



WASTE MANAGEMENT
& RADIATION CONTROL

Haz-Rad Reporter

Message from Ty Howard, Director



I am excited to be with the Division of Waste Management and Radiation Control. Our team of employees brings a diverse set of experiences and backgrounds in the environmental field that will help assist industry and small businesses successfully implement their environmental programs and responsibilities.

I believe all successful businesses have a strong culture of environmental stewardship. Environmental stewardship goes beyond ensuring regulatory compliance. It means businesses have a responsibility to act in an environmentally conscientious manner and ensure their operations are maintained in a sustainable way that supports and enhances Utah's quality of life and the environment.

Our goal is to improve quality of life, reduce the impact of operations and products on the environment, and leave our communities in a better place for future generations. Our team is committed to work toward establishing what I refer to as a "compliance cooperative" with industry. This means not only achieving environmental compliance, but going beyond to establish a culture of environmental stewardship that resonates with all employees within a business. When we work cooperatively together to accomplish a single goal we can create and maintain an environment that is both clean and safe for our communities and prosperous for business.

I encourage you to share this goal with us and help make our communities and Utah the best place live.

In this Issue:

Personnel Changes	- 2
2020 Generator Training	- 2
Used Oil	- 3
Episodic Generation	- 4
Waste Tires	- 4
WMRC Email List	- 4
Pharmaceutical Rule	- 5
Hazardous Waste	- 6
E-manifest Updates	- 7
PFAS	- 8
Ask Eleanor	- 8
Universal Waste	- 9
Radioactive Materials	- 9
EnergySolutions Study	- 10
Reporting Guide	- 11

Ty Howard spent many years as a scientist in the Divisions of Environmental Response and Remediation (ERR) and Solid and Hazardous Waste (now WMRC). He served as manager of the Superfund program in ERR, then led the permitting program in the Division of Air Quality. In 2009 he left to serve a leadership role at Select Engineering Services and then Holcim. Ty replaced Scott Anderson as director in March of 2019.

Welcome Scott Baird, DEQ Executive Director

In 2019, Scott Baird was appointed and approved by the Senate as the executive director of the Utah Department of Environmental Quality.

Scott's background includes providing consulting services to state and federal agencies to improve their operations and outcomes. In this capacity he has worked for Deloitte Consulting, the Washington State Auditor's Office, Washington State's Governor's Office of Financial Management, and the Utah Governor's Office of Management and Budget.



Scott joined DEQ in 2014, first serving as the director of legislative and government affairs, then as the deputy director overseeing policy, planning, and operational improvement.



Division Retirements 2019

- Boyd Imai - 18 years
- Rob Powers - 24 years
- Ed Costomiris - 29 years
- Dave Larsen - 31 years
- Bill Craig - 33 years

New Division Personnel 2019

- Ty Howard - Director
- Rebecca Smith - Hazardous Waste
- Bryan Woolf - Solid Waste
- Dale Urban - Corrective Action
- Larry Kellum - Low Level Radioactive Waste



2020 Hazardous Waste Generator Training

Wednesday, May 20 **or**
Thursday, May 21
8:30 a.m. to 4:30 p.m.

Multi Agency State Office Building
Conference Room #1015
195 N 1950 W
Salt Lake City

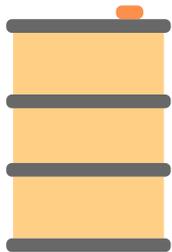
Mark your calendars! The Division is offering two one-day training sessions for generators of hazardous waste.

Please watch our website for registration information via an Event Brite link.

<https://deq.utah.gov/division-waste-management-radiation-control>

Used Oil Recycling Program

The Used Oil Program promotes the proper treatment, storage, and disposal of used oil by eliminating or reducing the obstacles to proper collection and disposal of do-it-yourselfer (DIYer) used oil. This is accomplished through an extensive public education program, by making used oil collection centers more accessible, and by regulating oil handlers including generators, transporters, processors, re-refiners, burners, and marketers.



