

Hazardous Waste Section
File Room Document Transmittal Sheet

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Your Name: Mark Wilkins
EPA ID: NCD091249417
Facility Name: Textron - Former John Deere
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Document Type: Part B Application (PB)
Description: Issue Call Letter for submittal of Part B Renewal Application - 2nd renewal
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May 6, 2016

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Gregory Simpson, Senior Project Manager
Textron, Inc.
40 Westminster Street
Providence, RI 02903

Re: **Call for RCRA Part B Permit Application – 2nd Renewal Permit**
Textron Inc. (Former John Deere) Facility, Gastonia, NC
EPA ID # NCD 091249417

Dear Mr. Simpson:

The Hazardous Waste Management Permit (Permit) for the Textron/Former John Deere/ Former Homelite Facility in Gastonia, NC will expire on September 14, 2017. As described in 40 CFR 270.10(h), adopted in 15A NCAC 13A .0113 and in condition I.D.2. in your Permit, Textron, Inc. must submit the original and seven (7) copies of a completely new application to the Section by March 17, 2017. If through no fault of Textron, Inc. a renewal Permit is not issued by the State prior to the expiration date of the existing Permit, Textron, Inc. will continue to operate under the existing Permit until the renewal Permit is issued and effective.

This Part B renewal application must provide updated descriptions of current remedial activities, the monitoring well network, and the status of Solid Waste Management Units (SWMUs). To assist you in preparing the application, we have attached a copy of:

1. the most recent NC Hazardous Waste Management Rules;
2. a Part A form 8700-23 which can also be downloaded with the associated instructions from the following EPA website: <http://www.epa.gov/epaoswer/hazwaste/data/form8700/forms.htm> ; and,
3. a copy of the application checklists the Section will use when evaluating your Part B renewal application.

State of North Carolina | Environmental Quality | Waste Management
1646 Mail Service Center | 217 West Jones Street | Raleigh, NC 27699-1646
919 707 8200 T

Certain provisions of NC Session Law 2007-107 as amended by NC Session Law 2007-495 revised requirements under Article 9 of the North Carolina General Statutes (N.C.G.S) Section 130A-295. These new provisions require that, at least 120 days prior to submitting a new or renewal application, an applicant for a hazardous waste treatment, storage, or disposal permit shall provide - the county in which the Facility is located; any municipality with planning jurisdiction over the Facility; and, all emergency response agencies with a role in the Facility contingency plan - information described in N.C.G.S 130A-295(d) for their review. There is also a requirement for receiving comments from these agencies and responding to their comments. The Facility must include documentation of the mailing and responses in the permit application as described in N.C.G.S 130A-295(f). When contacting the county or municipality you must contact the manager of the county or municipality. A copy of a signed USPS certified mail card or alternative mailing proof is sufficient documentation to show that the notification was sent and received. Response letters from each county in which the Facility is located, each municipality with planning jurisdiction over the Facility, and all emergency response agencies that have a role in the Facility contingency plan are required to fulfill the requirements of N.C.G.S 130A-295(e). Textron, Inc. must provide this information to the Hazardous Waste Section with the renewal application.

In accordance with 40 CFR 2 as adopted in 15A NCAC 13A .0104, you may claim confidentiality for certain information in your Part B application if such claim can be substantiated. In order to claim that information is confidential you must:

- a. Determine whether or not the claim of confidentiality can be substantiated, then substantiate it (concerning each type of information claimed) by addressing the applicable element of 40 CFR 2.208 as adopted in 15A NCAC 13A .0104;
- b. Precisely describe which information is claimed as confidential or stamp each page that contains such information with the words "CONFIDENTIAL" or "CONFIDENTIAL BUSINESS INFORMATION";
- c. Package all pages containing confidential information separately from your total Part B application package. This means that your Part B submitted would consist of two (2) packages: (a) the Part B application without confidential information, and (b) the portion of your Part B application that has been claimed as confidential; and
- d. State clearly in your transmittal letter that confidential information is included.

If you make no claim of confidentiality at the time of application submittal, the State and US EPA may make the information available to the public without further notice. If a claim is asserted and substantiated, the information will be treated according to the procedures in 40 CFR 2 as adopted in 15A NCAC 13A .0104.

The Section encourages you to submit your renewal application in the format of the application checklist. The Section also recommends that you arrange for a pre-application meeting with us to discuss the renewal process along with any questions you may have regarding the application requirements.

If you have any questions about this letter, the application process, or to request a meeting, please contact me at 919-707-8207 or by email at mark.wilkins@ncdenr.gov.

Sincerely,



Mark Wilkins, Hydrogeologist, Hazardous Waste Section
Division of Waste Management, NC DEQ

Attachments

cc: Bud McCarty
Sean Morris

ATTACHMENT 1
HAZARDOUS WASTE MANAGEMENT RULES

CHAPTER 13 – SOLID WASTE MANAGEMENT**SUBCHAPTER 13A - HAZARDOUS WASTE MANAGEMENT****SECTION .0100 - HAZARDOUS WASTE****15A NCAC 13A .0101 GENERAL**

- (a) The Hazardous Waste Section of the Division of Waste Management shall administer the hazardous waste management program for the State of North Carolina.
- (b) In applying the federal requirements incorporated by reference throughout this Subchapter, the following substitutions or exceptions shall apply:
- (1) "Department of Environment and Natural Resources" shall be substituted for "Environmental Protection Agency" except in 40 CFR 262.51 through 262.54, 262.56, 262.57, and Part 124 where references to the Environmental Protection Agency shall remain without substitution;
 - (2) "Secretary of the Department of Environment and Natural Resources" shall be substituted for "Administrator," "Regional Administrator," "Assistant Administrator" and "Director" except for 40 CFR 262.55 through 262.57, 264.12(a), 268.5, 268.6, 268.42(b), 268.44, and Part 124 where the references to the Administrator, Regional Administrator, Assistant Administrator and Director shall remain without substitution.
- (c) In the event that there are inconsistencies or duplications in the requirements of those Federal rules incorporated by reference throughout this Subchapter and the State rules set out in this Subchapter, the provisions incorporated by reference shall prevail except where the State rules are more stringent.
- (d) 40 CFR 260.1 through 260.3 (Subpart A), "General," are incorporated by reference including subsequent amendments and editions.
- (e) 40 CFR 260.11, "References", is incorporated by reference including subsequent amendments and editions.
- (f) Copies of all materials in this Subchapter may be inspected or obtained as follows:

- (1) Persons interested in receiving rule-making notices concerning the North Carolina Hazardous Waste Management Rules must submit a written request to the Hazardous Waste Section, PO Box 29603, Raleigh, N.C. 27611-9603. A check in the amount of fifteen dollars (\$15.00) made payable to The Hazardous Waste Section must be enclosed with each request. Upon receipt of each request, individuals shall be placed on a mailing list to receive notices for one year.
- (2) Material incorporated by reference in the Federal Register may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 at a cost of seven hundred and sixty four dollars (\$764.00) per year. Federal Register materials are codified once a year in the Code of Federal Regulations and may be obtained at the above address for a cost of: 40 CFR 100-135 forty two dollars (\$42.00), 40 CFR 260-265 forty seven dollars (\$47.00) and 40 CFR 266-299, forty seven dollars (\$47.00), total one hundred thirty six dollars (\$136.00).
- (3) The North Carolina Hazardous Waste Management Rules, including the incorporated by reference materials, may be obtained from the Hazardous Waste Section at the cost to the Section.
- (4) All material is available for inspection at the Department of Environment and Natural Resources, Hazardous Waste Section, 401 Oberlin Road, Raleigh, NC.

History Note: Authority G.S. 130A-294(c); 150B-21.6;

Eff. September 1, 1979;

Amended Eff. June 1, 1989; June 1, 1988; August 1, 1987; May 1, 1987;

Transferred and Recodified from 10 NCAC 10F .0001 Eff. April 4, 1990;

Amended Eff. October 1, 1993; April 1, 1993; October 1, 1992; December 1, 1991;

Recodified from 15A NCAC 13A.0001 Eff. December 20, 1996;

Amended Eff. August 1, 2004; August 1, 2000; August 1, 1998; August 1, 1997.

