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LITTLE KNOWN BUT ALLOWABLE WAYS TO DEAL WITH HAZARDOUS WASTE



**Little Known
But Allowable Ways to
Deal with Hazardous Waste**

**U.S. Environmental Protection Agency
Small Business Division
Washington, DC**

May 2000

NOTICE

This document has been prepared to assist those responsible for administering or improving hazardous waste management programs at small businesses. The document provides information related to allowable ways to manage hazardous waste on site. It does not prescribe in detail all required factors and considerations for hazardous waste or other environmental management programs.

The U.S. Environmental Protection Agency (EPA) does not make any guarantee or assume any liability with respect to the use of any information or recommendations contained in this document. It is recommended that users of this document requiring additional information or advice consult a qualified professional.

ACKNOWLEDGEMENTS

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SUGGESTED IMPROVEMENTS

Although every reasonable effort was made to make this document useful to small businesses, it is recognized that additional improvements are always possible. Comments and suggested improvements on this document are welcome and should be directed to:

U.S. Environmental Protection Agency
Small Business Division
MC 2131
401 M Street, SW
Washington, DC 20460

INTRODUCTION

Hazardous waste management and off-site disposal can be challenging and expensive for small businesses. But not all hazardous waste must be shipped off site for treatment or disposal. The EPA has identified a number of allowable ways that small businesses can minimize their hazardous waste on site. This document provides information on five of these methods. They are:

- Domestic Sewage Exclusion;
- Elementary Neutralization;
- Recycling;
- Treatment in Accumulation Containers; and
- Burning in Small Boilers and Industrial Furnaces

EPA has delegated authority to each state to implement and enforce major portions of the hazardous waste management program. Some state requirements relative to these hazardous waste minimization methods may be more stringent than the Federal requirement.

This Guide should provide you with the information you need to answer the question of whether any of these methods will work for you. The Guide contains two principal sections. This introduction provides background information on the purpose of the Guide, a brief overview of the EPA Hazardous Waste Program as it applies to small businesses, and a summary of the five EPA allowed hazardous waste minimization methods identified above.

The second section is a state-by-state review of these allowable ways to minimize hazardous waste. The section provides summary information for each state including their definition of hazardous waste, allowances for each of the five EPA allowed waste minimization methods, and information on special state hazardous waste management program considerations.

It should be noted that state requirements do not apply to small businesses located in Indian Country because states do not have jurisdictions in these areas. In these situations, the appropriate Tribal government, rather than the state, should be contacted to ensure their regulations are not more stringent than those of the EPA.

If after reviewing the information contained in this Guide, it looks like any of the five waste minimization methods could be effective at your facility, you should conduct further research at both the Federal and state level to confirm their allowance and understand the specific operational requirements. Information on whom to call and where to get further information at each state is provided in the State-by-State section of the Guide. Small

businesses should remember that the waste minimization methods described in this Guide should only be conducted as part of a comprehensive hazardous waste management program that addresses all regulatory requirements.

Hazardous Waste Program Description

Definition of “Hazardous Waste”: EPA defines “hazardous waste” in 40 CFR 261. EPA specifies that wastes can be hazardous because they appear on one of the four lists or because they exhibit a particular hazardous characteristic. Listed and characteristic hazardous wastes are identified using codes consisting of one letter followed by three digits.

Often, for small businesses, the most relevant listings are those for spent solvents (a portion of the F-list) and discarded commercial chemical products (known as the P- and U-lists). Spent solvents on the F-list are designated by the codes F001, F002, F003, F004 and F005 and include common solvents such as acetone, methanol, methylene chloride, toluene, and xylene. The P- and U-lists apply to unused, discarded commercial chemical products with a sole-active ingredient on one of the two lists. Typical P- and U-listed wastes are expired or unused chemicals or wastes from cleaning up spills of unused chemicals. P-listed wastes are special in that they are known as “acutely hazardous wastes.” The K-list specifies various industrial process wastes.

There are four hazardous waste characteristics: ignitability, corrosivity, reactivity and toxicity. Ignitable wastes are generally liquids with a flash point below 140°F. Nonchlorinated solvent wastes are usually ignitable and, sometimes, also F-listed. Corrosive wastes are aqueous solutions with a pH ≤ 2 or ≥ 12.5 . Reactive wastes are those that are unstable, explosive, water reactive, or can generate toxic cyanide or sulfide fumes. Toxic wastes, denoted by the codes D004 through D043, contain toxic constituents (e.g., herbicides, toxic organic compounds, heavy metals) that, when subjected to the toxicity characteristic leaching procedure (TCLP), are likely to leach hazardous concentrations.

In addition to the four federal hazardous waste lists and four federal hazardous waste characteristics, state regulators sometimes add wastes to their state definition of hazardous waste. Often these wastes are added in the form of additional “state lists” and include wastes such as waste oils and polychlorinated biphenyls. Although it is less common, state regulators sometimes add additional characteristics or modify the federal characteristics to broaden the scope of waste subject to regulation as hazardous waste.

Hazardous Waste Generator Status: EPA sets varying requirements for three classes of generators: large quantity generators (LQGs), small quantity generators (SQGs), and conditionally exempt small quantity generators

(CESQGs). Often, states define generator status differently and set more stringent requirements. Generators are defined by site; so, your hazardous waste gets counted along with all other hazardous waste generated at the site in order to determine generator status. Sites generating not more than 100 kg of hazardous waste per month are CESQGs and are subject to very minimal regulation (in most states). Sites that generate >100 kg and <1,000 kg of hazardous waste per month are SQGs. Those sites generating more are LQGs. Also, any site that accumulates more than 1 kg of acutely hazardous waste is a LQG.

SQGs and LQGs must obtain EPA generator identification numbers and comply with numerous requirements. When waste is accumulating at the point that it was generated is said to be in a “satellite accumulation area” (SAA) and must be placed in containers that are in good condition, compatible with the waste, and labeled as to the contents. Satellite accumulation is limited to one quart of acutely hazardous waste (e.g., P-listed waste) or 55 gallons of hazardous waste. Once the waste is moved from the SAA it is marked with the date and placed in a designated accumulation area with equipment to handle emergencies such as a release or fire. Also, plans for handling such emergencies must be developed and distributed. Waste management personnel must receive RCRA training annually. SQGs can accumulate waste on site for up to 180 days or 270 days if it is to be transported over 200 miles for disposal; while LQGs can accumulate waste for up to 90 days.

Regulatory Allowances for On-Site Waste Minimization

EPA mandates that generators attempt to minimize the volume and toxicity of their waste. EPA prefers that generators eliminate waste generation through source reduction – source reduction is synonymous with pollution prevention (P2) and includes any activity that reduces or eliminates the generation of hazardous waste at the source. EPA specifies that when source reduction is not feasible then, when possible, waste should be recycled or treated to reduce the volume and toxicity of the waste. From a practical perspective, there are substantial incentives for source reduction and waste minimization; for example avoiding the high costs of disposing of hazardous waste and limiting liability concerns.

Certainly small businesses should look for source reduction opportunities (e.g., through careful chemical purchasing and inventory control, substitution of hazardous chemicals with less hazardous replacements, etc.). In addition, generators can sometimes treat their hazardous waste to reduce the volume or toxicity of the waste. Typically, small businesses do not have permits for treatment, storage or disposal of hazardous wastes since the RCRA permitting process is very burdensome and costly. However, RCRA does contain provisions for treating and disposing of hazardous waste on-

site without a permit.

On-Site Disposal: As for disposal, there is an allowance that provides for certain wastes to be disposed of down the drain, even if they may be hazardous. In writing its RCRA regulations, EPA wanted to avoid double regulation of wastewaters that are subject to the Clean Water Act. Specifically, wastes that are mixed with domestic sewage and discharged to a publicly-owned treatment works (POTW) are not regulated under RCRA (see 40 CFR 261.4(a)(1)). This exclusion is commonly called the “domestic sewage exclusion” (DSE). Essentially, a small business tied to a POTW may discharge waste down the drain as long as it is in compliance with all applicable wastewater standards. Applicable wastewater standards typically include national pretreatment standards (40 CFR 403.5), state limits and discharge limits imposed by the POTW. In some cases, wastes that meet the RCRA definition of hazardous may be acceptable for sewer disposal. Be aware that hazardous waste stored prior to discharge is regulated and dilution of waste in order to meet discharge limits is usually unacceptable.

The DSE is limited in its applicability. There are no other means of on-site disposal of hazardous waste available to hazardous waste generators.

On-Site Treatment: EPA and many states provide several regulatory exclusions that allow generators to treat of hazardous waste without a permit. Some of these treatment exclusions may be useful in furthering waste reduction efforts. Treating hazardous waste on-site in ways other than provided for in the regulatory exclusions subjects generators to extremely high fines (e.g., up to \$50,000 per day) and possible criminal penalties (i.e., jail time). Before treating hazardous waste on site, generators must be absolutely sure that the treatment they are considering is allowed without a RCRA permit. In addition, generators must ensure that they have proper procedures, equipment and skilled employees to conduct treatment safely and effectively on-site.

EPA’s exclusions that allow generators to treat hazardous waste on-site without a permit are described below.

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| <input checked="" type="checkbox"/> Elementary Neutralization | EPA and most state authorities clearly allow elementary neutralization (i.e., pH adjustment) of hazardous wastes. Elementary neutralization units (as defined in 40 CFR 260.10) may be used to neutralize D002 (corrosive) wastes without any worry of RCRA permitting requirements. Two important points to remember are (1) elementary neutralization only refers to pH adjustment, and (2) neutralized waste should only be discharged down the drain if it meets all applicable |
|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

discharge standards (i.e., local, state and EPA limits).

☒ Recycling

EPA allows generators to recycle hazardous wastes without a TSDF permit. In its regulations, EPA states that a material is “recycled” if it is used, reused or reclaimed (40 CFR 261.1). A material is “used or reused” if it is either (1) employed as an ingredient to make a product, or (2) employed in a particular function as an effective substitute for a commercial product. A material is “reclaimed” if it is processed to recover a useful product or if it is regenerated. Although EPA considers recycling a form of treatment, it does not require recyclers to obtain a treatment permit. In 40 CFR 261.6(c)(1), EPA states that “the recycling process is exempt from regulation.” Generators may be able to take advantage of this exemption by distilling solvents, reclaiming precious metals (e.g., silver) from solutions, or precipitating metal salts.

