

# Hazardous Waste Delisting and Treatment Variance Petitions



*Emerald Kalama Chemical, Kalama, Washington*

## Submit comments

Online at

<https://hwtr.ecology.commentinput.com/?id=NEu4H>

By mail to:

Greg Gould  
 Industrial Section  
 P.O. Box 47600  
 Olympia, WA 98504

## Document review locations

<https://ecology.wa.gov/emerald-kalama>

By appointment at:

Department of Ecology  
 Industrial Section  
 300 Desmond Drive SE  
 Lacey, WA 98503  
 Phone: 360-407-6916  
 Email:  
[angelina.ward@ecy.wa.gov](mailto:angelina.ward@ecy.wa.gov)

ADA accommodations

<https://ecology.wa.gov/accessibility>, call Ecology at 360-407-7393, Relay Service at 711, or TTY 877-833-6341

## Comment period: Jan. 20 – Feb. 22, 2022

We invite you to comment on the Department of Ecology's (Ecology's) proposed decision to allow Emerald Kalama Chemical, LLC (Emerald) to change how they manage some of their waste.

While federal and state law currently consider the waste to be "listed" federal hazardous and state dangerous waste, Emerald collected data showing it does not contain chemicals at harmful enough levels to be considered hazardous or dangerous.

### en Español

Se está llevando a cabo un periodo de comentario. Usted puede revisar y comentar sobre los borradores de los documentos del permiso. Estos describen los requisitos ambientales con los que debe cumplir una instalación industrial. Comuníquese con Angie Fritz al 360-407-7393 o [angela.fritz@ecy.wa.gov](mailto:angela.fritz@ecy.wa.gov) para obtener más información. Para información en Español, por favor envíe un correo electrónico a [preguntas@ecy.wa.gov](mailto:preguntas@ecy.wa.gov) o comuníquese con Gustavo Ordóñez al 360-407-6619.

## What is in the petitions?

Emerald's wastewater treatment facility generates industrial wastewater biological solids (IWBS) that federal and state law consider to be listed federal hazardous and state dangerous waste. It submitted delisting and treatment variance petitions to:

- Exclude (or "delist") up to 3,500 cubic yards annually of waste code U019 (benzene) and U220 (toluene) IWBS dangerous waste from the list of federal hazardous and state dangerous wastes.
- Manage this waste as solid waste instead of dangerous waste.

If approved, these petitions would allow the company to manage the waste as solid waste instead of dangerous waste, and dispose of the material in a permitted solid waste landfill.

## How did Ecology make its decision?

Delisting this waste is a two-step process.

The United States Environmental Protection Agency (EPA) must also grant a petition through a formal Federal Register rulemaking. The EPA is currently holding a comment period on its decision.

Visit <https://www.federalregister.gov>, Docket # [EPA-R10-RCRA-2018-0661](https://www.federalregister.gov/docket/EPA-R10-RCRA-2018-0661) to comment on the EPA's decision.

Then, Ecology must also grant a petition by considering both the information required by the EPA and additional information that addresses separate state requirements Ecology proposes granting the petition, pending approval by EPA after publication in the Federal Register and any revisions that result from public comment. The proposed approval is conditional. As outlined in EPA's notice, Emerald and FMF must:

- Meet delisting levels.
- Conduct waste verification sampling.
- Meet data submittal requirements and other conditions.

## Commenting

Effective comments tell us if we correctly applied current laws, rules, and regulations to this action. They:

- Relate to the potential impacts from this action.
- Are focused and specific. Tell us what your concern is and how you think the action should change.
- Refer to the conditions and requirements in the action.
- Describe the state or federal rules and regulations you think have not be applied correctly.

At the written request of any interested person, Ecology may hold a conference to consider oral comments on the actions proposed in the petitions. To request a conference, contact:

Angie Fritz  
Industrial Section  
P.O. Box 47600  
Olympia, WA 98504-7600  
[angela.fritz@ecy.wa.gov](mailto:angela.fritz@ecy.wa.gov)

You must state the issues to be raised and explain why written comments would not sufficiently communicate your views.

## Next steps

After evaluating all public comments, Ecology will make a final decision in accordance with RCW 34.05.330 or 34.05.240. The department will either deny the petitions in writing (stating its reasons for denial), or grant the petitions and, when appropriate, initiate rule-making proceedings in accordance with RCW 34.05.330.

## Facility information

Emerald is a chemical manufacturing facility located at 1296 Third St. NW in Kalama. They use toluene as a raw material to produce chemicals used in the food, beverage, paint, and pharmaceutical industries to make flavorings, fragrances, preservatives, plasticizers, and other products.