15A NCAC 13A_0102 DEFINITIONS

- (a) The definitions contained in G.S. 130A-290 apply to this Subchapter.
- (b) 40 CFR 260.10 (Subpart B), Definitions, is incorporated by reference, including subsequent amendments and editions except that the Definitions for "Disposal", "Landfill", "Management or hazardous waste management", "Person", "Sludge", "Storage", and "Treatment" are defined by G.S. 130A-290 and are not incorporated by reference and the definition in 260.10 for "Contained" is not incorporated by reference.
- (c) The following definition shall be substituted for "Contained": "Contained" means held in a unit (including a land-based unit as defined in this subpart) that meets the following criteria:
- (1) The unit is in good condition, with no leaks or other continuing or intermittent unpermitted releases of the hazardous secondary materials or hazardous constituents originating from the hazardous secondary materials to the environment, and is designed, as appropriate for the hazardous secondary materials, to prevent releases of hazardous secondary materials to the environment. Unpermitted releases are releases that are not covered by a permit (such as a permit to discharge to water or air) and may include, but are not limited to, releases through surface transport by precipitation runoff, releases to soil and groundwater, windblown dust, fugitive air emissions, and catastrophic unit failures;
 - (2) The unit is properly labeled or otherwise has a system (such as a log) to immediately identify the hazardous secondary materials in the unit; and
 - (3) The unit holds hazardous secondary materials that are compatible with other hazardous secondary materials placed in the unit and is compatible with the materials used to construct the unit and addresses any potential risks of fires or explosions.
 - (4) Hazardous secondary materials in units that meet the applicable requirements of 40 CFR parts 264 or 265 are presumptively contained.
- (d) The following definitions shall apply throughout this Subchapter:
- (1) "Section" means the Hazardous Waste Section, in the Division of Waste Management, Department of Environmental Quality.
 - (2) The "Department" means the Department of Environmental Quality (DEQ).
 - (3) "Division" means the Division of Waste Management (DWM).
 - (4) "Long Term Storage" means the containment of hazardous waste for an indefinite period of time in a facility designed to be closed with the hazardous waste in place.
 - (5) "Off-site Recycling Facility" means any facility that receives shipments of hazardous waste from off-site to be recycled or processed for recycling through any process conducted at the facility, but does not include any facility owned or operated by a generator of hazardous waste solely to recycle their own waste.

History Note:

Authority G.S. 130A 294(c); 150B-21.6;
Eff. September 1, 1979;
Amended Eff. June 1, 1989; June 1, 1988; February 1, 1987; October 1, 1986;
Transferred and Recodified from 10 NCAC 10F.0002 Eff. April 4, 1990;
Amended Eff. April 1, 1993; October 1, 1990; August 1, 1990;
Recodified from 15A NCAC 13A.0002 Eff. December 20, 1996;
Amended Eff. August 1, 2000;
Temporary Amendment Eff. January 1, 2009;
Amended Eff. July 1, 2010;
Temporary Amendment Eff. December 1, 2015.

15A NCAC 13A.0103 PETITIONS PART 260

- (a) All rulemaking petitions for changes in this Subchapter shall be made in accordance with 15A NCAC 021.0501.
- (b) In applying the federal requirements incorporated by reference in this Rule, 15A NCAC 021.0501 shall be substituted for references to 40 CFR 260.20.
- (c) 40 CFR 260.21 through 260.43 (Subpart C), "Rulemaking Petitions," are incorporated by reference including subsequent amendments and editions.

History Note: Authority G.S. 130A-294(c); 150B-21.6;

Eff. November 19, 1980;

Amended Eff. June 1, 1988; May 1, 1987; January 1, 1986; October 1, 1985;

Transferred and Recodified from 10 NCAC 10F.0028 Eff. April 4, 1990;

Amended Eff. April 1, 1993; November 1, 199; October 1, 1990;

Recodified from 15A NCAC 13A.0003 Eff. December 20, 1996;

Amended Eff. August 1, 2000;

Temporary Amendment Eff. January 1, 2009;

Amended Eff. July 1, 2010;

Temporary Amendment Eff. December 1, 2015.

15A NCAC 13A .0104 PUBLIC INFORMATION - PART 2

- (a) The provisions concerning requests for information in 40 CFR 2.100 to 2.121 (Subpart A) are incorporated by reference including subsequent amendments and editions, except that 40 CFR 2.106(b), 2.112(f), and 2.120 are not incorporated by reference.
- (b) The following address for the Headquarters Freedom of Information Operations (1105) is substituted for the address 1200 Pennsylvania Ave., N.W., Washington, DC 20460 in 40 CFR 2.106(a) and 2.213(a): Division of Waste Management, 1646 Mail Service Center, Raleigh, NC 27699-1646.
- (c) The provisions concerning confidentiality of business information in 40 CFR 2.201 to 2.311 (Subpart B) are incorporated by reference including subsequent amendments and editions, except that 40 CFR 2.209 (b) and (c), 2.301, 2.302, 2.303, 2.304, 2.306, 2.307, 2.308, 2.309, 2.310 and 2.311 are not incorporated by reference.

History Note:

Authority G.S. 1304-294(c): 150B-21.6;

Eff. January 1, 1986;

Amended Eff. June 1, 1988;

Transferred and Recodified from 10 NCAC 10F.0040 Eff. April 4, 1990;

Amended Eff. August 1, 1990;

Recodified from 15A NCAC 13A.0005 Eff. August 30, 1990;

Amended Eff. April 1, 1993; October 1, 1990;

Recodified from 15A NCAC 13A.0004 Eff. December 20, 1996;

Amended Eff. May 1, 2002; August 1, 2000.

15A NCAC 13A.0105 GENERAL PROGRAM REQUIREMENTS - PART 124

- (a) 40 CFR 124.1 through 124.21 (Subpart A), "General Program Requirements", are incorporated by reference including subsequent amendments and editions, except that 40 CFR 124.2(c) is not incorporated by reference.
- (b) 40 CFR 124.31 through 124.33 (Subpart B), "Specific Procedures Applicable to RCRA Permits", are incorporated by reference including subsequent amendments and editions, except that 40 CFR 124.31(a), 124.32(a) and 124.33(a) are not incorporated by reference.
- (1) The following shall be substituted for the provisions of 40 CFR 124.31(a) which are not incorporated by reference:
- (A) Applicability. The requirements of this section shall apply to all RCRA part B applications seeking initial permits for hazardous waste management units and shall also apply to RCRA part B applications seeking renewal of permits for such units, where the renewal application is proposing a significant change in facility operations. For the purposes of this Section, a "significant change" is any change that would qualify as a class 3 permit modification under 40 CFR 270.42.
- (B) The requirements of this Section do not apply to permit modifications under 40 CFR 270.42 or to applications that are submitted for the sole purpose of conducting post-closure activities or post-closure activities and corrective action at a facility.
- (2) The following shall be substituted for the provisions of 40 CFR 124.32(a) which are not incorporated by reference:
- (A) Applicability. The requirements of this Section shall apply to all RCRA part B applications seeking initial permits for hazardous waste management units.
- (B) The requirements of this Section shall apply to RCRA part B applications seeking renewal of permits for such units under 40 CFR 270.51.
- (C) The requirements of this Section do not apply to permit modifications under 40 CFR 270.42 or permit applications submitted for the sole purpose of conducting post-closure activities or post-closure activities and corrective action at a facility.
- (3) The following shall be substituted for the provisions of 40 CFR 124.33(a) which are not incorporated by reference: Applicability. The requirements of this Section apply to all applications seeking RCRA permits for hazardous waste management units.

History Note: Authority G.S. 130A-294(c): 150B-21.6;

Eff. November 19, 1980;

Amended Eff. February 1, 1988; October 1, 1986; July 1, 1986; July 1, 1985;

Transferred and Recodified from 10 NCAC 10F.0035 Eff. April 4, 1990;

Recodified from 15A NCAC 13A.0006 Eff. August 30, 1990;

Amended Eff. April 1, 1993; October 1, 1990;

Recodified from 15A NCAC 13A.0005 Eff. December 20, 1996;

Amended Eff. August 1, 1998.

