



Report to the Board Regarding the
Department's Evaluation of the
December 17, 2008 Rulemaking Petition
Submitted by Waste Management
Disposal Services of PA

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Department Report Regarding Petition to Amend Hazardous Waste Regulations

- Report summarizes the Department's evaluation of December 17, 2008 rulemaking petition submitted by Waste Management Disposal Services of Pennsylvania
- Petition regards Waste Management's landfill facility in Falls Township, Bucks County

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 delisting for wastewater treatment sludge filter cake for disposal as non-hazardous waste.
 - A US EPA 2001 amendment increased annual volume to 2,000 cu. yds.
 - This petition requests an increase in the annual volume of delisted filter cake to 4,000 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.

Department Review

- The Board accepted the petition at the April 21, 2009 meeting.
- Today's report summarizes the results of the Department's technical review.
 - Three years of filter cake verification sampling data.
 - Nationally recognized Delisting Risk Assessment Software (DRAS) modeling.

Petitioner and Host Municipality Review

- Petitioner concurred with report on June 2, 2009.
- Report and intent to present report to the EQB shared with the host municipalities of Falls Township and Bucks County.

Recommendation

- The Department's report recommends the Board approve the action requested in Waste Management's petition.
- If Board concurs, the Department will develop a proposed rulemaking.