APPENDIX 112N

OFF SITE WASTE AND RECOVERY OPERATIONS NESHAP
(40 CFR 63 Subpart DD)

CAA SECTION 112 NESHAP

Synopsis: Offsite Waste and Recovery Operations NESHAP

CFR Location: 40 CFR 63 Subpart DD (Also associated with Subparts OO, PP, QQ, RR, and VV.)

Regulatory Activity: Final Rule: 1 Jul 96 (61 FR 34140)
Amendments: 20 Jul 99 (64 FR 38949)

Affected Sources: Major Sources of HAPs

Rule Summary: This rule affects new and existing offsite waste and recovery operations that occur on major HAP sources. There are a number of processes exempt from the rule. One or more units can be granted an exemption provided that the total quantity of HAP contained in the offsite material does not exceed one megagram per year.

NESHAP DEADLINE MATRIX

Source	Date C/R Commenced	Date of Startup	Notification Requirements	Notification Deadlines[a]	Compliance Deadline[b]	Compliance Status Report Deadline	Ongoing Status Reports
Existing	≤13 Oct 94	≤1 Jul 96	Initial Notification	19 Oct 99 *63.9(b)(2)*	1 Feb 00	60 days after completion of relevant compliance demonstration or as required by Title V permit. *63.9(h)*	
		>1 Jul 96	Initial Notification	NLT 120 days after start up. *63.9(b)(3)*			
New	>13 Oct 94 ≤1 Jul 96	≤1 Jul 96	Initial Notification	28 Oct 96 *63.9(b)(2)*	1 Jul 96 *63.6(b)(1)*		
		>1 Jul 96	Application for approval of C/R, date C/R commenced Anticipated start-up date. Actual start-up date.	ASAP before startup or 30 Aug 96 *63.5(d)(1)* 60-30 days before date. *63.9(b)(4)* 15 days after startup. *63.9(b)(4)*	Startup *63.6(b)(2)*		
	>1 Jul 96	>1 Jul 96	Application for approval of C/R . Intent to C/R. Date C/R Began. Anticipated startup date. Startup Date.	ASAP before C/R. *63.5(d)(1)* ASAP before C/R. *63.9(b)(4)* 30 days after date. *63.9(b)(4)* 60-30 days before date. *63.9(b)(4)* 15 days after startup. *63.9(b)(4)*			

C/R = construction or reconstruction ASAP = as soon as practicable NLT = not later than

[a] Existing and new area sources that become major sources must submit an initial notification 120 days after becoming major. *63.9(b)(2)*

[b] Existing area sources must comply within three years of becoming major. New area sources must comply immediately upon becoming major. *63.6(b)(7)*

REGULATORY STATUS

EPA issued the final OSWRO NESHAP on 01 Jul 96 (61 FR 34140). Subsequent corrections and amendments are reflected in the latest version of the Code of Federal Regulations, Volume 40, Part 63, Subpart DD and are also highlighted in the Synopsis Table and the Subsequent Regulatory Activity sections of this appendix.

RULE SUMMARY

The final requirements for the Off-Site Waste and Recovery Operations NESHAP are contained in a series of six new subparts added to 40 CFR 63.

Subpart DD: National Emission Standards for Off-Site Waste and Recovery Operations

Subpart OO: National Emission Standards for Tanks - Level 1

Subpart PP: National Emission Standards for Containers

Subpart QQ: National Emission Standards for Surface Impoundments

Subpart RR: National Emission Standards for Individual Drain Systems

Subpart VV: National Emission Standards for Oil-Water Separators and Organic-Water Separators

Currently the air emission control requirements promulgated in Subparts OO, PP, QQ, RR, and VV are applicable only to units in waste management and recovery operations regulated under Subpart DD. However, these unit-specific subparts may be requirements of future rules for other source categories. Also, the EPA may amend existing NSPS, NESHAP, or other rules to reference the appropriate unit-specific subparts, whether as a replacement for the air emission control requirements in the existing rule or as an alternative means of compliance.

The unit-specific subpart format for NESHAP and other air rules are for those situations when more than one rule applies to a particular source (e.g., a tank) and each of these rules requires use of air emission controls on that source (e.g., a fixed roof). By establishing unit-specific subparts, all of the rules will reference a common set of design, operating, testing, inspection, monitoring, repair, recordkeeping, and reporting requirements for air emission controls.

Applicability

Figure 1 contains a flow chart to help determine if this rule affects your facility.

