



NEWMOA

NORTHEAST WASTE MANAGEMENT OFFICIALS' ASSOCIATION

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LETTER OF INTENT (11/30/95)

This letter of intent puts forth the agreement among the waste management program directors in the Northeast states to initiate the development of complementary programs for state implementation of the EPA universal waste rule. The Directors recognize that the proposal, adoption and authorization of such state programs will be time-consuming and will have broad regional implications. The Northeast states also recognize that the objectives of the universal waste rule will be generally beneficial throughout the region, resulting in an improvement in environmental protection and lower costs to taxpayers and consumers. Therefore, the Northeast states have decided to work together in developing their approaches to this program. The Directors believe that this agreement will also facilitate the development of collection and recycling programs for various universal wastes by private sector generators and other waste management businesses.

BACKGROUND

The Northeast states generate a significant amount of municipal solid waste (MSW). While recycling accounts for a portion of the management of this waste and will increase in the future, currently a large percentage of the waste is disposed of in solid waste facilities. To address the impacts of these facilities, the Northeast states are currently in various stages of program development and implementation to reduce and minimize the quantity of heavy metals in the MSW disposal stream. The reduction of heavy metals in the MSW disposal stream includes source reduction programs and source separation programs.

Source reduction programs focus on the reduction of heavy metals in the manufacturing of products and packaging. Upfront source reduction programs may be a more cost effective and environmentally sound approach than backend MSW management practices that take place in their absence. While such programs are not under the direct management of the Northeast states, they are indirectly assisted through partnerships with manufacturing industries in our states and with national and international manufacturers that supply our states with products. These programs include such approaches as Toxic Packaging Reduction programs, Battery Management programs, Household Hazardous Waste (HHW)/Small Quantity Generator (SQG) Waste Grant programs, and others.

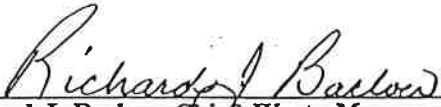
In addition, source separation programs are needed because some products or components in products can not be source reduced. Other products that are being source reduced have either a longer timeframe for the technology to change production or the lifecycle of the product is several years before the improved product is fully in use. A handful of discarded products contribute a majority of the cadmium, lead and mercury to the MSW stream, including, but not limited to, several types of batteries, mercury switches, thermostats, mercury-containing lamps, and electronics including cathode ray tubes and circuit boards.

MSW disposal costs includes the capital and operating costs of additional environmental control technologies, equipment and processes to manage cadmium, lead and mercury in the MSW disposal stream, which includes management of incinerator ash (which has the potential to be classified as a hazardous waste), leachate discharges from MSW landfills, and air emissions from both landfills and incinerators. The source separation program for the above discarded products could significantly reduce the quantity of cadmium, lead and mercury in MSW ash and disposal facilities, particularly incinerators, composting facilities and materials recovery facilities, with a concurrent reduction in costs. However, separately managing these discarded products highlights their potential to be classified as a hazardous waste, as they may fail the Toxicity Characteristics Leaching Procedure, even though they may pose less management risks than many hazardous wastes. Managing these discarded products as hazardous waste may simply increase the cost of their proper management, without any real gains in protection of public health or the environment.


A currently available source separation program that would increase the cost efficiencies and environmental effectiveness of the solid waste system is the universal waste approach. The Universal Waste Rule, promulgated May 11, 1995, currently applies to hazardous waste batteries, thermostats and spent or recalled pesticides, but also establishes a petition process to add other wastes to the universal waste rule based on meeting certain criteria. Particular discarded products can then be properly managed and source separated from the MSW disposal stream outside of the traditional RCRA Subtitle C system as a special category of wastes.

The Northeast states intend to work together on the development of complementary policies and programs that allow generators to source separate certain discarded products through state approaches based on the EPA Universal Waste Rule. This letter is to provide public notice of the intent of the eight northeastern states to take such an approach and facilitate a cooperative effort with various segments of the private sector, the results of which will be lowers costs to taxpayers and consumers in the context of total waste management and an improvement in the environmental performance of solid waste facilities.


LETTER OF INTENT SIGNATORIES
(NOVEMBER 30, 1995)


Richard J. Barlow, Chief, Waste Management Bureau
Connecticut Department of Environmental Protection

12-19-95
DATE


Allan R. Ball, Director, Hazardous Materials and Solid Waste Control Bureau
Maine Department of Environmental Protection


11/30/95
DATE


Phil Weinberg, Director, Solid Waste Management Division
Massachusetts Department of Environmental Protection

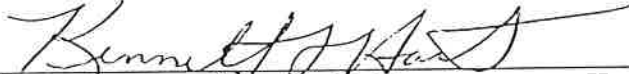
11/30/95
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Steve DeGabriele, Director, Bureau of Waste Prevention
Massachusetts Department of Environmental Protection

12/14/95
DATE


Philip J. O'Brien, Director, Waste Management Division
New Hampshire Department of Environmental Services


11/30/95
DATE


Kenneth T. Hart, Director, Division of Solid and Hazardous Waste
New Jersey Department of Environmental Protection

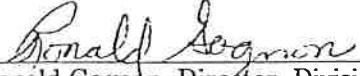
1/12/96
DATE


Norman H. Nosenchuck, P.E., Director, Division of Solid and Hazardous Materials
New York Department of Environmental Conservation


12/15/95
DATE


John J. Willson, P.E., Director, Division of Pollution Prevention and Waste Reduction
New York Department of Environmental Conservation

12/18/95
DATE


Ronald Gagnon, Director, Division of Waste Management
Rhode Island Department of Environmental Management

11/30/95
DATE


Gary Schultz, Director, Office of Air and Waste
Vermont Department of Environmental Conservation

14 Dec 95
DATE

