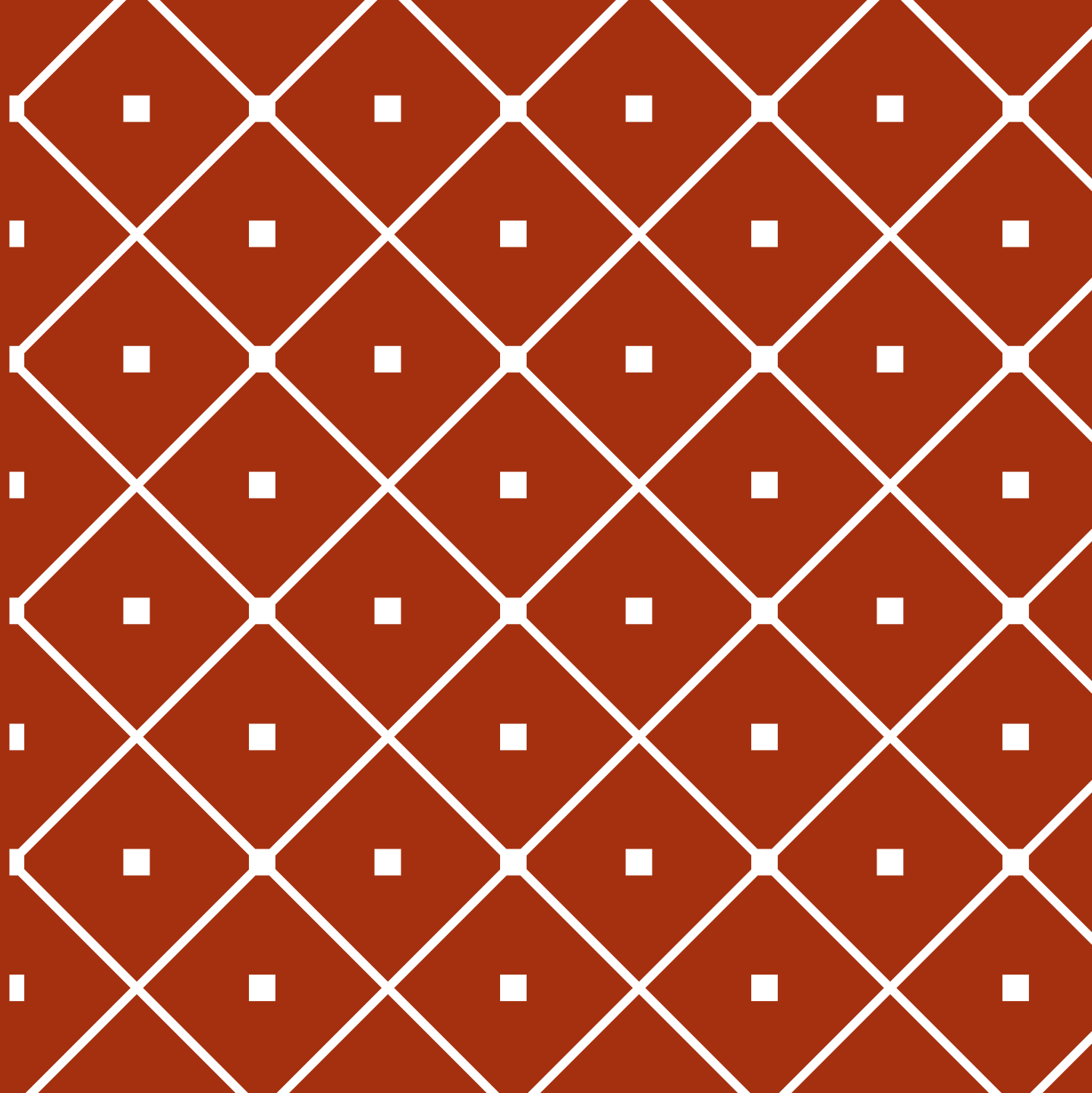


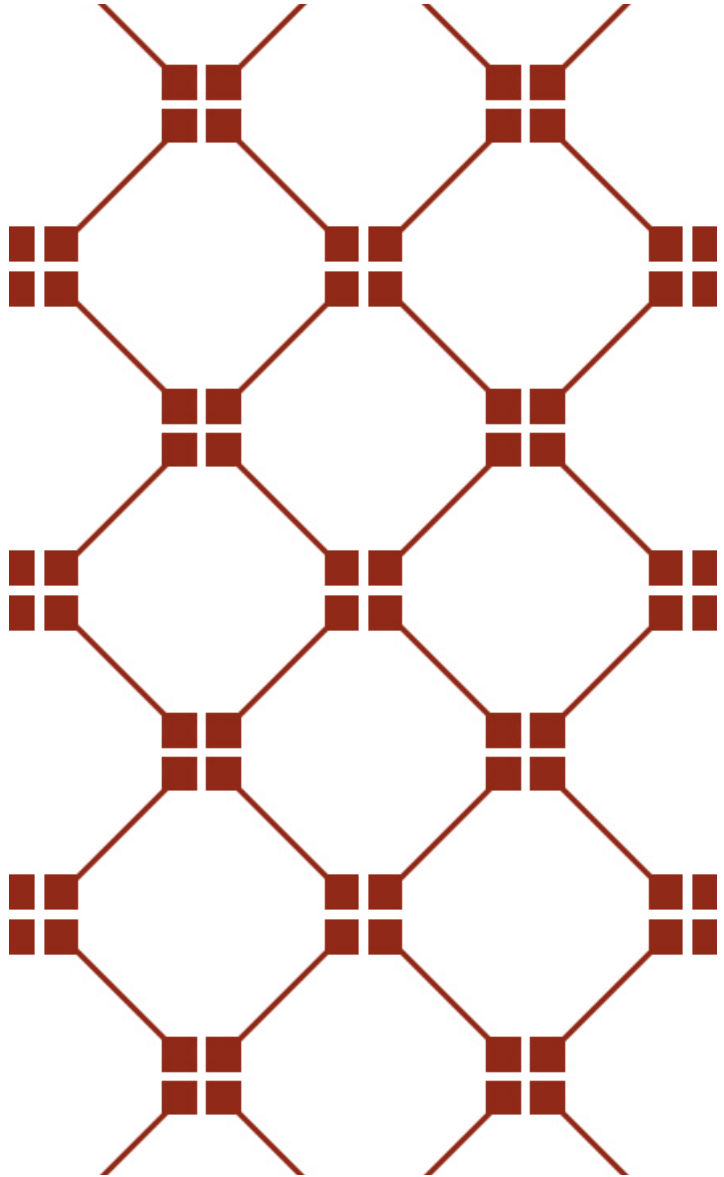
# HAZARDOUS WASTE RULE UPDATES

JANUARY 29, 2024

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Noa Logan Klein, Planner  
Solid & Hazardous Waste Branch  
Hawaii Department of Health





# BACKGROUND

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# HAZARDOUS WASTE RULES

- Title 11 chapters 260.1 to 279.1, Hawaii Administrative Rules (HAR)
- Incorporation By Reference (IBR) of federal rules
  - Title 40 Code of Federal Regulations (CFR) Part 124, 260 to 266, 268, 270, 273, 279
- Guidebooks



## RULES AND GUIDEBOOKS

The Department of Health's new Hawaii Administrative Rules (HAR) covering hazardous waste and used oil generators and handlers are effective January 29, 2024.