The OSWRO NESHAP applies only when both:

- The installation is a major source of HAP emissions.
- The installation has one or more ***affected operations*** that receive ***off-site materials***.

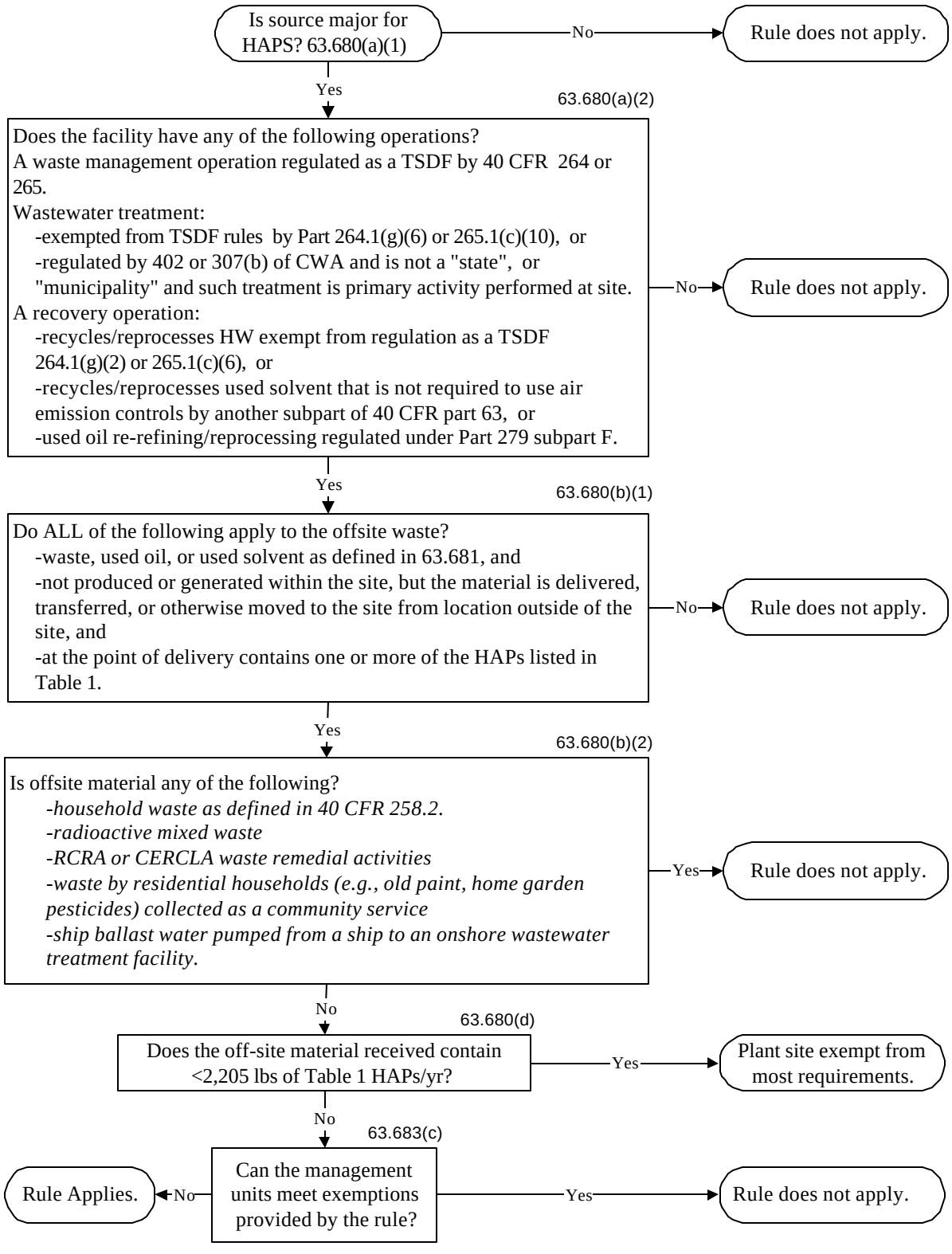

FIGURE 1: OSWRO NESHAP APPLICABILITY DETERMINATION

An ***off-site material*** that meets all of the criteria:

- The material is a waste, used oil, or used solvent.
- The material is not produced or generated within the site, but is delivered, transferred, or otherwise moved to the site.
- The material contains one or more of the HAPs listed in **Table 1** of the final rule. This table is a subset of the 189 HAP compounds listed in CAA §112(b) and is included in this appendix for your convenience.

