

SUMMARY OF EXPRESS TERMS

6 NYCRR Part 370, Hazardous Waste Management System – General

6 NYCRR Part 371, Identification and Listing of Hazardous Wastes

6 NYCRR Part 373, Hazardous Waste Management Facilities

6 NYCRR 374, Management of Specific Hazardous Waste

6 NYCRR 376, Land Disposal Restrictions

The New York State Department of Environmental Conservation is proposing to amend 6 NYCRR Parts 370, 371, 373, 374, and 376. The proposed amendments will add aerosol cans and waste paint to the list of wastes that may be managed as universal wastes in New York State. The Express Terms are summarized below:

Part 370 will be amended to add definitions for the terms “aerosol can,” “architectural coatings,” and “paint.” The definitions for “universal waste” and “universal waste handler” are amended to add aerosol cans and paint to the existing list of universal wastes in those definitions.

Part 371 will be amended to add aerosol cans and paint to the list of wastes that are exempted from the requirements of Part 372, Part 373, Subpart 374-1 and Part 376 if handled as universal wastes under Subpart 374-3 of this Title.

Subpart 373-1 will be amended to add aerosol cans and paint to the list of wastes that are not subject to this Subpart if handled as universal wastes under Subpart 374-3 of this Title.

Subpart 373-2 will be amended to add aerosol cans and paint to the list of wastes that are not subject to this Subpart if handled as universal wastes under Subpart 374-3 of this Title.

Subpart 373-3 will be amended to add aerosol cans and paint to the list of wastes that are not subject to this Subpart if handled as universal wastes under Subpart 374-3 of this Title.

Subpart 374-3 will be amended to describe the standards for aerosol cans and waste paint that are being handled as universal waste in New York. It includes the following:

1. Applicability of the universal waste regulations to aerosol cans and paint, including when aerosol cans and waste paint may be handled under the universal waste requirements of Subpart 374-3;
2. Specific standards for accumulation, storage and handling of these materials that are designed to address the hazards associated with handling aerosol cans and paint, and to prevent releases to the environment;
3. Activities that large and small quantity universal waste handlers may conduct under the regulations including a description of the conditions for puncturing aerosol cans and consolidating the same types of paint into another container of paint;
4. Procedures to be followed in the event of a release or other emergency; and
5. Labeling, recordkeeping and reporting requirements.