**Each HAR chapter and guidebooks are provided below. Chapters 11-260.1 to 11-279.1, HAR, are in Incorporation By Reference (IBR) format, so most users will find the guidebooks very helpful in understanding the effective content of the regulations.**

The "track changes" version of the guidebook shows differences between the July 1, 2022 federal regulations and the Hawaii regulations. Changes from the previous Hawaii regulations are NOT marked. (For changes from previous versions of Hawaii regulations, see "[History of recent rule updates](#)" below table.)

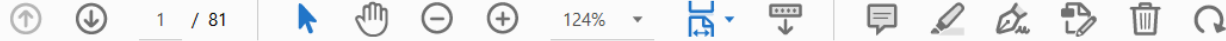
### Notes:

- **Each chapter guidebook contains important information on the first page.**
- The guidebook PDFs are indexed. Please use the clickable table of contents and the Adobe bookmark bar to help you navigate the guidebooks.
- **[How to cite Hawaii Administrative Rules chapters 11-260.1 to 11-279.1](#)**
- [Click here for more information about e-manifest](#)

## HAR CHAPTERS AND CHAPTER GUIDEBOOKS



Chapter title – Hazardous Waste Management:	Hawaii Administrative Rules (HAR)	HAR chapter guidebooks WITH track changes	HAR chapter guidebooks with NO track changes coming soon
General Provisions	<a href="#">Chapter 11-260.1, HAR</a>	<a href="#">Chapter 11-260.1, HAR, guidebook with track changes</a>	Chapter 11-260.1, HAR, guidebook NO track changes
Identification and Listing of Hazardous Waste	<a href="#">Chapter 11-261.1, HAR</a>	<a href="#">Chapter 11-261.1, HAR, guidebook with track changes</a>	Chapter 11-261.1, HAR, guidebook NO track changes
Standards Applicable to Generators of Hazardous Waste	<a href="#">Chapter 11-262.1, HAR</a>	<a href="#">Chapter 11-262.1, HAR,</a>	Chapter 11-262.1, HAR,



Bookmarks

- Important information about this guidebook
- Table of contents
- §11-262.1-16 Imports of hazardous waste.
  - > Subpart A—General
  - > Subpart B—Manifest Requirements Applicable to Small and Large Quantity Generators
  - > Subpart C—Pre-Transport Requirements Applicable to Small and Large Quantity Generators
  - > Subpart D—Recordkeeping and Reporting Applicable to Small and Large Quantity Generators
  - > Subpart G—Farmers
  - > Subpart H—Transboundary Movements of Hazardous Waste for Recovery or Disposal
  - > Subpart L—Alternative Standards for Episodic



## GUIDEBOOK TO HAWAII ADMINISTRATIVE RULES CHAPTER 11-262.1 HAZARDOUS WASTE MANAGEMENT: STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

### **IMPORTANT**

This guidebook is provided to assist regulated businesses and the public in understanding Hawaii Administrative Rules (HAR) chapters 11-260.1 to 11-279.1, which now incorporate by reference portions of the Code of Federal Regulations (CFR). *This guidebook is intended to be used as a convenient aid to understanding the Hawaii Administrative Rules pertaining to hazardous waste. It should not, however, be thought of as a substitute for the actual text of the regulations themselves.*

Please go to <http://health.hawaii.gov/shwb/hazwaste/> or call the Department of Health Solid and Hazardous Waste Branch at (808) 586-4226 to obtain a copy of the Hawaii Administrative Rules regulating hazardous waste and used oil within the state of Hawaii.

- The text of §11-262.1-16, HAR is copied below. This section does not have an equivalent in the federal regulations.
- The table of contents for 40 CFR part 262 is provided below for convenience.



# SIGNIFICANT CHANGES IN CERTAIN CHAPTERS

- Significant changes to chapters 260.1 to 265.1 and 273.1
- No significant changes to chapters 266.1, 268.1, 270.1, 271.1, or 279.1 in this rulemaking