☒ Treatment in Accumulation Containers

Generators may treat hazardous wastes in accumulation containers without obtaining a RCRA treatment permit provided the containers are managed in compliance with EPA’s container management standards in 40 CFR Part 265, Subpart I. EPA clearly states this exemption in its Federal Register notice issued March 24, 1986 (51 FR 10168) as well as in subsequent FR notices and interpretive memos. Examples of treatment in accumulation containers include precipitating heavy metals from solutions, and oxidation/reduction reactions. Remember, treatment residues may still require management as a hazardous waste and, residues destined for land disposal are subject to land disposal restriction (LDR) treatment standards (40 CFR 268).

☒ Small Boilers and Industrial Furnaces

The “small-quantity on-site burner exemption” (40 CFR 266.108), which is part of the Boiler and Industrial Furnace (BIF) regulations, allows hazardous waste generators (small or large quantity) to burn small quantities of hazardous waste in an on-site boiler without a permit. The quantity of waste that can be burned on-site is determined by the “terrain-adjusted stack height” as described in the regulation and the boiler’s total fuel requirement. Some additional restrictions apply to the properties of waste that can be burned (i.e., Btu

value) and small businesses taking advantage of this allowance are subject to simple notification and recordkeeping requirements. Before burning hazardous waste on site, consult not only with the state regulators: both the hazardous waste agency and the air pollution control agency.

A ☑ symbol adjacent to a specific regulatory allowance means that it is available in that state. A ☒ symbol means it is not available or there are special provisions.

Special Considerations

In this section, the authors attempt to point out state regulations that are different and more stringent than EPA's regulations and may impact small businesses.

State Contact Information

Contact with state regulators is essential since, in every state except Alaska, Iowa and Hawaii (as of this writing), EPA has delegated authority to each state to implement and enforce major portions of the hazardous waste management programs. In order to receive authorization from EPA, states' hazardous waste management regulations must be at least as stringent as EPA's hazardous waste regulations. Still, one must keep up with the EPA regulations since EPA regularly publishes new hazardous waste management regulations that are enforceable by EPA until they are included in a given state's hazardous waste regulations. The state authorization process is ongoing and can be difficult to track. Generators need to check with their states to understand what portions of the hazardous waste program are operated and enforced by state authorities and what portions EPA enforces.

Relevant state hazardous waste contact information is presented in the shaded box. In all cases, this information includes an Internet address for the state agency with authority for the hazardous waste program. In addition, state hazardous waste regulations are cited and information concerning where the regulations can be obtained is presented. In most cases, state hazardous waste regulations are available on the Internet and the specific Website address for the regulations is listed.

Alabama

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal (see 335-14-2).

Hazardous Waste Generator Status: Same as federal (see 335-14-2 and 335-14-3).

Regulatory Allowances for On-Site Waste Minimization

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|---------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See 335-14-2-.01(4)(a)(1). |
| <input checked="" type="checkbox"/> Elementary Neutralization | See 335-14-8-.01(1)(c)(2)(v). |
| <input checked="" type="checkbox"/> Recycling | See 335-14-2-.01(6)(a). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Not allowed except limited allowances for evaporation (per verbal interpretation and 335-14-8-.01(c)(2)(viii), respectively). |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | See 335-14-7-.08, similar to 40 CFR 266, Subpart H). |

Special Considerations

- ADEM requires that generators follow a "pre-approval process" before sending hazardous waste off-site (see 14-3-08).

AL Department of Environmental Management
Hazardous Waste Branch
1400 Coliseum Blvd.
P.O. Box 301463
Montgomery, AL 36110
Phone: 334/271-7735
<http://www.adem.state.al.us>

AL's hazardous waste regulations, Division 14, Alabama Administrative Code, are available for a fee from ADEM's Legal Department, 334/270-5606, or can be accessed for free on the Internet at <http://www.adem.state.al.us.rdiv14.html>.

Alaska

Alaska has not received authorization from US EPA to operate its hazardous waste program in lieu of the federal program. EPA's hazardous waste program is enforced by EPA's Region X office which is located in Seattle, WA. To contact EPA's Region X office, call 800/424-4372 from within Alaska only, or 206/553-1200.

Hazardous Waste Program Description

Definition of "Hazardous Waste": Alaska adds to the federal RCRA hazardous waste definition wastes with acute aquatic toxicity (96-hour LC50) of less than 500 mg/l (18 AAC 62.020).

Hazardous Waste Generator Status: Same as federal.

Regulatory Allowances for On-Site Waste Minimization

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|---------------------------------------------------------------------------|-----------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 by reference (see 18 AAC 62.020). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Incorporates 40 CFR 270 by reference (see 18 AAC 62.710). |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261 by reference (see 18 AAC 62.020). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266 by reference (see 18 AAC 62.511). |

Special Considerations

- Generators must send a copy of each hazardous waste manifest to ADEC, which is postmarked before the waste is sent off site (18 AAC 62.230).

AK Department of Environmental Conservation
Compliance Assistance Office
Hazardous Waste Section
555 Cordova Street
Anchorage, AK 99501

Phone: 907/269-7591 or 800/510-2332 (AK only)

<http://www.state.ak.us/local/akpages/ENV.CONSERV/home.htm>

AK's hazardous waste regulations, Chapter 62 of the Alaska Administrative Code, Title 18, are available for free by calling ADEC or they can be accessed for free on the Internet at <http://www.state.ak.us/local/akpages/ENV.CONSERV/title18/title18.htm>.

Arizona

Hazardous Waste Program Description

Definition of “Hazardous Waste”: Same as federal. ADEQ incorporates 40 CFR 261 by reference (R18-8-261).

Hazardous Waste Generator Status: Same as federal. ADEQ has placed additional requirements upon CESQGs (R18-8-261.H.)

Regulatory Allowances for On-Site Waste Minimization

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|---------------------------------------------------------------------------|-------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 by reference (R18-8-261). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Incorporates 40 CFR 270 by reference (R18-8-270). |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261 by reference (R18-8-261). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266 by reference (see R18-8-266). |

Special Considerations

- Hazardous waste must register annually with ADEQ and submit a registration fee (R18-8-260M.). Upon request of ADEQ, CESQGs may be required to submit reports.

AZ Department of Environmental Quality
Hazardous Waste Inspections and Compliance Unit
3033 N. Central Ave.
Phoenix, AZ 85012
Phone: 602/207-4108

<http://www.adeq.state.az.us/waste/hazwaste/index.htm>

AZ's hazardous waste regulations, Chapter 8 of Title 18 of the Arizona Administrative Code, are available for a fee from AZ Secretary of the State, 602/542-4086, or an “unofficial” copy can be accessed for free on the Internet at http://www.sosaz.com/public_services/Title_18/18-08.pdf.

Arkansas

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal, except Arkansas regulates PCBs as hazardous wastes.

Hazardous Waste Generator Status: Same as federal.

Regulatory Allowances for On-Site Waste Minimization

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|---------------------------------------------------------------------------|----------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 (see Reg. 23 § 261). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Incorporates 40 CFR 270 (see Reg. 23 § 270). |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261 (see Reg. 23 § 261). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266 (see Reg. 23 § 266). |

Special Considerations

- Generators must submit annual rather than biennial reports (Reg. 23 § 262.41) and Arkansas subjects SQGs (100 and 1000 kg per month) to annual reporting requirements. Arkansas does exempt generators from manifesting requirements when tolling arrangements have been made (Reg. 23 § 262.13(g)). Reg. 23 § 262.24 contains additional requirements for generators regarding sending a return copy of each manifest to ADEQ and submitting manifest weight discrepancies.

AR Department of Environmental Quality
Hazardous Waste Division
8001 National Drive
Little Rock, AR 72219-8913
Phone: (501) 682-0833

<http://www.adeq.state.ar.us/hazwaste/main.htm>

AR's hazardous waste regulations are in ADEQ's Regulation No. 23. The regulations are largely a reprint of 40 CFR; language added by ADEQ is in italics. Regulation No. 23 is available for \$15 from ADEQ's Public Affairs Office, 501/682-0916, or can be accessed for free on the Internet at <http://www.adeq.state.ar.us/regs/reg23.htm>.

California

Hazardous Waste Program Description

Definition of "Hazardous Waste": Similar to federal but adds extremely hazardous waste, special waste and non-RCRA hazardous waste (66261.110, 66260.120, and 662661.101, respectively).

Hazardous Waste Generator Status: CA recognizes LQGs, SQGs and CESQGs. SQG requirements pertain to generators of less than 1,000 kg/month of hazardous waste (22 CCR 66262). Provisions for CESQGs are specified in the HSC (Section 25218).

Regulatory Allowances for On-Site Waste Minimization

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| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Recognizes 261.4 <i>only</i> for wastes that do not exhibit a characteristic (66261.4(b)(2)). |
| <input checked="" type="checkbox"/> Elementary Neutralization | See HSC 25200.3 and permit-by-rule requirements (67450.11). |
| <input checked="" type="checkbox"/> Recycling | See 66261.6 and HSC 25143.2(c). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | See 22 CCR 66450.11 and HSC 25123.5, 25200.3 and 25201.5. Subject to limitations. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | See 66266.108. Local air pollution control district regulations may apply. |

Special Considerations

- Hazardous waste in satellite accumulation is subject to a one-year accumulation time limit (66262.43(e)(1)).
- Authorized household hazardous waste collection facilities may accept CESQG waste (HSC 25218.3).
- Special provisions for biotech firms, including an allowance for on-site treatment, are included in the Medical Waste Management Act.

CA Department of Toxic Substance Control (DTSC)
Hazardous Waste Management Program
P.O. Box 806
Sacramento, CA 95812-0806
Phone: 916/324-1781 or 800/61-TOXIC (CA only)
<http://www.dtsc.ca.gov/>

CA hazardous waste regulations are in Title 22 of the California Code of Regulations (22 CCR). Certain hazardous waste requirements are only cited in the Health and Safety Code (HSC). 22 CCR and HSC are available from the DTSC Website. Hardcopies of the CCR and HSC are available for a fee from Barclays Law Publishers, 800/888-3600.

Colorado

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal with addition of certain chemical weapons agents to the P-list (see 1007-3 Part 261).

Hazardous Waste Generator Status: Same as federal (see 1007-3 Part 262).

Regulatory Allowances for On-Site Waste Minimization

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|---------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See 1007-3, Part 261.4(a)(1). |
| <input checked="" type="checkbox"/> Elementary Neutralization | See 1007-3, Part 100.10(a)(6). |
| <input checked="" type="checkbox"/> Recycling | See 1007-3, Part 261.6(c)(1). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Allowed with conditions, see 1007-3, Part 100.10(a)(1), also CDPHE's "Treatment of Hazardous Waste by Generators Guidance Document." |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | CO has not yet adopted 40 CFR 266, Subpart H so EPA's BIF rule is in effect. CO has special requirements for "Solid Waste-to-Energy Incineration Facilities," which may apply. |

Special Considerations

- Satellite accumulation provisions are more stringent for LQGs; see 1007-3 Part 262.34(c). Satellite accumulation provisions for SQGs are spelled out in 1007-3 Part 262.34(g).