15A NCAC 13A .0106 IDENTIFICATION AND LISTING OF HAZARDOUS WASTES - PART 261

- (a) 40 CFR 261.1 through 261.9 (Subpart A), "General", are incorporated by reference including subsequent amendments and editions.
- (b) 40 CFR 261.10 through 261.11 (Subpart B), "Criteria for Identifying the Characteristics of Hazardous Waste and for Listing Hazardous Waste", are incorporated by reference including subsequent amendments and editions.
- (c) 40 CFR 261.20 through 261.24 (Subpart C), "Characteristics of Hazardous Waste" are incorporated by reference including subsequent amendments and editions.
- (d) 40 CFR 261.30 through 261.37 (Subpart D), "Lists of Hazardous Wastes" are incorporated by reference including subsequent amendments and editions.
- (e) 40 CFR 261.38 through 261.41 (Subpart E), "Exclusions/Exemptions" are incorporated by reference including subsequent amendments and editions.
- (f) 40 CFR 261.140 through 261.151 (Subpart H), "Financial Requirements for Management of Excluded Hazardous Secondary Materials" are incorporated by reference including subsequent amendments and editions.
- (g) 40 CFR 261.170 through 261.179 (Subpart I), "Use and Management of Containers" are incorporated by reference including subsequent amendments and editions.
- (h) 40 CFR 261.190 through 261.200 (Subpart J), "Tank Systems" are incorporated by reference including subsequent amendments and editions.
- (i) 40 CFR 261.400 through 261.420 (Subpart M), "Emergency Preparedness and Response for Management of Excluded Hazardous Secondary Materials" are incorporated by reference including subsequent amendments and editions.
- (j) 40 CFR 261.1030 through 261.1049 (Subpart AA), "Air Emission Standards for Process Vents", are incorporated by reference including subsequent amendments and editions.
- (k) 40 CFR 261.1050 through 261.1079 (Subpart BB), "Air Emission Standards for Equipment Leaks" are incorporated by reference including subsequent amendments and editions.
- (l) 40 CFR 261.1080 through 261.1090 (Subpart CC), "Air Emission Standards for Tanks and Containers" are incorporated by reference including subsequent amendments and editions.
- (m) The Appendices to 40 CFR Part 261 are incorporated by reference including subsequent amendments and editions.

History Note: Authority G.S. 130A-294(c); 150B-21.6;

Eff. November 19, 1980;

Amended Eff. June 1, 1988; February 1, 1988; December 1, 1987; August 1, 1987;

Transferred and Recodified from 10 NCAC 10F.0029 Eff. April 4, 1990;

Amended Eff. January 1, 1996; April 1, 1993; February 1, 1992; December 1, 1990;

Recodified From 15A NCAC 13A.0006 Eff. December 20, 1996;

Amended Eff. April 1, 2007; August 1, 2000;

Temporary Amendment Eff. January 1, 2009;

Amended Eff. July 1, 2010;

Temporary Amendment Eff. December 1, 2015.

15A NCAC 13A .0107 STDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE - PART 262

- (a) 40 CFR 262.10 through 262.12 (Subpart A), "General", are incorporated by reference including subsequent amendments and editions.
- (b) 40 CFR 262.20 through 262.27 (Subpart B), "The Manifest", are incorporated by reference including subsequent amendments and editions except that 262.24, 262.25, and 262.26 are not incorporated by reference.
- (c) 40 CFR 262.30 through 262.34 (Subpart C), "Pre-Transport Requirements", are incorporated by reference including subsequent amendments and editions.
- (d) 40 CFR 262.40 through 262.44 (Subpart D), "Recordkeeping and Reporting", are incorporated by reference including subsequent amendments and editions. In addition, a generator shall keep records of inspections and results of inspections required by Section 262.34 for at least three years from the date of the inspection.
- (e) 40 CFR 262.50 through 262.58 (Subpart E), "Exports of Hazardous Waste", are incorporated by reference including subsequent amendments and editions.
- (f) 40 CFR 262.60 (Subpart F), "Imports of Hazardous Waste", is incorporated by reference including subsequent amendments and editions.
- (g) 40 CFR 262.70 (Subpart G), "Farmers" is incorporated by reference including subsequent amendments and editions.
- (h) 40 CFR 262.80 through 262.89 (Subpart H), "Transfrontier Shipments of Hazardous Waste for Recovery within the OECD", are incorporated by reference including subsequent amendments and editions, except that 40 CFR 262.89(e) is not incorporated by reference.
- (i) 40 CFR 262.200 through 262.216 (Subpart K), "Alternative Requirements for Hazardous Waste Determination and Accumulation of Unwanted Material for Laboratories Owned by Eligible Academic Entities", is incorporated by reference including subsequent amendments and editions.
- (j) The appendix to 40 CFR Part 262 is incorporated by reference including subsequent amendments and editions.

History Note: Authority G.S. 1304-294(c); 150B-21.6;

Eff. November 19, 1980;

Amended Eff. December 1, 1988; June 1, 1988; August 1, 1987; May 1, 1987;

Transferred and Recodified from 10 NCAC 10F .0030 Eff. April 4, 1990;

Amended Eff. August 1, 1990;

Recodified from 15A NCAC 13A .0008 Eff. August 30, 1990;

Amended Eff. April 1, 1993; October 1, 1990;

Recodified from 15A NCAC 13A .0007 Eff. December 20, 1996;

Amended Eff. April 1, 2010; November 1, 2007; January 1, 2007; April 1, 2001; August 1, 1998.

15A NCAC 13A .0108 STDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE - PART 263

- (a) 40 CFR 263.10 through 263.12 (Subpart A), "General", are incorporated by reference including subsequent amendments and editions.
- (b) 40 CFR 263.20 through 263.22 (Subpart B), "Compliance With the Manifest System and Record Keeping", are incorporated by reference including subsequent amendments and editions.
- (c) Upon discovering a significant manifest discrepancy, the transporter must attempt to reconcile the discrepancy with the waste generator (e.g. with telephone conversations). If the discrepancy is not resolved within 15 days after receiving the waste, the transporter must immediately submit to the Department a letter describing the discrepancy and attempts to reconcile it with a copy of the manifest or shipping paper at issue.
- (d) Manifest discrepancies are differences between the quantity or type of hazardous waste designated on the manifest or shipping paper, and the quantity or type of hazardous waste a transporter actually transports. Significant discrepancies in quantity are: for bulk waste, variations greater than 10 percent in weight; and, for batch waste, any variation in piece count (e.g. a discrepancy of one drum in a truckload). Significant discrepancies in type are obvious differences which can be discovered by inspection or waste analysis (e.g. waste solvent substituted for waste acid, or toxic constituents not reported on the manifest or shipping paper).
- (e) 40 CFR 263.30 through 263.31 (Subpart C), "Hazardous Waste Discharges", are incorporated by reference including subsequent amendments and editions.

History Note: Authority G.S. 130A-294(c); 150B-21.6;

Eff. November 19, 1980;

Amended Eff. June 1, 1988; August 1, 1987; May 1, 1987; October 1, 1986;

Transferred and Recodified from 10 NCAC 10F .0031 Eff. April 4, 1990;

Recodified from 15A NCAC 13A .0009 Eff. August 30, 1990;

Amended Eff. April 1, 1993; October 1, 1990;

Recodified from 15A NCAC 13A .0008 Eff. December 20, 1996;

Amended Eff. August 1, 2000.