# RULE CHAPTERS

HAR 11- 40 CFR

260.1 260 General provisions

261.1 261 Identification and listing of hazardous waste

262.1 262 Generators

263.1 263 Transporters

264.1 264 Treatment, storage, & disposal facilities

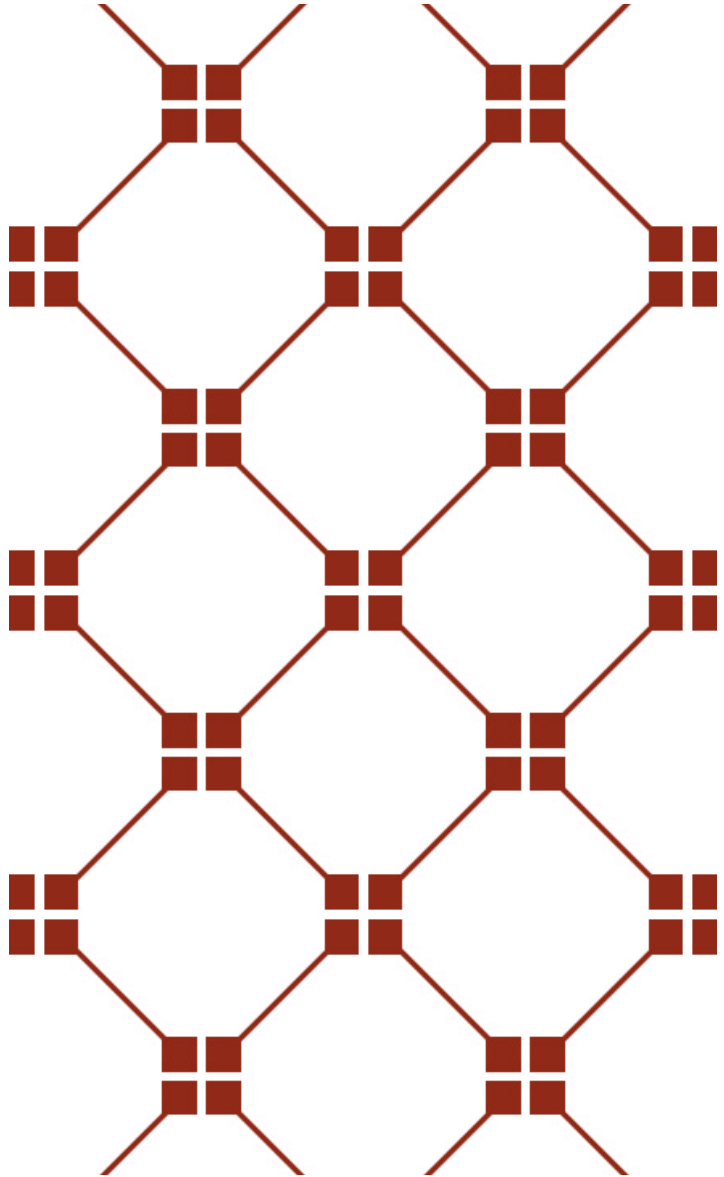
265.1 265 Interim TSDFs

# RULE CHAPTERS

HAR 11- 40 CFR

266.1	266	Specific wastes and facilities
268.1	268	Land disposal restrictions
270.1	270	HW permit program
271.1	124	Permit procedures
273.1	273	Universal waste
279.1	279	Used oil



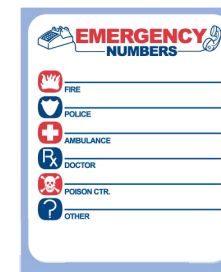


# UPDATES

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# RULE UPDATES EFFECTIVE JANUARY 29, 2024

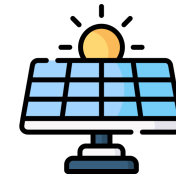
- New EPA rules adopted by the state (2022 IBR)
  - Ignitable liquids testing 
  - Canada import/export codes 
- SQG emergency information posting
- Universal waste
- Minor corrections and clarifications



# RULE UPDATES EFFECTIVE JANUARY 29, 2024

- Universal waste

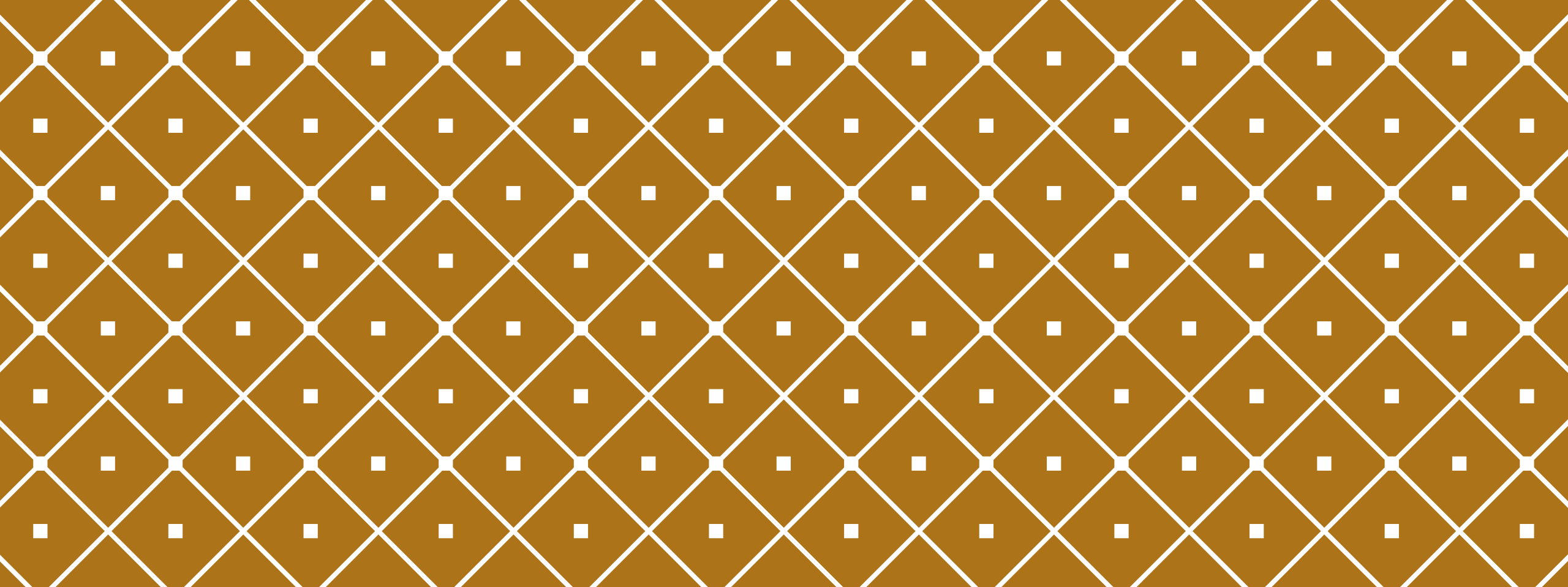
- Battery labeling
- Solar panel de-framing