CO Department of Public Health and the Environment
Hazardous Materials and Waste Management Division
4300 Cherry Creek Drive South
Denver, CO 80246

Phone: 303/692-3322 or 888/569-1831 (CO only)

<http://www.cdphe.state.co.us/envIRON.asp>

CO's Hazardous Materials & Waste Management Division (HMWMD) regulations are in Title 6 of the CO Code of Regulations (CCR) Section 1007-3, Parts 100 and 260 to 270. The regulations are available for \$40 from the Hazardous Waste Commission, 303/692-3467, or can be accessed for free on the Internet at <http://www.cdphe.state.co.us/regulate.asp>.

Connecticut

Hazardous Waste Program Description

Definition of "Hazardous Waste": Incorporates 40 CFR 261 by reference with a few changes (see 22a-449(c)-101). Under a separate program, CT regulates certain non-RCRA wastes or "CT-regulated" wastes such as oil, antifreeze, PCBs (>50 ppm), and asbestos.

Hazardous Waste Generator Status: CT largely incorporates EPA's generator requirements by reference; however, CT imposes more restrictive requirements upon SQGs and CESQGs (see 22a-449(c)-102 and 101(b)). For example, SQGs can accumulate only 1000 kg of hazardous waste on site at any time.

Regulatory Allowances for On-Site Waste Minimization

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|---------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 by reference (see 22a-449(c)-101(a)). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Incorporates 40 CFR 270 by reference (see 22a-449(c)-110). |
| <input checked="" type="checkbox"/> Recycling | Subject to registration and reporting requirements and other requirements imposed on a case-by case basis (see 22a-449(c)-101(c)). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Allowed (see CT DEP memo dated 10/3/91). |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266.108 by reference (see 22a-449(c)-106(a)). |

Special Considerations

- Hazardous waste containers at satellite accumulation areas must be marked with the words "Hazardous Waste" (see 22a-449(c)-102(a)(2)(E)).

CT Department of Environmental Protection
Bureau of Waste Management
79 Elm St.
Hartford, CT
Phone: 888/424-4193
<http://dep.state.ct.us/>

For a free copy of the CT Hazardous Waste Management Regulations (22a-449(c)-100 through 110 and 22a-449(c)-11), call the Compliance Assistance Program at 888/424-4193. Relevant sections of the CT General Statutes can be accessed for free on the Internet at <http://www.cslib.org/statutes/title22a/t22a-p9.htm#I1>.

Delaware

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal.

Hazardous Waste Generator Status: Same as federal.

Regulatory Allowances for On-Site Waste Minimization

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|---------------------------------------------------------------------------|-----------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | DE regulations mirror 40 CFR 261.4(a)(1). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Allowed under DE regulations (264.1 (g) and 265.1(c)). |
| <input checked="" type="checkbox"/> Recycling | Not allowed (261.6(c)(1) is different in DE regulations). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | DE regulations mirror 266.108. |

Special Considerations

- For CESQGs, hazardous waste disposal regulations are more stringent than federal regulations.

DE Department of Natural Resources and Environmental Control
Air and Waste Management Division
Solid and Hazardous Waste Branch
89 Kings Hwy.
Dover, DE 19901
302/739-3689

<http://www.dnrec.state.de.us/>

The "DE Regulations Governing Hazardous Waste" closely resemble EPA's RCRA regulations and are available from the Hazardous Waste Branch for \$45. The regulations are not presently available through the Internet.

District of Columbia

Hazardous Waste Program Description

Definition of "Hazardous Waste": Similar to federal (20 DCMR 41).

Hazardous Waste Generator Status: DC refers to generators of <100 kg/month as SQGs. DC SQGs are subject to requirements more stringent than federal CESQG requirements. All other DC generators are considered LQGs.

Regulatory Allowances for On-Site Waste Minimization

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|---------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See DCMR 4100.15. |
| <input checked="" type="checkbox"/> Elementary Neutralization | See DCMR 4600.8(d). |
| <input checked="" type="checkbox"/> Recycling | See DCMR 4100.33. |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | See DCMR 4600.8(a). |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | DC has not yet adopted 40 CFR 266, Subpart H, so EPA's BIF rule is in effect. However, DC air regulations mandate permitting for hazardous waste combustion. |

Special Considerations

- DC has no provisions for satellite accumulation areas.
- DC SQGs are subject to an accumulation quantity limit of 600 kg of hazardous waste and an accumulation time limit of 180 days (DCMR 4100.24).

DC Department of Health
Environmental Health Administration
Hazardous Waste Division
51 N St., NE
Washington, DC 20002
Phone: 202/535-2288

<http://www.ci.washington.dc.us/index.html>

DC hazardous waste management regulations are in Title 20 of the District of Columbia Municipal Regulations (20 DCMR), Chapters 40 through 54. Regulations can be purchased from the DC Office of Documents: 20 DCMR Chapters 40 to 70 is a single volume and sells for \$20. Orders must be prepaid. The regulations are not presently available through the Internet.

Florida

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal. Incorporates 40 CFR 261 by reference (see FAC 62-730.030).

Hazardous Waste Generator Status: Same as federal. Incorporates 40 CFR 262 by reference (see FAC 62-730-160).

Regulatory Allowances for On-Site Waste Minimization

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|---------------------------------------------------------------------------|-----------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Adopts 40 CFR 261 by reference (see FAC 62-730.030). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Adopts 40 CFR 270.1(c) by reference (see FAC 62-730.220). |
| <input checked="" type="checkbox"/> Recycling | Adopts 40 CFR 261 by reference (see FAC 62-730.030). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Adopts 40 CFR 266 by reference (see FAC 62-730.181). |

Special Considerations

- Florida does not adopt 40 CFR 262.34(e), which allows generators to accumulate hazardous waste on-site for up to 270 days if they must transport their waste more than 200 miles to an off-site TSDF. Therefore, SQGs must not accumulate hazardous waste on site for more than 180 days.

FL Department of Environmental Protection (DEP)
Division of Waste Management
2600 Blair Stone Rd.
Twin Towers, MS-4555
Tallahassee, FL 32399-2400
Phone: 850/488-0300

<http://www.dep.state.fl.us/dwm/bureaus/bshw.htm>

FL's Hazardous Waste Management Regulations are in the Florida Administrative Code (FAC), Rule 62-730, and are available for free from the Hazardous Waste Regulation Section, 850/921-9258, or can be accessed for free on the Internet at <http://www.dep.state.fl.us/dwm/rules/numeric.htm>.

Georgia

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal. Incorporates 40 CFR 261 by reference (see 391-3-11-.07).

Hazardous Waste Generator Status: Same as federal. Incorporates 40 CFR 262 by reference (see 391-3-11-.08).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|---------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 by reference (see 391-3-11-.07). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Incorporates 40 CFR 270.1(c) by reference (see 391-3-11-.11(1)(a)). |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261 by reference (see 391-3-11-.07). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266 by reference (see 391-3-11-.10(3)). |

Special Considerations

None.

GA Department of Natural Resources
Environmental Protection Division (EPD)
Hazardous Waste Management Branch
205 Butler St., SE
Suite 1154, East Tower
Atlanta, GA 30334
Phone: 404/656-7802

<http://www.ganet.org/dnr/environ/>

For a free copy of GA's Hazardous Waste Management Regulations (Chapter 391-3-11), call the Hazardous Waste Management Branch. For an unofficial copy, go to EPD's Website and click on "EPD Rules."

Hawaii

Although Hawaii has not received authorization from US EPA to operate its hazardous waste program in lieu of the federal program, it is expected to receive authorization in early 2000. Until then, EPA's hazardous waste program is enforced by EPA's Region IX office in San Francisco, CA (415/744-2074). The information below is based on Hawaii's regulations and interpretations.

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal with additional provisions with respect to geothermal wastes (see HAR 11-261).

Hazardous Waste Generator Status: Same as federal (see HAR 11-261.5 and 11-262.34).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|-----------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See HAR 11-261.4. |
| <input checked="" type="checkbox"/> Elementary Neutralization | See HAR 11-270.1(c)(2)(v). |
| <input checked="" type="checkbox"/> Recycling | See HAR 11-261.6(c)(1). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | See HAR 11-266.180. |

Special Considerations

None.

HI Department of Health (DEH)
Environmental Management Division
Solid and Hazardous Waste Branch
Hazardous Waste Section
919 Ala Moana Blvd., Room 212
Honolulu, HI 96814
Phone: 808/586-4226

<http://www.hawaii.gov/health/eh/index.html>

If you prepay postage, the Hazardous Waste Section will send you a copy of the "Hawaii Hazardous Waste Rules and Regulations," Chapter 11, Hawaii Administrative Code (HAR). Only the 1999 amendments to the hazardous waste regulations can be accessed for free on the Internet at <http://www.hawaii.gov/health/eh/shwb/hw/index.html>. A full version of the regulations is not available on the Internet.

Idaho

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal.

Hazardous Waste Generator Status: Same as federal.

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|----------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | IDAPA 16.01.05.005 adopts 40 CFR 261 by reference. |
| <input checked="" type="checkbox"/> Elementary Neutralization | IDAPA 16.01.05.012 adopts 40 CFR 270 by reference. |
| <input checked="" type="checkbox"/> Recycling | IDAPA 16.01.05.005 adopts 40 CFR 261 by reference. |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | IDAPA 16.01.05.010 adopts 40 CFR 266 by reference. |

Special Considerations

- In the event of a fire, explosion or other release that may threaten human health or outside the facility or may reach surface water, generators must not only notify the National Response Center (NRC; per 262.34(d)(5)(iv)(C)), but also the Idaho Communications Center (see 16.01.05.006).

ID Division of Environmental Quality
Hazardous Waste Branch
1410 N. Hilton St.
Boise, ID 83706
Phone: 208/373-0502

<http://www.state.id.us/deq/haz/waste1.htm>

The "Rules and Standards for Hazardous Waste" can be obtained from the Hazardous Waste Branch for \$5 or can be accessed for free on the Internet at <http://www.state.id.us/adm/adminrules/rules/idapa16/16index.htm>.

Illinois

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal (35 Ill. Adm. Code 721).