15A NCAC 13A.0109 STANDARDS FOR OWNERS/OPERATORS OF HWTS/D FACILITIES - PART 264

- (a) Any person who treats, stores or disposes of hazardous waste shall comply with the requirements set forth in this Section. The treatment, storage or disposal of hazardous waste is prohibited except as provided in this Section.
- (b) 40 CFR 264.1 through 264.4 (Subpart A), "General", are incorporated by reference including subsequent amendments and editions.
- (c) 40 CFR 264.10 through 264.19 (Subpart B), "General Facility Standards", are incorporated by reference including subsequent amendments and editions.
- (d) 40 CFR 264.30 through 264.37 (Subpart C), "Preparedness and Prevention", are incorporated by reference including subsequent amendments and editions.
- (e) 40 CFR 264.50 through 264.56 (Subpart D), "Contingency Plan and Emergency Procedures", are incorporated by reference including subsequent amendments and editions.
- (f) 40 CFR 264.70 through 264.77 (Subpart E), "Manifest System, Recordkeeping, and Reporting", are incorporated by reference including subsequent amendments and editions.
- (g) 40 CFR 264.90 through 264.101 (Subpart F), "Releases From Solid Waste Management Units", are incorporated by reference including subsequent amendments and editions. For the purpose of this incorporation by reference, "January 26, 1983" shall be substituted for "July 26, 1982" contained in 40 CFR 264.90(a)(2).
- (h) 40 CFR 264.110 through 264.120 (Subpart G), "Closure and Post-Closure", are incorporated by reference including subsequent amendments and editions.
- (i) 40 CFR 264.140 through 264.151 (Subpart H), "Financial Requirements", are incorporated by reference including subsequent amendments and editions.
- (1) 40 CFR 264.143(a)(3), (a)(4), (a)(5), (a)(6), 40 CFR 264.145(a)(3), (a)(4), (a)(5), and 40 CFR 264.151(a)(1), Section 15 are not incorporated by reference.
- (1) The following shall be substituted for the provisions of 40 CFR 264.143(a)(3) which were not incorporated by reference:
- The owner or operator shall deposit the full amount of the closure cost estimate at the time the fund is established. Within one year of February 1, 1987, an owner or operator using a closure trust fund established prior to February 1, 1987, shall deposit an amount into the fund so that its value after this deposit at least equals the amount of the current closure cost estimate, or shall obtain other financial assurance as specified in this Section.
- (2) The following shall be substituted for the provisions of 40 CFR 264.143(a)(6) which were not incorporated by reference:
- After the trust fund is established, whenever the current closure cost estimate changes, the owner or operator shall compare the new estimate with the trustee's most recent annual valuation of the trust fund. If the value of the fund is less than the amount of the new estimate, the owner or operator within 60 days after the change in the cost estimate, shall either deposit an amount into the fund so that its value after this deposit at least equals the amount of the current closure cost estimate, or obtain other financial assurance as specified in this section to cover the difference.
- (3) The following shall be substituted for the provisions of 40 CFR 264.145(a)(3) which were not incorporated by reference:
- (A) Except as otherwise provided in Part (i)(3)(B) of this Rule, the owner or operator shall deposit the full amount of the post-closure cost estimate at the time the fund is established.
- (B) If the Department finds that the owner or operator of an inactive hazardous waste disposal unit cannot provide financial assurance for post-closure through any other option (e.g. surety bond, letter of credit, or corporate guarantee), a plan for annual payments to the trust fund over the term of the RCRA post-closure permit may be established by the Department as a permit condition.
- (4) The following additional requirement shall apply:
- The trustee shall notify the Department of payment to the trust fund, by certified mail within 10 days following said payment to the trust fund. The notice shall contain the name of the Grantor, the date of payment, the amount of payment, and the current value of the trust fund.
- (j) 40 CFR 264.170 through 264.179 (Subpart I), "Use and Management of Containers", are incorporated by reference including subsequent amendments and editions.
- (k) 40 CFR 264.190 through 264.200 (Subpart J), "Tank Systems", are incorporated by reference including subsequent amendments and editions.
- (l) The following are requirements for Surface Impoundments:
- (1) 40 CFR 264.220 through 264.232 (Subpart K), "Surface Impoundments", are incorporated by reference including subsequent amendments and editions.
- (2) The following are additional standards for surface impoundments:
- (A) The liner system shall consist of at least two liners;
- (B) Artificial liners shall be equal to or greater than 30 mils in thickness.

- (C) Clayey liners shall be equal to or greater than five feet in thickness and have a maximum permeability of 1.0×10^{-7} cm/sec;
- (D) Clayey liner soils shall have the same characteristics as described in Subparts (f)(4)(B)(ii), (iii), (iv), (vi) and (vii) of this Rule;
- (E) A leachate collection system shall be constructed between the upper liner and the bottom liner;
- (F) A leachate detection system shall be constructed below the bottom liner; and
- (G) Surface impoundments shall be constructed in such a manner to prevent landsliding, slippage or slumping.
- (m) 40 CFR 264.250 through 264.259 (Subpart L), "Waste Piles", are incorporated by reference including subsequent amendments and editions.
- (n) 40 CFR 264.270 through 264.283 (Subpart M), "Land Treatment", are incorporated by reference including subsequent amendments and editions.
- (o) 40 CFR 264.300 through 264.317 (Subpart N), "Landfills", are incorporated by reference including subsequent amendments and editions.
- (p) A long-term storage facility shall meet groundwater protection, closure and post-closure, and financial requirements for disposal facilities as specified in Paragraphs (g), (h), and (i) of this Rule.
- (q) 40 CFR 264.340 through 264.351 (Subpart O), "Incinerators", are incorporated by reference including subsequent amendments and editions.
- (r) The following are additional location standards for facilities:
- (1) In addition to the location standards set forth in 15A NCAC 13A.0109(c), the Department, in determining whether to issue a permit for a hazardous waste management facility, shall consider the risks posed by the proximity of the facility to water table levels, flood plains, water supplies, public water supply watersheds, mines, natural resources such as wetlands, endangered species habitats, parks, forests, wilderness areas, and historical sites, and population centers and shall consider whether provision has been made for buffer zones as required by this Rule. The Department shall also consider ground water travel time, soil pH, soil cation exchange capacity, soil composition and permeability, slope, climate, local land use, transportation factors such as proximity to waste generators, route, route safety, and method of transportation, aesthetic factors such as the visibility, appearance, and noise level of the facility; potential impact on air quality, existence of seismic activity and cavernous bedrock. The basis for issuing or denying the permit are found in 40 CFR 264 as adopted by reference in this Rule.
- (2) The following minimum separation distances shall be required of all hazardous waste management facilities except that existing facilities shall be required to meet these minimum separation distances to the maximum extent feasible:
- (A) All hazardous waste management facilities shall be located at least 0.25 miles from institutions including but not limited to schools, health care facilities and prisons, unless the owner or operator can demonstrate that no risks shall be posed by the proximity of the facility.
- (B) All hazardous waste treatment and storage facilities shall comply with the following separation distances: all hazardous waste shall be treated and stored a minimum of 50 feet from the property line of the facility; except that all hazardous waste with ignitable, incompatible or reactive characteristics shall be treated and stored a minimum of 200 feet from the property line of the facility if the area adjacent to the facility is zoned for any use other than industrial or is not zoned.
- (C) All hazardous waste landfills, long-term storage facilities, land treatment facilities and surface impoundments, shall comply with the following separation distances:
- (i) All hazardous waste shall be located a minimum of 200 feet from the property line of the facility;
- (ii) Each hazardous waste landfill, long-term storage or surface impoundment facility shall be constructed so that the bottom of the facility is 10 feet or more above the historical high ground water level. The historical high ground water level shall be determined by measuring the seasonal high ground water levels and predicting the long-term maximum high ground water level from published data on similar North Carolina topographic positions, elevations, geology, and climate; and
- (iii) All hazardous waste shall be located a minimum of 1,000 feet from the zone of influence of any existing off-site ground water well used for drinking water, and outside the zone of influence of any existing or planned on-site drinking water well.
- (D) Hazardous waste storage and treatment facilities for liquid waste that is classified as TC, toxic, toxic, or acutely toxic and is stored or treated in tanks or containers shall not be located:
- (i) in the recharge area of an aquifer which is designated as an existing sole drinking water source as defined in the Safe Drinking

