

Kansas Department of Health and Environment  
Bureau of Waste Management Policy 2017-P1

**Saccharin and its Salts:  
Removal from the Lists of Hazardous Constituents and Hazardous Wastes**

**Purpose**

This policy remedies the current conflict between Kansas and federal regulations concerning the classification of saccharin and its salts as a hazardous waste.

**Background**

In 1980, the United States Environmental Protection Agency (EPA) promulgated lists of hazardous constituents and hazardous wastes (45 FR 33084, May 19, 1980 and 45 FR 87432, November 25, 1980). Saccharin and its salts had been identified as a potential human carcinogen, which resulted in its listing in Appendix VII of Part 261 as a hazardous constituent and in 40 CFR 261.33(f) as a hazardous waste with EPA Hazardous Waste No. U202.

On January 18, 2011, the federal regulations were amended to remove saccharin and its salts from the lists of hazardous constituents and hazardous wastes. EPA determined that saccharin and its salts do not meet the criteria in the hazardous waste regulations for remaining on EPA's lists of hazardous constituents and hazardous wastes (75 FR 78918, December 17, 2010). EPA made this determination based on a review of evaluations conducted by public health agencies concerning the carcinogenic and other potential toxicological effects of saccharin and its salts, and on EPA's own assessment of waste generation and management information for these chemicals.

Until the Kansas Department of Health and Environment (KDHE) adopts this amendment, saccharin and its salts are classified as a state-specific hazardous waste with the waste code U202.

**Action**

The Kansas Department of Health and Environment (KDHE) intends to adopt this amendment, removing saccharin and its salts from the lists of hazardous constituents and hazardous wastes. Until this regulatory change is implemented, KDHE will allow generators to eliminate the U202 waste code from their notification of regulated waste activity. In addition, the generation of these wastes will not count towards the generator's calculation of its monthly hazardous waste generation rate.

This policy shall remain in effect until it is revoked or is rendered obsolete by the adoption of the saccharin and its salts amendment in the Kansas hazardous waste regulations.



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Date