

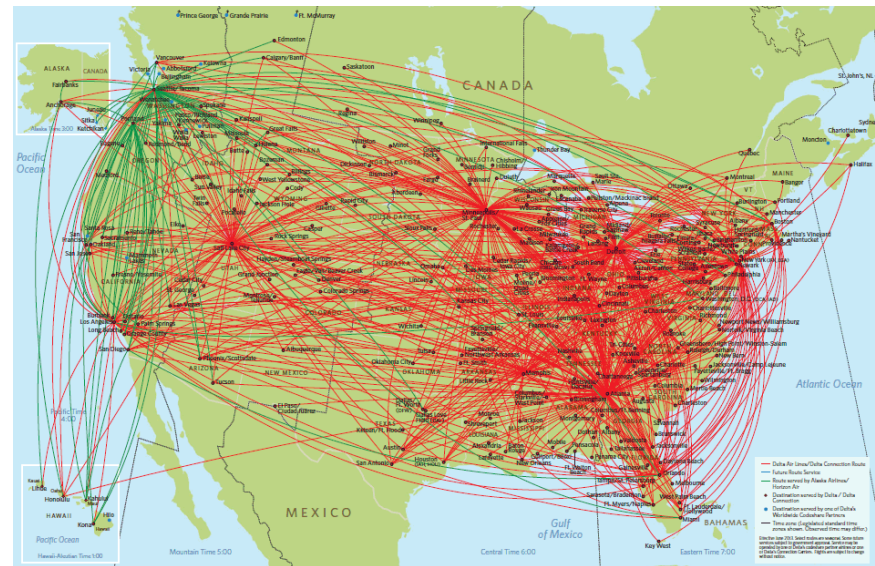
Delta's Hazardous Waste Program Overview

Delta Air Lines (Delta) maintains a large domestic and international route network. One byproduct of operating our fleet is the generation of waste, both hazardous and non-hazardous of varying types.

Delta is a large quantity generator of hazardous waste in cities where we have a large maintenance presence like Atlanta, Minneapolis, Detroit and Los Angeles (a result of used oil being hazardous in the State of CA).

We are a small quantity generator in places like Cincinnati, Boston, and Seattle

We are very small quantity generator everywhere else potentially that we fly.



Rule Impacts Locally

The Atlanta Maintenance Base is already a large quantity generator of hazardous waste. Recent work has decreased hazardous waste generation, however the entire contiguous Atlanta airport operation is current a large quantity generator of hazardous waste.

Based on the current projected implementation of the generator improvement rule, the impacts to the Atlanta operation are expected and the changes to our operation are already being implemented to ensure we are in full compliance.

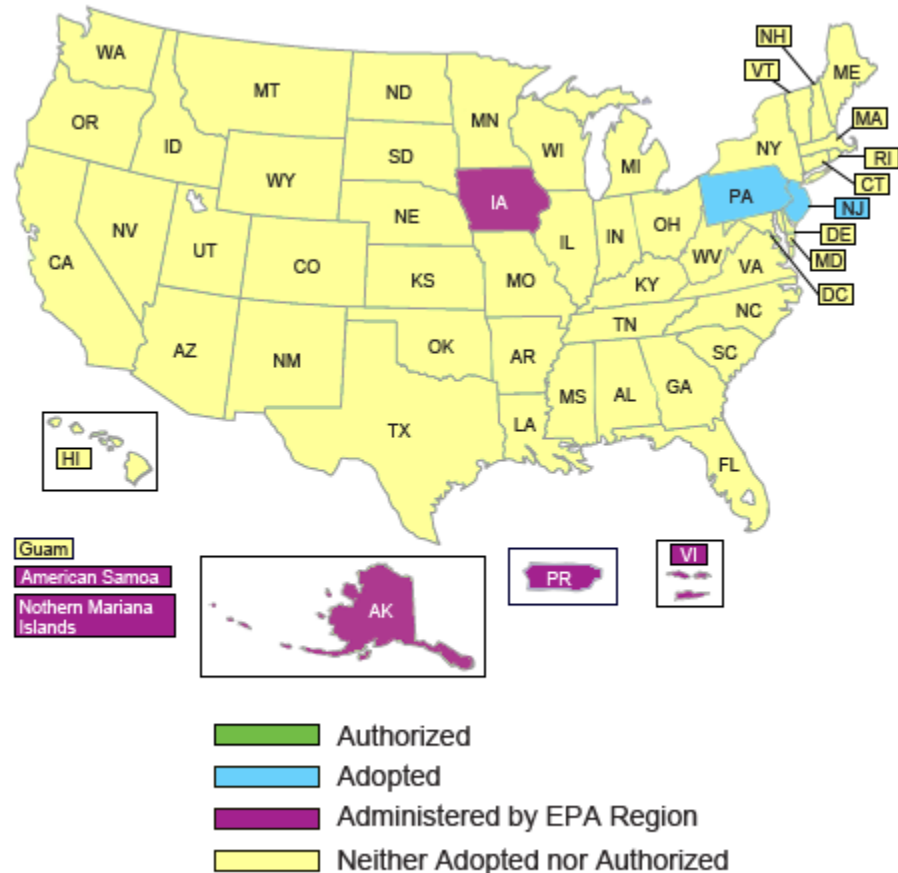
Georgia EPD's Board is currently expected to vote on these rules on 8/30/2017.