Water Act, Section 1424(e) [42 U.S.C. 300h-3(e)] unless an adequate secondary containment system, as described in 40 CFR 264 as adopted by reference in this Rule, is constructed, and after consideration of applicable factors in Subparagraph (f)(3) of this Rule, the owner or operator can demonstrate no risk to public health;

- (ii) within 200 feet of surface water impoundments or surface water stream with continuous flow as defined by the United States Geological Survey;
 - (iii) in an area that will allow direct surface or subsurface discharge to WS-I, WS-II or SA waters or a Class III Reservoir as defined in 15A NCAC 02B .0200 and 15A NCAC 18C .0102;
 - (iv) in an area that will allow direct surface or subsurface discharge to the watershed for a Class I or II Reservoir as defined in 15A NCAC 18C .0102;
 - (v) within 200 feet horizontally of a 100-year floodplain elevation;
 - (vi) within 200 feet of a seismically active area as defined in Paragraph (c) of this Rule; and
 - (vii) within 200 feet of a mine, cave, or cavernous bedrock.
- (3) The Department shall require any hazardous waste management facility to comply with greater separation distances or other protective measures when necessary to avoid risks posed by the proximity of the facility to water table levels, flood plains, water supplies, public water supply watersheds, mines, natural resources such as wetlands, endangered species habitats, parks, forests, wilderness areas, and historical sites, and population centers or to provide a buffer zone as required by this Rule. The Department shall also require protective measures when necessary to avoid unreasonable risks posed by the soil pH, soil cation exchange capacity, soil composition and permeability, climate, transportation factors such as proximity to waste generators, route, route safety, and method of transportation, aesthetic factors such as the visibility, appearance, and noise level of the facility, potential impact on air quality, and the existence of seismic activity and cavernous bedrock. In determining whether to require level separation distances or other protective measures, the Department shall consider the following factors:
- (A) All proposed hazardous waste activities and procedures to be associated with the transfer, storage, treatment or disposal of hazardous waste at the facility;
 - (B) The type of hazardous waste to be treated, stored, or disposed of at the facility;
 - (C) The volume of waste to be treated, stored, or disposed of at the facility;
 - (D) Land use issues including the number of permanent residents in proximity to the facility and their distance from the facility;
 - (E) The adequacy of facility design and plans for containment and control of sudden and non-sudden accidental events in combination with adequate off-site evacuation of potentially adversely impacted populations;
 - (F) Other land use issues including the number of institutional and commercial structures such as airports and schools in proximity to the facility, their distance from the facility, and the particular nature of the activities that take place in those structures;
 - (G) The lateral distance and slope from the facility to surface water supplies or to watersheds draining directly into surface water supplies;
 - (H) The vertical distance, and type of soils and geologic conditions separating the facility from the water table;
 - (I) The direction and rate of flow of ground water from the sites and the extent and reliability of on-site and nearby data concerning seasonal and long-term groundwater level fluctuations;
 - (J) Potential air emissions including rate, direction of movement, dispersion and exposure, whether from planned or accidental, uncontrolled releases; and
 - (K) Any other relevant factors.
- (4) The following are additional location standards for landfills, long-term storage facilities and hazardous waste surface impoundments:
- (A) A hazardous waste landfill, long-term storage, or a surface impoundment facility shall not be located:
 - (i) In the recharge area of an aquifer which is an existing sole drinking water source;
 - (ii) Within 200 feet of a surface water stream with continuous flow as defined by the United States Geological Survey;

- (iii) In an area that will allow direct surface or subsurface discharge to WS-I, WS-II or SA waters or a Class III Reservoir as defined in 15A NCAC 02B .0200 and 15A NCAC 18C .0102;
- (iv) In an area that will allow direct surface or subsurface discharge to a watershed for a Class I or II Reservoir as defined in 15A NCAC 18C .0102;
- (v) Within 200 feet horizontally of a 100-year flood hazard elevation;
- (vi) Within 200 feet of a seismically active area as defined in Paragraph (c) of this Rule; and
- (vii) Within 200 feet of a mine, cave or cavernous bedrock.
- (B) A hazardous waste landfill or long-term storage facility shall be located in geologic formations with the following soil characteristics:
- (i) The depth of the unconsolidated soil materials shall be equal to or greater than 20 feet;
- (ii) The percentage of fine-grained soil material shall be equal to or greater than 30 percent passing through a number 200 sieve;
- (iii) Soil liquid limit shall be equal to or greater than 30;
- (iv) Soil plasticity index shall be equal to or greater than 15;
- (v) Soil compacted hydraulic conductivity shall be a maximum of 1.0×10^{-7} cm/sec;
- (vi) Soil Cation Exchange Capacity shall be equal to or greater than 5 milliequivalents per 100 grams;
- (vii) Soil Potential Volume Change Index shall be equal to or less than 4; and
- (viii) Soils shall be underlain by a geologic formation having a rock quality designation equal to or greater than 75 percent.
- (C) A hazardous waste landfill or long-term storage facility shall be located in areas of low to moderate relief to the extent necessary to prevent landsliding or slippage and slumping. The site may be graded to comply with this standard.
- (5) All new hazardous waste impoundments that close with hazardous waste residues left in place shall comply with the standards for hazardous waste landfills in Subparagraph (f)(4) of this Rule unless the applicant can demonstrate that equivalent protection of public health and environment is afforded by some other standard.
- (6) The owners and operators of all new hazardous waste management facilities shall construct and maintain a minimum of two observation wells, one upgradient and one downgradient of the proposed facility; and shall establish background groundwater concentrations and monitor annually for all hazardous wastes that the owner or operator proposes to store, treat, or dispose at the facility.
- (7) The owners and operators of all new hazardous waste facilities shall demonstrate that the community has had an opportunity to participate in the siting process by complying with the following:
- (A) The owners and operators shall hold at least one public meeting in the county in which the facility is to be located to inform the community of all hazardous waste management activities including but not limited to: the hazardous properties of the waste to be managed; the type of management proposed for the wastes; the mass and volume of the wastes; and to allow the community to identify specific health, safety and environmental concerns or problems expressed by the community related to the hazardous waste activities associated with the facility. The owners and operators shall provide a public notice of this meeting at least 30 days prior to the meeting. Public notice shall be documented in the facility permit application. The owners and operators shall submit as part of the permit application a complete written transcript of the meeting, all written material submitted that represents community concerns, and all other relevant written material distributed or used at the meeting. The written transcript and other written material submitted or used at the meeting shall be submitted to the local public library closest to and in the county of the proposed site with a request that the information be made available to the public.
- (B) For the purposes of this Rule, public notice shall include: notification of the boards of county commissioners of the county where the proposed site is to be located and all contiguous counties in North Carolina; a legal advertisement placed in a newspaper or newspapers serving those counties; and provision of a news release to at least one newspaper, one radio station, and one TV station serving these counties. Public notice shall include the time, place, and purpose of the meetings required by this Rule.
- (C) No less than 30 days after the first public meeting transcript is available at the local public library, the owners and operators shall hold at

- least one additional public meeting in order to attempt to resolve community concerns. The owners and operators shall provide public notice of this meeting at least 30 days prior to the meeting. Public notice shall be documented in the facility permit application. The owners and operators shall submit as part of the permit application a complete written transcript of the meeting, all written material submitted that represents community concerns, and all other relevant written material distributed or used at the meeting.
- (D) The application, written transcripts of all public meetings and any additional material submitted or used at the meetings, and any additions or corrections to the application, including any responses to notices of deficiencies shall be submitted to the local library closest to and in the county of the proposed site, with a request that the information be made available to the public until the permit decision is made.
- (E) The Department shall consider unresolved community concerns in the permit review process and impose final permit conditions based on sound scientific, health, safety, and environmental principles as authorized by applicable laws or rules.
- (S) 40 CFR 264.550 through 264.555 (Subpart S), "Special Provisions for Cleanup", are incorporated by reference including subsequent amendments and editions.
- (T) 40 CFR 264.570 through 264.575 (Subpart W), "Drip Pads", are incorporated by reference including subsequent amendments and editions.
- (U) 40 CFR 264.600 through 264.603 (Subpart X), "Miscellaneous Units", are incorporated by reference including subsequent amendments and editions.
- (V) 40 CFR 264.1030 through 264.1049 (Subpart AA), "Air Emission Standards for Process Vents", are incorporated by reference including subsequent amendments and editions.
- (W) 40 CFR 264.1050 through 264.1079 (Subpart BB), "Air Emission Standards for Equipment Leaks", are incorporated by reference including subsequent amendments and editions.
- (X) 40 CFR 264.1080 through 264.1091 (Subpart CC), "Air Emission Standards for Tanks, Surface Impoundments, and Containers", are incorporated by reference including subsequent amendments and editions.
- (Y) 40 CFR 264.1100 through 264.1102 (Subpart DD), "Containment Buildings", are incorporated by reference including subsequent amendments and editions.
- (Z) 40 CFR 264.1200 through 264.1202 (Subpart EE), "Hazardous Waste Munitions and Explosives Storage", are incorporated by reference including subsequent amendments and editions.
- (aa) Appendices to 40 CFR Part 264 are incorporated by reference including subsequent amendments and editions.

