

Final Rulemaking: Exclusion for Chapter 261a, Identification and Listing of Hazardous Waste

Waste Management Disposal Services of PA
Petition to Amend Existing Exclusion for Multi-Source
Wastewater Treatment Sludge Filter Cake (F039)

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Amendment to Pennsylvania's Hazardous Waste Regulations

- Amend an existing delisting from classification as hazardous waste for wastewater treatment sludge filter cake produced at Waste Management's landfill in Falls Township, Bucks County.
- Filter cake results from treatment of wastewater containing a mixture of multi-source hazardous waste leachate (EPA listing code F039) from closed portion and leachate from active non-hazardous landfill.
- Amendment requested to increase maximum annual volume of delisted filter cake from 2,000 cubic yards to 4,000 cubic yards.

Waste Management's Petition

- December 17, 2008 – Waste Management submitted the delisting amendment petition containing:
 - ◆ Three years of verification testing program sampling data;
 - ◆ Computer modeling results using US EPA's Delisting Risk Assessment Software (DRAS) and increased maximum annual volume of filter cake.

Petition History

- April 21, 2009 – Board accepted petition and directed the Department to conduct a technical review.
- June 1, 2009 – Department notified Bucks County and Falls Township of the petitioned request (no comments were received).
- June 16, 2009 – Department presented results of its technical evaluation, received Board approval.
- August 18, 2009 – Board approved proposed rulemaking.
- November 7, 2009 – Published for 30-day public comment period (no comments received).

Minor Changes to Proposed Rulemaking

- Incorrect placement of proposed delisting text in Table 2a, Wastes Excluded from Specific Sources.
 - ◆ F039 is a Non-Specific Source listed waste.
 - ◆ New Table 1a created.
- Two other minor editorial corrections.
- No substantive changes.

Summary of Final Rule

- Increases maximum annual volume of delisted filter cake from 2,000 cu.yds. to 4,000 cu.yds.
- Revises maximum allowable constituent concentrations based on Toxicity Characteristic Leaching Procedure (TCLP) testing of filter cake (levels are more stringent based on DRAS modeling of increased annual volume).
- Continues existing requirements for verification sampling and analyses.
- Delisted filter cake must be disposed in a RCRA Subtitle D/Pennsylvania Class I residual waste landfill permitted to accept such waste and subject to groundwater monitoring.

Thank You!

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