be reasonably expected to discharge hazardous wastes from their processes to the sanitary sewer of the RCRA reporting requirement. All wastewater discharge permits contain the RCRA reporting requirement in the General Conditions section. Those industrial users which receive application/surveys and are subsequently categorized by the City as Non-Significant Industrial Users are sent a letter explaining the City's categorization of their facility under the pretreatment program. This categorization letter contains the notification of the RCRA reporting requirements.

The requirement stipulates that industrial users/permittees that discharge, into the sanitary sewer, more than 33 lbs (15 kg) of any material (gas, liquid, or solid) that would be classified as hazardous waste according to Federal Code (40 CFR 461) shall obtain prior written approval from the City. In addition to obtaining approval from the City, the industry must notify the Environmental Protection Agency's (EPA) Regional Waste Management Division Director and Oregon Department of Environmental Quality (DEQ) hazardous waste authority. For your reference, the section of the City Code that addresses the hazardous waste reporting requirements has been included below.

### **4.016 Notice of Hazardous Waste Discharge.**

(1) Local Notice and Prior Approval. Prior to the discharge of any substance referred to in section 4.020, the industrial user shall obtain written prior approval from the city manager for such discharge. The written request for prior approval shall include the name of the hazardous waste as set forth in 40 CFR Part 261, identification of the hazardous constituents contained in the waste, an estimate of the mass and concentration of such constituents, the volume of the discharge, and any other information the city manager may deem appropriate.

(2) Federal Notice Requirements. Industrial users shall notify the city manager, the EPA Regional Waste Management Division Director, and state hazardous waste authorities in writing of any discharge into the city sewerage system of a substance, which if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch or other). If the industrial user discharges more than 100 kilograms of such waste per calendar month to the city sewerage system, the notification shall also contain the following information to the extent such information is known and readily available to the industrial user:

- (a) An identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month; and
- (b) An estimation of the mass constituents in the wastestream discharged during that calendar month; and
- (c) An estimation of the mass constituents in the wastestream expected to be discharged during the following 12 months.

Industrial users who commence discharging after the effective date of this article shall provide the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notification of changed discharges must be submitted under section 4.014(3) of this code. The notification requirement in this section does not apply to pollutants already reported under self-monitoring requirements of this code.

(3) Exemption. Industrial users are exempt from the requirements of subsection (2) of this section during a calendar month in which they discharge no more than 15 kilograms of hazardous waste, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than 15 kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the industrial user discharges more than such quantities of any hazardous waste do not require additional notification.

(4) New Regulations. In the case of any new regulations under section 3001 of the Resource Conservation and Recovery Act identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the industrial user must notify the city manager, the EPA Regional Waste Management Division Director, and state hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.

(5) Certification. In the case of any notification made under this section, the industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.