



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

JAN 17 2001

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Ms. Becky Wehrman
Waste Management Assistance Division
State of Iowa Department of Natural Resources
Wallace State Office Building
Des Moines, Iowa 50319

Ref. No: 00-0299

Dear Ms. Wehrman:

This is in response to your October 11, 2000 letter regarding Regional Collection Centers (RCCs) for waste materials from consumers and also from companies that are Conditionally Exempt Small Quantity Generators as provided by the Environmental Protection Agency. Specifically you ask whether the RCCs are required to advise businesses of DOT regulations when they transport their waste material to the RCC.

The answer is no. There is nothing in the Hazardous Materials Regulations (HMR) that requires a person accepting hazardous material to advise their customers on the HMR. However, we encourage everyone to ensure that hazardous materials are transported in compliance with the HMR.

I hope this information is helpful.

Sincerely,

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards



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THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

LYLE W. ASELL, INTERIM DIRECTOR

October 11, 2000

Del Billing DHM-11
Research and Special Programs Administration
Office of Hazardous Materials Standards
400 7th St. SW
Washington, DC 20590

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Dear Mr. Billings:

We are requesting your assistance to resolve several questions that have recently arisen regarding the disposal of Conditionally Exempt Small Quantity Generator (CESQG) waste. The Iowa Department of Natural Resources (IDNR) has been working since 1994 to implement a program to assist small business generators (meeting the Environmental Protection Agency's definition of CESQG) with hazardous waste disposal. One facet of this program has been the establishment of several Regional Collection Centers (RCCs) throughout the state.

The RCCs are permanent collection facilities that educate the public on hazardous waste management issues and accept hazardous waste from residents at no charge. Additionally, the RCCs work with CESQG businesses in the area of hazardous waste management education and will dispose of CESQG hazardous waste for a small fee.

The RCCs are located at landfills, recycling centers or on landfill-owned property throughout Iowa. Each RCC has an established service area, or region of the state, that it provides support to. The RCCs are required to hold permits from the Solid Waste Section of the IDNR. These permits are generally issued as amendments to the current landfill permit. The RCCs are governmental operations that are funded partially through the IDNR and partially through the local entities (e.g. city, county or 28E established governing bodies) that participate in the program. Local entities pay a per capita fee annually to participate in the RCC program. This fee is paid directly to the RCC. All RCC employees are paid by the city, county or governing 28E entity.

To assure that all hazardous wastes being accepted are managed safely and properly, all RCC employees are required to complete 40-hour hazardous waste operator training (HAZWOPER), annual refresher courses and are required to complete additional continuing education. The RCC managers meet on a quarterly basis with the Department of Natural Resources to learn from each others programs, address any problems which may have arisen and to address any regulatory compliance questions which may have arisen.

Many of the RCCs have mobile collection units, which are used to stage one-day collection events for larger population centers located in their service areas. The collection events are collaborative efforts between the RCC and the local community. The collection events are also conducted at no charge to the residents. CESQG businesses are not eligible to participate. The employees operating the RCC mobile units have had DOT training in hazardous waste management.

The following questions have arisen regarding the regulations governing the Regional Collection Centers.

Are CESQG businesses required to follow DOT hazardous waste or hazardous materials transportation regulations when bringing waste to the RCCs for disposal?

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One of the primary functions of the RCCs is education in the management of hazardous materials generated by households and CESQG businesses. According to EPA, CESQG hazardous waste is not required to be managed as hazardous waste. Are the RCCs required to advise CESQG businesses of DOT regulations when the CESQG business is transporting its waste to the RCC for disposal?

If an RCC picks up hazardous materials/waste from a CESQG site in a government vehicle and charges that CESQG a nominal fee for disposal, is the RCC subject to the DOT's hazardous materials regulations for transporting hazardous materials?

If the RCC is receiving payment by a local community to stage a one day collection event of **household** hazardous materials at no charge to residents, is the RCC required to follow DOT hazardous materials regulations when the hazardous materials are being transported by the RCCs back to their facilities?

The DOT requirements that must be followed by the RCCs, if any, are unclear to me. Please provide directions on what requirements the RCCs must follow regarding DOT hazardous waste and hazardous materials transportation. Your assistance is very much appreciated.

Sincerely,

Becky Wehrman

Becky Wehrman, Environmental Specialist
Waste Management Assistance Division

toll-free

Cc: Arthur Fleener, U.S. Department of Transportation
Capt. Tom Sever, Iowa Department of Transportation
Liz Christiansen, Iowa Department of Natural Resources