



Early Stakeholder Outreach – Conditional exemption for hazardous waste textiles (gloves, aprons, etc.) that are laundered and returned to use

Ohio EPA prepares early stakeholder outreach fact sheets to ensure stakeholders are brought into the review process as early as possible and to obtain additional input and discussion before development of interested party draft rules.

What does this rulemaking cover?

This stakeholder outreach pertains Ohio's hazardous waste rules. We are proposing to conditionally exclude from regulation as a waste, commonly used hazardous textile articles such as gloves, aprons, smocks, and uniforms that become contaminated and that are laundered and returned to service.

Why are these rules being sent out for Early Stakeholder Outreach?

The first step in the rulemaking process is for Ohio EPA to identify what rules need to be amended, rescinded, or created. In response to Executive Order 2011-01K, Ohio EPA has added an additional step to ensure stakeholders are brought into the rulemaking process as early as possible. This additional interested party notification and request for information will allow for early feedback before rule language has been developed by the Ohio EPA.

What changes are being considered?

Ohio currently has a conditional exclusion in our hazardous waste rules that allows solvent contaminated wipers to be laundered without the need for the laundry to obtain a hazardous waste storage permit. Those regulations narrowly define "solvent contaminated wipers". Other contaminated textiles such as gloves are not included in the definition. The definition also limits the eligible contaminants to specified solvents, so if a solvent contaminated wiper exhibits the characteristic for toxicity for a heavy metal it is not be eligible for the exclusion for laundering.

Our research has concluded that other states that allow laundries to receive contaminated textiles without a permit through guidance and policy include: Indiana, New York, Virginia, Kentucky, Minnesota, California and Wisconsin. These states have varying conditions to the exemption. Michigan has an exclusion in their rules for textiles that are laundered.

Who will be affected by these rules?

Anyone who currently generates contaminate textiles that are hazardous and has them laundered at commercial laundries or dry cleaners, or launders them on-site. Also, commercial laundries and dry cleaners may be affected by this rule change.

How can I provide input?

The Agency is seeking stakeholder input on the potential adoption of this rule change.

When preparing your comments, be sure to:

- explain your views as clearly as possible;
- describe any assumptions used;
- provide any technical information and/or data used to support your views;
- explain how you arrived at your estimate for potential burdens, benefits, or costs;
- provide examples to illustrate your views; and
- offer alternatives.

Written comments will be accepted through close of business November 3, 2017. Please submit input to:

Jeff Mayhugh
Ohio EPA- DERR
P.O. Box 1049
Columbus, OH 43216-1049

Jeff.mayhugh@epa.ohio.gov

What if I have questions?

Contact Jeff Mayhugh at 614 644-2950 or email at jeff.mayhugh@epa.ohio.gov.

Early Stakeholder Outreach- Conditional exemption for hazardous waste textiles (gloves, aprons, etc.) that are laundered and returned to use

What is the rulemaking schedule?

These rules will be subject to this ESO review for approximately 30 days. Comments will be due on November 3, 2017. We will consider all the comments we receive, and we will include this rule change in the Generator Improvements rule package of draft rules to be reviewed by Interested Parties prior to the rules' submittal to JCARR as proposed rules.

What input is Ohio EPA seeking?

The following questions may help guide you as you develop your comments.

- Is the general regulatory framework proposed the most appropriate? Should Ohio EPA consider any alternative framework?
- What options are available for improving an identified concept? What options are available for improving the existing rules?
- Are there considerations Ohio EPA should consider when updating the existing rules? Are there considerations Ohio EPA should take into account when developing a specific concept?
- Is there any information or data Ohio EPA should be aware of when developing program concepts or rule language?

Ohio EPA would especially like to hear information regarding the following from stakeholders who may be impacted by the amended and/or new program elements.

- What textile articles should Ohio EPA include in the exemption?
- What conditions should be imposed on generators who manage these excluded textile articles?
- What conditions should be imposed on the receiving laundry or dry cleaner?

Contact

For more information, contact Jeff Mayhugh at jeff.mayhugh@epa.ohio.gov or (614) 644-2950.