Utah recycled **8.6 million gallons** of oil in 2018.

Utah has **427 Used Oil Collection Centers** that recycle the public's motor oil for **free**.

In 2019, the Used Oil Collection Center reimbursement payment increased from **\$ 0.16 to \$0.25/gallon**.

Utah has:

35 Transporters | **11** Transfer Facilities | **10** Processors | **25** Marketers



Common Used Oil Violations

Shipping Documentation

- Manifests or Bills of Lading
 - Documents lack halogen testing information
 - Documents lack the words "used oil"
- Transporters collect material as used oil, but the facility receives it as hazardous waste.

Training

- Training requirements described in the permit are not met.

Operations

- Permitted facility modifies operations without modifying the permit.

Used oil management

- Insufficient secondary containment
- Materials missing from spill kit.
- Containers not labeled "used oil."



Episodic Generation - R315-262-231

Under the episodic generation rule, small and very small quantity generators of hazardous waste are allowed one episodic event per calendar year without having to move into a higher generator category.

To qualify, very small and small quantity generators must apply to the Division **30 days prior** to a planned event or **within 72 hours** of an unplanned event by completing EPA Form 8700-12. Completed forms may be emailed to Carlee Christoffersen at cchristoffersen@utah.gov.



For our factsheet with more information, please click the icon at right.



Waste Tire Recycling Program

The 2019 Legislature changed the Waste Tire Act to provide for 100% reimbursement for waste tire pile cleanup to counties of the 3rd through 6th class. This resulted in a cleanup of **295 tons** of waste tires in Moroni City, and reimbursements for Sanpete and Duchesne Counties.



In 2019, the Division developed a Waste Tire Program training brochure to help landfill owners and operators understand the rules and regulations governing management of waste tires. Inspectors have been providing the brochure to landfill operators during inspections.



WMRC Email List



Stay informed on the latest Solid Waste, Hazardous Waste, or Used Oil activities by signing up for our e-mail list.

After selecting your area of interest, you will receive notices on topics such as permit actions, closure and cleanup decisions, site management plans, rule changes, Waste Management and Radiation Control Board agendas, and public comment periods/public hearings.

On this site you may also sign up for email notices regarding Air Quality, Water Quality, or other public participation activities.

To sign up, click the icon at left.

Pharmaceutical Waste Rule

Utah plans to adopt the Pharmaceutical Waste Rule in the spring of 2020

"Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine" was finalized by EPA in 2019 (40 CFR 266 Subpart P).

The rule is intended to:

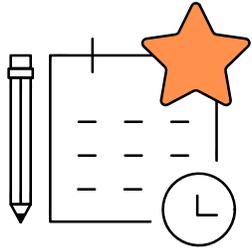
- Create hazardous waste management regulations that fit the healthcare sector and maintain protection of human health and the environment.
- Eliminate the practice of sewerage pharmaceuticals. This is expected to reduce the quantity of pharmaceuticals in drinking and surface waters by 1,644 to 2,300 tons/year, lessening their impacts to aquatic and riparian ecosystems (epa.gov).
- Provide regulatory clarity to reverse distribution and reverse logistics.

The rule has removed FDA approved over-the-counter nicotine replacement therapies from the P075 listing.

- Nicotine patches, gums, and lozenges can be discarded as non-hazardous waste.
- Unused formulations such as liquids in e-cigarette cartridges or vials, prescription nicotine, legacy pesticides, and nicotine used in research or manufacturing are still considered acute hazardous waste with a P075 waste code.

An example list of waste codes for hazardous waste pharmaceuticals is located [here](#).

More detailed information on the rule can also be found at EPA's [website](#).



Retailers of OTC nicotine replacement therapies are encouraged to review their generator status once the rule is adopted.

