

VEOLIA ES TECHNICAL SOLUTIONS, L.L.C.

REGULATORY UPDATE – June 2013

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A. EPA Approves New Recycling Method for Processed Glass in Cathode Ray Tubes (CRT's)

In an April 24, 2013 letter to Sony Electronics, Inc. in San Diego, CA, the Environmental Protection Agency (EPA) clarified that processed CRT glass used as an effective substitute for virgin fluxing agent at copper smelters are excluded from solid and hazardous waste regulation under 40 CFR 261.2(e)(1)(ii). This ruling allows funnel cullet from CRTs to be used as a fluxing agent in copper smelters. EPA agrees that the degree of processing that is required for the use of the CRT glass in a copper smelter is the same as that required for use in a lead smelter and that the economics are also similar in both smelters.

EPA is hopeful that this clarification will assist in reducing the quantity of CRT glass that state waste regulators say is being stockpiled or placed into open dumps due to the high cost of properly managing this material.

Link

The link below will allow you to view/print EPA's April 24, 2013 letter.

[http://yosemite.epa.gov/osw/rcra.nsf/0c994248c239947e85256d090071175f/D6345FCE2C698F9685257B640046675C/\\$file/14835.pdf](http://yosemite.epa.gov/osw/rcra.nsf/0c994248c239947e85256d090071175f/D6345FCE2C698F9685257B640046675C/$file/14835.pdf)

The link to EPA's Cathode Ray Tube website is provided below.

<http://www.epa.gov/osw/hazard/recycling/electron/index.htm>

B. Colorado Ban on the Land Disposal of Electronic Wastes Effective Beginning July 1, 2013

On July 1, 2013, Colorado's "Electronic Recycling Jobs Act" (Senate Bill 12-133) became effective prohibiting the disposal of electronic wastes in landfills in Colorado. The following electronic wastes are banned for land disposal in Colorado: television sets, central processing units (CPUs), computer monitors, peripherals, printers, fax machines, laptops, notebooks, electronic tablets, DVD players, video cassette recorders (VCRs), radios, stereos, and video game consoles. Colorado is the 20th state to ban the landfilling of electronic wastes.

Effective Date

The electronic waste landfill ban became effective on July 1, 2013.

Link

The link below will allow you to view/print the Electronic Recycling Jobs Act.

[http://www.leg.state.co.us//CLICS/CLICS2012A/csl.nsf/fsbillcont3/BE40677619E5656187257981007F374C/\\$FILE/133_01.pdf](http://www.leg.state.co.us//CLICS/CLICS2012A/csl.nsf/fsbillcont3/BE40677619E5656187257981007F374C/$FILE/133_01.pdf)

C. New York Mercury Thermostat Recycling Bill Passed

On June 21, 2013, the New York State legislature passed the Mercury Thermostat Collection Act (S.1676A/A,8084) that will require manufacturers to collect and properly manage mercury-containing thermostats. The legislation which must still be signed by Governor Cuomo requires manufacturers to collect and properly manage 15,500 mercury-containing thermostats by 2015.

Link

The link below will allow you to view/print the Mercury Thermostat Collection Act

<http://open.nysenate.gov/legislation/bill/S1676A-2013>

D. Vermont Paint Take-Back Bill Signed by Governor

On June 3, 2013, Vermont Governor, Peter Shumlin, signed House Bill 262, establishing a paint take-back program that will be funded by paint manufacturers. The paint take-back program is funded through a per-container fee manufacturers will pay to Paint Care, Inc., a non-profit organization, that will oversee the program. The fees are designed to cover the collection, transportation, recycling, public outreach, and administration of the paint take-back program. Vermont is the sixth state to create a producer responsibility law for paint. The other states are: California, Connecticut, Minnesota, Oregon, and Rhode Island.

Link

The link below will allow you to view/print House Bill 262.

<http://www.leg.state.vt.us/docs/2014/bills/Passed/H-262.pdf>

E. DOT/PHMSA Hazardous Materials: Emergency Recall Order for Cylinders Manufactured by The Lite Cylinder Company, Inc.

On June 6, 2013, the Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA) published an emergency recall order (78 FR 34156-34160) to The Lite Cylinder Company, Inc.

