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Office of Solid Waste

EPA

Environmental Fact Sheet

ENVIRONMENTAL PROTECTION AGENCY WILL LIST THREE OF THE 14 RESIDUALS FROM PETROLEUM REFINING PROCESSES

Proposal to update the hazardous waste characteristic of ignitability under the Resource Conservation and Recovery Act (RCRA) and to list three of the 14 residuals from petroleum refining processes. This action also proposes to designate the wastes proposed for listing as hazardous substances subject to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and to adjust the one-pound statutory reportable quantities (RQs) for these substances. The proposed rule also modifies the definition of solid wastes with respect to oil bearing materials that are reinserted into the refining process.

Background

The Hazardous and Solid Waste Amendments of 1984 obligated the Agency to study and make a hazardous waste listing determination of "refining wastes." Because EPA failed to meet the Congressional deadlines, the Agency was sued by the Environmental Defense Fund (EDF) and in July, 1989 entered into a consent agreement schedule of rulemakings. This schedule among other things, obligates the Agency to make its listing determination on fourteen specified wastes from petroleum refining on or before August 31, 1995. This date was subsequently extended until October 31, 1995.

Before drafting this proposal, the Agency surveyed all operating refineries and conducted 20 site visits and collected representative samples of each of the residuals being studied. The results of this data collection effort have been shared with the facilities, the American Petroleum Institute and the National Petroleum Refiners Association to the greatest extent possible.

Action

This action proposes to amend the regulations for hazardous waste management under RCRA by updating the characteristic of ignitability by listing as hazardous wastes three of 14 residuals from petroleum refining processes which the Agency has evaluated. This action also proposes to designate the waste proposed for listing as hazardous substances subject to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and to adjust the one-pound statutory reportable quantities (RQs)

for these substances. The rule also modifies the definition of solid wastes with respect to oil-bearing materials that are reinserted into the refining process.

Conclusion

This proposed rule identifies wastes which currently exhibit unacceptable risks during existing management practices and identifies other management practices that are found to provide acceptable risks. The rule provides an opportunity to reshape the management of these wastes in a manner that is protective of human health and the environment, while at the same time providing industry with great latitude to manage oil-bearing materials in the most economically feasible manner.

More Information

The *Federal Register* notice and this fact sheet are available in electronic format on the Internet System through the EPA Public Access Server. For the text of the notice, choose: Rules, Regulations, and Legislation/The Federal Register (FR) Environmental Subset/FR-Waste/Year/Month/Day. This fact sheet is available under: EPA Offices and Regions/ Office of Solid Waste and Emergency Response (OSWER)/Office of Solid Waste/Hazardous Waste-Subtitle C/Hazardous Waste Identification/General.

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