Hazardous Waste Generator Status: Same as federal (35 Ill. Adm. Code 721 and 722).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See 35 Ill. Adm. Code 721.104. |
| <input checked="" type="checkbox"/> Elementary Neutralization | See 35 Ill. Adm. Code 703.123. |
| <input checked="" type="checkbox"/> Recycling | See 35 Ill. Adm. Code 721.106. |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | See 35 Ill. Adm. Code 726.208. |

Special Considerations

None.

IL Environmental Protection Agency (IL EPA)
Bureau of Land
1021 North Grand Ave. East
P.O. 19276
Springfield, IL 62794-9276
Phone: 217/524-5024
<http://www.epa.state.il.us/>

IL's hazardous waste regulations are in Title 35 of the Illinois Administrative Code. For a free copy, call the IL EPA Bureau of Land, 217/524-3300, or they can be accessed for free on the Internet at <http://www.ipcb.state.il.us/title35/35conten.htm#g>.

Indiana

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal with the addition of certain chemical munitions wastes (329 IAC 3.1-6-1 through 3).

Hazardous Waste Generator Status: Same as federal (329 IAC 3.1-7-1 incorporates 40 CFR 262 by reference).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|----------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 by reference (329 IAC 3.1-6-1). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Incorporates 40 CFR 270 by reference (329 IAC 3.1-13-1). |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261 by reference (329 IAC 3.1-6-1). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266 by reference (329 IAC 3.1-11-1). |

Special Considerations

- LQGs must pay an annual \$100 fee to IDEM (329 IAC 3.1-1-14).
- Generators that ship hazardous waste off-site to a TSDF are subject to biennial reporting requirements (329 IAC 3.1-7-14).
- All spills or releases of hazardous waste must be reported immediately to IDEM's Office of Environmental Response (329 IAC 3.1-8-3).
- IDEM regulates PCB wastes under separate regulatory program (PCB Management; 329 IAC 4).

IN Department of Environmental Management (IDEM)

Office of Land Quality

100 N. Senate Ave.

P.O. Box 6015

Indianapolis, IN 46206-6015

Phone: 317/308-3103

<http://www.state.in.us/idem/index.html>

IN's hazardous waste regulations are in Article 3.1 within Title 329 of the Indiana Administrative Code (329 IAC 3.1). The regulations can be purchased from the IN Legislative Services Agency, 317/232-9557, or they can be accessed for free on the Internet at http://www.state.in.us/idem/olq/regulations_and_laws/swrules.html.

Iowa

Iowa has not received authorization from US EPA to operate its hazardous waste program in lieu of the federal program. EPA's hazardous waste program is enforced by EPA's Region VII office which is located in Kansas City, KS. To contact EPA's Region VII office regarding Iowa hazardous waste issues, call 913/551-7633.

Hazardous Waste Program Description

Definition of "Hazardous Waste": Follows federal program (see 40 CFR 261).

Hazardous Waste Generator Status: Follows federal program (see 40 CFR 261.5 and 262).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|-----------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See 40 CFR 261.4. |
| <input checked="" type="checkbox"/> Elementary Neutralization | See 40 CFR 270.1. |
| <input checked="" type="checkbox"/> Recycling | See 40 CFR 261.6. |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | See 40 CFR 266.180. |

Special Considerations

None.

IA Department of Natural Resources
Solid Waste Section
Henry Wallace State Office Building
502 E. 9th St.
Des Moines, IA 50319-0034
Phone: 515/281-4968

<http://www.state.ia.us/government/dnr/organiza/epd/index.htm>
Iowa has not promulgated hazardous waste regulations.

Kansas

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal (incorporates 40 CFR 261 by reference in 28-31-3).

Hazardous Waste Generator Status: Kansas defines three types of generators: EPA Generators (generate ≥ 1000 kg/month), Kansas Generators (≥ 25 kg/month and < 1000 kg/month) and SQGs (< 25 kg/month). See note below; but, for exact definitions, see 28-31-2(c-e).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|--------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 by reference (28-31-3). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Incorporates 40 CFR 270 by reference (28-31-1). |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261 by reference (28-31-3). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266, Subpart H, by reference (28-31-8b). |

Special Considerations

- In Kansas, generators of 25 kg to < 1000 kg of hazardous waste per month are subject to regulations that are very similar to EPA's SQG regulations. Generators of < 25 kg of hazardous waste per month are subject to regulations like the EPA's CESQG regulations.
- Kansas's satellite accumulation area requirements mandate that waste be marked "Hazardous Waste."

Kansas Department of Health and Environment
Bureau of Waste Management
Forbes Field, Building 740
Topeka, Kansas 66620-0001
(785) 296-1600, FAX (785) 296-1592
<http://www.kdhe.state.ks.us/waste/>

KS's Hazardous Waste Management Standards and Regulations are in Title 28 of the KS Administrative Regulations (KAR), Article 31 (cited as 28-13). For a free copy, call KDHE, or an unofficial copy can be accessed for free on the Internet at <http://www.kdhe.state.ks.us/pdf/regs/28-31.pdf>.

Kentucky

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal with the addition of certain chemical nerve and blister agents (401 KAR 31).

Hazardous Waste Generator Status: Same as federal (401 KAR 31 and 32).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See 401 KAR 31:010, Section 4(1)(a). |
| <input checked="" type="checkbox"/> Elementary Neutralization | See 401 KAR 38:010, Section 1(2)(b)(5): provides for permit by rule if pretreatment standards are met. |
| <input checked="" type="checkbox"/> Recycling | See 401 KAR 31:010, Section 6(3)(a). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | See 401 KAR 32:030, Section 6: allows on-site treatment by generators if certain conditions (e.g., notification to the Department) are met. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | See 401 KAR 36:020, Section 6. |

Special Considerations

- LQGs and SQGs who treat hazardous waste on site, must pay a \$300 annual fee to the Department (401 KAR 39:110).

KY Department for Environmental Protection (KY DEP)
Division of Waste Management
14 Reilly Road
Frankfort, KY 40601
Phone: 502/564-6716

<http://www.nr.state.ky.us/nrepc/dep/waste/dwmhome.htm>

KY's hazardous waste regulations are in Chapters 31 to 39 within Title 401 of the Kentucky Administrative Regulations (401 KAR 31-39). The regulations can be purchased from KY DEP or the KY Legislative Research Commission, 502/564-8100, x312, or can be accessed for free on the Internet at <http://www.nr.state.ky.us/nrepc/dep/waste/regs/regeffect.htm#HW>.

Louisiana

Hazardous Waste Program Description

Definition of "Hazardous Waste": Similar to federal (see LAC 33:V. Chapter 49).

Hazardous Waste Generator Status: LA's SQG generates less than an average of 100 kg hazardous waste per month and accumulates no more than 1000 kg on site (see LAC 33:V. Chapter 39). All other generators are subject to LQG requirements (see LAC 33:V. Chapter 11).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See LAC 33:V.105D.1(a). |
| <input checked="" type="checkbox"/> Elementary Neutralization | See LAC 33:V.305C.6. |
| <input checked="" type="checkbox"/> Recycling | DEQ performs case-by-case review to determine if LAC 33:V. Chapter 41 applies (see LAC 33:V.105L). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation and LAC 33:V. 2245E. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | See LAC 33:V.3017. |

Special Considerations

- LA has no provisions for CESQGs.
- SQG regulations have no provisions for satellite accumulation; however, accumulation requirements are minimal (see LAC 33:V. Chapter 39).
- Generators are subject to initial registration and annual fees (see LAC 33:V. Chapter 51).

LA Department of Environmental Quality (DEQ)
Office of Environmental Services
7290 Bluebonnet Dr.
Baton Rouge, LA 70810
Phone: 225/765-0219
<http://www.deq.state.la.us/>

LA's hazardous waste regulations are in Part V of Title 33 of the Louisiana Administrative Code (LAC 33:V). The regulations can be purchased from DEQ's Legal Division, 225/765-0236, or can be accessed for free on the Internet at <http://www.deq.state.la.us/planning/regs/title33/index.htm>.

Maine

Hazardous Waste Program Description

Definition of "Hazardous Waste": Similar to federal but adds PCB wastes (see Chapter 850).

Hazardous Waste Generator Status: ME has provisions for SQGs (generate < 100 kg/month and accumulate no more than 600 kg hazardous waste and 1 kg acutely hazardous waste) in Ch. 850 Section 3A(5). Generator requirements are more stringent than federal; see Chapters 850 and 851.

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Applies only to "non-segregable wastes" (Ch. 850, Sect. 3A4). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Subject to conditions (Ch. 856, Sect. 6I and 11A). Sect. 6G allows laboratories to neutralize corrosive wastes (only D002) in quantities less than 0.5 liter in the laboratory without a permit. |
| <input checked="" type="checkbox"/> Recycling | See Ch 850, Section 3A(6). Abbreviated permit requirements apply (Ch. 856, Sect. 11A4). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Abbreviated permit requirements apply to treatment in accumulation tanks (Ch 856, Sect. 11A11). |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Abbreviated permit requirements apply to some thermal treatment (Ch. 856, Sect. 11A6). |

Special Considerations

- Satellite accumulation provisions are more stringent than federal and include a requirement for daily inspection (Ch. 851, Sect. 8C).

ME Department of Environmental Protection (DEP)
Bureau of Remediation and Waste Management
State House, Station #17
Augusta, ME 04333-0017
Phone: 207/287-2651

<http://janus.state.me.us/dep/home.htm>

ME's "Hazardous Waste Management Rules" (Chapters 850 to 857) are available for free from ME DEP or an unofficial copy can be accessed for free on the Internet at <http://janus.state.me.us/dep/rules.htm>.

Maryland

Hazardous Waste Program Description

Definition of "Hazardous Waste": Similar to federal but MDE adds PCB wastes and certain chemical warfare agents (see 26.13.02).

Hazardous Waste Generator Status: MDE regulates "SQGs" (requirements are similar to federal requirements for CESQGs; 26.13.02.05). All other generators are subject to full regulation except that if < 500 kg of hazardous waste and < 1 kg acute hazardous waste is accumulated on site, then the waste may be accumulated for up to 180 days (see 26.13.03.05E).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Domestic sewage mixed with other waste that passes through a sewer system to a POTW is not exempt from regulation as solid waste (26.13.02.04A(1)). |
| <input checked="" type="checkbox"/> Elementary Neutralization | See 26.13.07.01A and 26.13.05.01A(3)(g). |
| <input checked="" type="checkbox"/> Recycling | See 26.13.02.06. |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | MD statute prohibits treatment without a permit (Environment Article, Annotated Code of MD, Section 7-232, "Permit Required"). |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | MD has not yet adopted 40 CFR 266, Subpart H, so EPA's BIF rule is in effect. However, MD generators burning hazardous waste are subject to 26.13.10.02. |

Special Considerations

- Generators must maintain inspection logs (26.13.03.05E91(k)).

