Summary of Changes to the Vermont Hazardous Waste Management Regulations (VHWMR)

December 7, 2021

Federal RCRA Rules being proposed for adoption (with a brief description if necessary) and the corresponding Federal Register notices (Note: equivalency with the federal RCRA Subtitle C Hazardous Waste Program is required for EPA-authorization of state hazardous waste programs):

- **Hazardous Waste Technical Corrections and Clarifications**

- **Conditional Exclusions for Solvent Contaminated Wipes** – Vermont plans to adopt the exclusion for reusable wipes (but not the exclusion for disposable wipes); Vermont is also including petroleum-contaminated wipes under this exclusion.

- **Hazardous Waste Electronic Manifest Rule and Hazardous Waste Electronic Manifest System User Fee; Final Rule** – This suite of rules implements a mandatory national EPA-managed electronic manifest system.

- **Revision to the Export Provisions of the Cathode Ray Tube (CRT) Rule** – Revisions to CRT export requirements.

- **Imports and Exports of Hazardous Waste** – Revisions to import/export requirements.

- **Hazardous Waste Generator Rule Improvements** – This rule reorganizes and revises many requirements applicable to hazardous waste generators. Among other things, the rule addresses episodic generation; introduces the term “very small quantity generator” (previously “conditionally exempt generator” in VHWMR); revises container labeling, contingency planning and employee training requirements.

- **Confidentiality Determinations for Hazardous Waste Export and Import Documents** – Revisions to import/export requirements.
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- Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine – This rule is included in new Subchapter 10 of the VHWMR and carves out “pharmaceutical waste” as a separate category of hazardous (waste that does not impact generator status calculations), prohibits sewer disposal of pharm waste, limits applicability of the Nicotine

- Safe Management of Recalled Airbags – This rule facilitates collection of recalled airbags.

- Universal Waste Regulations: Addition of Aerosol Cans – This rule adds aerosol cans to the list of wastes that may be managed as universal waste under Subchapter 9.

- Modernizing Ignitable Liquids Determinations – This rule revises the method used to determine if wastes exhibit the HW characteristic of ignitability.

Additional (significant) proposed changes to the VHWMR:

- Added definition of “representative sample”.

- Limited applicability of VT06 pesticide hazardous waste listing to “…wastes of products classified under FIFRA as restricted use pesticides”.

- Added “postconsumer paint” to universal waste rule (to reflect Vermont statutory provision)

- Switching from Vermont-specific “notification” form to EPA “Hazardous Waste Handler Site Identification Form”

- Revised 7-105 Emergency and Corrective Actions section for clarity and consistency with the revised Vermont Investigation and Remediation of Contaminated Properties Rule.


- Revised 7-203(p) exemption for petroleum-contaminated soils for consistency with the revised Vermont Investigation and Remediation of Contaminated Properties Rule.

- Revised generator closure requirements and limited applicability to Large Quantity Generators (See 7-308(b)(17)).
• Revised 7-311(d)(2) to require weekly (instead of daily) short-term storage area inspections. This is consistent with the federal RCRA program.

• Revised 7-406 to clarify applicability of and requirements for waste transportation permits.

• Added 7-805(g) to require that hazardous waste determinations be made on the aqueous phase of any used oil/water mixture when the aqueous phase of a mixture comprises greater than 50% of the overall mixture. **Removed from Final Proposed Draft of VHWMR**

• Appendix III (Hazardous wastes which are Discarded Commercial Chemical Products or Off-Specification Batches of Commercial Chemical Products or Spill Residues of Either): Added second list of U-listed waste in order of waste code (the original list is alphabetical by substance).

• Appendix IV (Acutely hazardous wastes): Added second list of P-listed waste in order of waste code (the original list is alphabetical by substance).