History Note: Authority G.S. 130A-294(c); 150B-21.6;

Eff. November 19, 1980;

Amended Eff. November 1, 1989; June 1, 1989; December 1, 1988; February 1, 1988;

Transferred and Recodified from 10 NCAC 10F.0032 Eff. April 4, 1990;

Amended Eff. August 1, 1990;

Recodified from 15A NCAC 13A.0010 Eff. August 30, 1990;

Amended Eff. July 1, 1995; October 1, 1993; April 1, 1993; October 1, 1992;

Recodified from 15A NCAC 13A.0009 Eff. December 20, 1996;

Amended Eff. August 1, 2004; April 1, 2001; April 1, 1999.

15A NCAC 13A.0110 INTERIM STATUS STANDARDS FOR OWNERS-OP OF HWTS/D FACILITIES - PART 265

- (a) 40 CFR 265.1 through 265.4 (Subpart A), "General", are incorporated by reference including subsequent amendments and editions.
- (b) 40 CFR 265.10 through 265.19 (Subpart B), "General Facility Standards", are incorporated by reference including subsequent amendments and editions.
- (c) 40 CFR 265.30 through 265.37 (Subpart C), "Preparedness and Prevention", are incorporated by reference including subsequent amendments and editions, except that 265.35 is not incorporated by reference.

The following shall be substituted for the provisions of 265.35.

Required aisle space: The owner or operator must maintain aisle space of at least two feet to allow the unobstructed movement of personnel, fire prevention equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency.

- (d) 40 CFR 265.50 through 265.56 (Subpart D), "Contingency Plan and Emergency Procedures", are incorporated by reference including subsequent amendments and editions.

- (e) 40 CFR 265.70 through 265.77 (Subpart E), "Manifest System, Recordkeeping, and Reporting", are incorporated by reference including subsequent amendments and editions.

- (f) 40 CFR 265.90 through 265.94 (Subpart F), "Ground-Water Monitoring", are incorporated by reference including subsequent amendments and editions.

- (g) 40 CFR 265.110 through 265.121 (Subpart G), "Closure and Post-Closure", are incorporated by reference including subsequent amendments and editions.

- (h) 40 CFR 265.140 through 265.151 (Subpart H), "Financial Requirements", are incorporated by reference including subsequent amendments and editions, except that 40 CFR 265.143(a)(3), (a)(4), (a)(5), (a)(6), and 40 CFR 265.145(a)(3), (a)(4), (a)(5), are not incorporated by reference.

- (1) The following shall be substituted for the provisions of 40 CFR 265.143(a)(3) which were not incorporated by reference: The owner or operator shall deposit the full amount of the closure cost estimate at the time the fund is established. By November 19, 1981, an owner or operator using a closure trust fund established prior to November 19, 1980 shall deposit an amount into the fund so that its value after this deposit at least equals the amount of the current closure cost estimate, or shall obtain other financial assurance as specified in this Section.

- (2) The following shall be substituted for the provisions of 40 CFR 265.143(a)(6) which were not incorporated by reference: After the trust fund is established, whenever the current closure cost estimate changes, the owner or operator shall compare the new estimate with the trustee's most recent annual valuation of the trust fund. If the value of the fund is less than the amount of the new estimate, the owner or operator within 60 days after the change in the cost estimate, shall either deposit an amount into the fund so that its value after this deposit at least equals the amount of the current closure cost estimate, or obtain other financial assurance as specified in this Section to cover the difference; and
- (3) The following shall be substituted for the provisions of 40 CFR 265.145(a)(3) which were not incorporated by reference:

- (A) Except as otherwise provided in Part (h)(3)(B) of this Rule, the owner or operator shall deposit the full amount of the post-closure cost estimate at the time the fund is established.

- (B) If the Department finds that the owner or operator of an inactive hazardous waste disposal unit cannot provide financial assurance for post-closure through any other option (e.g. surety bond, letter of credit, or corporate guarantee), a plan for annual payments to the trust fund during the interim status period shall be established by the Department by use of an Administrative Order.

Additionally, the owner or operator shall keep records and results of required inspections for at least three years from the date of the inspection.

- (j) 40 CFR 265.190 through 265.202 (Subpart J), "Tank Systems", are incorporated by reference including subsequent amendments and editions.
- (k) 40 CFR 265.220 through 265.231 (Subpart K), "Surface Impoundments", are incorporated by reference including subsequent amendments and editions.
- (l) 40 CFR 265.250 through 265.260 (Subpart L), "Waste Piles", are incorporated by reference including subsequent amendments and editions.
- (m) 40 CFR 265.270 through 265.282 (Subpart M), "Land Treatment", are incorporated by reference including subsequent amendments and editions.
- (n) 40 CFR 265.300 through 265.316 (Subpart N), "Landfills", are incorporated by reference including subsequent amendments and editions.
- (o) 40 CFR 265.340 through 265.352 (Subpart O), "Incinerators", are incorporated by reference including subsequent amendments and editions.
- (p) 40 CFR 265.370 through 265.383 (Subpart P), "Thermal Treatment", are incorporated by reference including subsequent amendments and editions.
- (q) 40 CFR 265.400 through 265.406 (Subpart Q), "Chemical, Physical, and Biological Treatment", are incorporated by reference including subsequent amendments

and editions.

(f) 40 CFR 265.440 through 265.445 (Subpart W), "Drip Pads", are incorporated by reference including subsequent amendments and editions.

(s) 40 CFR 265.1030 through 265.1049 (Subpart AA), "Air Emission Standards for Process Vents", are incorporated by reference including subsequent amendments and editions.

(t) 40 CFR 265.1050 through 265.1079 (Subpart BB), "Air Emission Standards for Equipment Leaks", are incorporated by reference including subsequent amendments and editions.

(u) 40 CFR 265.1080 through 265.1091 (Subpart CC), "Air Emission Standards for Tanks, Surface Impoundments, and Containers", are incorporated by reference including subsequent amendments and editions.

(v) 40 CFR 265.1100 through 265.1102 (Subpart DD), "Containment Buildings", are incorporated by reference including subsequent amendments and editions.

(w) 40 CFR 265.1200 through 265.1202 (Subpart EE), "Hazardous Waste Munitions and Explosives Storage", are incorporated by reference including subsequent amendments and editions.

(x) Appendices to 40 CFR Part 265 are incorporated by reference including subsequent amendments and editions.

History Note: Authority G.S. 130A-294(c); 150B-21.6;

Eff. November 19, 1980;

Amended Eff. June 1, 1989; December 1, 1988; June 1, 1988; February 1, 1988;

Transferred and Recodified from 10 NCAC 10F.0033 Eff. April 4, 1990;

Recodified from 15A NCAC 13A.0011 Eff. August 30, 1990;

Amended Eff. July 1, 1995; April 1, 1993; October 1, 1992; February 1, 1992;

Recodified from 15A NCAC 13A.0010 Eff. December 20, 1996;

Amended Eff. November 1, 2005; August 1, 2000; April 1, 1999.