"The big 6" affected operations are one of the following:

1) A waste management operation that receives off-site material and the operation is regulated as a hazardous waste treatment, storage, and disposal facility (TSDF).
2) A waste management operation that treats wastewater which is an off-site material and the operation is exempted from regulation as a TSDF under 40 CFR 264.1(g)(6) or 40 CFR 265.1(c)(10)."
3) A waste management operation that treats wastewater which is an off-site material and the operation meets both of the following conditions.
   a) is subject to regulation under either section 402 (33 USC 1342) or 307(b) [33 USC 1317(b)] of the Clean Water Act but is not owned by a "state" or "municipality" as defined by section 502(3) and 502(4) [33 USC 1362(3) & (4)], respectively, of the Clean Water Act.
   b) the treatment of wastewater received from off-site is the predominant activity performed at the plant site.
4) A recovery operation that recycles or reprocesses hazardous waste which is an off-site material and the operation is exempted from regulation as a TSDF.
5) A recovery operation that recycles or reprocesses used solvent which is an off-site material and the operation is not part of a chemical, petroleum, or other manufacturing process that is required to use air emission controls by another subpart of 40 CFR 63.
6) A recovery operation that re-refines or reprocesses used oil which is an off-site material and the operation is regulated under 40 CFR 279 subpart F - Standards for Used Oil Processors and Refiners.

Exemptions

The following materials are not off-site materials and therefore are exempt from the OSWRO NESHAP:

- Household waste as defined in 40 CFR 258.2.
- Radioactive mixed waste managed in accordance with all applicable regulations under Atomic Energy Act and Nuclear Waste Policy Act authorities.

- Waste that is generated as a result of implementing remedial activities required under the Resource Conservation and Recovery Act (RCRA) corrective action authorities under RCRA sections 3004(u) [42 USC 6924], 3004(v) [42 USC 6924], or 3008(h) [42 USC 6928], Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) authorities, or similar Federal or State authorities.
- Waste containing HAP that is generated by residential households (e.g., old paint, home garden pesticides) and subsequently is collected as a community service by government agencies, businesses, or other organizations for the purpose of promoting the proper disposal of this waste.
- Waste that is transferred from a chemical manufacturing plant or other facility for which both of the following conditions apply to the waste:

    1. The management of the waste at the facility is required either under 40 CFR 63 subpart F--National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry or under another subpart in 40 CFR 63 to meet the air emission control standards for process wastewater specified in §§63.132 through 63.147 of 40 CFR 63 Subpart G; and

    2. The owner or operator of the facility from which the waste is transferred has complied with the provisions of 40 CFR 63.132(g)(1)(ii) and (g)(2).

- Waste that is transferred from a chemical manufacturing plant, petroleum refinery, or coke by-product recovery plant which is subject to 40 CFR 61 subpart FF--National Emission Standards for Benzene Waste Operations, and for which both of the following conditions apply to the waste:

    1. The waste is generated at a facility that is not exempted under the provisions of 40 CFR 61.342(a) from meeting the air emission control standards of 40 CFR 61 subpart FF; and

    2. The owner or operator of the facility from which the waste is transferred has complied with the provisions of 40 CFR 61.342(f)(2).

- Hazardous waste that is stored for 10 days or less at a transfer facility in compliance with the provisions of 40 CFR 263.12.
- Ship ballast water pumped from a ship to an onshore wastewater treatment facility.

The following off-site material management units are exempt:

- Units subject to and in compliance with another subpart under 40 CFR 61 or 40 CFR 63.

- One or more units can be exempted from most requirements provided that the total (cumulative) annual quantity of HAP contained in the off-site material placed in the exempt units is less than 1 megagram per year. In fact, all units at a plant site can be exempted if the plant site received less than 1 megagram per year of off-site waste. Owners taking advantage of this exemption are still technically affected by the NESHAP and must submit the appropriate notifications. Owners may change the selection of the off-site material management units to be exempted by preparing a new designation for the exempt units and a new determination. Owners must also comply with the following requirements:

  1. Prepare an initial determination of the total annual HAP quantity in the off-site material. This determination is made at the point this material is placed in the exempted unit. Maintain documentation to support that the total annual HAP quantity of the off-site material placed in the exempt units does not exceed 1 megagram per year. Owners must perform a new determination whenever the extent of the changes to the composition or quantity could cause the total annual HAP content in the off-site material to exceed 1 megagram per year.
  2. Permanently mark each of these units so that they can be readily identified as exempt and be distinguished from other nonexempt units located at the plant site or provide written notification identifying the exempt-units. A written notification must include a site plan, process diagram or other appropriate documentation identifying each of the exempt units.