MD Department of the Environmental (MDE)
Waste Management Administration, Hazardous Waste Program
2500 Broening Highway
Baltimore, MD 21224
Phone: 410/631-3345

<http://www.mde.state.md.us/>

MD's hazardous waste regulations are in Title 26 of the Code of Maryland Regulations (COMAR), Subtitle 13. The regulations can be purchased from MDE for \$20, prepaid. The regulations are not presently available through the Internet.

Massachusetts

Hazardous Waste Program Description

Definition of "Hazardous Waste": Waste determination varies from federal but hazardous waste lists and characteristics are similar to federal (see 310 CMR 30.120 and 30.131-136).

Hazardous Waste Generator Status: MA recognizes LQGs ($\geq 1,000$ kg hazardous waste per month or more than 1 kg acutely hazardous waste), SQGs (100 to 1000 kg hazardous waste per month and ≤ 1 kg acutely hazardous waste) and very small quantity generators (VSQGs: < 100 kg hazardous waste per month and no acutely hazardous waste).

Regulatory Allowances for On-Site Waste Minimization

<input checked="" type="checkbox"/> Domestic Sewage Exclusion	More restrictive than federal exclusion (310 CMR 30.104).
<input checked="" type="checkbox"/> Elementary Neutralization	Subject to licensing requirements (310 CMR 30.800).
<input checked="" type="checkbox"/> Recycling	Subject to permitting requirements (310 CMR 30.200).
<input checked="" type="checkbox"/> Treatment in Accumulation Containers	Prohibited by state statute.
<input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces	Has not adopted 40 CFR 266 or similar regulations.

Special Considerations

- Satellite accumulation provisions are more stringent than federal (310 CMR 30.354).
- SQGs are limited to accumulating ≤ 2000 -kg hazardous waste on-site in containers.
- MA does not allow SQGs to accumulate waste on-site for 270 days.
- Generators are subject to annual fees (310 CMR 4.03).

MA Department of Environmental Protection (DEP)
Bureau of Waste Prevention, Business Compliance Unit
Hazardous Waste Program
1 Winter St., 8th Floor
Boston, MA 02108
Phone: 617/292-5898

<http://www.state.ma.us/dep/>

MA's hazardous waste regulations are in Title 310 of the Code of Massachusetts Regulations (CMR). The regulations can be purchased from the State Bookstore, 617/727-2834. The regulations are expected to be available on the Internet in early 2000.

Michigan

Hazardous Waste Program Description

Definition of "Hazardous Waste": Similar to federal but adds Michigan-specific wastes — primarily dioxins (see 299.9219).

Hazardous Waste Generator Status: Similar to federal requirements (see 299.9301 for SQGs and LQGs and 299.9205 for CESQGs).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See 299.9204(1)(a). |
| <input checked="" type="checkbox"/> Elementary Neutralization | See 299.9503(1)(e). |
| <input checked="" type="checkbox"/> Recycling | See 299.9206(1)(b). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Subject to certain conditions; see 299.9503(1)(i). |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Adopts 40 CFR 266, Subpart H by reference (see 299.11003(1)(q)). |

Special Considerations

None.

MI Department of Environmental Quality (DEQ)
Waste Management Division
608 W. Allegan, 1st Floor
P. O. Box 30241
Lansing, MI 48909
Phone: 800/662-9278
<http://www.deq.state.mi.us>

MI's hazardous waste regulations are in the Michigan Administrative Code, Rule 299.9101 through 299.11107. A single free copy of the regulations can be obtained from the Waste Management Division. An unofficial copy of the regulations can be accessed for free on the Internet at <http://www.state.mi.us/execoff/admincode/depart/deq.htm>.

Minnesota

Hazardous Waste Program Description

Definition of “Hazardous Waste”: Similar to federal but adds two characteristics: oxidizers and lethality (7045.0131); and certain listed wastes (e.g., PCBs; 7045.0135).

Hazardous Waste Generator Status: MN recognizes LQGs ($\geq 1,000$ kg hazardous waste per month or > 1 kg acutely hazardous waste), SQGs (100 to 1000 kg hazardous waste per month and ≤ 1 kg acutely hazardous waste) and very small quantity generators (VSQGs).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See 7045.0120, Subp. 1.B. and 7045.0208 Subp. 1.E. |
| <input checked="" type="checkbox"/> Elementary Neutralization | Permit-by-rule; see 7001.0520 Subp. 3.C. |
| <input checked="" type="checkbox"/> Recycling | Exemption applies to hazardous waste used as “feedstock;” see 7045.0125, Subp. 5.A. |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | See 7045.0208 Subp. 1.A. and 7045.0211. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | See 7045.0692 (not similar to 40 CFR 266). |

Special Considerations

- Satellite accumulation areas are subject to more stringent requirements including inspections (7045.0292 Subp. 8).
- VSQGs are subject to substantial requirements (e.g., 7045.0292 Subp. 6). Those who collect, transport, treat, or store VSQG waste must obtain a license from PCA (7045.036).
- SQGs are limited to accumulation of 3000-kg hazardous waste on site (7045.0.0292).
- Generators are subject to annual fees (7046).

MN Pollution Control Agency (PCA)
Division of Solid and Hazardous Waste
520 N. Lafayette Rd.
St. Paul, MN 55155-4194
Phone: 651/297-8332

<http://www.pca.state.mn.us/waste/index.html>

MN’s hazardous waste regulations are in Chapter 7045 of the MN State Rules. To order a paper copy of MN’s Hazardous Waste Rules, contact Minnesota’s Bookstore, 612/297-3000 or 800/657-3757. An unofficial copy of the regulations can be accessed for free on the Internet at http://www.pca.state.mn.us/waste/hw_mnrules.html#7045.

Mississippi

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal. Incorporates 40 CFR 261 by reference (Part 261).

Hazardous Waste Generator Status: Same as federal. Incorporates 40 CFR 262 by reference (Part 262).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|--------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 by reference (Part 261). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Incorporates 40 CFR 270 by reference (Part 270). |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261 by reference (Part 261). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266 by reference (Part 266). |

Special Considerations

None.

MS Department of Environmental Quality (MDEQ)
Hazardous Waste Division
P.O. Box 10385
Jackson, MS 39289-0385
Phone: 601/961-5171

<http://www.deq.state.ms.us/newweb/homepages.nsf>

A single free copy of MS's Hazardous Waste Management Regulations can be obtained from the Hazardous Waste Division or can be accessed for free on the Internet at MDEQ's Website listed above.

Missouri

Hazardous Waste Program Description

Definition of "Hazardous Waste": Incorporates 40 CFR 261 by reference with changes (e.g., adds dioxin wastes and modifies F020-F027 listings (25-4.261)).

Hazardous Waste Generator Status: Incorporates 40 CFR 262 by reference with some changes (25-5.262).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 by reference (25-4.261). |
| <input checked="" type="checkbox"/> Elementary Neutralization | See 25-7.270(2)(A)3. |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261 by reference (25-4.261). Also, 25-9.020(2) exempts facilities recycling < 1000 kg/month from 25-9; however, such facilities must notify the DNR. |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266 by reference (25-7.266). |

Special Considerations

- Waste can remain in satellite accumulation for no more than one year (25-5.262(2)(C)).
- Central accumulation areas must have containment systems (25-5.262(2)(C)).
- Generators are subject to annual fees (25-12).
- PCB wastes are regulated by MO DNR (25-13).

MO Department of Natural Resources (DNR)
Office of Pollution Control
Hazardous Waste Program
P.O. Box 176
Jefferson City, MO 65102
Phone: 573/751-3176
<http://www.dnr.state.mo.us/homednr.htm>

MO's hazardous waste management regulations are in Title 10 of the Code of State Regulations, Title 25 (10 CSR 25). A hard copy of the regulations can be purchased from the Secretary of State, 573/751-4015, or can be accessed for free on the Internet at <http://mosl.sos.state.mo.us/csr/10csr.htm>.

Montana

Hazardous Waste Program Description

Definition of “Hazardous Waste”: Waste determination varies from federal but hazardous waste lists and characteristics are similar to federal (see 17.54, Subchapter 3).

Hazardous Waste Generator Status: Same as federal (see 17.54, Subchapter 4).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|----------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See 17.54.307. |
| <input checked="" type="checkbox"/> Elementary Neutralization | See 17.54.105. |
| <input checked="" type="checkbox"/> Recycling | See 17.54.309. |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Same as 40 CFR 266 (17.54.1112). |

Special Considerations

- SQGs and LQGs are subject to annual reporting requirements and annual fees (17.54.403 and .404, respectively).
- Generators must maintain logbooks detailing hazardous waste generated (17.54.421(9)).

MT Department of Environmental Quality
Permitting and Compliance Division
Air and Waste Management Bureau
P.O. Box 200901
Helena, MT 59620-0901
Phone: 406/444-3490
<http://www.deq.state.mt.us/>

MT's hazardous waste regulations are in Title 17 of the Administrative Rules of Montana (ARM), Chapter 54. A single free copy of the regulations is available from the Air and Waste Management Bureau. In early 2000, the regulations will be available from the MDEQ Website.

Nebraska

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal (see Chapter 3)

Hazardous Waste Generator Status: Same as federal (for CESQGs see Chapter 8; for SQGs see Chapter 9; and for LQGs see Chapter 10).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See Chapter 2-008.01. |
| <input checked="" type="checkbox"/> Elementary Neutralization | See Chapter 12-001.03E. |
| <input checked="" type="checkbox"/> Recycling | See Chapter 7-005. Chapter 5-004.01 specifies that Director may regulate recycling processes on a case-by-case basis. |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266.108 by reference (Chapter 7-008.03). |

Special Considerations

- If a generator is a LQG at any time during the reporting period, then he must prepare and submit a biennial report (Chapter 4-005.01A).

NE Department of Environmental Quality (NDEQ)

Waste Management Division

Permits and Compliance Section

1200 N. St. Suite 400

P.O. Box 98922

Lincoln, NE 68509-8922

Phone: 402/471-4217 or 402/471-8308 (Compliance Assistance)

<http://www.deq.state.ne.us/>

NE's hazardous waste regulations are in Title 128 of the Nebraska Administrative Code (NAC). A single free copy of the regulations is available from the RCRA Section. An unofficial copy of Title 128 can be accessed for free on the Internet at <http://www.deq.state.ne.us/RuleandR.nsf/Pages/Rules>.

