

ARKANSAS DEPARTMENT OF POLLUTION CONTROL
AND ECOLOGY

LOCATION - SUBJECT Request to hold a Public
Hearing to adopt RCRA Regs promulgated June
Jan-

MINUTE ORDER NO. 82-50

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The Department of Pollution Control and Ecology is seeking permission to hold a public hearing to consider the adoption of federal RCRA regulations promulgated or amended from January 1, 1982 to June 30, 1982, and to consider amending Section 3 (a) of the Arkansas Hazardous Waste Management Code.

Copies of the regulations to be adopted by reference are attached.

COMMISSIONERS

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John P. Sartor

SUBMITTED BY: Sandra Perry

DATE PASSED: 7-23-82

Arkansas Hazardous Waste Management Code, Section 3(a):

... provided that (a) the following portions of 40 CFR 122 and 124 are
excepted from adoption of this Code: 122.1; 122.2; 122.5; 122.10(b);
122.12; 122.13(c); 122.17; 122.19(a); 122.20; 124.1; 124.3(b); 124.3(c);
124.3(d); 124.3(e); 124.3(f); 124.3(g); 124.4; 124.5(b); 124.5(e);
124.5(g); 124.6(b); 124.7; 124.9; 124.10(a) (1) (i); 124.10(a) (1) (iv);
124.12(b); 124.12(c); 124.12(d); 124.12(e); 124.13; 124.14; 124.15;
124.16; 124.17(b); 124.18; 122.21(a); 122.21(b); 122.21(c); 124.19;
124.20; 124.21.

Federal Register amendments to regulations and regulations published from January 1, 1982 to June 30, 1982 and the September 8, 1982 amendment (which was inadvertently left out of the previous public hearing):

September 8, 1981: 40 CFR Part 261 (FR 44973):

Exempts spent pickle liquor which is reused in wastewater treatment facilities.

January 11, 1982: 40 CFR Part 265 (FR 1254) effective January 11, 1982:

These amendments provide a waiver of standards for any surface impoundment that (1) contains wastes which are hazardous only because they exhibit the corrosivity characteristic and contain no other hazardous wastes; (2) is demonstrated to rapidly neutralize the wastes so that there is no potential for migration of any hazardous waste out of the impoundment. The purpose of the amendment is to relieve owners of neutralization surface impoundments from having to monitor groundwater in cases where such monitoring is not necessary to protect human health and the environment.

January 11, 1982: 40 CFR Part 123 and 262 (FR 1248) effective January 11, 1982:

The regulations allow hazardous waste generators and generators who treat, store or dispose of waste on-site to accumulate hazardous waste on-site without obtaining a permit or meeting financial responsibility requirement if they ship the waste off-site within 90 days. The changes (1) clarify that the provision is applicable to all generators, including those who accumulate hazardous waste for the purpose of use, reuse, recycling and reclamation, (2) remove the requirement for use of DOT containers, (3) revise the labeling and marking requirements for waste accumulated in containers and tanks; and (4) allow an extension to the 90 day accumulation limit in certain circumstances.

February 23, 1982: 40 CFR 262, 264 and 265 (FR 7841) effective date February 23, 1982:

EPA is delaying the compliance dates until August 1, for:

- (1) submission of annual reports,
- (2) the submission of quarterly groundwater monitoring (parameter readings) by TSD's.
- (3) the preparation of groundwater quality assessment program reports by TSD's.

- February 25, 1982: 40 CFR Part 265.312 (47 FR 8306):
Ignitable or reactive waste must not be placed in a landfill unless the waste is treated so that the resulting mixture no longer meets the definition of ignitable.
- March 1, 1982: 40 CFR Part 265 (47 FR 8606):
Correction of date to February 25, 1982.
- March 3, 1982: 40 CFR Part 260 (FR 9007):
This notice sets forth a list of petitions to make general changes to exclude on a site-specific basis, wastes from regulations.
- March 8, 1982: 40 CFR Parts 123, 260 and 262:
Correction in spelling.
- 40 CFR Parts 122, 264, and 265:
Correction of typographical error.
- March 22, 1982: 40 CFR Part 265 (FR 12318) effective March 22, 1982:
No container holding freestanding liquid may be placed in a landfill.
40 CFR Part 265.314
- April 7, 1982: 40 CFR Parts 264 and 265 (FR 12318) effective July 6, 1982:
Financial assurance of closure and post-closure and July 15, 1982 for liability.
These amendments deal with closure and post-closure financial assurance requirements.
- April 8, 1982: 40 CFR Parts 122 and 124 (FR 15304) effective April 1, 1982:
EPA is amending its consolidated permit regulations to make several minor corrections in the regulations. Revisions include a correction to submission of topographic maps -- these maps need to show wells within $\frac{1}{4}$ mile of the facility boundary. This rule deletes the requirement that claims of confidentiality on hazardous waste permits must be substantiated at the time of the application.

April 16, 1982: 40 CFR Parts 123, 264, and 265 (FR 16544) effective July, 15, 1982:

The EPA is requiring owners or operators to demonstrate liability coverage for bodily injury and property damage to third parties resulting from facility operations. The major revisions are the addition of the option of a financial test as a means of demonstrating liability coverage to satisfy the requirements; certificate of insurance as evidence of insurance; and changes in the requirements for the endorsement of certificate.

May 10, 1982: 40 CFR Parts 264 and 265 (FR 19995):

Corrections are to the "Trust Agreement" in the Federal Register for Wednesday, April 7, 1982. These corrections are primarily spelling errors and left out words.

June 24, 1982: 40 CFR Parts 122, 264 (FR 27516) effective June 24, 1982:

EPA is announcing withdrawal of its proposal to suspend the effective date of the permitting standards for hazardous waste incinerators, as applied to existing facilities and is ending its policy, of postponing requests for Part B permit applications for existing hazardous waste incinerators.

June 24, 1982: 40 CFR Parts 122, 164, 265 (FR 26520) effective June 24, 1982:

These amendments include revisions to the general standards for permitting hazardous waste incinerators; the interim status standards for hazardous waste incinerators and the consolidated permit requirements for incinerators. The amendments pertain to: (1) permit procedure for incinerators; (2) exemption of corrosive and some reactive wastes from selected Subpart O standards; (3) the performance standard for hydrogen chloride emissions; (5) designation of air feed rate as an operating and monitoring parameter; (7) visual inspection of the stack gas plume during interim status and (8) requirements for data collection during the trial burn.
