



Hazardous Wastes Information

Rules for Generators of Hazardous Wastes

Generators

The Resource Conservation and Recovery Act of 1976 (RCRA) requires the U.S. Environmental Protection Agency (EPA) to institute a national program to control hazardous waste. Specific regulations for carrying out RCRA are set forth in the Code of Federal Regulations (40 CFR Parts 260 to 265 and 122 to 124). The program becomes effective 6 months following promulgation of the regulation identifying and listing hazardous waste (Part 261). This regulation includes a list of waste sources, waste streams, and some specific wastes that are hazardous, as well as four characteristics of a hazardous waste: ignitability, corrosivity, reactivity, and toxicity as determined by a specified extraction procedure (referred to in the regulation as "extraction procedure toxicity").

The keystone of the program is control of hazardous waste from point of generation through treatment, storage, and ultimate disposal via transportation manifests and reporting. The control system starts when those engaged in generating, transporting, treating, storing, or disposing of hazardous waste notify EPA as required by section 3010 of RCRA. After receiving notification, EPA assigns an identification number to the notifier. Anyone engaged in transporting, treating, storing, or disposing of hazardous waste who does not notify EPA during the 90-day period following the promulgation of the regulation identifying hazardous wastes may not begin or continue operation after the effective date of the regulations without obtaining an EPA identification number.

The regulation (40 CFR Part 262) issued under section 3002 of RCRA requires a generator of hazardous waste to:

- determine if its waste is hazardous by consulting the list of hazardous wastes contained in the regulation or, if the waste is not listed, by determining if it possesses any one of four characteristics established in the regulation (ignitability, corrosivity, reactivity, or toxicity). Or, the generator may declare the waste to be hazardous based upon knowledge of the materials or processes used in producing the waste.
- obtain an EPA identification number
- obtain a facility permit if waste is accumulated on the generator's property more than 90 days
- use appropriate containers and label them properly for shipment
- prepare a manifest for tracking hazardous waste
- assure, through the manifest system, that the waste arrives at the designated facility
- submit an annual summary of activities

Notification Requirement	Anyone who generates, transports, treats, stores, or disposes of hazardous waste is required to notify EPA within 90 days of promulgation of the identification regulation. Notification should be filed with the Regional Administrator for the EPA region in which the installation is located.
EPA Identification System	A generator who notifies EPA during the 90-day period following promulgation of the identification regulation receives an identification number. New generators (those not generating hazardous waste during this 90-day period) must obtain an identification number within 90 days of beginning operation; requests for an identification number should be submitted to the appropriate EPA regional office.
Waste Leaving the Generator's Property	For waste leaving the site where it was generated, the generator must: <ul style="list-style-type: none"> ● use only transporters with identification numbers ● prepare a manifest—a shipping form—for all movements of hazardous waste sent to off-site treatment, storage, or disposal facilities ● keep records of these shipments ● report shipments that do not reach the facility designated on the manifest
The Manifest	A generator of hazardous waste is responsible for preparation of a manifest containing: <ul style="list-style-type: none"> ● name and address of the generator ● names of all transporters ● name and address of the permitted facility designated to receive the waste. (An alternate facility may be designated if an emergency prevents use of the first facility.) ● EPA identification numbers of all who handle the waste ● U.S. Department of Transportation (DOT) description of the waste ● quantity of waste and number of containers ● the generator's signature certifying that the waste has been properly labeled, marked, and packaged in accordance with DOT and EPA regulations
Operation of the Manifest System	The generator signs the certification on the manifest, including one copy for each person handling the waste. The transporter then signs and dates the manifest and returns one copy to the generator, who retain it until a copy is received from the designated facility following delivery of the waste.
Waste Remaining on the Generator's Property	Generators who accumulate waste on their property more than 90 days are considered to be "storing" waste, and are required to obtain a facility permit, under section 3005 of RCRA. The date accumulation began must be clearly marked on the container. <p>A generator who treats, stores, or disposes of waste on site will be subject to requirements under sections 3004 and 3005 of RCRA.</p>