- Tanks or surface impoundments that are used for a biological treatment process that destroys or degrades the HAP contained in the material entering the unit, such that the following condition is met:

  1. The HAP reduction efficiency (R) for the process is equal to or greater than 95 percent, and the HAP biodegradation efficiency (R_{bio}) for the process is equal to or greater than 95 percent. The HAP biodegradation efficiency (R_{bio}) shall be determined in accordance with the requirements of § 63.694(h).

- The total actual HAP mass removal rate for the off-site material treated by the biological treatment process is equal to or greater than the required HAP mass removal rate (RMR) for the off-site material. The total actual HAP mass removal rate must be determined in accordance with the requirements of § 63.694(i). The required HAP mass removal rate (RMR) must be determined in accordance with the requirements of § 63.694(e).

- An off-site material management unit is exempted from the requirements if the off-site material placed in the unit is a hazardous waste that meet all of the following conditions:

1. The hazardous waste meets the numerical organic concentration limits, applicable to the hazardous waste, as specified in 40 CFR 268--Land Disposal Restrictions, listed in the table, ``Treatment Standards for Hazardous Waste'' in 40 CFR 268.40.

2. The organic hazardous constituents in the hazardous waste have been treated by the treatment technology established by the EPA for the hazardous waste in 40 CFR 268.42(a), or have been removed or destroyed by an equivalent method of treatment approved by the EPA under 40 CFR 268.42(b).

- A tank used for bulk feed of off-site material to a waste incinerator is exempted from the requirements if the tank meets all of the conditions:

1. The tank is located inside an enclosure vented to a control device that is designed and operated in accordance with all applicable requirements specified under 40 CFR 61 subpart FF--National Emission Standards for Benzene Waste Operations for a facility at which the total annual benzene quantity from the facility waste is equal to or greater than 10 megagrams per year;

2. The enclosure and control device serving the tank were installed and began operation prior to July 1, 1996; and

3. The enclosure is designed and operated in accordance with the criteria for a permanent total enclosure as specified in ``Procedure T--Criteria for and Verification of a Permanent or Temporary Total Enclosure'' under 40 CFR 52.741, appendix B. The enclosure may have permanent or temporary openings to allow worker access; passage of material into or out of the enclosure by conveyor, vehicles, or other mechanical or electrical equipment; or to direct air flow into the enclosure. The owner or operator must annually perform the verification procedure for the enclosure as specified in Section 5.0 to ``Procedure T--Criteria for and Verification of a Permanent or Temporary Total Enclosure.''

Key Definitions

Emission point means an individual tank, surface impoundment, container, oil-water or organic-water separator, transfer system, process vent, or enclosure.

Maximum HAP vapor pressure means the sum of the individual HAP equilibrium partial pressure exerted by an off-site material at the temperature equal to either: the local maximum monthly average temperature as reported by the National Weather Service when the off-site material is stored or treated at ambient temperature; or the highest calendar-month average temperature of the off-site material when the off-site material is stored at temperatures above the ambient temperature or when the off-site material is stored or treated at temperatures below

the ambient temperature. For the purpose of this subpart, maximum HAP vapor pressure is determined using the procedures specified in § 63.694(j) of this subpart.

Plant site means all contiguous or adjoining property that is under common control including properties that are separated only by a road or other public right-of-way. Common control includes properties that are owned, leased, or operated by the same entity, parent entity, subsidiary, or any combination thereof. A unit or group of units within a contiguous property that are not under common control (e.g., a wastewater treatment unit or solvent recovery unit located at the site but is sold to a different company) is a different plant site.

Point-of-delivery means the point at the boundary or within the plant site where the owner or operator first accepts custody, takes possession, or assumes responsibility for the management of an off-site material stream managed in a waste management operation or recovery operation specified in § 63.680(a)(2)(i) through (a)(2)(vi) of this subpart. The characteristics of an off-site material stream are determined prior to combining the off-site material stream with other off-site material streams or with any other materials.