Nevada

Hazardous Waste Program Description

Definition of "Hazardous Waste": Incorporates 40 CFR 261 by reference and adds wastes such as mixtures containing >10% of a P- or U-listed chemical (444.8565).

Hazardous Waste Generator Status: Same as federal. Incorporates 40 CFR 262 by reference and makes some modifications (444.8632).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 by reference (444.8632). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Incorporates 40 CFR 270 by reference (444.8632). |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261 by reference (444.8632) and adds a specific exemption for generators (444.8455(4.00)). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266 by reference (444.8632). |

Special Considerations

- A generator must include on the label of each hazardous waste container the EPA hazardous waste number (444.8671).
- A generator who generates more than 100 kilograms of hazardous waste per month and accumulates hazardous waste on site must maintain a written record of inspections conducted of containers and tanks (444.8677).
- PCB wastes are regulated by DCNR (444.960).

NV Division of Environmental Protection
Solid Waste Branch, Waste Management Bureau
333 W. Nye Lane
Carson City, NV 89706-0851
Phone: 775/687-4670
<http://www.state.nv.us/ndep/>

NV's hazardous waste regulations are in Nevada Administrative Code (NAC) Chapter 444 (Sections 842 through 960). The regulations can be purchased for a small fee from the Legislative Council Bureau, 775/684-6835, or can be accessed for free on the Internet at <http://www.state.nv.us/ndep/admin/nrs.htm>.

New Hampshire

Hazardous Waste Program Description

Definition of "Hazardous Waste": Similar to federal but adds NH listed hazardous wastes (402); revises definition of corrosivity characteristic to include non-aqueous solutions (403.04); and adds mixtures of P-listed chemicals and carcinogens at concentrations exceeding 5 ppm (404.01).

Hazardous Waste Generator Status: NH recognizes SQGs (generally < 100 kg hazardous waste per month: subject to 508) and a full quantity generators (FQGs; generally > 100 kg hazardous waste per month or > 1 kg acutely hazardous waste: subject to 509).

Regulatory Allowances for On-Site Waste Minimization

<input checked="" type="checkbox"/> Domestic Sewage Exclusion	See 401.03(a)(1): only exempts domestic sewage – not mixtures.
<input checked="" type="checkbox"/> Elementary Neutralization	See 351.04(a)(5) and 353.04: limited permit provisions apply.
<input checked="" type="checkbox"/> Recycling	The recycling process is exempt from regulation (802.02(b)), but aspects of Chapter 800 apply.
<input checked="" type="checkbox"/> Treatment in Accumulation Containers	Allowed if all generator provisions in Chapter 500 are met (verbal interpretation).
<input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces	Generators who burn hazardous waste as fuel are subject to 806.05 including notification to DES.

Special Considerations

- Generator storage area provisions include container specifications, containment requirements, and more (507.01).
- Satellite accumulation area provisions include operator training requirements, and more (509.03).
- Generators are subject to quarterly reporting and fees (512.02) and FQGs are subject to annual reporting (512.03).

NH Department of Environmental Services (DES)
Waste Management Division, Hazardous Waste Compliance Section
6 Hazen Dr.
Concord, NH 03302-0095
Phone: 603/271-3644
<http://www.des.state.nh.us/discover.htm>

NH's Hazardous Waste Rules (Env-Wm Chapters 100 to 1000) are available from the DES Public Information and Permitting Office for \$20, 603/271-2975. An unofficial copy can be accessed for free on the Internet at <http://www.des.state.nh.us/pub-open.htm>.

New Jersey

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal. Incorporates 40 CFR 261 by reference (7:26G-5.1).

Hazardous Waste Generator Status: Same as federal. Incorporates 40 CFR 262 by reference (7:26G-6.1).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|----------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 by reference (7:26G-5.1). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Incorporates 40 CFR 270 by reference (7:26G-12.1). |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261 by reference (7:26G-5.1). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266 by reference (7:26G-10.1). |

Special Considerations

- Generators submitting biennial reports are subject to fees which vary depending to the quantity of hazardous waste manifested off-site (7:26G-3.3).

NJ Department of Environmental Protection (NJDEP)
Division of Solid and Hazardous Waste
401 E. Sate St., P.O. Box 414
Trenton, NJ 08625-0414
Phone: 609/633-1418
<http://www.state.nj.us/dep/dshw/>

NJ's Hazardous Waste Regulations are in Title 7 of the New Jersey Administrative Code (NJAC), Chapter 26G. The regulations are available for a fee from West Publishing Group, 800/808-9378, or can be accessed for free on the Internet at <http://www.state.nj.us/dep/dshw/resource/rules.htm>.

New Mexico

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal. Incorporates 40 CFR 261 by reference (20 NMAC 4.200).

Hazardous Waste Generator Status: Same as federal. Incorporates 40 CFR 262 by reference (20 NMAC 4.300).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|-------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 by reference (20 NMAC 4.200). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Incorporates 40 CFR 270 by reference (20 NMAC 4.900). |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261 by reference (20 NMAC 4.200). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Must request case-by-case approval from Department. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266 by reference (20 NMAC 4.700). |

Special Considerations

- Generators must pay "annual business fees" to the Department (20 NMAC 4.3).

NM Environment Department
Water and Waste Management Division
Hazardous Waste and Radioactive Materials Bureau
P.O. Box 26110
Santa Fe, NM 87502-6110
Phone: 505/827-1557

<http://www.nmenv.state.nm.us/>

NM's Hazardous Waste Management Regulations are in Title 20 of the New Mexico Administrative Code (NMAC), Chapter 4. A copy of the regulations is available for a fee from the Bureau, or they can be accessed for free on the Internet at the Department Website listed above.

New York

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal with the addition of PCB wastes (6 NYCRR 371).

Hazardous Waste Generator Status: Same as federal (6 NYCRR 372).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|---------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See 6 NYCRR 371.1(e)(1). |
| <input checked="" type="checkbox"/> Elementary Neutralization | See 6 NYCRR 373-1.1(d)(1)(xii). |
| <input checked="" type="checkbox"/> Recycling | See 6 NYCRR 371.1(g)(3). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | See 6 NYCRR 373-1.1(d)(1)(ix). |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | See 6 NYCRR 374-1.8(i). |

Special Considerations

- SQGs must place waste in secondary containment if they (1) are located above a sole source aquifer and (2) have accumulated more than 185 gallons of liquid hazardous waste (6 NYCRR 372.2(a)(8)(iii)(f)).
- DEC requires some generators to write waste reduction plans and have the plans approved by DEC.
- Generators in New York must file quarterly returns with the New York State Department of Taxation and Finance and pay appropriate assessments. However, if the assessment attributable to a site is \$27.00 or less for a particular quarter, it is not necessary to file a quarterly return for that site or pay the assessment for that quarter.

NY Department of Environmental Conservation (NYDEC)

Division of Solid and Hazardous Materials

50 Wolf Rd.

Albany, NY 12233-7251

Phone: 518/489-8988

<http://www.dec.state.ny.us/website/dshm/index.html>

NY's hazardous waste management regulations are in 6 NYCRR Parts 370, 371, 372, 373, 374 and 376 (the Part 370 series). A single free copy of the regulations can be obtained from the Bureau of Program Management, 518/457-0532, or can be accessed for free on the Internet at http://www.bcnys.org/new/pdf/env_rcra.htm.

North Carolina

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal. Incorporates 40 CFR 261 by reference (13A.0106-1-72).

Hazardous Waste Generator Status: Same as federal. Incorporates 40 CFR 262 by reference (13A.0107-1-28).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|--------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 by reference (13A.0106-1-72). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Incorporates 40 CFR 270 by reference (13A.0113-1-69). |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261 by reference (13A.0106-1-72). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | DENR policy by verbal interpretation (effective 1998). |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266 by reference (13A.0111-1-57). |

Special Considerations

- Generators must keep inspection records for 3 years (13A.0107-1-28).
- SQG and LQG pay annual fees: \$25 for SQGs and \$500 plus tonnage fee for LQGs (13A.0117-1-01).
- Solid waste landfills cannot accept CESQG (NC Solid Waste regulations).

NC Department of Environmental and Natural Resources (DENR)
Division Waste Management
Hazardous Waste Section
P.O. Box 29603
Raleigh, NC 27611-9603
Phone: 919/733-2178
<http://wastenot.enr.state.nc.us/>

NC's Hazardous Waste Management Regulations are in Title 15A of the North Carolina Administrative Code (NCAC), Chapter 13A. A free copy of the regulations is available from the Hazardous Waste Section. The regulations are not currently available on the Internet.

North Dakota

Hazardous Waste Program Description

Definition of "Hazardous Waste": Similar to federal (33-24-2).

Hazardous Waste Generator Status: Same as federal (33-24-02-05 for CESQGs and 33-24-3 for SQGs and LQGs).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|-----------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See 33-24-02-04(1)(a). |
| <input checked="" type="checkbox"/> Elementary Neutralization | See 33-24-06-01(2)(b)(5). |
| <input checked="" type="checkbox"/> Recycling | See 33-24-02-06. |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Per verbal interpretation and 33-24-03-01(2). |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | See 33-24-05-533. |

Special Considerations

None.

ND Department of Health
Division Waste Management
Hazardous Waste Section
P.O. Box 5520
Bismark, ND 58506-5520
Phone: 701/328-5166

<http://www.health.state.nd.us/ndhd/envIRON/wm/index.htm>

ND's Hazardous Waste Management Rules are in the North Dakota Administrative Code (NDAC), Article 33-24. The regulations are available from the Department at a cost of \$40 prepaid. A copy of the regulations can also be accessed for free on the Internet at <http://www.health.state.nd.us/ndhd/envIRON/wm/hwp/hwrules.htm>

Ohio

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal (see 3745-51-20 through 35).

Hazardous Waste Generator Status: Same as federal (see 3745-51-05 for CESQG and 3745-52-34 for LQG and SQG).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See 3745-51-04(A)(1). |
| <input checked="" type="checkbox"/> Elementary Neutralization | See 3745-50-45(C)(5). |
| <input checked="" type="checkbox"/> Recycling | See 3745-51-06(C)(1). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | See 3745-50-45(C)(1) and 3745-52-34(A) and (D). |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | OH has not yet adopted 40 CFR 266, Subpart H, so EPA's BIF rule is in effect. OH has requirements for incinerators (3745-57-40) and hazardous waste burned for energy recovery (3745-58-40). |

Special Considerations

None.

