

RCRA Wastes

at VAP Sites

(DRAFT) TGC VA30002.09.07

Old TGC Document

- Basically just states that some contaminated soil and debris may contain characteristic and/or listed hazardous waste.
- Doesn't provide any further guidance.

New TGC (DRAFT) – Intent

- Provide CP's additional guidance on recognizing common situations where hazardous waste regulations may apply.
- Provide CP's additional guidance on best management practices to avoid RCRA issues.

New TGC (DRAFT) – Content

- Waste generation.
- Listed wastes.
- Land disposal restrictions.
- Areas of contamination.
- Notes on assessment.
- Case study (former dry cleaners).

Waste Generation

- RCRA regulation begins at the point of generation.
- Generation is generally triggered when excavation begins.
- In-situ treatment does not trigger generation.

Listed Waste

- Through due diligence, can the COC be tied to a historic process?
- If yes, and if excavating, must obtain a “contained-in determination” from Ohio EPA prior to excavation.

Land Disposal Restrictions

- Treatment standards for technologies and COC concentrations.
- Applies to media containing listed or characteristic waste that is placed outside an AOC, including in a landfill.

Areas of Contamination

- A discrete area of generally dispersed contamination on a property.
- Applies to soil only.
- Management inside AOC = No LDR's.
- Management outside AOC = LDR's apply.

Notes on Assessment

- VAP requires minimum 3 samples per IA.
- To satisfy RCRA, additional samples for TCLP testing may be necessary to better delineate areas containing characteristic waste.
- May consider size of IA, extent of contamination, and remedial strategy.

Former Dry Cleaners (Case Study)

- Ohio EPA generally considers soil contaminated with PCE at former dry cleaning facilities as listed waste.
- If excavation is part of the remedial strategy, get a “contained-in determination” from Ohio EPA first.

References

- The TGC now contains links to various U.S. EPA documents that provide additional detailed guidance on the previous topics.

Review Process

- DERR and DMWM are currently working on internal processes to ensure consistency and timely reviews of “contained-in determinations.”
- Hope to finalize the TGC within the next couple months.

Ohio Specific Guidance

- Currently, DERR and DMWM are exploring the development of an Ohio-specific “contained-in” policy instead of using the federal guidance.

Questions?

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