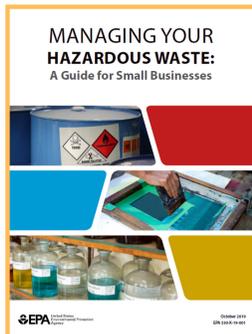


Sewering of Pharmaceuticals Prohibited

40 CFR 266.505

As of August 21, 2019

Resources for Hazardous Waste Generators



EPA has made a new reference guide available to businesses: Managing Your Hazardous Waste. It is available by clicking the icon at left.

In addition, the Division offers business specific onsite training for the regulated community to enhance their understanding of the proper management of their waste streams.

Please call the Division at 801. 536. 0200 if you would like to schedule a training session.



Common Hazardous Waste Violations



Each year inspectors in the Hazardous Waste Section conduct over 100 compliance evaluation inspections. Here are some of the most common issues:

- A waste determination was not made for all waste streams
- Weekly inspections were not conducted
- Containers lacked appropriate labeling:
 - The words "hazardous waste"
 - An indication of the hazard, such as "flammable" or "corrosive"
 - An accumulation start date
- Facility lacks fire extinguishers and equipment for fire control, spill control, and decontamination
- Arrangements have not been made and/or documented with local authorities/emergency services
- Emergency information was not posted next to telephones or waste management areas (Small Quantity Generators)
- Employees were not thoroughly familiar with waste handling/emergency procedures
- Waste accumulation times were exceeded
 - 90 days - Large Quantity Generators
 - 180 days - Small Quantity Generators
- The contingency plan did not have a quick reference guide (Large Quantity Generators)

E-manifest Updates

EPA's electronic hazardous waste shipment tracking system has been in effect since June 1, 2018. It is funded through user fees collected from waste receiving facilities. Fees are based on manifest usage and processing cost for each type.

The fee schedule is effective through September 30, 2021.

Manifest Submission Type	Fee per Manifest
Mailed in Paper Manifest	\$ 25.00
Scanned Image Upload	\$ 20.00
Data + Image Upload	\$ 14.00
Electronic Manifest (Fully Electronic & Hybrid)	\$ 8.00

Shipping manifests are available to the public on RCRAInfo Web. Available data include:

- Manifest tracking number
- Identification numbers & names
- Number and type of containers
- Waste codes
- Management Methods
- Quantity (tons)

For more information on e-Manifest check the following links:

RCRAInfo Web: <https://rcrapublic.epa.gov/rcrainfoweb/action/main-menu/view>
E-Manifest: <https://www.epa.gov/e-manifest>



Large Quantity Generators:

Biennial reports for 2019 are due to the Division by March 1, 2020

Questions may be directed to Carlee Christoffersen:
801.536.0233

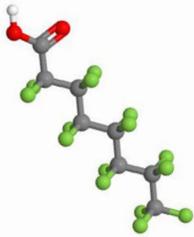
The recycling market is constantly changing. Please check with your local program for up-to-date information on what items are recyclable.



Click the icon above for a link to our list of recycling resources.

Emerging Issue

Departments of Environmental Quality and Health work together to investigate PFAS in Utah



EPA and other states have been investigating the impact of Per- and Polyfluoroalkyl Substances (PFAS) on the environment and human health.

PFAS are a group of thousands of synthetic chemicals that repel oil, water, grease, and stains.

PFAS are used in a variety of products such as non-stick cookware, stain resistant coatings on carpets, water resistant clothing, and fire-fighting foam.

These compounds are very stable and remain in the human body, air, water, and soil for a long time.

Here in Utah, a workgroup has been formed of technical and health experts to investigate PFAS in drinking water and the environment. The workgroup includes representatives from all DEQ Divisions along with the Department of Health, Bureau of Epidemiology.

