

LEAD-BASED PAINT DEBRIS DISPOSAL GUIDANCE
Mississippi Department of Environmental Quality
Solid Waste Management Branch
(April 2001)

I. Introduction

This document is to provide guidance for the characterization and disposal of lead-based paint containing debris in Mississippi resulting from abatement, renovation, or demolition activities

II. Definitions – The definitions contained herein have been developed for the purpose of this guidance document only.

Abatement Wastes means paint chips, paint dust, sludges, washwater/ wastewater, lead-contaminated soils, protective clothing, air purification filters, and other similar wastes removed prior to demolition/renovation activities. This term also includes surfaces painted with lead-based paint which are removed intact such as doors windows, trim molding, or other building components

Class I Rubbish Site means disposal sites approved to receive class I rubbish wastes including construction and demolition (C&D) debris, land clearing debris, yard wastes, and other rubbish wastes as defined by the Mississippi Nonhazardous Waste Management Regulations.

Household Waste means any solid waste (including garbage, trash, and sanitary waste in septic tanks) derived on the premises of a household. A “household” may include single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day use recreation areas. Since 1980, the EPA has excluded household waste from the RCRA Hazardous Waste Management Regulations. The definition of household waste has been expanded to include LBP abatement wastes generated in households by residents or by contractors engaged in renovation or remodeling projects.

Lead-Based Paint (LBP) means paint or other surface coatings that contain elevated concentrations of lead. Generally such paints were used prior to 1978 when, at that time, the U.S. Consumer Product Safety Commission implemented a legal maximum limit of lead content in house paint. The 1978 ruling did not apply to industrial applications.

Municipal Solid Waste Landfill means a lined landfill with a leachate collection system and groundwater monitoring program that receives RCRA Subtitle D wastes such as household waste, commercial solid waste, nonhazardous sludges, small quantity generator waste and industrial solid waste.

TCLP (Toxicity Characteristic Leaching Procedure) means an analytical test used to determine whether or not a waste is a characteristic hazardous waste due to leachability and is expressed in mg/l. With respect to lead-based paint, concentrations of lead greater than or equal to 5.0 mg/l are considered hazardous under the Mississippi Hazardous Waste Management Regulations.

III. Disposal Requirements

A. Lead Based Paint Abatement Waste

i. Residential Structures

Lead-based paint (LBP) abatement wastes generated through renovation or remodeling projects at residential structures, whether by residents or contractors, are considered *household wastes* (see definition) and are generally not required to be tested for toxicity prior to disposal. Consequently, LBP abatement wastes generated from households may be disposed of at an approved municipal solid waste landfill upon coordination with the landfill operator. However, it is recommended that persons participating in lead abatement projects involving larger residential structures (i.e. apartments, dormitories, barracks, etc.) contact the Department for further guidance as some aspects of Section III.A.ii. below may be applicable.

The Department encourages residents and contractors to use reasonable caution when dealing with all LBP abatement wastes. Precautions should be taken to minimize lead dust generation and exposure, to avoid the accumulation of large quantities of LBP abatement wastes, to limit the access to stored LBP abatement wastes including debris, and to maintain the integrity of waste packaging material during transport of LBP.

ii. Non-residential Structures

For LBP abatement wastes originating from sources *not* considered to be households, a lead Toxicity Characteristic Leaching Procedure (TCLP) test must be conducted on a representative sample of lead-based paint abatement wastes to determine if the wastes are characteristically hazardous. Abatement wastes with TCLP results less than 5.0 mg/l generally may be disposed at an approved municipal solid waste landfill upon coordination with the landfill operator. Abatement wastes with TCLP results greater than 5.0 mg/l generally must be disposed at a hazardous waste landfill or be treated in a manner consistent with the Mississippi Hazardous Waste Management Regulations, rendering the wastes nonhazardous for potential disposal in a municipal solid waste landfill. Since there are no hazardous waste treatment/disposal facilities located in Mississippi, the hazardous lead-based paint would require shipment to facilities out-of-state.

A permanent hazardous waste generator number is not required if the abatement waste tests characteristically hazardous. However, if more than 220 pounds of hazardous abatement wastes are generated and disposed of per month, a temporary identification number is required in order to transport the waste material to a treatment/disposal facility. A temporary identification number can be obtained from the Hazardous Waste Division of the Department. Contact the Hazardous Waste Division of the Department at (601) 961-5171 for more information on the temporary identification number.

B. Demolition Debris Containing Lead-Based Paint

In instances where an entire building is demolished and the building contains or is assumed to contain lead-based paint, the Department does not generally require sampling/characterization of the demolition wastes for the purpose of disposal. The demolition wastes may be disposed of at an approved Class I rubbish site or municipal solid waste landfill. The generator of such demolition debris must notify the owner/operator of the receiving disposal facility that the waste contains or is assumed to contain lead-based paint.

C. Salvageable Materials Containing Lead-Based Paint

In instances where metal salvageable materials contain or are assumed to contain lead-based paint and are transported to a recycling facility, an analytical characterization of the waste materials is not required. Such materials are generally exempt from the Mississippi Hazardous Waste

Management Regulations but could be subject to the applicable permit requirements of the recycling facility or to other state or federal regulations. Salvageable wood components, such as doors, windows, trim, or other building components that are reused for their original intended purpose are not currently subject to State hazardous or nonhazardous waste regulations.

Should any questions or need for further information arise regarding the disposal of lead-based paint containing debris resulting from abatement, renovation, or demolition activities, please contact the Solid Waste Management Branch at (601) 961-5171 or at P.O. Box 10385, Jackson, MS 39289-0385.