

Amendment to Hazardous Waste Code F019

Proposed Rule
72 FR 2219 -2235
January 18, 2007

What is this Federal Register About?

This is a proposed rule.

EPA is proposing to amend the F019 hazardous waste listing description to exempt wastewater treatment sludges from zinc phosphating of aluminum, when such phosphating is used in the motor vehicle/light truck manufacturing process. EPA proposes this change to promote the use of aluminum parts in vehicles thereby reducing vehicle weight and fuel consumption. The proposed modifications to the F019 listing would not affect any other wastewater treatment sludge generated from the chemical conversion coating of aluminum from other industrial sources.

EPA proposes two options that would require the delisted wastes be disposed of in a landfill cell that meets certain liner design criteria.

Option 1: The waste must be disposed in Subtitle D or C landfill cell that is meets the composite liner requirements of 40 CFR parts 258.40, 264.301 or 265.301, as applicable.

Option 2: The waste must be disposed in a Subtitle D municipal or industrial landfill cell that is equipped with a single clay liner and is permitted, licensed or otherwise authorized by the state.

Both options require the generator to maintain records showing that their sludges meet the conditions of the listing. The records are to be maintained for three years and should include: the volume of waste generated; where the wastes were disposed and evidence that the landfill meets the liner requirement of the F019 listing.

What does this mean to the regulated community?

The scope of this rule is limited since it only applies to those facilities that manufacture complete automobile/light truck vehicles or chassis. For those facilities, this rule will be more stringent than Ohio EPA's current interpretation of the scope of the F019 listing when both steel and aluminum is processed through a zinc phosphating operation.

Our current position is that the listing description for F019 is specific to sludge generated from the sole treatment of wastewaters from zinc phosphate coating on aluminum operations. Operations where both steel and aluminum parts are zinc phosphate coated in combination or through the same bath, the listing does not apply to the wastewater treatment sludge.

What does this mean to DHWM and/or Ohio EPA?

At the federal level, US EPA considers the proposed listing description less stringent than the current listing description for F019 and therefore, authorized states would not be required to adopt the final rule. However, Ohio EPA would be required to adopt the change to the listing. This is because, per OAC rule 3745-51-11 (D) and ORC 3745.12, Ohio EPA must maintain, at a minimum, the same lists of hazardous wastes as US EPA. These lists are found in 40 CFR part 261.

This rule will not increase the number of entities subject to regulation under the hazardous waste rules. Inspectors will need to be trained on understanding which facilities and processes are and are not exempted from the F019 hazardous waste listing.

Will Ohio EPA be commenting on this Federal Register?

Yes, Ohio EPA Central Office will be accepting comments from Ohio EPA district offices until February 15, 2007. Please send your comments to Karen Hale, CO.

Federal Register Link

<http://www.epa.gov/fedrgstr/EPA-WASTE/2007/January/Day-18/f640.pdf>

Federal Guidance Document:

<http://www.epa.gov/epaoswer/hazwaste/id/f019/f019.htm>