Point-of-treatment means a point after the treated material exits the treatment process but before the first point downstream of the treatment process exit where the organic constituents in the treated material have the potential to volatilize and be released to the atmosphere. For the purpose of applying this definition to this subpart, the first point downstream of the treatment process exit is not a fugitive emission point due to an equipment leak from any of the following equipment components: pumps, compressors, valves, connectors, instrumentation systems, or safety devices.

Volatile organic hazardous air pollutant concentration or VOHAP concentration means the fraction by weight of those compounds listed in **Table 1** of this subpart that are in an off-site material as measured using Method 305 in appendix A of this part and expressed in terms of parts per million (ppm). As an alternative to using Method 305, an owner or operator may determine the HAP concentration of an off-site material using any one of the other test methods specified in Sec. 63.694(b)(2)(ii) of this subpart. When a test method specified in Sec. 63.694(b)(2)(ii) of this subpart other than Method 305 is used to determine the speciated HAP concentration of an off-site material, the individual compound concentration may be adjusted by the corresponding value listed in Table 1 of this subpart to determine a VOHAP concentration.

TABLE 1. LIST OF HAZARDOUS AIR POLLUTANTS (HAP) FOR SUBPART DD

CAS No. [a]	Chemical Name	$f_{m\ 305}$
75070	Acetaldehyde	1.000
75058	Acetonitrile	0.989
98862	Acetophenone	0.314
107028	Acrolein	1.000
107131	Acrylonitrile	0.999
107051	Allyl chloride	1.000
71432	Benzene (includes benzene in gasoline)	1.000
98077	Benzotrichloride (isomers and mixture)	0.958
100447	Benzyl chloride	1.000
92524	Biphenyl	0.864
542881	Bis(chloromethyl)ether [b]	0.999
75252	Bromoform	0.998
106990	1,3-Butadiene	1.000
75150	Carbon disulfide	1.000
56235	Carbon tetrachloride	1.000
43581	Carbonyl sulfide	1.000
133904	Chloramben	0.633
108907	Chlorobenzene	1.000
67663	Chloroform	1.000
107302	Chloromethyl methyl ether [b]	1.000
126998	Chloroprene	1.000
98828	Cumene	1.000
94757	2,4-D, salts and esters	0.167
334883	Diazomethane[c]	0.999
132649	Dibenzofurans	0.967
96128	1,2-Dibromo-3-chloropropane	1.000
106467	1,4-Dichlorobenzene(p)	1.000
107062	Dichloroethane (Ethylene dichloride)	1.000
111444	Dichloroethyl ether (Bis(2-chloroethyl ether)	0.757
542756	1,3-Dichloropropene	1.000
79447	Dimethyl carbamoyl chloride[c]	0.150
57147	1,1-Dimethyl hydrazine	0.383
64675	Diethyl sulfate	0.0025
77781	Dimethyl sulfate	0.086
121697	N,N-Dimethylaniline	0.0008
51285	2,4-Dinitrophenol	0.0077
121142	2,4-Dinitrotoluene	0.0848
123911	1,4-Dioxane (1,4-Diethyleneoxide)	0.869
106898	Epichlorohydrin (1-Chloro-2,3-epoxypropane)	0.939
106887	1,2-Epoxybutane	1.000
140885	Ethyl acrylate	1.000
100414	Ethyl benzene	1.000
75003	Ethyl chloride (Chloroethane)	1.000
106934	Ethylene dibromide (Dibromoethane)	0.999

