

EPA Completes Long-Awaited "Wiper Rule"

Jessica Franken, SMART Government Affairs Consultant

No, your eyes are not deceiving you. After literally decades of years in the works, on July 23, the U.S. Environmental Protection Agency (EPA) released a pre-publication version of its final "wiper rule" modifying the federal hazardous waste regulations applicable to non-laundered wipes and rags and laundered shop towels used in tens of thousands of industrial facilities across the U.S.

As many know, SMART and its members have been working more than 28 years to convince the EPA revise the unnecessarily stringent and confusing waste regulations pertaining to non-laundered wipes. After years of consideration and discussion, EPA released a proposal to alter the regulatory framework for wipes in November 2003, and published a revised risk assessment in October 2009. SMART formally weighed-in on both, and worked extensively with the agency and others throughout the years to see the rule completed.

Under the final rule, once implemented in the states, non-laundered, solvent-contaminated wipes (except for those containing trichloroethylene) will be given the opportunity to be excluded from the definition of hazardous waste under the Resource Conservation and Recovery Act (RCRA), while laundered shop towels will be given the opportunity to be excluded from the RCRA definition of solid waste. In order to achieve their respective exclusions, both laundered and non-laundered wipes will need to be managed in closed, labeled containers and may not contain free liquids when sent for either cleaning or disposal. In addition, facilities that use these wipes will be prohibited from storing wipes for longer than 180 days and will be required to meet certain recordkeeping requirements. EPA estimates that these changes will result in a net savings of more than \$20 million per year in avoided regulatory costs and other expected benefits, including pollution prevention, waste minimization and fire prevention benefits.

SMART is still working to review the nearly 150-page rule, which is scheduled for publication in the *Federal Register*, and will be releasing a more detailed summary to its members in the days ahead. In the meantime, we wish to express our sincere gratitude to the many dedicated SMART members -- **especially Larry Groipen** -- who have committed time and other precious resources over the years to help us make this rule a reality.

The pre-publication version of the final rule is available at:

<http://www.epa.gov/epawaste/hazard/wastetypes/wasteid/solvents/wipes-final-rule.pdf>

A summary chart of the final rule is available at

http://www.epa.gov/epawaste/hazard/wastetypes/wasteid/solvents/sumry_chrt_wipes_fnl_rul_070913.pdf.

An FAQs document answering questions about rule can be found at:

http://www.epa.gov/epawaste/hazard/wastetypes/wasteid/solvents/wipes_faq.htm

More information about this

rulemaking: <http://www.epa.gov/epawaste/hazard/wastetypes/wasteid/solvents/wipes.htm>