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.

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.

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

ADA accommodations

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 para obtener más información. Para información en Español, por favor envíe un correo electrónico a preguntas@ecy.wa.gov o comuníquese con Gustavo Ordóñez al 360-407-6619.

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- 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.

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

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.