TABLE 1. LIST OF HAZARDOUS AIR POLLUTANTS (HAP) FOR SUBPART DD

CAS No. [a]	Chemical Name	$f_{m\ 305}$
107062	Ethylene dichloride (1,2-Dichloroethane)	1.000
151564	Ethylene imine (Aziridine)	0.867
75218	Ethylene oxide	1.000
75343	Ethylidene dichloride (1,1-Dichloroethane)	1.000
	Glycol ethers[d]	[e]
118741	Hexachlorobenzene	0.97
87683	Hexachlorobutadiene	0.88
67721	Hexachloroethane	0.499
110543	Hexane	1.000
78591	Isophorone	0.506
58899	Lindane (all isomers)	1.000
67561	Methanol	0.855
74839	Methyl bromide (Bromomethane)	1.000
74873	Methyl chloride (Choromethane)	1.000
71556	Methyl chloroform (1,1,1-Trichloroethane)	1.000
78933	Methyl ethyl ketone (2-Butanone)	0.990
74884	Methyl iodide (Iodomethane)	1.000
108101	Methyl isobutyl ketone (Hexone)	0.979
624839	Methyl isocyanate	1.000
80626	Methyl methacrylate	0.999
1634044	Methyl tert butyl ether	1.000
75092	Methylene chloride (Dichloromethane)	1.000
91203	Naphthalene	0.994
98953	Nitrobenzene	0.394
79469	2-Nitropropane	0.989
82688	Pentachloronitrobenzene (Quintobenzene)	0.839
87865	Pentachlorophenol	0.0898
75445	Phosgene [c]	1.000
123386	Propionaldehyde	0.999
78875	Propylene dichloride (1,2-Dichloropropane)	1.000
75569	Propylene oxide	1.000
75558	1,2-Propylenimine (2-Methyl aziridine)	0.945
100425	Styrene	1.000
96093	Styrene oxide	0.830
79345	1,1,2,2-Tetrachloroethane	0.999
127184	Tetrachloroethylene (Perchloroethylene)	1.000
108883	Toluene	1.000
95534	o-Toluidine	0.152
120821	1,2,4-Trichlorobenzene	1.000
71556	1,1,1-Trichloroethane (Methyl chlorform)	1.000
79005	1,1,2-Trichloroethane (Vinyl trichloride)	1.000
79016	Trichloroethylene	1.000
95954	2,4,5-Trichlorophenol	0.108
88062	2,4,6-Trichlorophenol	0.132
121448	Triethylamine	1.000
540841	2,2,4-Trimethylpentane	1.000

TABLE 1. LIST OF HAZARDOUS AIR POLLUTANTS (HAP) FOR SUBPART DD

CAS No. [a]	Chemical Name	$f_{m\ 305}$
108054	Vinyl acetate	1.000
593602	Vinyl bromide	1.000
75014	Vinyl chloride	1.000
75354	Vinylidene chloride (1,1-Dichloroethylene)	1.000
1330207	Xylenes (isomers and mixture)	1.000
95476	o-Xylenes	1.000
108383	m-Xylenes	1.000
106423	p-Xylenes	1.000

Notes: $f_{m\ 305}$ = Method 305 fraction measure factor
a. CAS numbers refer to the Chemical Abstracts Services registry number assigned to specific compounds, isomers, or mixtures of compounds.
b. Denotes a HAP that hydrolyzes quickly in water, but the hydrolysis products are also HAP chemicals.
c. Denotes a HAP that may react violently with water, exercise caustic is an expected analyte.
d. Denotes a HAP that hydrolyzes slowly in water.
e. Several glycol ethers meet the criteria used to select HAP for the purposes of this subpart. The $f_{m\ 305}$ factors for some of the more common glycol ethers are listed:Ethylene glycol dimethyl ether ($f_{m\ 305}$ = 0.861), Ethylene glycol monoethyl ether acetate ($f_{m\ 305}$ = 0.0887), Ethylene glycol monomethyl ether acetate ($f_{m\ 305}$ = 0.0926), Diethylene glycol diethyl ether ($f_{m\ 305}$ = 0.216)

Standards

The owner or operator shall control the air emissions from each affected source in accordance with the following requirements:

- For each off-site material management unit that is part of an affected source, the owner or operator shall perform one of the following:
  1. Install and operate air emission controls on the off-site material management unit in accordance with the standards specified in §§ 63.685, 63.686, 63.687, 63.688, and 63.689; or
  2. Treat the off-site material to remove or destroy the HAP in accordance with the treatment standards specified in § 63.684 before placing the material in the off-site material management unit; or
  3. Determine that the average VOHAP concentration of each off-site material stream managed in the off-site material unit remains at a level less than 500 parts per million by weight (ppmw) based on the HAP content of the off-site material stream at the point-of-delivery.
- For each process vent that is part of an affected source, the owner or operator shall control the HAP emitted from the process vent by implementing one of the following control measures.
  1. Install and operate air emission controls on the process vent in accordance with the standards specified in § 63.690.
  2. Determine that the average VOHAP concentration of each off-site material stream managed in the unit on which the process vent is used remains at a

level less than 500 parts per million by weight (ppmw) based on the HAP content of the off-site material stream at the point-of-delivery.

