Hazardous Waste
Amendments Update

Tennessee Rule Chapter 0400-12-01

June 2, 2021
INTRODUCTION

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Hazardous Waste Program
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STATE AUTHORIZATION

- Tennessee is required to adopt the Federal Regulations promulgated to maintain program authorization.

- State RCRA programs must be at least as stringent as the federal requirements, but states can adopt more stringent requirements as well.

- The general schedule for States to update their regulations is that the state program must be modified by July 1 of each year to reflect changes occurring between July 1 of the previous year to June 30 of the current year.
Recent Updates

• Generator Improvement Rule
  – Effective Date
    • May 13, 2021

• Aerosol Can Rule
  – Pending Effective Date
    • June 3, 2021
Pharmaceutical Rule

FEDERAL REGISTERS:

- February 22, 2019 Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine

EPA COMMENTS

STATE LAWS AND THIS BOARD’S POLICIES

TECHNICAL CORRECTIONS AND HOUSEKEEPING
Pharmaceutical Rule

- **May 12, 2021**  Filed Public Notice for the Public Hearing with the Secretary of State (SOS).

- **July 6, 2021**  Public Meeting
  William R. Snodgrass TN Tower
  312 Rosa L. Parks Ave.
  2nd Floor, Conference Rooms A, B, and C
  Nashville, Tennessee 37243.

- **July 6, 2021**  Written comments must be submitted by 4:30 p.m.
Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine

- **Prohibits** the disposal of hazardous waste pharmaceuticals down the drain;
- Eliminates the dual regulation of hazardous waste pharmaceuticals that are also Drug Enforcement Administration controlled substances;
- Preserves the household hazardous waste exemption for pharmaceuticals collected during pharmaceutical take-back programs and events, while providing for their proper disposal;
- Codifies the Environmental Protection Agency’s prior policy on the status of nonprescription pharmaceuticals going through reverse logistics;
Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine (cont.)

• Defines when containers that held hazardous waste pharmaceuticals are considered “empty;”

• Amends the listing description of the P075 acute hazardous waste listing for nicotine and salts to indicate that U.S. Food and Drug Administration-approved over-the-counter nicotine replacement therapies are not included in the listing;

• Counts hazardous waste pharmaceuticals in the calendar month generation rate for the purpose of paying the generator annual maintenance fee, except a hazardous waste pharmaceutical that is also Drug Enforcement Administration controlled substance and is conditionally exempt under subparagraph (16)(g) of Rule 0400-12-01-.09; and

• Removes any potential discrepancies with the universal waste terms defined in Rule 1200-12-01-.01 and Rule 0400-12-01-.12.
A copy of the draft/final rules are available at:


Questions?
For further information contact:

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