OH Environmental Protection Agency (Ohio EPA)
Division Hazardous Waste Management
Lazarus Government Center
P.O. Box 1049
Columbus, OH 43216-1049
614/644-2917
<http://www.epa.state.oh.us/>

OH's Hazardous Waste Management Rules are in Chapter 3745 of the Ohio Administrative Code (OAC). A copy of the regulations is available for a fee from Ohio EPA's Legal Section, 614/644-3037, or can be accessed for free on the Internet at <http://www.epa.state.oh.us/dhwm/dhwmrules/index1.htm>.

Oklahoma

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal. Incorporates 40 CFR 261 by reference (OAC 252:205-3-2(c)).

Hazardous Waste Generator Status: Same as federal. Incorporates 40 CFR 262 by reference (OAC 252:205-3-2(d)).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 by reference (OAC 252:205-3-2(c)). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Incorporates 40 CFR 270 by reference (OAC 252:205-3-2(j)). |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261 by reference (OAC 252:205-3-2(c)). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266 by reference (OAC 252:205-3-2(h)). |

Special Considerations

- SQG and LQG must pay annual fees and LQGs are subject to disposal plan fees (OAC 252:205-3-2(c)).
- OK Solid Waste Statute prohibits landfills from accepting hazardous waste from CESQGs.

OK Department of Environmental Quality
Division Hazardous Waste Management
P.O. Box 1677
Oklahoma City, OK 73101-1677
Phone: 405/702-5100
<http://www.deq.state.ok.us/>

OK's Hazardous Waste Management Regulations are in Title 252 of the Oklahoma Administrative Code, Chapter 205 (OAC 252:205). A free copy of the regulations is available from the Division of Hazardous Waste, or they can be accessed for free on the Internet at <http://www.deq.state.ok.us/rules/rulesindex.htm>.

Oregon

Hazardous Waste Program Description

Definition of "Hazardous Waste": Incorporates all federal hazardous wastes by reference and adds certain warfare agent wastes and residues including those containing $\geq 3\%$ of P-listed chemical or $\geq 10\%$ of U-listed chemical (OAR 340-101).

Hazardous Waste Generator Status: Same as federal (OAR 340-102).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|----------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 by reference (OAR 340-100-0002). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Incorporates 40 CFR 270 by reference (OAR 340-100-0002). |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261 by reference (OAR 340-100-0002). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266 by reference (OAR 340-100-0002). |

Special Considerations

- Generators accumulating in excess of 100 containers, must place the waste in a storage unit that meets the requirements of 40 CFR 264.175 (OAR 340-102-0034).
- SQGs and LQGs are subject to quarterly reporting requirements (OAR 340-102-0041)
- SQGs and LQGs are required to pay fees annually to ORDEQ (OAR 340-102-0065).

OR Department of Environmental Quality (ORDEQ)
Waste Management and Cleanup Division
811 6th Ave.
Portland, OR 97204
Phone: 503-229-5913

<http://www.deq.state.or.us/wmc/hw/hw.htm>

OR's hazardous waste regulations are in Chapter 340 of the Oregon Administrative Rules. A free copy of the regulations can be obtained by calling ORDEQ, or they can be accessed for free on the Internet at <http://www.deq.state.or.us/wmc/hw/resliboar.html>.

Pennsylvania

Hazardous Waste Program Description

Definition of “Hazardous Waste”: Same as federal. However, PA has a special program for “residual wastes” which include industrial, mining and agricultural wastes that are not hazardous wastes.

Hazardous Waste Generator Status: Same as federal.

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates federal citation by reference (40 CFR 261.4(a)(1)). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Allowed with a permit-by-rule (25 PA Code 270a.60(b)(1)). |
| <input checked="" type="checkbox"/> Recycling | Allowed with a permit-by-rule (25 PA Code 270a.60(b)(4)). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Allowed with a permit-by-rule (25 PA Code 270a.60(b)(2)). |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266.108 by reference (25 PA Code 266a.20). |

Special Considerations

- CESQGs may not dispose of hazardous or residual waste landfills within the state (261a.5(b)).
- Any generator that generates more than 1,000 kg hazardous waste in any month, must prepare a written source reduction strategy (262a.100).

PA Department of Environmental Protection (PADEP)
Bureau of Land Recycling and Waste Management
Division of Hazardous Waste Management
P.O. Box 8471
Harrisburg, PA 17105-8471
Phone: 717/787-6239
<http://www.dep.state.pa.us>

PA's hazardous waste regulations are in Title 25 of the PA Code, Chapters 260-270a. A free copy of the regulations can be obtained by calling the PADEP, or they can be accessed for free on the Internet at http://www.pacode.com/secure/data/025/articleIDVII_toc.html.

Rhode Island

Hazardous Waste Program Description

Definition of "Hazardous Waste": Incorporates all federal hazardous wastes by reference (3.25) and adds several Rhode Island-specific characteristic wastes (3.53).

Hazardous Waste Generator Status: RIDEM recognizes generators as a single category (5.00). RIDEM has no provisions for CESQGs or SQGs.

Regulatory Allowances for On-Site Waste Minimization

<input checked="" type="checkbox"/> Domestic Sewage Exclusion	Provided for in RI Hazardous Waste Management Act (23-19.1-5).
<input checked="" type="checkbox"/> Elementary Neutralization	See 7.01A.3.
<input checked="" type="checkbox"/> Recycling	Excepts activities listed in 40 CFR 261.6 from permitting (7.01A.2.).
<input checked="" type="checkbox"/> Treatment in Accumulation Containers	Prohibited (5.07).
<input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces	RI has not yet adopted 40 CFR 266, Subpart H, so EPA's BIF rule is in effect. RI specifically excepts activities listed in 40 CFR 266 from permitting (7.01A.2.).

Special Considerations

- All generators are subject to LQG requirements.
- All hazardous waste containers (except those in satellite accumulation areas) must be labeled with constituents, waste codes, generator name and address, date of containerization and more (5.04).

RI Department of Environmental Management (RIDEM)
Office of Waste Management
235 Promenade Street
Providence, RI 02908
Phone: 401/222-2797
<http://www.state.ri.us/dem/>

RI's Rules and Regulations for Hazardous Waste Management are available for free from the Office of Waste Management, or they can be accessed for free on the Internet at <http://www.state.ri.us/dem/regs.htm#WM>.

South Carolina

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal (see 61-79.261).

Hazardous Waste Generator Status: Same as federal (see 61-79-261.5 and 61-79.262).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|-----------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See 61-79.261.4(a)(1). |
| <input checked="" type="checkbox"/> Elementary Neutralization | See 61-79.270.1(c)(2). |
| <input checked="" type="checkbox"/> Recycling | See 61-79.261.6(c)(1). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | See 61-79.266.108. |

Special Considerations

- Generators may not stack hazardous waste containers more than two high (61-79.262.34(a)(5)).
- Certain training requirements apply to personnel at satellite accumulation areas (61-79.262.34(c)(1)(iii)).
- DHEC has no provision allowing SQGs to accumulate hazardous waste on site for 270 days (61-79.262.34(f)).
- LQGs are subject to quarterly reporting requirements (61-79.262.41).

SC Department of Health and Environmental Control (DHEC)
Bureau of Land and Waste Management
2600 Bull Street
Columbia, SC 29201
Phone: 803/896-4254

<http://www.state.sc.us/dhec/eqc/>

SC's Hazardous Waste Management Regulations (R.61-79) can be purchased for \$25 from DHEC's Freedom of Information Office, 803/898-3882, or they can be accessed for free on the Internet at <http://www.state.sc.us/dhec/eqc/> (download files c061d through c061g).

South Dakota

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal. Incorporates 40 CFR 261 by reference (74:28:22:01).

Hazardous Waste Generator Status: Same as federal. Incorporates 40 CFR 262 by reference (74:28:23:01).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|-----------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 by reference (74:28:27:01). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Incorporates 40 CFR 270 by reference (74:28:26:01). |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261 by reference (74:28:22:01). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266 by reference (74:28:27:01). |

Special Considerations

- Wastes containing polychlorinated biphenyls in concentrations ≥ 50 parts per million are subject to specific SD regulations (74:28:22:01 and 74:28:31).

SD Department of Environment and Natural Resources (DENR)
Waste Management Program
523 E. Capitol Avenue, Foss Building
Pierre, SD 27505-3181
Phone: 605/773-3153
<http://www.state.sd.us/denr/denr.html>

SD's hazardous waste regulations are in Administrative Rule of South Dakota 74:28, and federal hazardous waste regulations are adopted by reference. A free copy of the regulations is available from DENR or the regulations can be accessed on the Internet at <http://www.state.sd.us/state/legis/lrc/rules/7428.htm>.

Tennessee

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal (see 1200-1-11.02).

Hazardous Waste Generator Status: Same as federal (see 1200-1-11.02(1)(e) and 1200-1-11.03).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See 1200-1-11.02(1)(d). |
| <input checked="" type="checkbox"/> Elementary Neutralization | See 1200-1-11.07(1)(b)(4)(iv). |
| <input checked="" type="checkbox"/> Recycling | See 1200-1-11.02(1)(f)(3). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | DEC specifies that the term "accumulation" includes storage and treatment. See 1200-1-11.03(4)(e)(1) and 1200-1-11.07(1)(b)(4)(i). |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | See 1200-1-11.07(1)(j). |

Special Considerations

None.

TN Department of Environment and Conservation (DEC)
Division of Solid and Hazardous Waste Management
401 Church Street
L&C Tower, 5th Floor
Nashville, TN 37243-1535
Phone: 615/532-0850

<http://www.state.tn.us/environment/>

TN Hazardous Waste Management Regulations are contained in "Rules of Tennessee Department of Environment and Conservation," Chapter 1200-1-11. A single complimentary copy of the regulations is available to TN generators from DEC. The regulations can also be accessed for free on the Internet at <http://www.state.tn.us/sos/rules/1200/1200-01/1200-01.htm>.

Texas

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal; however, TNRCC regulates various classes of non-hazardous waste (e.g., Class I, II and III: see 335.501 through 515).

Hazardous Waste Generator Status: Similar to federal (see 335.61 through 335.78).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See 335.1(123), definition of "solid waste." |
| <input checked="" type="checkbox"/> Elementary Neutralization | See 335.41(d)(1). |
| <input checked="" type="checkbox"/> Recycling | See 335.24. |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266.108 by reference. See 335.221(a)(19). Section 335.6(i) reiterates the one-time notification requirement. |

Special Considerations

None.

