

bcc: RAC PJK DRB SAR MGH JLJ DMJ JLW
TGG JF RH

February 12, 1991

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② File-482 **VISTA**

Louisiana Chemical Association
Henry Graham, Jr.
Director, Environmental Affairs
Suite 2040, One American Place
P O Box 1188
Baton Rouge, LA 70821

Dear Mr. Graham:

Attached are Vista Chemical's comments to the proposed hazardous waste regulations.

If you have any questions, please contact me at (318) 494-5087.

Sincerely,



Robert Handy
Environmental Coordinator

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§907. Manifest Discrepancies

- B. Upon discovering a discrepancy, the owner or operator must attempt to reconcile the discrepancy with the waste generator or transporter (e.g., with telephone conversations). The owner or operator must submit, to the administrative authority within five days, a letter describing the discrepancy and attempts to reconcile it, and a copy of the manifest or shipping paper at issue. After the discrepancy is resolved, a corrected copy is to be sent to the administrative authority.

Comments

The new language requires all discrepancies, whether significant or not, to be reported. Discrepancies resolved within 5 days must still be reported.

§913. Manifest Document Flow

- A. The generator initiates the manifest (original and at least seven copies) as required in IAC 33:V.903. After the transporter signs the manifest, the generator retains one copy for his or her files, mails the second copy to the administrative authority of the generator's State (where the waste was generated), and the original and all other copies accompany the hazardous waste shipment.

Comments

§903 does not require 7 copies. .

§1107. The Manifest System

A. General Requirements

1. A generator who transports, or offers for transportation, hazardous waste for off-site treatment, storage, or disposal must prepare a manifest before transporting the waste off-site, with the exclusions of generators exempt pursuant to provisions of IAC 33:V.105.D. Generators who also dispose, treat, or store hazardous waste on-site shall submit by the 20th of each month a manifest to the Department reporting total quantities (calculated on a daily basis), by type, of waste handled, and how that waste was disposed, treated, or stored during the previous calendar month, and shall retain on-site a copy of the manifest for at least three years from the date of disposal, treatment, or storage.

Comment

According to LAC 33:V.109, a manifest is defined as a form used for identifying the quantity, composition, origin, routing and destination of hazardous waste during its transportation from the point of generation to the point of off-site disposal, treatment or storage. This proposal is contrary to the purpose of a manifest. It also creates an unnecessary burden. The information that the department is requesting can be found in the Annual Hazardous Waste Report.

§1111. Recordkeeping and Reporting

B. Annual Report

2. Generators who also dispose, treat, or store hazardous waste on-site shall submit a monthly report and an annual report to the Department, reporting total quantity, by type, of waste handled, and how that waste was disposed, treated, or stored. Generators must maintain on site a copy of each report submitted to the Department for a period of at least three years from the date of the report. Reporting for exports of hazardous waste is not required on the annual report form. A separate annual report requirement is set forth in LAC 33:V.1113.G.

Comment

Monthly reporting again creates an unnecessary burden. If the Department is requesting that TSD report on a more frequent basis, quarterly reporting would be a more feasible option.

§4903. Category II Hazardous Wastes - Table 5

EPA HW		Regulatory	
<u>No. 1</u>	<u>Contaminant</u>	<u>Case No.</u>	<u>Level (mg/L)</u>
D030	2,4-Dinitrotoluene	121-14-2	0.13
D032	Hexachlorobenzene	118-74-1	0.13

Comments

The Federal regulations acknowledge that the quantification limit is greater than the calculated regulatory level, and allow the quantification limit to become the regulatory level. The State regulations should reflect this by including footnote 3 for these constituents.