- For each equipment component that is part of an affected source and meets the owner or operator shall control the HAP emitted from equipment leaks by implementing control measures in accordance with the standards specified in § 63.691 and meet one of the following:
  1. The equipment component contains or contacts off-site material having a total HAP concentration equal to or greater than 10 percent by weight;
  2. The equipment piece is a pump, compressor, agitator, pressure relief device, sampling connection system, open-ended valve or line, valve, connector, or instrumentation system; and
  3. The equipment piece is intended to operate 300 hours or more during a 12 month period.

NESHAP General Provisions

Table 2 of Subpart DD shows which sections of the NESHAP General Provisions (40 CFR 63 Subpart A) apply to sources affected by this rule. Sections 63.694, 63.695, 63.696, and 63.697 of Subpart DD contains additional testing, monitoring, recordkeeping and reporting requirements.

Relationship of OSWRO NESHAP To Other EPA Regulatory Actions

Resource Conservation and Recovery Act (RCRA)

RCRA has rules in 40 CFR 260 through 271 regulating hazardous waste. Municipal solid wastes and other types of non-hazardous solid wastes are regulated by rules in 40 CFR 257 and 258.

To avoid duplication between RCRA and CAA certain types of wastes regulated under RCRA are excluded from the definition of "off-site material" (see applicability section of this appendix). As it stands now, hazardous waste treatment, storage, and disposal facilities (TSDF) are potentially subject to both the OSWRO NESHAP and RCRA air rules under 40 CFR 264 subpart AA, 40 CFR 264 subpart BB, 40 CFR 264 subpart CC, and 40 CFR 265. The EPA decided that the best way to eliminate any regulatory overlap was to amend the RCRA rules to exempt units that are using air emission controls in accordance with the requirements of the OSWRO NESHAP or any other applicable NESHAP. The EPA amended the RCRA rules on 8 Dec 97 (62 FR 64635).

Pollution Prevention ACT

The EPA has incorporated the pollution prevention policy into the NESHAP by requiring off-site materials be treated to remove or destroy HAP prior to management in units open directly to the environment thus ensuring consistency with EPA's pollution prevention policy.

Compliance Deadlines

Existing sources for which construction or reconstruction began on or before 13 Oct 94 must comply by *01 Feb 00*.

New sources for which construction or reconstruction began after 13 Oct 94 must comply by *1 Jul 96 or startup*, whichever is later.

SUBSEQUENT REGULATORY ACTIVITY

20 Jul 99 (64 FR 38949) Amendments

EPA issued significant amendments to the NESHAP. These amendments became effective on 20 Sep 99. EPA amended specific provisions to resolve issues and questions that have arisen after the final rule was issued. Resolutions include:

- The EPA extended the compliance deadline for existing sources to 1 Feb 00.
- EPA extended the initial notification for existing sources to 19 Oct 99.
- For implementing the OSWRO NESHAP, a material is an ``off-site material'' if the material meets all three of the criteria specified in Sec. 63.680(b)(1). To clarify that a given material must meet all three criteria to be considered an ``off-site material,'' the wording in Sec. 63.680(b)(1)(ii) and (b)(1)(iii) is revised by replacing the word ``material'' with the phrase ``waste, used oil, or used solvent.''
- The list of wastes not considered off-site material under the OSWRO NESHAP is amended by adding another waste category under Sec. 63.680(b)(2)(viii). This category is RCRA hazardous waste stored for 10 days or less at a transfer facility and in compliance with the provisions for hazardous waste transporters in 40 CFR part 263. When the EPA was developing the OSWRO NESHAP, they did not intend that subpart DD be applicable to those waste management operations that serve to consolidate multiple, small hazardous waste shipments into a single, larger load which then can be more efficiently delivered to the final destination for the waste. For example, a hazardous waste transporter may use a fleet of trucks to pick up small shipments of hazardous waste from many different waste generators; deliver these shipments to an interim transfer facility where the small shipments are unloaded; store the waste in the shipping containers at the transporter's facility for a short period (10 days or less); and then, when a sufficient quantity of waste has been collected, consolidate the containers as a single load on another truck or railcar for shipment of the waste to the facility where the waste is to be treated or disposed.
- A number of definitions have been revised/added including the definitions for used solvent, "hazardous air pollutant" as used in the OSWRO rule, point of treatment,

and cover. None of the revisions/additions to these definitions have significant effect but are noteworthy.

- A number of process vent exemptions are added.

- In addition there are a number of technical standards that have been revised. These amendments also correct technical omissions, regulatory inconsistencies, and typographical, printing, and grammatical errors.

CONTACTS

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