- Electronic items

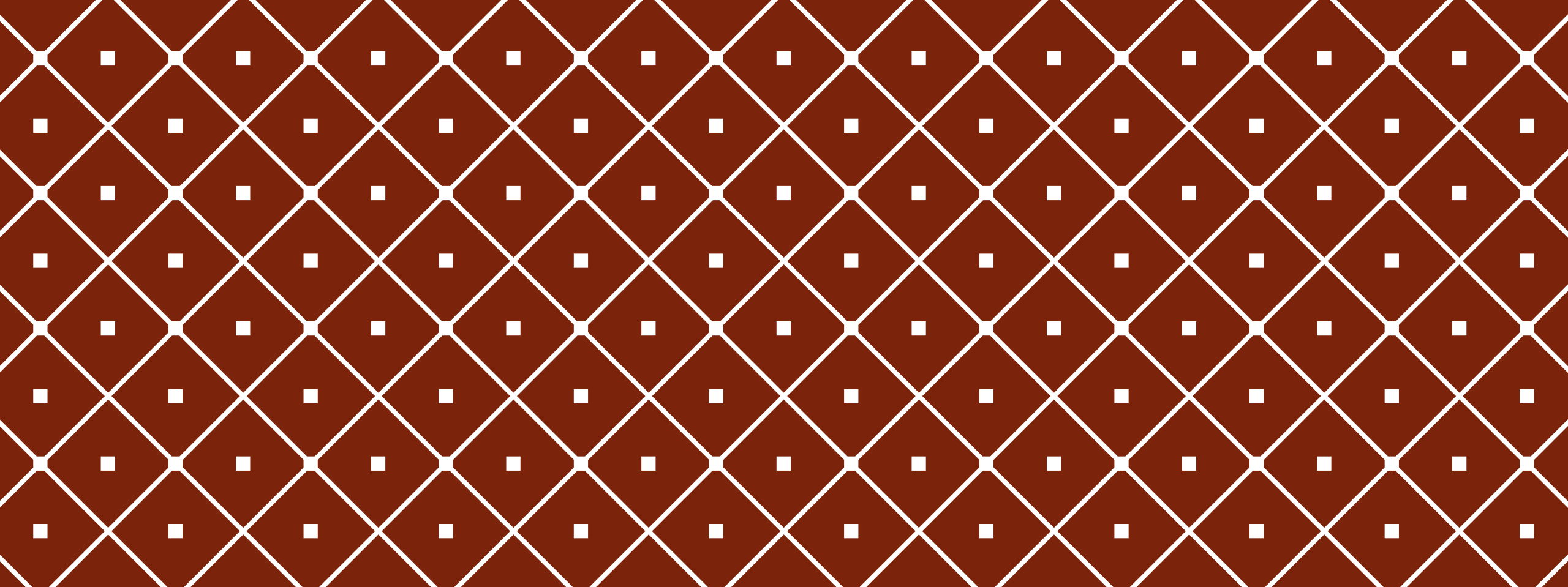
- Labeling
- Clarification on removal of discrete components
- Storage media destruction





# NEW EPA RULES



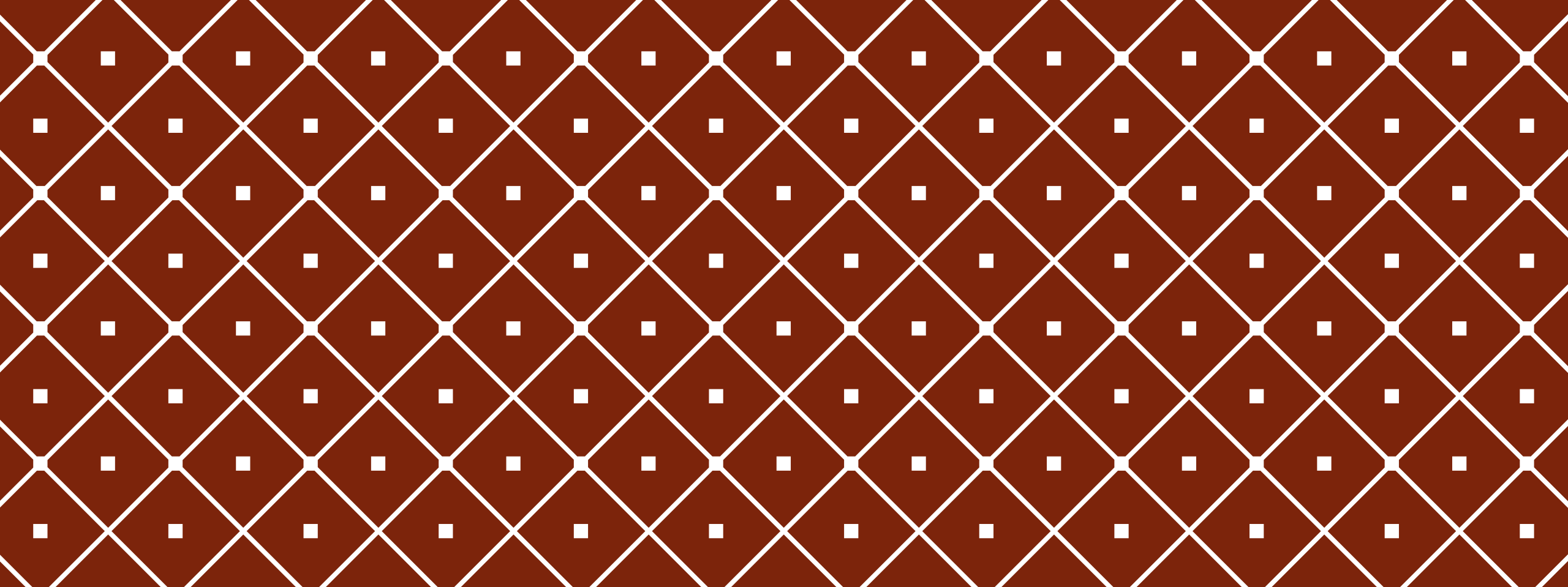


**IGNITABLE LIQUIDS** |

# MODERNIZING IGNITABLE LIQUIDS DETERMINATIONS

- Allow test methods related to the flashpoint of liquid waste and air sampling to align with current ASTM and EPA standards
- Allow alternatives to tests requiring mercury thermometers
- Codify existing EPA guidance defining aqueous – change “aqueous solution” to “solution...at least 50 percent water by weight”
- Update references to DOT regulations

[[85 FR 40594](#)]



