

SOUTH CAROLINA HAZARDOUS WASTE MANAGEMENT REGULATIONS

May 2010



**Promulgated Pursuant to Sections 48-1-10 et seq. and 44-56-30
of the 1976 South Carolina Code of Laws**

**Supersedes
Regulations R.61-79.124, R.61-79.260 through .266,
.268, .270 and .273**

Previously Amended June 27, 2008

See reverse to obtain copies of all DHEC regulations

R.61-79 is online at http://www.scdhec.gov/lwm/html/wm_rcraregs.htm

Note to Users

This amendment to R.61-79 is effective May 28, 2010, superseding the June 27, 2008 amendment. The federal equivalent to R. 61-79 is amended throughout the year. This document reflects federal amendments published in the Federal Register between July 1, 2007, and June 30, 2008.

South Carolina has amended its hazardous waste management regulations to be consistent with recent changes made to the federal hazardous waste regulations. Three rules were optional to states, and the Department chose to adopt all three rules to maintain conformity with federal regulations.

The first federal amendment is an exclusion for oil-bearing secondary materials to produce synthesis gas. This rule allows secondary materials generated at a petroleum refinery to be recycled by inserting them back into the petroleum refining process called "gasification." These secondary materials are then excluded from the definition of hazardous waste when they are legitimately recycled. This rule was published in the *Federal Register* at 73 FR 57 on January 2, 2008.

The second federal amendment is a rule that finalizes standards for hazardous waste combustors. It clarifies compliance monitoring provisions and corrects typographical errors and omissions. This amendment was published in the *Federal Register* at 73 FR 18970 on April 8, 2008.

The third federal amendment exempts wastewater treatment sludge generated from zinc phosphate processes used in automobile assembly from the definition of hazardous waste, provided the sludges are disposed of in a properly designed landfill. This amendment was published in the *Federal Register* at 73 FR 31756 on June 4, 2008.

In addition to the three federal amendments, the Division re-inserted a state specific compliance checklist requirement for hazardous waste facilities that was previously overwritten by a federal NESHAP rule. The checklist provides a useful tool for inspections.

Finally, the Division put federal hazardous waste manifest language into the state regulations verbatim instead of referencing the *Federal Register* for the language. This would provide the exact language to inspectors and facilities for clarity.

The State is required to adopt certain federal amendments to maintain authorization by the United States Environmental Protection Agency for the State Hazardous Waste Management Program.

All DHEC regulations are available from the Freedom of Information (FOI) Office - fax (803) 898-3816

To obtain copies of R.61-79:

- http://www.scdhec.gov/lwm/html/wm_rcraregs.htm (the Bureau website)
- FOI office: either hard copy or CD (pdf) for \$25

For further information regarding the State's hazardous waste regulations, contact (803)896-4254 or: http://www.scdhec.gov/lwm/html/wm_rcraregs.htm

PLEASE NOTE: This copy of the regulation is provided by the Department of Health and Environmental Control (Department) for the convenience of the public. While every effort has been made to ensure its accuracy and completeness, it is not the official text. The Department reserves the right to withdraw or correct the text if deviations are found from the official text as published in the *State Register*