

HAZARDOUS MATERIALS

**Some of the regulatory summaries referenced from U.S. Northern Review publication and FedCenter.gov.

FEDERAL

FINAL:

FINAL AUTHORIZATION OF STATE HAZARDOUS WASTE MANAGEMENT PROGRAM REVISIONS. USEPA has issued a direct final rule granting final authorization of revisions to the state of Maryland's hazardous waste program under the Resource Conservation and Recovery Act (RCRA) ([81 FR 59503](#)). The revisions correspond to certain federal rules promulgated between 14 JAN 85 and 5 AUG 05. Barring adverse comment the direct final rule becomes effective on 31 OCT 16.

EPCRA REPORTING: MINOR CORRECTIONS USEPA has issued a final rule that amends existing hazard categories for hazardous chemical inventory form reporting under the Emergency Planning and Community Right-to-Know Act (EPCRA) Section 312 and for list reporting under section 311 ([81 FR 38104](#)). The amendments align USEPA requirements with recent changes to the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard (HCS). In addition, USEPA released a minor correction to its 13 JUN 16 final rule amendment ([81 FR 47311](#)). The June amendment inadvertently omitted the hazard "serious eye damage or eye irritation" in Section 370.66 under the definition of "health hazard." The compliance date for the amendments and correction is 1 JAN 18.

PROPOSED:

HAZARDOUS MATERIALS: HARMONIZATION WITH INTERNATIONAL STANDARDS PHMSA proposes to amend the Hazardous Materials Regulations (HMR) to maintain consistency with international regulations and standards by incorporating various amendments, including changes to proper shipping names, hazard classes, packing groups, special provisions, packaging authorizations, air transport quantity limitations, and vessel stowage requirements ([81 FR 61741](#)).

HAZARDOUS WASTE E-MANIFEST FEES AND AMENDMENTS USEPA has proposed a user fee methodology to establish fees for use of the electronic hazardous waste manifest (e-Manifest) system ([81 FR 49071](#)). After final implementation of the e-Manifest system, certain users would be required to pay a fee for each electronic and paper manifest. The proposed rule would affect commercial transportation, storage, and disposal facilities (TSDFs) that receive hazardous and state-only regulated wastes from off-site for management at their permitted or interim status facilities. Under the proposed rule, these commercial TSDFs would be the focal point for the payment and collection of the user fees. The fees are intended to recover costs incurred by USEPA to develop and operate the new e-Manifest system. In addition, USEPA has proposed a suite of amendments to the regulations governing the use of electronic hazardous waste manifests and the completion of manifests.

OTHER:

TOXIC RELEASE INVENTORY USEPA has released the [Preliminary 2015 Toxics Release Inventory \(TRI\) dataset](#), which contains the most current data on toxic chemical releases and pollution prevention activities at U.S. industrial facilities. USEPA will update the dataset several times during the summer and early fall based on information from facilities. The TRI program releases the dataset each July to find TRI data for facilities in local communities prior to the publication of the TRI National Analysis report in January.

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STATE

FINAL:

AMENDMENTS TO DISPOSAL OF CONTROLLED HAZARDOUS SUBSTANCES REGULATION The Maryland Department of the Environment (MDE) has adopted amendments to the disposal of controlled hazardous substances regulations. The amendments incorporate various provisions that have been promulgated by USEPA, including rules concerning electronic recycling, dredged material, “delisted” hazardous waste, and universal waste. The proposed amendments update: (1) COMAR 26.13.01 - Hazardous Waste Management System: General; (2) COMAR 26.13.02 - Identification and Listing of Hazardous Waste; and (3) COMAR 26.13.10 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities. The amendments became effective on 18 JAN 2016.

FEDERAL

FINAL:

EPCRA REPORTING USEPA issued a final rule amending the existing hazard categories for hazardous chemical inventory form reporting under the Emergency Planning and Community Right-to-Know Act (EPCRA) Section 312 and for list reporting under section 311 (81 FR 38104). The final rule became effective on 13 JUN 16.

HAZMAT TRANSPORTATION The Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a final rule adopting a suite of amendments to the Hazardous Material Regulation (81 FR 35483). The final rule became effective on 5 JUL 16.

LITHIUM ION BATTERY SAFETY ADVISORY The Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a safety advisory notice to inform persons engaged in the transport of lithium batteries in commerce of recent actions taken by the International Civil Aviation Organization (ICAO) to enhance the safe transport of lithium batteries by air (81 FR 20443). The ICAO amended the 2015-2016 edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air.

REVERSE LOGISTICS FOR HAZARDOUS MATERIALS The Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a final rule applicable to reverse logistics shipments of certain hazardous materials by highway transportation (81 FR 18527). The final rule became effective on 31 MAR 16.

SAFE TRANSPORTATION OF BULK EXPLOSIVES The U.S. Department of Transportation issued a final rule amending the Hazardous Materials Regulations (80 FR 79423). The final rule became effective on 20 JAN 2016.

HAZARDOUS SECONDARY MATERIALS RECYCLING The USEPA finalized new safeguards that promote responsible hazardous secondary materials recycling. The final rule modifies the USEPA’s 2008 Definition of Solid Waste rule to ensure it protects human health and the environment from the mismanagement of hazardous secondary materials intended for recycling, while promoting sustainability through the encouragement of safe and environmentally responsible recycling of such materials. Docket: EPA-HQ-RCRA-2010-0742.

PROPOSED:

HAZARDOUS MATERIALS REGULATION , PHMSA issued a proposed rule amending the Hazardous Materials Regulation by updating, clarifying, or providing relief from miscellaneous regulatory requirements. (81 FR 42609).

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OTHER

HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM AND ADVISORY BOARD USEPA announced the membership of its Hazardous Waste Electronic Manifest Advisory Board. The board will advise and provide guidance on the development and use of an electronic system for tracking hazardous waste shipments throughout the U.S. USEPA intends to deploy the e-manifest system in the spring of 2018.