# CANADA IMPORT/EXPORT CODES

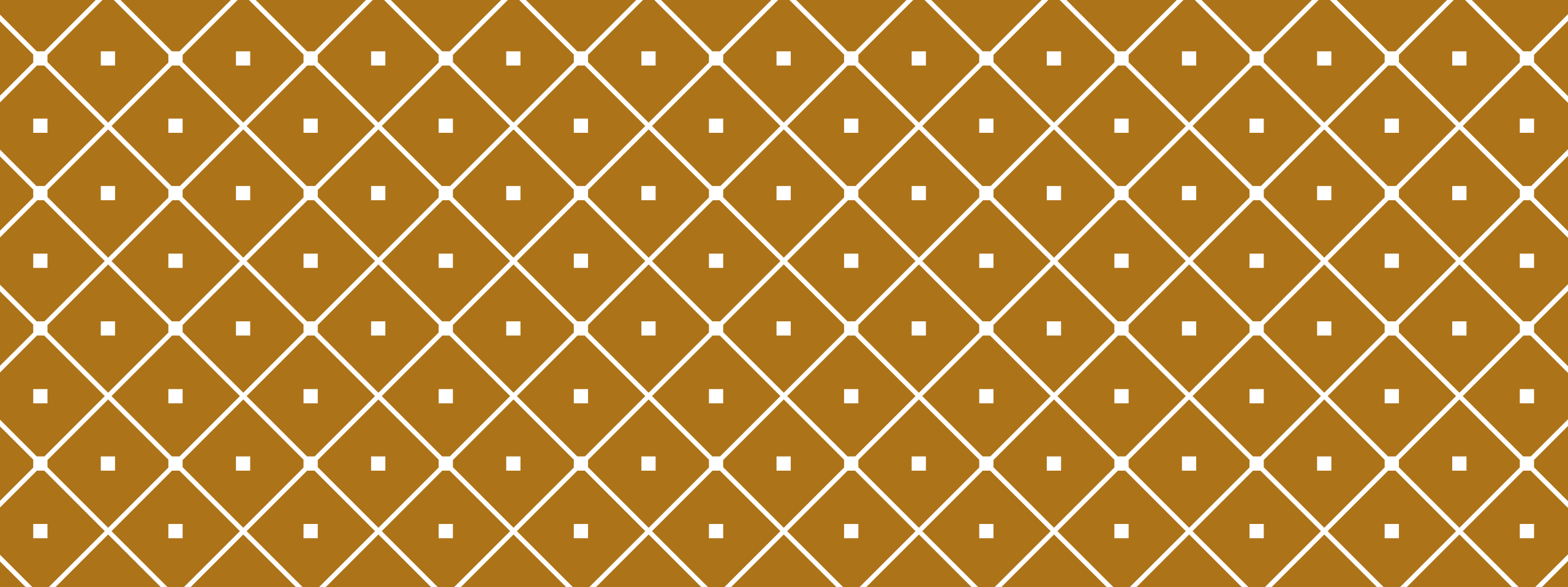




# CONFORMING CHANGES TO CANADA-SPECIFIC HAZARDOUS WASTE IMPORT-EXPORT RECOVERY AND DISPOSAL OPERATION CODES



- Change codes used in hazardous waste import/export notices submitted to EPA
- Conforming with Canadian regulatory change
- Codes represent waste recovery and disposal operations

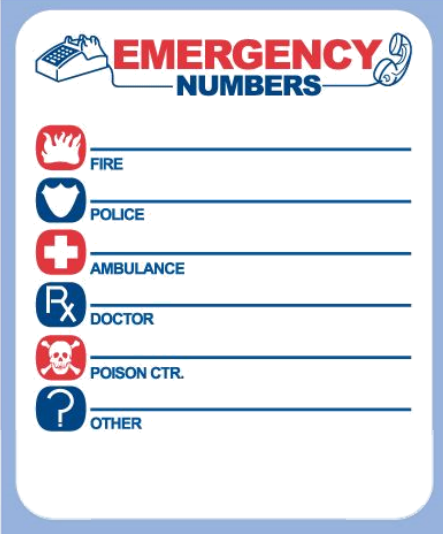


# EMERGENCY INFO POSTING



# SQG EMERGENCY INFORMATION POSTING

- Emergency information must be posted in areas where hazardous waste is generated and stored
- Except: for sites where cell phones cannot be used safely in hazardous waste generation and accumulation areas, post next to the nearest phones



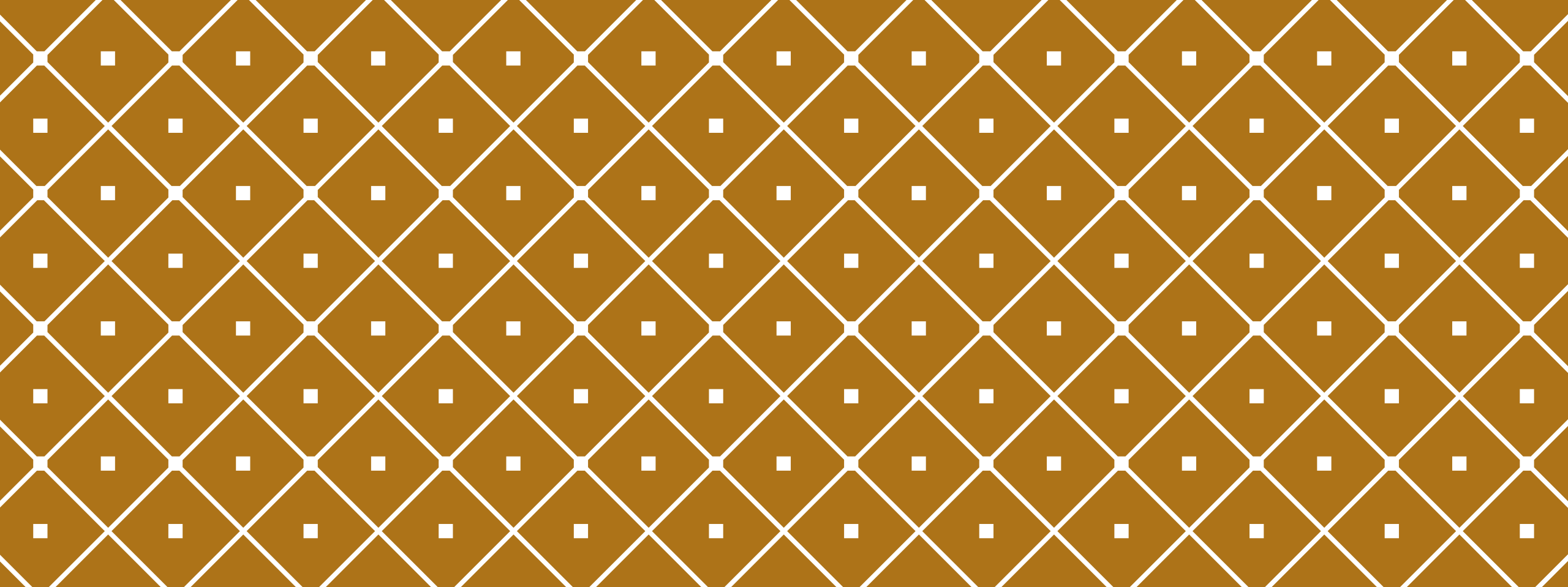
The image shows a standard emergency information posting form. At the top, it features a graphic of a telephone handset and the text "EMERGENCY NUMBERS". Below this, there are six rows, each with a colored icon and a label: a red flame for "FIRE", a blue shield for "POLICE", a red cross for "AMBULANCE", a blue "Rx" symbol for "DOCTOR", a red skull and crossbones for "POISON CTR.", and a blue question mark for "OTHER". Each row has a horizontal line to the right of the label for entering a phone number.

