



## Restricted Waste Management Program Information Sheet

The Waste Management Audit Program underwent a change in 2016 to become the Restricted Waste Management Program. You will see the same SNHD inspectors and they will evaluate the hazardous and special Handling wastes generated by your facility as they have in the past. The invoice and fees charged by the program remain unchanged at this time. Below you will find a narrative describing the changes in the program and a bullet-formatted copy of the regulation for your review. Should you have additional questions after reading the information presented below, please contact us at (702) 759-0600 and select Option #6.

The Southern Nevada Health District is the Solid Waste Management Authority in Clark County, Nevada per Nevada Revised Statutes (NRS) 444.495(1) and conducts Restricted Waste Management Inspections to ensure the proper disposal of Restricted Waste. Restricted Wastes include hazardous waste and non-hazardous special handling waste materials.

Prior to January 1, 2001 Clark County did not have a regulatory program in place to monitor businesses who generated less than 220 lbs./month of Restricted Waste. County regulatory agencies such as the Water District and code enforcement representatives raised growing concerns about the improper disposal of Restricted Wastes at these facilities. On October 26, 2000, the District Board of Health authorized the implementation of the Waste Management Audit Program. The Waste Management Audit determined a facility's generator status, allowed the inspector to consult and advise the owner on proper methods of waste disposal, and encouraged the owner to follow best management practices.

Beginning in January 2015, the Solid Waste Management Authority began the process of evaluating, updating, and consolidating the various inter-department programs and regulations into a unified set of regulations. Within the body of these proposed regulations the Waste Management Program was incorporated and redefined as the Restricted Waste Management Program. On August 27, 2015, the District Board of Health voted to adopt the proposed Solid Waste Management Authority Regulations (Memorandum #05-15). The adopted regulations pertaining to the Restricted Waste Management Program went into effect January 1, 2016.

Per 4-3.01 of the Solid Waste Management Authority regulations, "Generators of Restricted Wastes are subject to permitting by the Solid Waste Management Authority and shall comply with the requirements of Section 4-3". Subject to approval by the Restricted Waste Management Supervisor, facilities may be **exempt** from obtaining a Restricted Waste Management Permit if:

- The Restricted Waste is routinely inspected and/or permitted by:
  - Environmental Protection Agency (USEPA) under the Resource Conservation and Recovery Act (RCRA) Compliance Evaluation Inspection.
  - Nevada Division of Environmental Protection (NDEP) under the Hazardous Waste Management Program.
  - Publicly Owned Treatment Works (POTW) under a National Pollution Discharge Elimination System (NPDES) permit.
  - Solid Waste Management Authority as a permitted Solid Waste Management Facility
- The Restricted Waste generated per calendar year is:
  - Less than 1 (gallon) or 8 (eight) pounds.
  - Not elemental Mercury or categorized as an Acutely Hazardous Waste as defined by 40 CFR 261.33.
  - Compliant with the minimum standards and requirements set forth in Chapter 4-3.02;
- The only Restricted Waste generated is:
  - Universal Waste - excluding lead acid batteries
  - Untreated Medical Waste.

As stated in 4-3.02 Minimum Standards for Generators of Restricted Waste:

- Generators of Solid Waste must make a Solid Waste Determination through Generator knowledge or evidence of laboratory results that demonstrate Solid Waste generated is not a Restricted Waste.
- Restricted Waste must be stored, staged and kept separate from Solid Waste.
- A container used to store Restricted Waste must:
  - Be structurally sound;
  - Not pose a spill risk;



- Be compatible with the characteristic(s) of Restricted Waste(s) being stored inside;
- Be kept closed when not in use.
- A container used to store Restricted Waste must be labeled according to its contents and the label must be readily visible and legible.
- If more than one type of Restricted Waste is stored in a container, the Restricted Wastes must be chemically compatible.
- Documentation proving proper disposal of all Restricted Wastes must be kept onsite or readily available for review upon date of inspection for three (3) years.
- Generators of Restricted Waste must comply with all requirements of federal, state, and local laws and regulations governing the operation, management, transport, storage and/or disposal of Restricted Waste.

Per 4-3.03, prior to a permit being issued, a Generator of Restricted Waste must:

- Supply the following information:
  - The name, physical location, phone number, fax number, and mailing address of the facility or location where Restricted Waste is generated and/or stored.
  - Contact information for the business owner, business owner's representative or operator of the facility.
- Comply with the minimum standards and requirements set forth in Chapter 4-3.02.

\*Please note: Restricted Waste Management Permits issued pursuant to these regulations are not transferable.

Permit Category & Inspection Frequency:

- All Generators of Restricted Waste will be initially issued a Category I Restricted Waste Management Permit after completing the requirements set forth for Permit issuance. Category I Restricted Waste Management inspections will be conducted onsite annually or as needed to ensure compliance.
- An application may be submitted for Permit reclassification to a Category II Restricted Waste Management Permit. The Solid Waste Management Authority will evaluate the types and quantities of Restricted Waste generated by permittee to determine eligibility. Category II Restricted Waste Management inspections will be conducted onsite once every three calendar years or as needed to ensure compliance.
  - Generators of Restricted Waste eligible for a **Category II** Restricted Waste Management Permit must:
    - Generate less than 50 gal or 400 lbs of Restricted Waste in a single calendar year.
    - Not generate Acutely Hazardous Waste as defined by 40 CFR 261.33;
    - Must be compliant with the requirements of the Restricted Waste Management Program listed above in Chapter 4-3.02.
  - Permit Reclassification Process:
    - Meet reclassification eligibility requirements to apply for Category II Restricted Waste Management Permit status.
    - Submit a reclassification application for Category II Restricted Waste Management Permit and be approved by the Restricted Waste Management Program Supervisor.
  - Permit Reclassification Revocation:
    - A Category II Restricted Waste Management Permit may be revoked for any of the following:
      - Failure to submit Annual Restricted Waste Management Self-Assessment before expiration date of current Permit;
      - A Restricted Waste Management Inspection identifies that the Generator of Restricted Waste is outside of eligibility requirements for reclassification.

Per Chapter 4-3.04, no person shall dispose of, or offer for disposal, a Restricted Waste in a Municipal Solid Waste Landfill in Clark County. The inadvertent or unintentional disposal of a Restricted Waste in a Municipal Solid Waste Landfill shall not be considered a violation of these regulations.

NRS 444.570 (3) Employees of the State Department of Conservation and Natural Resources or its authorized representatives may, during the normal hours of operation of a facility subject to the provisions of NRS 444.440 to 444.620, inclusive, enter a facility where: a) Solid waste may have been generated, stored, transported treated or disposed; or b) Records are kept, and may inspect and copy any records, reports, information or test results relating to the management of solid waste.