Rule Impacts Nationwide

In other locations within the US where Delta operates, the rules are slowly coming, but we are unsure as to what format the rule will take in some of these locations.

Authorized States must adopt the more stringent requirements of the rule no later than July 1, 2018 or July 1, 2019 if a change in state law is required.



Rule Impacts Nationwide – Brief Summary by Selected States

Washington State, the draft rules have yet to be published. The Washington State Department of Ecology indicates that the draft rules will be published sometime between now and May of 2018. We haven't gotten a firm reading on what will or will not be required of us.

California, California DTSC has circulated a lengthy presentation that indicates that the majority of the more stringent requirements are already met by existing CA rules and there are only a few that California "must" implement. As a note, California does not recognize conditionally exempt generators, and may not recognize very small quantity generators.

Michigan has stated that it is currently reviewing the rules and will be issuing amended rules as part of Amendment 12 to the part 111 rules (their hazardous waste rules)

New York State, Massachusetts, and Minnesota – no news as of yet

Rule Impacts Nationwide - Benefits?

Provisions that allow for consolidation from VSQG up to LQG?

This part of the rule might make sense for a company like Delta. We operate several large quantity generator stations and have a huge network of very small quantity generator stations.

There are multiple concerns with doing this.

- **First, what shape and form will the respective State implementation of the rules take? Georgia has indicated that they will adopt the rules as written by EPA but what about other States?**
 - **States such as California and Washington are likely not to take advantage of these “relaxed” standards**
 - **Since aircraft can not take hazardous waste on board as cargo, what is the regulatory state of wastes when/if they pass through jurisdictions that don’t recognize the rule? What if there is a incident in a State where the material/waste is passing through?**
 - **To many questions and too much uncertainty for Delta to allow this portion of the rule to be used**

Rule Impacts Nationwide

Episodic Generation

Delta has had maintenance events and other incidents that have caused our stations to rapidly change generator status.

When we changed generator status in LaGuardia during early 2015 for example, we required the station to implement all of the large quantity generator requirements.

The new rule for episodic generation is easier to comply with, doesn't require a contingency plan and allows for the station to be compliant without having a significant amount of burden.

Only one change is allowed per year however a second event may be granted a waiver

Rule Impacts Nationwide

Small Quantity Generation Notification

- **No significant impact, all of Delta's SQG sites were already doing this through state processes**

Contingency Plan Changes

- **Quick reference guide will need to be created for emergency responders for LQG**
- **SQG now need to explicitly address emergency requirements**

Waiver of the 50' Requirement

- **Actually may be useful for some Delta operations depending on future orientation**

Labeling changes

Other Rule Impacts

The implementation of this rule will be similar to the solvent wipe rule. Every jurisdiction will potentially have different rules and requirements.

- States are not always consistent with USEPA**
- Leads to opportunities for confusion**

Other issues with this rule include,

- Point of Generation Waste Determination**

Biggest Rule Impacts

The biggest impact of this rule will be related to potential violations of the conditions of exclusion and what ramifications violating these conditions will have on the generator.

For instance, will a VSQG making an error in classifying their hazardous waste, result in that generator forfeiting that exemption?

For a SQG, what if they miss one inspection of their main waste accumulation area?

Despite EPA's statement in the preamble that the new language is not intended to signal a change in enforcement, this part of the rule is subject to legal challenge

Questions or Comments?

