

Chapter 7: Hazardous Fuel-Contaminated Waste



This chapter presents requirements and best management practices for fuel-contaminated waste, the most common type of hazardous waste generated by UST facilities. Common examples of hazardous fuel-contaminated waste include waste fuel and fuel-contaminated water.

Waste is regulated as hazardous waste if it is specifically *listed* as such in the Vermont and/or federal regulations, or if it exhibits one or more of four hazardous waste *characteristics*: ignitability, corrosiveness, reactivity, or toxicity. **Your facility might create a variety of hazardous wastes besides those specifically described in this chapter.** For instance, a gas station that also has an automotive repair or body shop may generate used oil and oil filters, hazardous waste solvents, brake fluid, antifreeze, spent fluorescent light bulbs, or paint.

If your activities or processes produce hazardous waste, you must store, manage, and dispose of that waste in accordance with Vermont's hazardous waste management regulations. If you are unsure of what wastes at your facility are hazardous and what the requirements are, consult with Hazardous Waste Management Program staff. The Hazardous Waste Management Program can be reached during normal business hours at 241-3888 or by e-mail at anr.hazwaste@state.vt.us.

7.1 Hazardous Waste Generation



You must determine your generator status and notify the Vermont Hazardous Waste Management Program of your generator status using the Vermont Hazardous Waste Handler Site ID form. The Hazardous Waste Management Program can be reached during normal business hours at 241-3888 or by e-mail at anr.hazwaste@state.vt.us. The Site ID form and instructions are also posted online at <http://www.anr.state.vt.us/dec/wastediv/rcra/handlers.htm>.

Generator status is based on the type and quantity of **all** hazardous waste generated each month, not just hazardous fuel-contaminated waste. Additionally, the amount of hazardous waste stored onsite also could affect your generator status. Based on the amount and storage location of **all** hazardous waste that your facility generates (not just fuel-contaminated waste), your facility is classified as a “conditionally exempt generator” (CEG), a “small quantity generator” (SQG), or a “large quantity generator” (LQG). Most retail gas stations are considered CEGs.



To be considered a conditionally exempt generator (CEG), your facility must meet *all* the following conditions:

- Always generate less than 220 pounds of hazardous waste per month. This is less than about one half of a 55-gallon drum.
- Never store more than 2,200 pounds (five drums) of hazardous waste on-site.
- Never generate more than 2.2 pounds of acutely hazardous waste, such as sodium azide in undeployed air bags, and certain solvents, such as carbon disulfide and pyridine. Retail gas stations rarely, if ever, generate more than 2.2 pounds of such waste. *Fuel-contaminated waste is not considered acutely hazardous.*

If your facility does not meet these conditions, contact the Hazardous Waste Management Program for help in determining your generator status.



This workbook assumes that most UST facilities will be CEGs, and only covers requirements that apply to CEGs. If your facility is a SQG or an LQG, you will have to comply with additional requirements. Contact the Vermont Hazardous Waste Management Program for more information.

7.1.1 Fuel-to-Fuel Exemptions

In some cases, fuel and fuel/water mixtures generated at your facility can be reused by other facilities. Under the fuel-to-fuel exemption, such materials are considered contaminated fuel products, not hazardous waste. This can reduce the overall amount of hazardous waste produced at your facility. You can use the fuel-to-fuel exemption if you:

- Manage the material as a commercial product (not waste);
- Manage the material in an environmentally sound manner;
- Ship the material to a legitimate facility for use as a fuel;
- Ensure that the facility receiving the material is able to demonstrate that the contaminated fuel or fuel/water mixture is being used as fuel;
- Ensure that the facility receiving the material properly manages and disposes of any residual wastewater; and
- Maintain records documenting that the material is being used as a fuel (e.g., a letter from the reclamation facility).

Note that your facility may generate fuel-contaminated waste and other hazardous wastes that cannot be managed under the fuel-to-fuel exemption. If these wastes cannot be managed under other applicable exemptions, they must be properly managed as hazardous waste. Environmental fact sheet regarding this section can be found online http://www.anr.state.vt.us/dec/ead/sbcap/pdf/fs_fuelsystem_wm.pdf.

7.2 Hazardous Waste Storage



CEGs may accumulate hazardous waste on-site indefinitely. If the generation or accumulation quantity limits identified for CEGs in the table above are exceeded, however, the facility must meet SQG or LQG requirements.



Although CEGs are exempt from many of the requirements that larger generators must meet, CEGs must accumulate and store their hazardous waste:

- Within a structure that sheds rain and snow
- On an impervious surface
- Away from floor drains



CEGs must keep containers closed except when adding or removing fuel-contaminated waste. Containers must be marked as containing hazardous waste and have words to identify the contents.



Hazardous wastes that are subject to freezing and expansion, such as fuel-contaminated water, must be stored in a heated space and prevented from freezing.



All hazardous wastes must be stored in containers or tanks that are in good condition (i.e., no leaks or risk of leaks). If a container is not in good condition or it begins to leak, the waste must be transferred to a container that is in good condition or the initial container must be placed in a larger container. If tanks are used to store hazardous wastes or used oil, contact the Vermont hazardous waste program for assistance.

7.3 Hazardous Waste Transport and Disposal



Information

To transport waste for disposal, CEGs may use a permitted hazardous waste transporter, or CEGs may transport their own hazardous waste to an off-site facility or household/CEG hazardous waste collection event. CEGs that transport their own hazardous waste need to meet requirements described in this section, but do not need a hazardous waste manifest (shipping document) or a permit.

You may hire a permitted hazardous waste transporter to transport your waste to an off-site facility. You can obtain a list of permitted hazardous waste transporters from the Waste Management Division or online at <http://www.anr.state.vt.us/dec/wastediv/solid/transport.htm>.

CEGs are also allowed to self-transport their own hazardous waste if they meet the requirements below.



If you transport your own hazardous waste to a disposal facility or collection event, you must comply with the following DEC requirements:

- The waste must be transported in a vehicle that is owned by the CEG or an employee of the CEG.
- In the event of a discharge of hazardous waste to the environment, the emergency action and reporting requirements of section 7-105 of the Vermont Regulations must be met.



Other regulations may apply as well:

- You must also comply with applicable federal Department of Transportation regulations. Requirements vary depending on the type of waste transported and the type of vehicle you use.
- You must comply with applicable regulations of other states through which the waste is transported or to which the waste is delivered, if applicable.

You may dispose of your waste by delivering it to any of the following:



CEGs must dispose of waste properly by delivering it to one of the locations described below.

- Certified hazardous waste treatment, storage, or disposal facilities (TSD facilities).
- Waste collection events authorized to accept CEG waste (e.g., events sponsored by Vermont Solid Waste Districts, Planning Commissions, and Alliances). An updated list of contact information for sponsors of these types of events is available online at <http://www.anr.state.vt.us/dec/wastediv/solid/swmdlist.htm>.
- Certified solid waste management facilities allowed to accept such waste under the terms of their certification.
- Any SQG or LQG facility located in Vermont that is owned and operated by the same owner/operator as the CEG facility.

7.4 Training



All employees should be trained in the hazardous waste storage requirements listed in section 7.2. In addition, they should be familiar with procedures to follow in the event of a spill or release to the environment. These procedures are discussed in section 4.9.

For more information, refer to the ANR's Conditionally Exempt Generator Handbook, Environmental Fact Sheet on Used Oil, and Environmental Fact Sheet on Accumulation and Storage of Hazardous Waste, available online at <http://www.anr.state.vt.us/dec/wastediv/rcra/pubs.htm>. The Used Oil Fact Sheet is also provided as Appendix J in this workbook.