

United States
Environmental Protection
Agency

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www.epa.gov/osw

Solid Waste and Emergency Response



HWIR

A RCRA Tuneup

Innovative.

Protective.


Risk-Based.

SELF IMPLEMENTING. Flexible.

A new way of regulating is about to begin.

What Is HWIR?

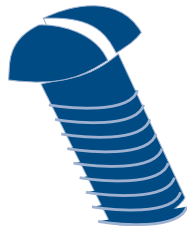
HWIR is the Hazardous Waste Identification Rule. It will allow certain low-risk wastes that are currently regulated as hazardous wastes to be exempted from the hazardous waste regulations because they can be safely managed as solid wastes.



HWIR is part of the U.S. Environmental Protection Agency's (EPA's) continuing effort to reinvent and improve environmental regulations. EPA worked with industry, public interest groups, environmental groups, hazardous waste treaters, and states for many years to identify and evaluate options to reduce the overregulation of low-risk hazardous wastes. EPA will publish a proposed rule by October 31, 1999, and a final rule by April 30, 2001.

HWIR will rely upon an innovative risk assessment to determine those wastes that can be safely exempt from the hazardous waste regulations. HWIR will:

- ◆ Save money on unnecessary regulation.
- ◆ Encourage pollution prevention and waste minimization.
- ◆ Foster the development of innovative waste treatment processes.
- ◆ Maintain a safe level of protection for human health and the environment.



Why Is HWIR a Step in the Right Direction?

Currently, wastes are considered to be hazardous under the Resource Conservation and Recovery Act (RCRA) if they exhibit certain characteristics ("characteristic wastes") or if they have been placed on a list by EPA ("listed wastes"). Once wastes are listed, they are always considered hazardous and must always be managed according to the hazardous waste regulations, even if all the hazardous components have been removed from the waste. This system can discourage pollution prevention and the development of new waste treatment technologies.

Under HWIR, certain listed wastes may no longer be subject to the hazardous waste management requirements of RCRA if the wastes contain safe levels of chemical constituents. HWIR will establish safe numerical risk levels based on effects to human health and the environment from releases of waste to various media (i.e., air, land, and ground water). If wastes contain chemical constituents above these levels, the wastes will still be regulated. Wastes containing chemical constituents below these levels would be exempt from some or all of the hazardous waste program requirements.



How Do I Know HWIR Is Protective?

EPA is currently developing a risk assessment to set levels for chemical constituents in waste that can be safely managed outside of the RCRA hazardous waste management program. A risk assessment is a tool used to evaluate the risks of hazardous substances to human health and the environment to find levels that cause no harm (see below).

What Is a Risk Assessment?

In conducting a risk assessment, the level of hazard associated with a substance is determined by evaluating the properties of the substance. Next, the potential for contact with the hazard is evaluated. Many possible routes of contact are evaluated. To assess the risk of a toxic chemical to humans, for example, studies would evaluate the potential for inhalation, ingestion, and dermal contact. The risk to humans or the environment is then characterized in terms of the potential of the exposure to the hazardous substance to cause certain harmful effects such as cancer. This information is then modeled to quantify the probability that the hazardous materials will actually cause harm.



How Will HWIR Affect My Company?

This rule will relieve some regulatory burden and save money for companies that generate low-risk wastes. EPA estimates that HWIR could save regulators and companies between \$75 and \$99 million in avoided treatment and disposal costs (not including implementation costs) without harm to the environment. HWIR will allow companies to test their wastes to determine if the hazardous components in the waste fall at or below the risk exit levels. If so, those wastes would be exempt from the federal hazardous waste regulations. While exempt wastes still might be subject to some RCRA record-keeping and reporting requirements, along with state management requirements for nonhazardous waste, the benefits to companies are clear.

How Will HWIR Affect My Family and Community?

HWIR will not cause any increase of risk to families and communities associated with solid and hazardous wastes because the exit levels are protective. Wastes that meet the exit levels still must be safely managed under federal, state, and local nonhazardous waste programs.

How Can I Get More Information?

For more information about HWIR, call the RCRA Hotline at 800 424-9346 or TDD (hearing impaired) at 800 553-7672. In the Washington, DC, area, call 703 412-9810 or TDD 703 412-3323. You may wish to order the document *Understanding the Hazardous Waste Rules: A Handbook for Small Businesses—1996 Update* (EPA530-K-95-001) from the Hotline. In addition, for more information about hazardous waste identification, see *Identifying Your Waste: The Starting Point* (EPA530-F-97-029) or Title 40, Part 261 of the *Code of Federal Regulations*. EPA's Office of Solid Waste Internet site, <www.epa.gov/osw>, can provide additional information as well.





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