Background

Lite Cylinder manufactures or has manufactured, marked, certified, and sold composite cylinders as meeting DOT-SP 14562, DOT-SP 13957, and DOT-SP 13105; performed cylinder requalification under approval H706; and manufactured cylinders using Registration Number M5729. On October 10, 2012, PHMSA suspended these authorizations due to Lite Cylinder failing to report three cylinder failures in service and one during production; failing to cease the sales of all DOT-SP 13957 cylinders as required in a May 10, 2007 Notice of Suspension of DOT-SP 13957; failed to manufacture DOT-SP 14562 cylinders in accordance with the Quality Systems Manual; along with other issues.

Summary

The June 6, 2013 Emergency Order mandates a recall of:

1. All cylinders manufactured by The Lite cylinder Company, Inc. and marked as authorized under DOT-SP 14562, DOT-SP 13957, and DOT-SP 13105;
2. Any cylinder requalified under H706;
3. Any cylinder manufactured under M5729.

Effective Date

This emergency recall order became effective on May 24, 2013.

Link

The link below will allow you to view/print the emergency recall order.

<http://www.gpo.gov/fdsys/pkg/FR-2013-06-06/pdf/2013-13354.pdf>

F. OSHA Updating Standards Based on National Consensus Standards; Signage; Direct Final Rule and Notice of Proposed Rulemaking

On June 13, 2013, the Occupational Safety and Health Administration (OSHA) published a direct final rule (78 FR 35559-35567) and a notice of proposed rulemaking (78 FR 35585-35593) to update general industry and construction signage standards by adding references to the latest versions of the American National Standards Institute (ANSI) standards on specifications for accident prevention signs and tags.

Background

OSHA is in the process of updating standards to incorporate the latest versions of national consensus and industry standards. These updates include updating or removing national consensus and industry standards cited in existing OSHA standards, updating the text of standards that OSHA adopted directly from previous national consensus standards, and replacing specific references to previous national consensus and industry standards with performance requirements.

Summary

In this direct final rule OSHA is:

1. Updating the general industry and construction signage standards by adding references to the latest versions of the ANSI standards on specifications for accident prevention signs and tags (ANSI Z535.1-2006, Z535.2-2011, and Z535.5-2011). OSHA is retaining the existing references to the earlier ANSI standards to provide employers the option of complying with the updated or earlier standards.
2. Incorporating by reference Part VI of the Manual of Uniform Traffic Control Devices, 1998 Edition, Revision 3, into the incorporation-by-reference section of the construction standards.

Effective Date

The direct final rule will become effective on September 11, 2013, unless OSHA receives adverse comment to the direct final rule by July 15, 2013.

Link

The link below will allow you to view/print the direct final rule.

<http://www.gpo.gov/fdsys/pkg/FR-2013-06-13/pdf/2013-13909.pdf>

The link below will allow you to view/print the notice of proposed rulemaking.

<http://www.gpo.gov/fdsys/pkg/FR-2013-06-13/pdf/2013-13910.pdf>

G. DoT/TTB Reclassification of Specially Denatured Spirits and Completely Denatured Alcohol Formulas and Related Amendments; Notice of Proposed Rulemaking

On June 27, 2013, the Department of Treasury, Alcohol and Tobacco Tax and Trade Bureau (TTB) published a notice of proposed rulemaking (78 FR 38628-38645) that would amend the regulations for denatured alcohol and products made with industrial alcohol.

Summary

The proposed amendments would eliminate outdated specially denatured spirits formulas from the regulations, reclassify some specially denatured spirits formulas as completely denatured alcohol formulas, and issue some new general-use formulas for manufacturing products with specially denatured spirits. TTB believes these proposed amendments would remove unnecessary regulatory burdens on the industrial alcohol industry and would align the regulations with current industry practice.

Comments Due

Comments on this notice of proposed rulemaking must be submitted to TTB on or before August 26, 2013.

Link

The link below will allow you to view/print this notice of proposed rulemaking.

<http://www.gpo.gov/fdsys/pkg/FR-2013-06-27/pdf/2013-15262.pdf>