



Set “J” Rule Package – Effective on September 5th

On September 5, 196 amended and new hazardous waste regulations will go into effect in Ohio. The major subjects of Federal rule-makings are addressed in this rule package are:

- Deferral of LDR Phase IV standards for PCBs as a constituent subject to treatment in soil. This is intended to make cleanups at PCB contaminated hazardous waste sites easier.
- Zinc fertilizers made from recycled hazardous secondary materials reduces management standards for hazardous wastes destined for recycling in fertilizers, provided certain conditions are met.
- LDRs, treatment variance subcategories for radioactively contaminated batteries containing cadmium, mercury, and silver. Relaxes the treatment standards for these types of batteries.
- Mercury-containing equipment rule. This rule adds all mercury containing equipment, such as thermostats, barometers, manometers, and mercury switches, to the universal waste rule.
- Burden reduction rule provides reduces or eliminates paperwork and notification requirements in several rules.
- Corrections to the CFR. U.S. EPA published this rules corrections notice, and about half of the 300+ corrections are accomplished in this package. These are non-substantive changes, correcting spelling errors and typos.
- Cathode ray tubes (CRT) rule. This rule reduces management requirements for CRT's that are being recycled in certain ways.
- Manifest rule corrections. This amendment corrects a mistake that U.S. EPA made when they wrote the new manifest rule. It deals with how to manifest rejected loads back to the generator.
- Gasification rule. Provides an exclusion from the definition of solid waste for oil-bearing hazardous secondary materials when they are processed in a gasification system at a petroleum refinery for the production of synthesis gas.
- NESHAP/combustors final standards. This rule provides corrections to the standards for facilities that burn hazardous waste as fuel and incinerators.
- LDRs- site-specific treatment variance. Adds a vacuum thermal desorption as an allowable treatment technology for certain low-level radioactive hazardous waste.
- Waste code F019 exclusion for auto assembly plants. Allows F019 hazardous waste generated auto and light truck assembly plants to be disposed in solid waste landfills with engineered liners and leach ate collection systems.
- University lab rule provides a flexible and protective set of regulations that address the specific nature of hazardous waste generation in college and university laboratories.

State-initiated changes in this package include:

- Permit exemption for certain recyclers. Exempts off site recycling facilities who store hazardous secondary materials for up to 72 hours before putting them into the recycling process recyclers from permitting requirements, provided certain conditions are met.

All of these rules were reviewed using the Governor's common sense business rules policy and many of the rules in this package were also reviewed under ORC section 119.032 which requires our rules to be reviewed every five years.

The amended and new rules are now posted on [DHWM's web site](#) under the [Division Rules & Laws](#) link. Impacted regulations can be found as individual PDF files under the Currently Effective Hazardous Waste section of the rules & laws page and can be identified by the September 5, 2010 effective date. New language in the regulations is noted as underlined and removed language is noted as stricken. An entire Set "J" package can also be obtained as a downloadable zip file from the Recently Adopted Rules section of the rules & laws page.

If you have any questions about this rule-making package or the rule-making process, please contact Kit Arthur at kit.arthur@epa.ohio.gov or 614-644-2917.