

# Waste to By-Product Reforms to Part 121

Office of Waste  
Management and  
Radiological Protection



# Office of Waste Management & Radiological Protection



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By-Products, & Scrap Tire Programs  
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# Name Change

Revisions to Part 121 took effect March 16, 2016

No longer Part 121, Liquid Industrial Waste

Changed to Part 121, Liquid Industrial By-Product



# Community Impacted

New regulations impact anyone who:

- § Generates
- § Transports (pump and haul)
- § Disposes, recycles, or reuses or
- § Otherwise manages non-hazardous liquids



# Liquid Industrial By-Product

A material that is...

- ü produced by or is incident to an enterprise or non-household activity
- ü liquid as determined by the paint filter test
- ü discarded



# Part 121 Changes

## All

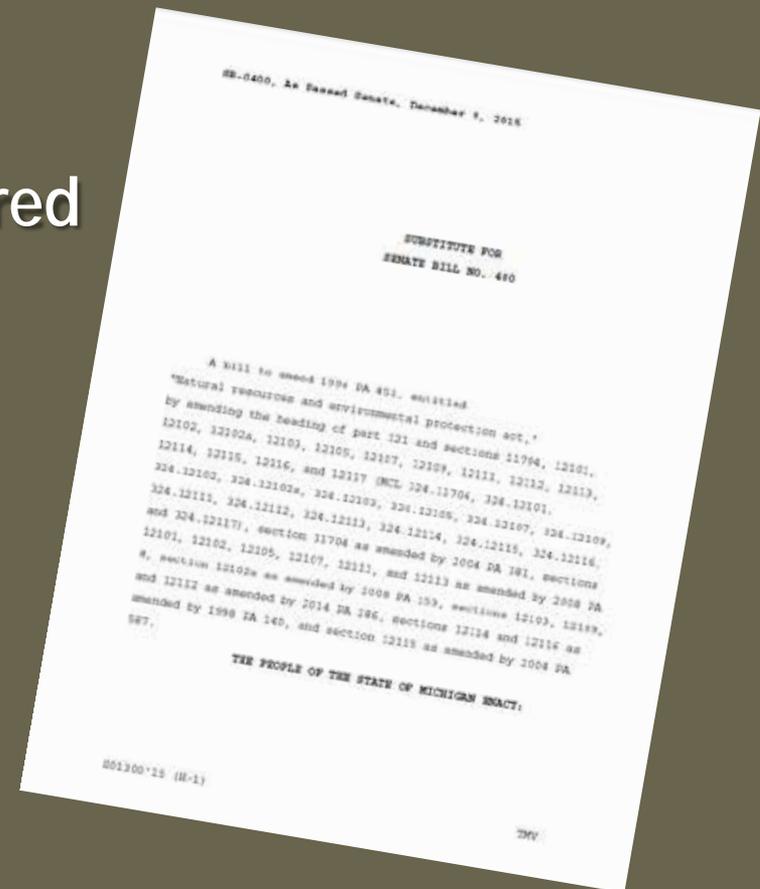
- ü Shipping Documents
- ü Electronic Recordkeeping
- ü Requirements for closed/covered containers

## Generator:

- ü Site ID Number
- ü Container/Tank Labeling

## Transporters

- ü Individual/Dually Licensed



# Part 121 Changes

## Designated Facilities

- ü Annual Report
- ü Emergency Response Plan
- ü Training Records

## Clarify

- ü Use/reuse
- ü Characterization
- ü Closed container



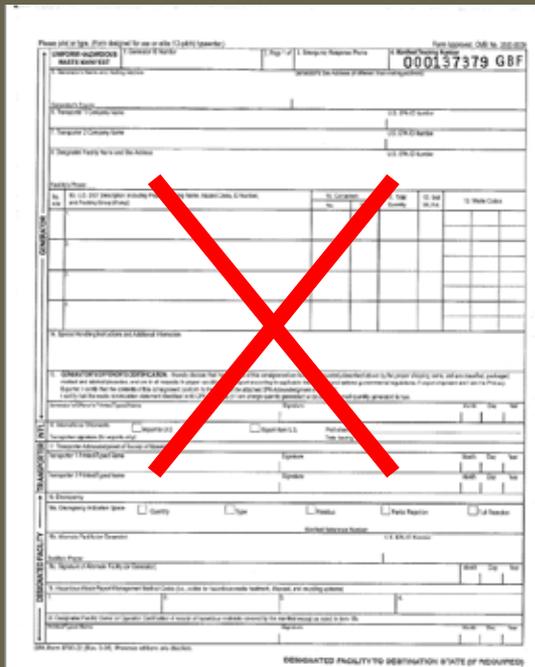
# Shipping Document Changes



# Shipping Documents

Uniform Hazardous Waste Manifests are no longer required for shipments of liquid industrial by-product