The small quantity generator must post the following information [~~next to telephones or~~] in areas directly involved in the generation and accumulation of hazardous waste or, if cellular telephones cannot be safely used in these areas, next to the nearest telephones:

- The name and emergency telephone number of the emergency coordinator
- Location of fire extinguishers and spill control material, and, if present, fire alarm
- The telephone number of the fire department, unless the facility has a direct alarm







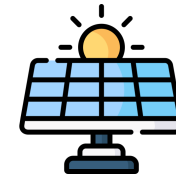
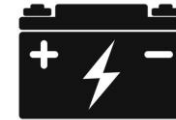
**UNIVERSAL WASTE** |



# RULE UPDATES EFFECTIVE JANUARY 29, 2024

- Universal waste

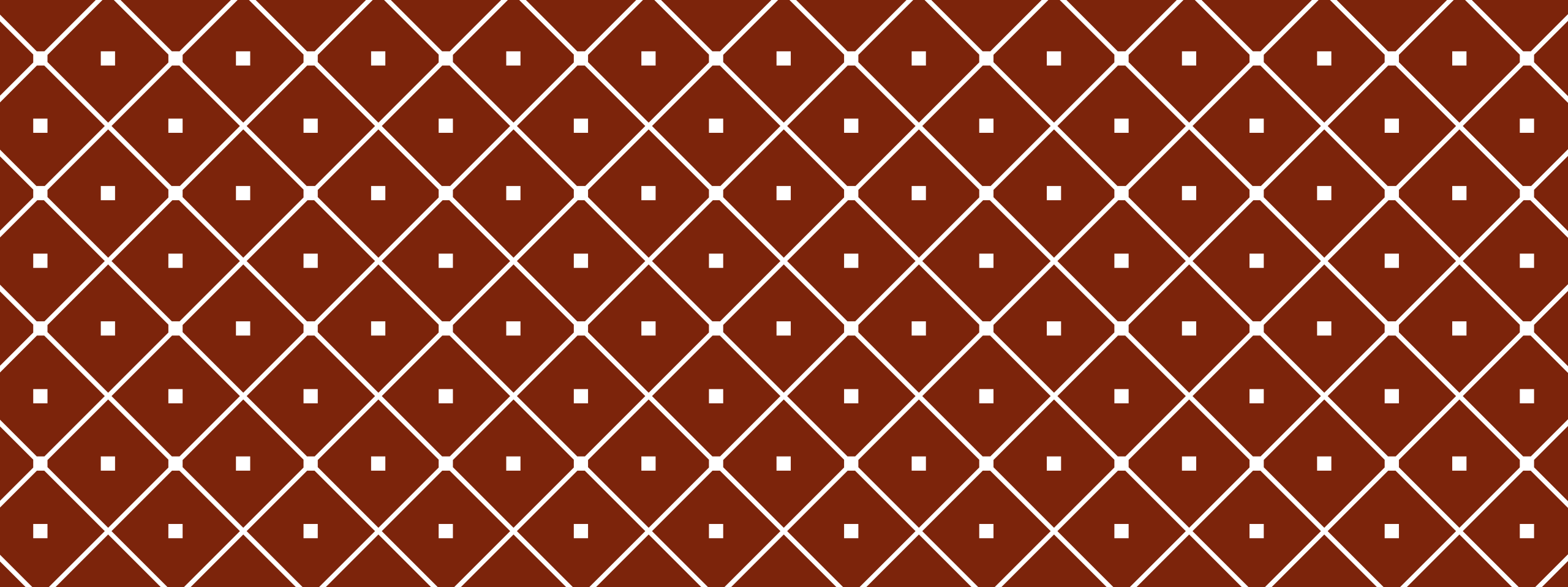
- Battery labeling
- Solar panel de-framing



- Electronic items

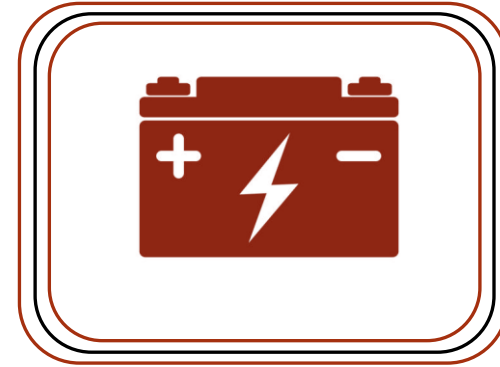
- Labeling
- Clarification on removal of discrete components
- Storage media destruction





**UW BATTERIES** |

# LABELING OPTIONS

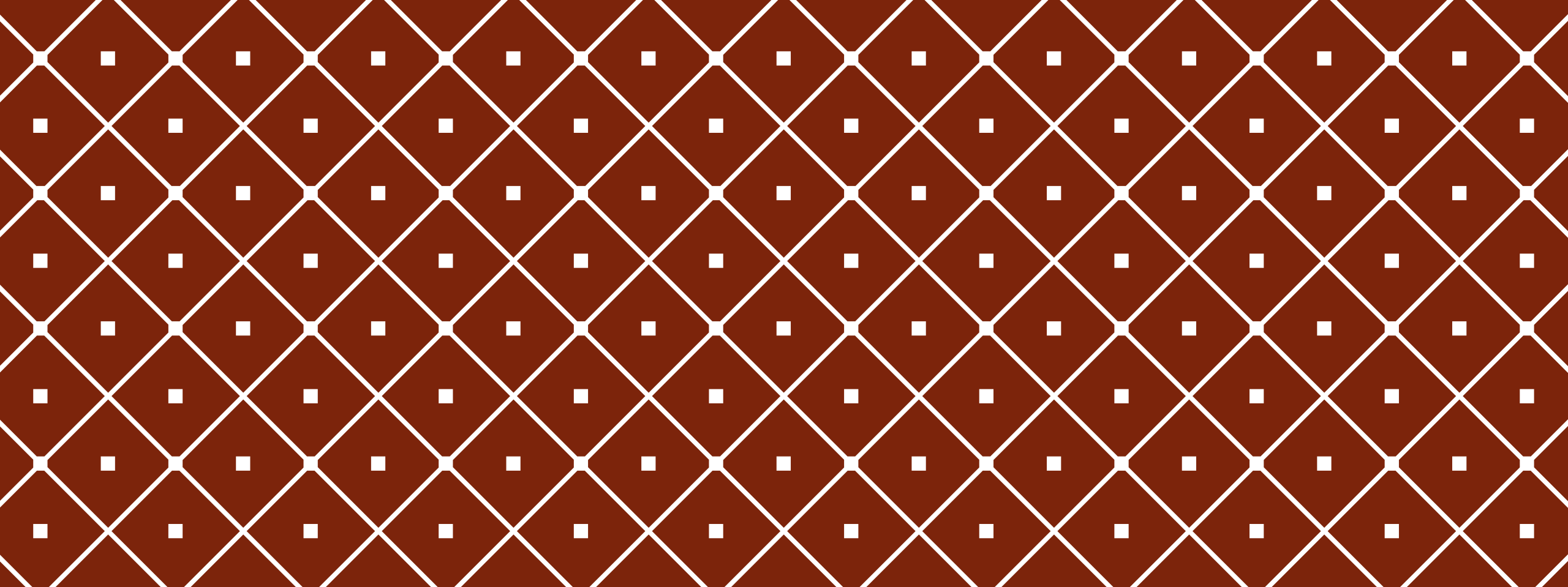


## LABEL EACH

- Battery
- Container or pallet containing batteries
- **Designated battery storage area demarcated by boundaries**