TX Natural Resource Conservation Commission (TNRCC)
Industrial and Hazardous Waste Permits Section
P.O. Box 13087, MC 129
Austin, TX 78711-3087
Phone: 512/239-6412
<http://www.tnrcc.state.tx.us/>

TX's Hazardous Waste Management Regulations are in Title 30 of the Texas Administrative Code, Chapter 335 (30 TAC 335). A single free copy can be obtained from TNRCC's Publications Office, 512/239-0028, or they can be accessed for free on the Internet at <http://www.tnrcc.state.tx.us/oprd/rules/indxpdf5.html#335>.

Utah

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal but adds certain nerve, military and chemical agents (see R315-2-9 through 11).

Hazardous Waste Generator Status: Same as federal (see R315-2-5 and R315-5-10).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|---------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See R315-2-4(a)(1). |
| <input checked="" type="checkbox"/> Elementary Neutralization | See R315-3-3(n)(5). |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261.6 by reference. See R315-2-6. |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. Also, see R315-3-3(n)(1). |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | 40 CFR 266, subpart H is incorporated by reference (see R315-14-7). |

Special Considerations

None.

UT Department of Environmental Quality (DEQ)
Division of Solid and Hazardous Waste
P.O. Box 144880
Salt Lake City, UT 84114-4880
Phone: 801/538-6170
<http://www.eq.state.ut.us/>

UT's Hazardous Waste Management Regulations can be purchased for \$15 from DEQ, or they can be accessed for free on the Internet at <http://www.eq.state.ut.us/eqshw/hwrules.htm>.

Vermont

Hazardous Waste Program Description

Definition of "Hazardous Waste": Similar to federal but modifies characteristic of corrosivity to include wastes that when mixed with water yield a solution with a pH ≤ 2 or ≥ 12.5 (7-205) and adds Vermont-specific listed wastes (e.g., PCBs, coolants, oils, etc.; 7-211).

Hazardous Waste Generator Status: Same as federal (see 7-305 to 308).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Only applies to wastes mixed with "household sewage" (7-203(b)), but mixture rule provides an exemption for mixtures subject to the Clean Water Act (7-203(k)). |
| <input checked="" type="checkbox"/> Elementary Neutralization | See 7-502(c). |
| <input checked="" type="checkbox"/> Recycling | See 7-502(k) and 7-605. |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | See 7-512, refers to 40 CFR 266, Subpart H. |

Special Considerations

- CESQGs are required to obtain an EPA ID number and meet container management and accumulation area design standards (7-306). Also, CESQG waste cannot be sent to a landfill unless the facility is certified to accept CESQG waste.
- LQGs and SQGs must maintain an inventory of waste in "short-term" storage areas and must inspect areas daily (7-311(d)).
- Hazardous waste containers in satellite accumulation areas must be marked with the words "Hazardous Waste" and other words to identify contents (7-310(a)(5)).

VT Department of Environmental Conservation
Waste Management Division
103 South Main St., West Building
Waterbury, VT 05671-0404
Phone: 802/241-3888

<http://www.anr.state.vt.us/dec/wmd.htm>

A single free copy of VT's Hazardous Waste Management Regulations can be obtained by calling the Waste Management Division, or they can be accessed for free on the Internet at <http://www.anr.state.vt.us/dec/wastediv/rcra/hazregs/finalreg/finalreg.htm>.

Virginia

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal. Incorporates 40 CFR 261 by reference (see 20-60-261).

Hazardous Waste Generator Status: Same as federal. Incorporates 40 CFR 261 and 262 by reference (see 20-60-261 and 20-60-262).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 by reference (see 20-60-261). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Incorporates 40 CFR 261 by reference (see 20-60-270 and 20-60-970B.5). |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261 by reference (see 20-60-261). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266 by reference (see 20-60-266). |

Special Considerations

- Any facility that accepts CESQG waste must have written permission from DEQ (20-60-261B.5).
- Generators must notify DEQ 15 days prior to establishing a new hazardous waste accumulation area subject to 40 CFR 262.34 (20-60-260B.4).

VA Department of Environmental Quality (DEQ)

Waste Division

P.O. Box 10009

Richmond, VA 23240-0009

Phone: 804/698-4199

<http://www.deq.state.va.us/>

VA's Hazardous Waste Management Regulations are in Title 9 of the VA Administrative Code, Chapter 20 (9VAC 20). The regulations can be purchased for a fee from the West Publishing Group, 800/328-9352, or they can be accessed for free on the Internet at <http://www.deq.state.va.us/info/ftp.html>.

Washington

Hazardous Waste Program Description

Definition of “Hazardous Waste”: Similar to federal but adds Washington-specific dangerous wastes and extremely hazardous wastes (173-303-080 to 104).

Hazardous Waste Generator Status: DEC recognizes LQGs and has special provisions for “small quantity generators” (similar to federal CESQGs, see 173-303-070) and “Special accumulation standards” for generators who generate > 220 pounds/month and accumulate ≤ 2200 pounds of dangerous waste on site (173-303-201).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See 173-303-071(3)(a)). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Permit-by-rule with conditions (173-303-802(5)). |
| <input checked="" type="checkbox"/> Recycling | See 173-303-120(4). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Allowed with certain conditions. See 173-303-170. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | WA has not yet adopted 40 CFR 266, Subpart H, so EPA’s BIF rule is in effect. DEC has implemented “Special requirements for dangerous wastes burned for energy recovery” (173-303-510). |

Special Considerations

- On a case-by-case basis, DEC requires that hazardous waste accumulation areas, including satellite areas, have secondary containment. Also, “new” (since Sept. 30, 1986) accumulation areas must have secondary containment (173-303-200).
- Containers/tanks must be marked with words that identify the major risks associated with waste in the container (173-303-200(1)(d)).

WA Department of Ecology (DEC)
Hazardous Waste and Toxics Reduction Program
P.O. Box 47600
Olympia, WA 98504-7600
Phone: 360/407-6700

<http://www.state.sc.us/dhec/eqc/>

WA’s Dangerous Waste Regulations (Chapter 173-303 WAC) are available for free from DEC. The regulations are not presently available on the Internet.

West Virginia

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal. Incorporates 40 CFR 261 by reference (see 33-20-3.1).

Hazardous Waste Generator Status: Same as federal. Incorporates 40 CFR 261 and 262 by reference (see 33-20-3.1 and 33-20-4.1).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | Incorporates 40 CFR 261 by reference (see 33-20-3.1). |
| <input checked="" type="checkbox"/> Elementary Neutralization | Incorporates 40 CFR 270 by reference (see 33-20-11.1). |
| <input checked="" type="checkbox"/> Recycling | Incorporates 40 CFR 261 by reference (see 33-20-3.1). |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | DEP must be notified of generator treatment activities (see 33-20-4.2.e). |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Incorporates 40 CFR 266 by reference (see 33-20-9.1). Subject to air quality rules in 45 CSR 25 (see 33-20-7.1.b). |

Special Considerations

- CESQGs sending waste off-site must send hazardous waste to permitted TSDFs or legitimate recycling facilities (see 33-20-3.2).
- CESQGs are subject to notification requirements in Section 4 (see 33-20-3.2).

WV Division of Environmental Protection (DEP)
Office of Waste Management
1356 Hansford St.
Charleston, WV 25301
Phone: 304/558-5929
<http://www.dep.state.wv.us>

WV's Hazardous Waste Management Regulations are in Title 33 of the Code of State Regulations, Series 20 (33 CSR 20). A copy of the regulations can be purchased (for a small copying fee) from the WV Secretary of the State, 304/558-6000, or they can be accessed for free the Internet at <http://www.state.wv.us/csr/>.

Wisconsin

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal (see NR605.08 and NR605.09).

Hazardous Waste Generator Status: DNR recognizes very small quantity generators (< 100 kg/month; VSG; NR 610.07), SQG (100 to 1000 kg/month; 610.08) and LQG (NR615).

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See NR605.05(1)(o). |
| <input checked="" type="checkbox"/> Elementary Neutralization | See NR630.04(7); some conditions apply. |
| <input checked="" type="checkbox"/> Recycling | See NR630.04(6) and NR625. |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | See NR630.04(18). |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | Although WI has not yet adopted 40 CFR 266, Subpart H, so EPA's BIF rule is in effect, DNR's facility standards (NR 630) and air regulations apply. |

Special Considerations

- VSQGs are subject to container management and labeling provisions. In-state facilities must have DNR approval to accept VSQG waste (NR610.07).
- SQGs accumulating at least 1000 kg but not more than 6000 kg of hazardous waste on site are subject to additional training provisions (NR610.08(1)(v)).
- Generators are subject to manifest fees and annual fees.
- DNR regulates PCB wastes under Chapter 157.

WI Department of Natural Resources (DNR)
Bureau of Waste Management
P.O. Box 7921
Madison, WI 53707-7921
Phone: 608/266-2111

<http://www.dnr.state.wi.us/org/aw/wm/index.htm>

WI's Hazardous Waste Management Regulations (Environmental Protection Series, NR 600) can be purchased (\$26 + tax) from the WI Department of Administration, Document Sales, 800/362-7253. The regulations can also be accessed for free on the Internet at <http://www.dnr.state.wi.us/org/aw/wm/information/wiacssh.htm>.

Wyoming

Hazardous Waste Program Description

Definition of "Hazardous Waste": Same as federal.

Hazardous Waste Generator Status: Same as federal.

Regulatory Allowances for On-Site Waste Minimization

- | | |
|---------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Domestic Sewage Exclusion | See Chapter 2, Section 1(d)(i)(A). |
| <input checked="" type="checkbox"/> Elementary Neutralization | See Chapter 1, Section 1(h)(iii)(B)(V). |
| <input checked="" type="checkbox"/> Recycling | See Chapter 2, Section 1 (f); however, the director retains the authority to determine what constitutes sham recycling. |
| <input checked="" type="checkbox"/> Treatment in Accumulation Containers | Follows EPA interpretation. |
| <input checked="" type="checkbox"/> Small Boilers and Industrial Furnaces | See Chapter 12, Section 8(i). |

Special Considerations

None.

WY Department of Environmental Quality (DEQ)
Solid and Hazardous Waste Management Division
122 W. 25th St.
Cheyenne, WY 82002
Phone: 307/777-7752

<http://deq.state.wy.us/shwd.htm>

A single free copy of the "Wyoming Hazardous Waste Rules and Regulations" can be obtained from the Solid and Hazardous Waste Management Division, or they can be accessed for free on the Internet at <http://soswy.state.wy.us/rules/rules.htm>.

