

Update: State Fracking Waste Bill



- Public Act 14-200 passed legislature on 5/21/2014.
- Signed by the Governor on 6/12/2014.
- Goes into effect starting on 7/1/2014.
- Codified at CGS Section 22a-472(a) – (g).

State Fracking Bill: Purpose.

- Addresses wastes generated from hydraulic fracturing for exploration, development, production or recovery of natural gas (“fracking waste”).
- These wastes are known to contain a wide variety of chemicals, both natural and man-made.
 - Methanol, isopropanol, glycol ethers, petroleum distillates.
 - Arsenic, lead, radionuclides.
- Generated in nearby states (PA, NY, OH).
- Shortage of outlets for these wastes.

State Fracking Bill: Provisions

- Moratorium on the acceptance of fracking wastes in CT until DEEP passes regulations that:
 - (1) Eliminate the exemption in the federal HW regs for wastes from oil and gas exploration and production (40 CFR 261.4(b)(5)).
 - (2) Ensure radiation safety.
 - (3) Require disclosure of the composition of the wastes
- CT DEEP can't submit regs before 7/1/2017 or later than 7/1/2018.

State Fracking Bill: Provisions

- After regs are passed, anyone transporting fracking waste must have a transporter permit under CGS 22a-454.
- Prohibition on the manufacture, use, or sale of road de-icing products made from fracking waste until DEEP passes regulations authorizing such activities.

State Fracking Bill: Provisions

- DEEP to collect information on the possible use of fracking waste in road de-icing products, including the composition of such products.
- Provision allowing DEEP to approve the receipt of small amounts of fracking waste prior to the passage of regulations (e.g., for testing or research into treatment technologies).

Update: EPA Solicited Comments on Hazardous Waste from the Retail Sector.



- “Notice of Data Availability dated 2/14/2014, 79 FR 8926 – 8935.
- EPA collecting data on the management of hazardous wastes in the retail sector.
 - May result in changes to the federal hazardous waste rules for these wastes.
- More information on EPA website:
 - www.epa.gov/waste/hazard/generation/retail.htm

HW Generated in the Retail Sector

- EPA is aware that the retail sector faces certain unique challenges:
 - Overstock, damaged, returned products.
 - Hard to determine point of generation.
 - Hard to perform HW determinations.
 - Reverse logistics.
 - Aerosol Cans.

CT DEEP Comments

- DEEP submitted comments on 5/30/2014.
 - Described problems seen in CT retail facilities.
 - Do not support across-the-board exemption for HWs generated in the retail sector.
 - Would support Universal Waste designation for these wastes.
 - Point of Generation should be at retail facility.
 - Comments on aerosol cans.
 - Separately list as a Universal Waste?
- DEEP Comments posted on HW Page.