

Conditional Exclusion for Oil-bearing Secondary Materials from the Petroleum Refining Industry Processed in Gasification System to Produce Synthesis Gas

Proposed Rule
67 FR 13685-13700
March 25, 2002

What is this Federal Register About?

This is a proposed rule. EPA has developed a conditional exclusion for hazardous oil-bearing petroleum refinery wastes that are processed using gasification to produce synthesis gas. The hazardous oil-bearing wastes are not defined as a waste if managed according to the conditions given in the rule. EPA is also soliciting comments on whether to broaden the conditional exclusion to include secondary materials generated from other industries that are recycled to produce synthesis gas.

The conditions that must be met are:

- 1. Synthesis gas used as a fuel must meet the specifications in the comparable fuel rule, 3745-51-38;
- 2. Hazardous oil-bearing wastes cannot be placed on the land prior to recycling;
- 3. Speculative accumulation applies to hazardous oil-bearing wastes destined for recycling; and
- 4. Residual materials from the gasification process must meet certain LDR treatment standards if placed on the land.

As mentioned above, EPA will take comments regarding what other hazardous wastes should be eligible for this exclusion. However, EPA does not provide much discussion as to what wastes might be appropriate for this type of recycling. They are looking for ideas.

What does this mean to the regulated community?

If finalized, this rule would promote the recovery of fuels from low grade petroleum residuals and provide an opportunity for the petroleum industry to reduce the amount of hazardous wastes they send for disposal.

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

Ohio has six petroleum refineries. They are BP Lima; Clark Lima; Chevron Products, Hooven; BP Oil, Oregon; Sunoco, Oregon, and Marathon Ashland, Canton. The scope of hazardous waste inspections will increase at these facilities if they choose to recycle oil-bearing hazardous wastes under this exclusion.

Staff Development:

If the rule is finalized in a form similar to the proposal, inspectors should not need training to learn special skills to implement the rule.

Do we need additional resources to implement this rule?

Maybe, it depends on how much our current inspection resources are stretched. This is because this rule will cause refinery inspections to be more involved and require more time to complete.

Will Ohio EPA be commenting on this Federal Register?

DHWM will accept comments on this Federal Register. We are currently evaluating the exclusion. If we have significant concerns about the exclusion or its mechanics, or receive significant comments from DOs, we will submit them to EPA. Comments are to be sent to Karen Hale no later than May 17.

Federal Register Link

<http://www.epa.gov/fedrgstr/EPA-WASTE/2002/March/Day-25/f7097.pdf>

Federal Guidance Document: None