15A NCAC 13A.0111 STDS FOR THE MGMT OF SPECIFIC HW/TYPES HWM FACILITIES - PART 266

- (a) 40 CFR 266.20 through 266.23 (Subpart C), "Recyclable Materials Used in a Manner Constituting Disposal", are incorporated by reference including subsequent amendments and editions.
- (b) 40 CFR 266.70 (Subpart F), "Recyclable Materials Utilized for Precious Metal Recovery", is incorporated by reference including subsequent amendments and editions. Off-site recycling facilities that receive materials described in 40 CFR 266.70(a) must manage the materials in accordance with and comply with 40 CFR 262.34(a) as incorporated by reference in 15A NCAC 13A.0107(c), excluding 262.34(a)(3). Each container and tank holding recyclable materials at off-site precious metal recycling facilities must be labeled or marked with the words, "Recyclable Material".
- (c) 40 CFR 266.80 (Subpart G), "Spent Lead-Acid Batteries Being Reclaimed", is incorporated by reference including subsequent amendments and editions.
- (d) 40 CFR 266.100 through 266.112 (Subpart H), "Hazardous Waste Burned in Boilers and Industrial Furnaces", are incorporated by reference including subsequent amendments and editions.
- (e) 40 CFR 266.200 through 266.206 (Subpart M), "Military Munitions", are incorporated by reference including subsequent amendments and editions.
- (f) 40 CFR 266.210 through 266.360 (Subpart N), "Conditional Exemption for Low-Level Mixed Waste Storage, Treatment, Transportation and Disposal", are incorporated by reference including subsequent amendments and editions.
- (g) Appendices to 40 CFR Part 266 are incorporated by reference including subsequent amendments and editions.

History Note: Authority G.S. 130A-294(c); 150B-21.6;

Eff. July 1, 1985:

Amended Eff. June 1, 1990; June 1, 1988; February 1, 1988; December 1, 1987;

Transferred and Recodified from 10 NCAC 10F.0039 Eff. April 4, 1990;

Recodified from 15A NCAC 13A.0012 Eff. August 30, 1990;

Amended Eff. January 1, 1995; April 1, 1993; August 1, 1991; October 1, 1990;

Recodified from 15A NCAC 13A.0011 Eff. December 20, 1996;

Amended Eff. April 1, 2006; April 1, 2003; April 1, 1999; August 1, 1998.

15A NCAC 13A.0112 LAND DISPOSAL RESTRICTIONS - PART 268

- (a) 40 CFR 268.1 through 268.14 (Subpart A), "General", are incorporated by reference including subsequent amendments and editions.
- (b) 40 CFR 268.20 through 268.39 (Subpart C), "Prohibitions on Land Disposal", are incorporated by reference including subsequent amendments and editions, except that 40 CFR 268.21 through 268.29 are not incorporated by reference.
- (c) 40 CFR 268.40 through 268.49 (Subpart D), "Treatment Standards", are incorporated by reference including subsequent amendments and editions.
- (d) 40 CFR 268.50 (Subpart E), "Prohibitions on Storage", is incorporated by reference including subsequent amendments and editions.
- (e) Appendices to 40 CFR Part 268 are incorporated by reference including subsequent amendments and editions.

History Note: Authority G.S. 130A-294(c); 150B-21.6;

Eff. August 1, 1987;

Amended Eff. June 1, 1990; June 1, 1989; June 1, 1988; February 1, 1988;

Transferred and Recodified from 10 NCAC 10F.0042 Eff. April 4, 1990;

Recodified from 15A NCAC 13A.0013 Eff. August 30, 1990;

Amended Eff. April 1, 1995; January 1, 1995; April 1, 1993; February 1, 1991;

Recodified from 15A NCAC 13A.0012 Eff. December 20, 1996;

Amended Eff. November 1, 2005; August 1, 2000; August 1, 1998.

15A NCAC 13A .0113 THE HAZARDOUS WASTE PERMIT PROGRAM - PART 270

- (a) 40 CFR 270.1 through 270.6 (Subpart A), "General Information", are incorporated by reference including subsequent amendments and editions. For the purpose of this incorporation by reference, "January 26, 1983" shall be substituted for "July 26, 1982" contained in 40 CFR 270.1(c).
- (b) 40 CFR 270.10 through 270.29 (Subpart B), "Permit Application", are incorporated by reference including subsequent amendments and editions.
- (c) The following are additional Part B information requirements for all hazardous waste facilities:
- (1) Description and documentation of the public meetings as required in 15A NCAC 13A .0109(g)(7);
 - (2) A description of the hydrological and geological properties of the site including flood plains, depth to water table, ground water travel time, seasonal and long-term groundwater level fluctuations, proximity to public water supply watersheds, consolidated rock, soil pH, soil cation exchange capacity, soil characteristics and composition and permeability, existence of cavernous bedrock and seismic activity, slope, mines, climate, location and withdrawal rates of surface water users within the immediate drainage basin and well water users within a one mile radius of the facility; water quality information of both surface and groundwater within 1000 feet of the facility, and a description of the local air quality;
 - (3) A description of the facility's proximity to and potential impact on wetlands, endangered species habitats, parks, forests, wilderness areas, historical sites, mines, and air quality;
 - (4) A description of local land use including residential, industrial, commercial, recreational, agricultural and the proximity to schools and airports;
 - (5) A description of the proximity of the facility to waste generators and population centers; a description of the method of waste transportation; the comments of the local community and state transportation authority on the proposed route, and route safety. Comments shall include proposed alternative routes and restrictions necessary to protect the public health;
 - (6) A description of facility aesthetic factors including visibility, appearance, and noise level; and
 - (7) A description of any other objective factors that the Department determines are reasonably related and relevant to the proper siting and operation of the facility.
- (d) In addition to the specific Part B information requirements for hazardous waste disposal facilities, owners and operators of hazardous waste landfills or long-term storage facilities shall provide the following information:
- (1) Design drawings and specifications of the leachate collection and removal system;
 - (2) Design drawings and specifications of the artificial impervious liner;
 - (3) Design drawings and specifications of all clay or clay-like liners and a description of the clay or clay-like liner; and
 - (4) Design drawings and specifications that show that the facility has been constructed in a manner that will prevent landsliding, slippage, or slumping.
- (f) 40 CFR 270.30 through 270.33 (Subpart C), "Permit Conditions", are incorporated by reference including subsequent amendments and editions.
- (g) 40 CFR 270.40 through 270.43 (Subpart D), "Changes to Permit", are incorporated by reference including subsequent amendments and editions.
- (h) 40 CFR 270.50 through 270.51 (Subpart E), "Expiration and Continuation of Permits", are incorporated by reference including subsequent amendments and editions.
- (i) 40 CFR 270.60 through 270.68 (Subpart F), "Special Forms of Permits", are incorporated by reference including subsequent amendments and editions, except that 40 CFR 270.67 and 270.68 are not incorporated by reference.
- (j) 40 CFR 270.70 through 270.73 (Subpart G), "Interim Status", are incorporated by reference including subsequent amendments and editions. For the purpose of this incorporation by reference, "January 1, 1986" shall be substituted for "November 8, 1985" contained in 40 CFR 270.73(c).
- (e) In addition to the specific Part B information requirements for surface impoundments, owners and operators of surface impoundments shall provide the following information:
- (1) Design drawings and specifications of the leachate collection and removal system;
 - (2) Design drawings and specifications of all artificial impervious liners;
 - (3) Design drawings and specifications of all clay or clay-like liners and a description of the clay or clay-like liner; and
 - (4) A description of how hazardous wastes will be treated prior to placement in the facility.

(K) 40 CFR 270.235, (Subpart D), "Integration with Maximum Achievable Control Technology (MACT) Standards", is incorporated by reference including subsequent amendments and editions.

(l) The following are additional permitting requirements for hazardous waste facilities.

