

# PRACTICAL SOLUTIONS

Environmental Advantage, Inc. & Hazard Evaluations, Inc.  
Quarterly Newsletter

Spring 2020

## Important Compliance Dates & Deadlines for 2020:

Air Title V  
Emission  
Statement  
**April 15<sup>th</sup>**

TP-550  
Quarter 1  
2020  
**April 20<sup>th</sup>**

Quarter 1  
Stormwater  
DMR  
**April 28<sup>th</sup>**

EPCRA  
Section 313  
(form R)  
**July 1<sup>st</sup>**

Hazardous  
Waste  
Reduction Plan  
**July 1<sup>st</sup>**

VISIT US  
ONLINE AT:  
[envadvantage.com](http://envadvantage.com)  
[hazardevaluations.com](http://hazardevaluations.com)

OR CALL:  
(716) 667-3130

## TSCA 2020 Chemical Data Reporting Cycle Reminder



The submittal period for the Toxic Substances Control Act (TSCA) Chemical Data Reporting (CDR) 2020 cycle begins June 1, 2020 and ends November 30, 2020. Those subject to reporting are required to submit various chemical manufacturing and importing information during the submittal period, via USEPA's CDX program for calendar years 2016 through 2019. This reporting is required every four years, and may be more widely applicable than most facilities expect. While the USEPA has not yet finalized all portions of a proposed rule to revise the CDR requirements and some reporting thresholds, the same basic applicability standards apply for the 2020 reporting cycle. For example, a facility that imports chemicals or mixtures containing certain chemicals, over an applicable reporting threshold, that is not otherwise exempted (i.e., via the small manufacturer standards) would be required to report that information for the 2020 reporting cycle. Chemicals subject to reporting include those listed on the TSCA Inventory, which is an incredibly broad list of materials, including hazardous substances and byproducts as well. For assistance determining your facility's applicability to TSCA CDR, call Environmental Advantage today.

## Updates to USEPA's Risk Management Program (RMP)



The USEPA has finalized changes to the Risk Management Program (RMP) Amendments, which became effective on December 19, 2019 to better address potential security risks, reduce unnecessary and ineffective regulatory burdens on facilities and emergency responders, and harmonize rather than conflict with OSHA's Process Safety Management (PSM Standard). The changes are also intended to promote better emergency planning and public information about accidents and continue the trend of fewer significant accidents involving chemicals regulated under the RMP rule.

Some of the updates that are part of the finalized changes include: Enhanced Local Emergency Coordination Requirements requiring annual coordination with emergency responders, annual notification drills, field and tabletop exercises (if applicable), and Public Meeting requirements in the event of a reportable release with environmental impacts.

If you have not already had internal discussions on complying with the updated RMP regulations and how its requirements will affect your process and facility, **NOW IS THE TIME!!!** HEI provides hands-on assistance to ensure that you understand how the changes will affect your facility and program. With all of the confusion surrounding the new regulations, the associated compliance dates, and what is actually required to achieve compliance, Hazard Evaluations will ensure that all of the steps and effort your team takes towards achieving compliance are efficient, effective, and can actually be implemented.

## Addition of PFAS Substances to TRI List



Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are substances historically used in textile coatings, paper products, cookware, food packaging, and firefighting foams. PFAS have the potential to be bioaccumulative, persistent in the environment, and have been found to cause major human health problems, such as cancer and other long-term detrimental effects. For these reasons, as of January 1, 2020, the United States Environmental Protection Agency (USEPA) added 172 certain PFAS to the list of chemicals covered by the Toxic Release Inventory (TRI) under section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA). The National Defense Authorization Act (NDAA) has established manufacturing, processing, and otherwise use reporting thresholds of 100 pounds for each of the listed PFAS. Facilities should track and collect data on these chemicals during 2020 and reporting forms for PFAS will be due by July 1, 2021. For assistance reporting PFAS and other chemicals at your facility, contact Hazard Evaluations.

## SPDES General Permit Modification



Department of  
Environmental  
Conservation

On January 23, 2019, the Albany Supreme Court remanded the New York State Department of Environmental Conservation's (NYSDEC) current State Pollution Discharge Elimination System (SPDES) Multi-Sector General Permit (MSGP) and ordered the NYSDEC to issue a final modified permit. The NYSDEC must issue the final modified MSGP by July 23, 2020. Until that date, the current MSGP is still in effect. The modifications to the MSGP include:

- Additional language to exclude discharges of industrial wastes and other wastes to AA-Special waters from coverage;
- Facilities that currently discharge to AA-Special waters coverage will terminate on July 23, 2020; and
- Facilities discharging industrial waste or other waste to AA-Special waters must submit their completed No Exposure Certification to the NYSDEC by June 23, 2020.

To see how these changes affect your facility, call Environmental Advantage.

## NYSDEC Hazardous Waste Regulation Revisions



Department of  
Environmental  
Conservation

The New York State Department of Environmental Conservation (NYSDEC) recently adopted revised hazardous waste regulation changes, which mostly included updating their regulations to include U.S. Environmental Protection Agency (USEPA) changes from previous years as well as some state-initiated changes. The "FedReg5 Package" was adopted on March 4, 2020 and is effective on April 19, 2020. Some of the changes include:

- Deletion of five k-listed waste streams;
- Declares Mercury-Containing Equipment (MCE) officially a Universal Waste;
- Adoption of certain aspects of the RCRA Burden Reduction Incentive;
- Alternative requirements for hazardous waste determination and accumulation at laboratories owned by colleges and universities;
- Various clarifications, regulatory reference updates, and grammar corrections; and
- Various changes for Hazardous Waste Combustors.

The NYSDEC is working on adopting FedReg6 which includes changes like adopting aerosol cans into the Universal Waste Program, etc. Keep an eye out for Practical Solutions updates when the new package is adopted.

3636 N. BUFFALO  
ROAD.  
ORCHARD PARK,  
NEW YORK 14127  
envadvantage.com  
hazardevaluations.com  
(716) 667-3130

