

# Receipt of Petition to Amend a Hazardous Waste Delisting for Sludge Filter Cake (F039)

*Thomas K. Fidler*

Deputy Secretary for Waste, Air  
and Radiation Management

# Petition to Amend Pennsylvania's Hazardous Waste Regulations

- Petition to amend an existing regulatory exclusion from hazardous waste listing for wastewater treatment sludge filter cake.
  - Specifically, to increase the annual maximum volume of delisted waste from 2,000 to 4,000 cubic yards.
- DEP recommends acceptance of the petition submitted by Waste Management Disposal Services of Morrisville, PA, Bucks County as complete in accordance with 25 Pa. Code § 23.1.

# Waste Management – GROWS Landfill Information and History

- Commercial landfill with wastewater (leachate) treatment plant.
  - Treats a mixture of leachate from closed “Old GROWS” portion and active landfill.
- Old GROWS landfill began operation in 1970 and accepted listed hazardous wastes on a case-by-case approval basis between 1977 and 1983.

# Background

- Pennsylvania incorporates most of the Federal hazardous waste regulations by reference
- Federal regulations include lists of wastes which the US EPA has determined to be hazardous.
- Any waste meeting a listing description must be managed in accordance with all applicable hazardous waste regulations.

# Waste Derived from Listed Waste

- Solid waste resulting from the treatment, storage, or disposal of a listed hazardous waste is classified as a listed hazardous waste with the same listing code as applied to the original waste.

## Wastes may Differ from Listing

- Broad waste listings occasionally result in regulating a specific waste stream, which does not truly pose a threat to human health or the environment.
- A particular facility may produce waste with different attributes, or, as claimed in the case presented in this petition, waste treatment techniques may result in residues that no longer pose a threat.

# Petition Process to Exclude a Waste

- Federal regulations at 40 CFR 260.22 provide a petition process to exclude, or “delist”, a waste produced at a particular facility.
- Pennsylvania’s petition process is provided in 25 Pa. Code Chapter 23, EQB Policy for Processing Petitions – Statement of Policy

# Specifics of the Petition

- Waste Management's petition is to amend an existing Federal regulatory delisting, incorporated by Pennsylvania, for the same sludge filter cake.
  - Original 1991 EPA approval for maximum of 1,000 cu. yds. annually.
  - EPA 2001 amendment increased annual volume to 2,000 cu. yds.



## Specifics of Petition (continued)

- Natural and operational changes have resulted in an increase in sludge production.
  - As the landfill ages and the waste mass matures, the leachate becomes more concentrated
  - Leachate recirculation contributes to increase in leachate concentration
  - Operational initiative to aggressively dewater gas extraction wells (some parameters in liquid found to be highly concentrated).
- Treatment of more concentrated leachate results in greater sludge production.

## Details of this Delisting Request

- Delisted treatment residues would be disposed at permitted non-hazardous waste landfills.
- Petition includes three years of filter cake verification sampling data.
- Petition includes data from nationally recognized Delisting Risk Assessment Software (DRAS) modeling runs.
- Limited to filter cake generated only at this treatment plant; not a statewide generic delisting petition.

# Recommendation

- The Department has determined that the petition is administratively complete.
- The Department recommends the Board accept the petition allowing the Department to conduct a technical review.
- After technical review, the Department will make a final recommendation to the Board regarding a proposed rulemaking.