## LABEL LANGUAGE

- Universal waste—battery(ies)
- Waste battery(ies)
- Used battery(ies)

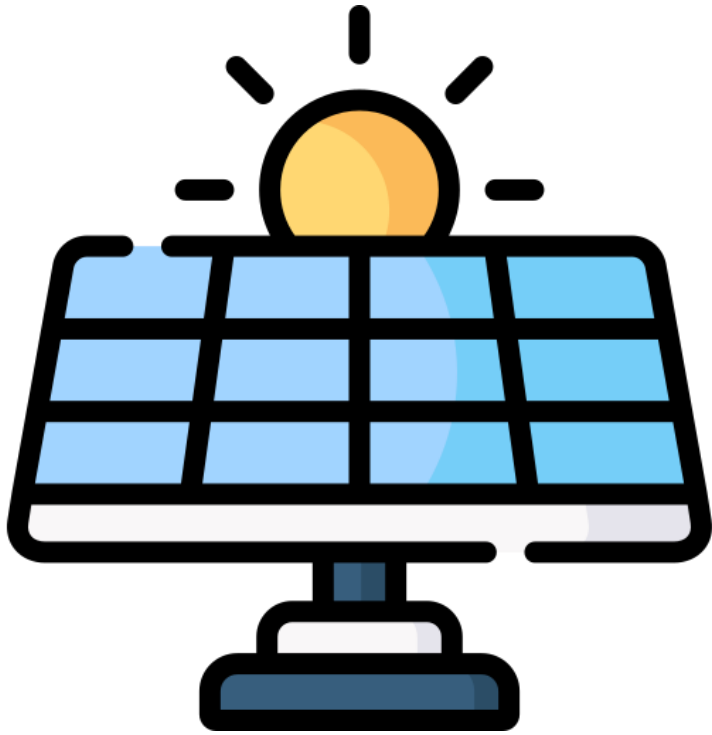


**UW SOLAR PANELS** |

# DE-FRAMING

UW handlers may manually or mechanically remove solar panel frames without a hazardous waste treatment permit, under conditions:

- Don't break the glass, cleanup & containerize if broken
- Storage conditions
- Metal frames must be recycled

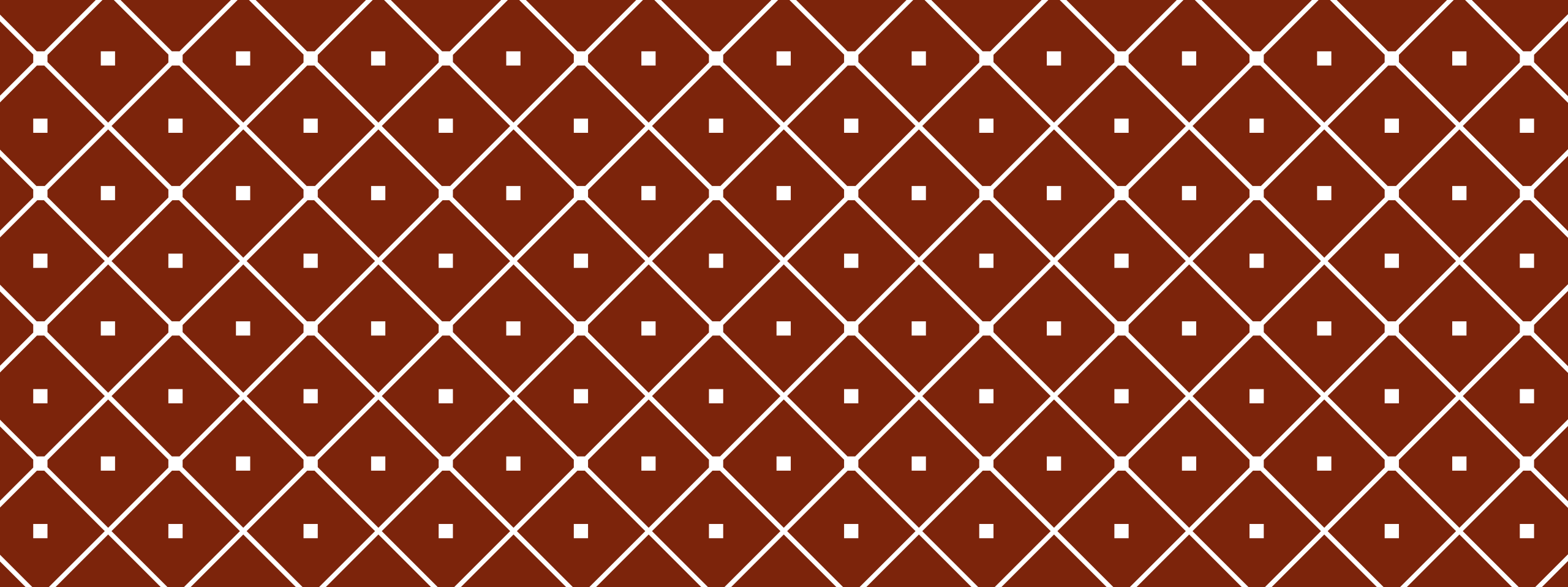


- All reasonable efforts shall be made to minimize breakage of solar panel glass
- Separated metal framing must be recycled

- Broken pieces of solar panel glass shall be cleaned up and placed in a container at the end of each work shift during which framing is removed from solar panels
  - The container shall be closed, structurally sound, and compatible with the contents of the solar panel, and shall lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions
- Broken pieces must be managed as universal waste



- Solar panels with framing removed shall be stored in a horizontal stack and shall be stretch-film wrapped as soon as practicable or at the end of each work shift
- Solar panels with framing removed shall be stored in:
  - A building, with a permanent roof and floor, that is constructed and maintained to minimize breakage of solar panels and to prevent exposure of the solar panels to precipitation; **or**
  - A closed and secure container that is constructed and maintained to minimize breakage of solar panels and to prevent exposure of the solar panels to precipitation



**UW ELECTRONIC ITEMS** |

# LABELING OPTIONS

## LABEL EACH

- Electronic item
- Container or pallet containing electronic items
- **Designated electronic item storage area demarcated by boundaries**

## LABEL LANGUAGE

- Universal waste—electronic item(s)
- Waste electronic item(s)
- Used electronic item(s)