The workgroup has compiled the available information regarding potential sources of PFAS in Utah. The next step is prioritizing sampling locations to assess whether PFAS is being released currently or was released in the past. Sampling locations and rationale will be available in a Sampling and Analysis Plan on the DEQ website in the future. For more information, please visit: <https://deq.utah.gov/pollutants/per-and-polyfluoroakyl-substances-pfas>



Ask Eleanor

Small Business Assistance Program

Hello. My name is Eleanor Diver and I'm the new DEQ Small Business Assistance Program Coordinator/Ombudsman. My role is to help small businesses with free, confidential, environmental compliance assistance.



Have you ever wondered if you need state or federal air, waste, or storm water permits? I would like to make finding the answers to your environmental questions easier. To contact me, please call 801. 536. 0091, email edivver@utah.gov, or call 800. 578. 8898 for help.

Universal Waste Management - R315-273 UAC

The Universal waste management rules are designed to encourage recycling while easing regulatory burden. Universal waste may be stored for up to one year and be managed as follows:

Universal waste must be labeled with the words "universal waste," "used," or "waste" and the specific waste type:

- batteries
- antifreeze
- pesticides
- aerosol cans
- lamps
- mercury containing equipment

The container must be marked with an accumulation start date or be tracked via inventory.

The waste must be properly contained in structurally sound, compatible containers that remain closed unless adding or removing waste.

For example: fluorescent lamp boxes must be closed and fastened with tape, straps, clamps or a similar device that prevents them from breaking or spilling.



Radioactive Materials Program - Common Inspection Findings

In fiscal year 2019, staff in the Radioactive Materials Program conducted 87 license inspections. Some of the common violations included:



1. Annual program audits were not conducted.
2. Leak testing was not conducted at the required frequency for the source material.
3. Material was stored in a location not allowed by the license.

EnergySolutions Studies Low-Activity Radioactive Waste (LARW) Cell Cover

Low-level Radioactive Waste Program

In 2001, EnergySolutions closed its LARW cell and constructed a test pad (Cover Test Cell) to model and monitor embankment infiltration.

Unfortunately, the monitoring equipment was struck by lightning, preventing it from monitoring as designed.

In September 2019, the Cover Test Cell was deconstructed layer-by-layer to measure soil moisture and horizontal drainage in each layer. Samples from each layer will help to confirm whether the modeling parameters for infiltration and transport models used in the design of the embankments were accurate.

The data collected by deconstructing the Cover Test Cell will also support future modeling for on-going low-level radioactive waste disposal at EnergySolutions.



The Cover Test Cell prior to deconstruction.



Removal of rock cover to expose the upper filter layer for examination and sampling.



Preparing to measure the moisture content of the upper filter layer using a Troxler gauge.



Exposed Upper Radon Barrier layer, preparing to sample and measure moisture content.



Environmental Regulatory Reporting Reference Guide



DEQ maintains a summary of state and federal regulations that require notification(s) in the event of equipment malfunctions, spills, explosions, or other types of environmental incidents. The timing, required reporting information, and contact numbers are included. The summary covers regulations for:

- Air Quality
- Water Quality
- Radioactive materials
- Used Oil
- Hazardous Waste/Hazardous Materials
- Releases from Underground Storage Tanks

The summary is available here: <https://documents.deq.utah.gov/environmental-response-and-remediation/serc/DERR-2019-015682.pdf>



Newsletter Contributors

Tom Ball, WMRC
Charles Bishop, WMRC
Christopher Bittner, WQ
Benjamin Brown, WQ
Tim Butler, WMRC
Leonardo Calcagno, WMRC
Eleanor Diver, OPPA

Ty Howard, WMRC
Jalynn Knudsen, WMRC
Deborah Ng, WMRC
Christine Osborne, OPPA
Rebecca Smith, WMRC
Don Verbica, WMRC
Editor: Kari Lundeen, WMRC



**WASTE MANAGEMENT
& RADIATION CONTROL**

195 North 1950 West, Salt Lake City, UT 84116

801. 536. 0200

<https://deq.utah.gov/division-waste-management-radiation-control>