Shipping documents can be in written or electronic form



The image shows a Uniform Hazardous Waste Manifest form, which is a document used for tracking hazardous waste shipments. The form is titled "UNIFORM HAZARDOUS WASTE MANIFEST" and includes fields for "Manifest Number" (000137379 G8F), "Date of Issue" (08/15/08), and "Date of Receipt" (08/15/08). The form is divided into several sections, including "Generator Information", "Transporter Information", "Receiver Information", and "Waste Description". A large red 'X' is drawn over the entire form, indicating that this type of manifest is no longer required for shipments of liquid industrial by-product.



# Shipping Documents

- ü May be a log, invoice, bill of lading, or uniform hazardous waste manifest
- ü Must be readable, readily accessible, and have required information
- ü May be written or electronic
- ü Must meet U.S. DOT requirements



# Shipping Document

## Required information:

- ☐ Name and address of the generator
- ☐ Name of the transporter
- ☐ Type and volume of by-product in the shipment
- ☐ Date the by-product was shipped off-site
- ☐ Name, address and Site ID number of the designated facility



# Shipping Document Certification

Generator or generator representative signs/certifies shipping document stating:

- § the shipping document fully and accurately describes the shipment
- § the shipment is in proper condition for transport
- § the shipping document information is factual



# Shipping Document Certification

Transporter signs/certifies shipping document stating by-product listed on shipping document:

- § was received
- § will be delivered to the designated facility identified on the shipping document



# Shipping Document Distribution

Generator retains copy of shipping documents with generator and transporter signature

Transporter obtains copy of shipping document with both signatures which accompanies the shipment during transport



# Shipping Document Certification & Distribution

Designated facility – No certification or shipping document distribution is required

Designated facility must:

- § provide confirmation of receipt to the generator or generator representative and
- § only accept delivery where accompanied by shipping document listing the designated facility

Designated facility confirmation may be written or electronic (documented phone call, email, receipt, shipping document or manifest copy)



# Consolidated Shipping Document

For a CONSOLIDATED shipping document, transporter fulfills generator duties in completing the shipping document transporter AND provides receipt to generator with:

- § Transporter name
- § Driver's signature
- § Date of pickup
- § Type and quantity of by product accepted/shipped
- § Consolidated shipping document number, and
- § Designated facility



# Generator Requirement Changes



# Site Identification Number Generators

Generators are no longer required to obtain a Site ID if they are only a liquid industrial by-product generator, only a CESQG generating liquid hazardous waste, or both



# Container/Tank Labeling

## Generators

Generators must label or mark containers and tanks of liquid industrial by-product to identify their contents



# Transporter Requirement Changes



# Act 138 Permit and Registration

## Transporters

Transporters may carry registrations and permits on the vehicle in electronic or written format

If electronic records are used, they must be legible, have all the required information, and be readily accessible



# Act 138 Permit & Registration Part 117 Septage Transporters

Provides for transporter to obtain individual authorizations for dually licensed by-product and septage transporters



# Designated Facility Requirement Changes



# By-product Shipments

## Designated Facility

### § Designated facilities:

- ☐ Can only accept delivery of by-product if the facility is the destination indicated on the shipping document
- ☐ Must provide the generator or authorized representative confirmation of receipt of by-product
- ☐ Must maintain records of characterization



# Emergency Response

## Designated Facility

Designated facilities must have a plan to respond to and minimize hazards to human health and the environment from unplanned sudden and non-sudden releases



# Training

## Designated Facility

Designated facilities must document that employees who manage by-product are trained in proper handling and emergency response as appropriate for their job duties



# Reporting

## Designated Facility

Annual report for designated facilities is due by April 30<sup>th</sup> each year starting 2017

Annual report is to describes activities for previous calendar year

Electronic reporting method is required of the DEQ

# Reporting

## Designated Facility

Reporting does not apply if the designated facility received by-product from only 1 generator that was owned, operated or legally controlled by that generator



# By-product Enforcement

Previous enforcement of liquid industrial waste was criminal only

By-product rules allow for civil enforcement



# Wrap Up



# Wrap Up

## Significant Changes

### Generator Changes:

- § No Site ID
- § No Mandatory Manifests
- § No liquid industrial by-product codes
- § New container /tank labeling



# Wrap Up

## Significant Changes

### Designated Facility Changes

- § New training requirements
- § New emergency response plan requirements
- § New annual reporting
- § Specific requirement to maintain records of characterization



# Questions?



Thank you for protecting Michigan's environment!