# REMOVAL OF DISCRETE COMPONENTS

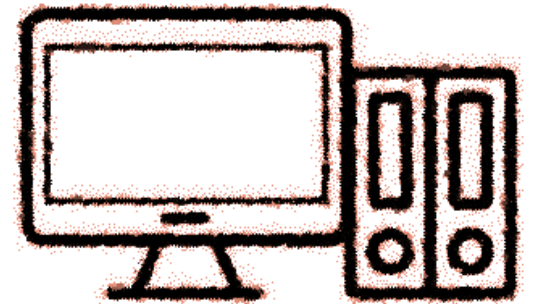
- Clarification only – removal of components “typically removed by consumers for replacement during the normal operation of an electronic item” already allowed
- Change “discrete assemblies” to “discrete components”
- Add hard drives and solid state drives as examples

# STORAGE MEDIA DESTRUCTION

UW handlers may drill holes in or crush electronic storage media for the purpose of meeting data security standards without a hazardous waste treatment permit, under conditions:

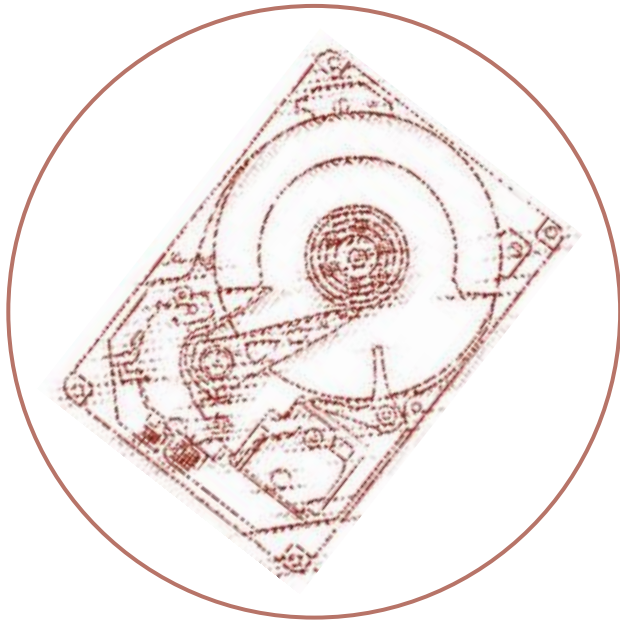
- Written procedures
- Catchment area or container
- Containerize debris and electronic storage media, manage debris as UW

- Drill holes in or crush hard drives, solid state drives, or similar electronic storage media
- For the purpose of meeting data security standards or media sanitization standards
- Must meet the following requirements:



- Written procedures

- Establish and follow written procedure detailing how to safely drill holes in or crush the storage media
  - Proper assembly, operation, and maintenance of the drilling or crushing device
  - Proper waste management practices to prevent releases
- Maintain a copy of the written procedure on site
- Ensure employees conducting drilling or crushing are trained in the proper procedure



- Conduct drilling or crushing over a catchment area or container and immediately collect and containerize any debris generated
- Manage resulting debris and electronic storage media as UW



- Ensure that all debris and electronic storage media are confined to a container that:
  - Is structurally sound
  - Is compatible with the contents of the waste
  - Lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions
  - Remains closed except when drilling, crushing, or adding waste



# KEEP IN TOUCH

- Update your site contact information

[health.hawaii.gov/shwb/hazwaste/notification/](https://health.hawaii.gov/shwb/hazwaste/notification/)

- Sign up for email announcements

[health.hawaii.gov/shwb/hazwaste/announce/](https://health.hawaii.gov/shwb/hazwaste/announce/)

## Subscribe to our mailing list for HW Program updates

Email address

your.email@example.com

First Name

First name

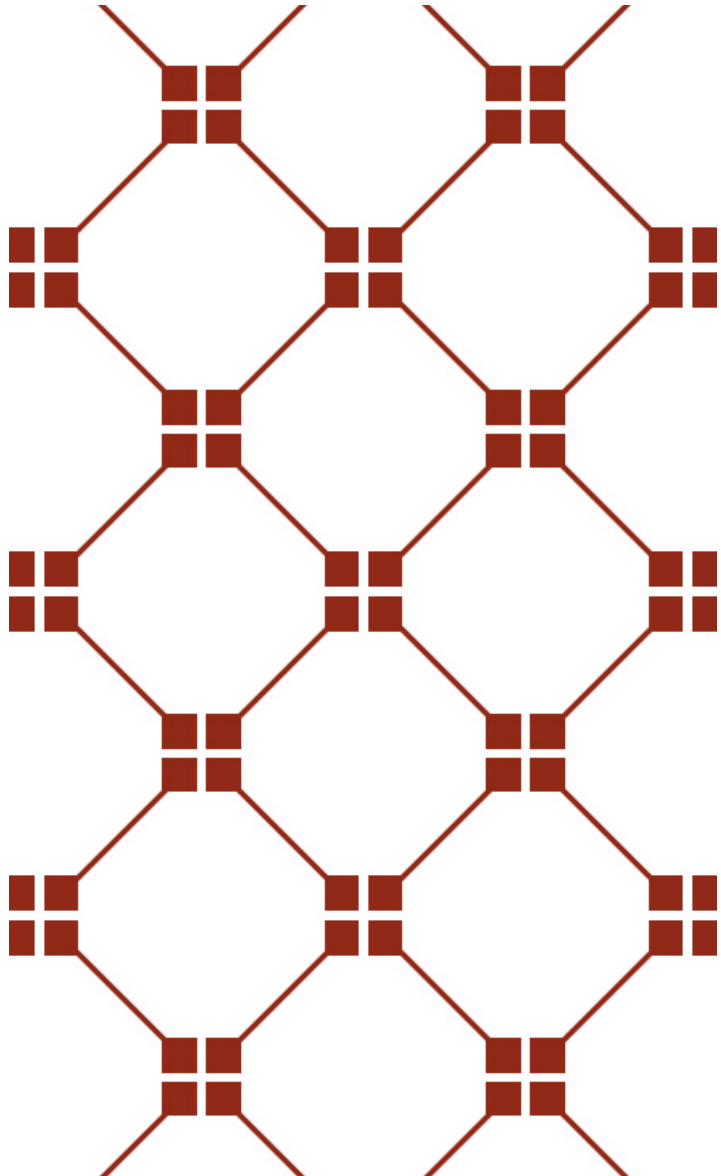
Last name

Last name

**Submit**

We value your privacy and will never send irrelevant information

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hazwaste/hwrules/](http://health.hawaii.gov/shwb/hazwaste/hwrules/)

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