- (1) An applicant applying for a permit for a hazardous waste facility shall submit a disclosure statement to the Department as a part of the application for a permit or any time thereafter specified by the Department. The disclosure statement shall be supported by an affidavit attesting to the truth and completeness of the facts asserted in the statement and shall include:
 - (A) A brief description of the form of the business (e.g. partnership, sole proprietorship, corporation, association, or other);
 - (B) The name and address of any hazardous waste facility constructed or operated after October 21, 1976 by the applicant or any parent or subsidiary corporation if the applicant is a corporation; and
 - (C) A list identifying any legal action taken against any facility identified in Part (l)(1)(B) of this Rule involving:
 - (i) any administrative ruling or order issued by any state, federal or local authority relating to revocation of any environmental or waste management permit or license, or to a violation of any state or federal statute or local ordinance relating to waste management or environmental protection;
 - (ii) any judicial determination of liability or conviction under any state or federal law or local ordinance relating to waste management or environmental protection; and
 - (iii) any pending administrative or judicial proceeding of the type described in this Part.
 - (D) The identification of each action described in Part (l)(1)(C) of this Rule shall include the name and location of the facility that the action concerns, the agency or court that heard or is hearing the matter, the title, docket or case number, and the status of the proceeding.
- (2) In addition to the information set forth in Subparagraph (l)(1) of this Rule, the Department shall require from any applicant such additional information as it deems necessary to satisfy the requirements of G.S. 130A-295. Such information may include:
- (A) The names, addresses, and titles of all officers, directors, or partners of the applicant and of any parent or subsidiary corporation if the applicant is a corporation;
 - (B) The name and address of any company in the field of hazardous waste management in which the applicant business or any of its officers, directors, or partners, hold an equity interest and the name of the officer, director, or partner holding such interest; and
 - (C) A copy of any administrative ruling or order and of any judicial determination of liability or conviction described in Part (l)(1)(C) of this Rule, and a description of any pending administrative or judicial proceeding in that item.
- (3) If the Department finds that any part or parts of the disclosure statement is not necessary to satisfy the requirements of G.S. 130A-295, such information shall not be required.
- (m) An applicant for a new, or modification to an existing, commercial facility permit, shall provide a description and justification of the need for the facility.
- (n) Requirements for Off-site Recycling Facilities:
- (1) The permit requirements of 15A NCAC 13A .0109 apply to owners and operators of off-site recycling facilities unless excluded in Subparagraph (2) of Paragraph (n).
 - (2) Requirements of 15A NCAC 13A .0113(n)(4), (5), (6), (7) and (8) do not apply to owners and operators of off-site recycling facilities that recycle only precious metals as described in 40 CFR 266.70(a), as incorporated by reference in 15A NCAC 13A .0111(b).
 - (3) Off-site facilities that recycle precious metals shall follow the regulations as described in 15A NCAC 13A .0111(b).
 - (4) Notwithstanding any other statement of applicability, the following provisions of 40 CFR Part 264, as incorporated by reference, shall apply to owners and operators of off-site recycling facilities except those excluded in 15A NCAC 13A .0113(n)(2):
 - (A) Subpart B - General Facility Standards;
 - (B) Subpart C - Preparedness and Prevention;
 - (C) Subpart D - Contingency Plan and Emergency Procedures;

- (D) Subpart E - Manifest System, Recordkeeping and Reporting;
 - (E) Subpart G - Closure and Post-closure;
 - (F) Subpart H - Financial Requirements;
 - (G) Subpart I - Use and Management of Containers;
 - (H) Subpart J - Tank Systems;
 - (I) 264.101 - Corrective Action for Solid Waste Management Units;
 - (J) Subpart X - Miscellaneous Units; and
 - (K) Subpart DD - Containment Buildings.
- (5) The requirements listed in Subparagraph (h)(4) of this Rule apply to the entire off-site recycling facility, including all recycling units, staging and process areas, and permanent and temporary storage areas for wastes.
- (6) The following provisions of 15A NCAC 13A .0109 shall apply to owners and operators of off-site recycling facilities:
- (A) The substitute financial requirements of Rule .0109(i)(1), (2) and (4); and
 - (B) The additional standards of Rule .0109(f)(1), (2), (3), (6) and (7).
- (7) The owner or operator of an off-site recycling facility shall keep a written operating record at his facility.
- (8) The following information must be recorded, as it becomes available, and maintained in the operating record until closure of the facility:
- (A) A description and the quantity of each hazardous waste received, and the method(s) and date(s) of its treatment, storage, or recycling at the facility;
 - (B) The location of all hazardous waste within the facility and the quantity at each location. This information must include cross-references to specific manifest document numbers if the waste was accompanied by a manifest; and
 - (C) Documentation of the fate of all hazardous wastes received from off-site or generated on-site. This shall include records of the sale, reuse, off-site transfer, or disposal of all waste materials.
- (o) Permit Fees for Commercial Hazardous Waste Facilities.
- (1) An applicant for a permit modification for a commercial hazardous waste facility shall pay an application fee as follows:
- (A) Class 1 permit modification \$100;
 - (B) Class 2 permit modification \$1,000; or
 - (C) Class 3 permit modification \$5,000.
- Note: Class 1 permit modifications which do not require prior approval of the Division Director are excluded from the fee requirement.
- (2) The application fee for a new permit, permit renewal, or permit modification must accompany the application, and is non-refundable. The application shall be considered incomplete until the fee is paid. Checks shall be made payable to: Division of Waste Management.

History Note:

Authority G.S. 130A-294(c); 130A-294.I.; 130A-295(a)(1), (2), (c); 150B-21.6;

Eff. November 19, 1980;

Amended Eff. November 1, 1989; June 1, 1988; February 1, 1988; December 1, 1987;

Transferred and Recodified from 10 NCAC 10F.0034 April 4, 1990;

Amended Eff. August 1, 1990;

Recodified from 15A NCAC 13A.0014 Eff. August 30, 1990;

Amended Eff. April 1, 1993; August 1, 1991; October 1, 1990;

Recodified from 15A NCAC 13A.0013 Eff. December 20, 1996;

Amended Eff. August 1, 2008; April 1, 2006; August 1, 2004; April 1, 2001; August 1, 2000.

15A NCAC 13A .0114 REQMENTS/AUTHORIZATION OF STATE HAZARDOUS WASTE PROG - PART 271
40 CFR 271.17, "Sharing of information", has been incorporated by reference including subsequent amendments and editions.

History Note: Authority G.S. 130A-294(c); 150B-21.6;

Eff. January 1, 1986;

Amended Eff. June 1, 1988; December 1, 1987; August 1, 1987; May 1, 1987;

Transferred and Recodified from 10 NCAC 10F .0041 Eff. April 4, 1990;

Recodified from 15A NCAC 13A .0015 Eff. August 30, 1990;

Amended Eff. April 1, 1993; October 1, 1990;

Recodified from 15A NCAC 13A .0014 Eff. December 20, 1996.

15A NCAC 13A .0116 SPECIAL PURPOSE COMMERCIAL HAZARDOUS WASTE FACILITY

- (a) The Department shall evaluate all commercial hazardous waste facilities to determine a score for each facility in accordance with Paragraph (c) of this Rule.
- (b) A commercial hazardous waste facility (other than an incinerator or a land disposal facility) with a volume of waste of 20,000 tons or less per year of hazardous waste and having a total score pursuant to Paragraph (c) of this Rule of equal to or less than 40 is designated as a special purpose commercial hazardous waste facility. These facilities shall be classified as follows:

Total Score	Category
1-11	1
Greater than 11-18	2
Greater than 18-25	3
Greater than 25-32	4
Greater than 32-40	5

(c) A score for each facility shall be determined by adding the total score for Paragraphs (d) through (k) of this Rule and subtracting the score for Paragraph (l) of this Rule.

(d) A score shall be assigned for size of the facility by adding the applicable score for storage and the applicable score for treatment using Table 1.

Size of Facility Storage:	Constructed Capacity	Score
(gallons)	Less than 10,000	1
	10,000-100,000	2
	Greater than 100,000	3
Treatment:	Less than 10,000	1
(gallons per day)	10,000-100,000	2
	Greater than 100,000	3

(e) A score shall be assigned for type of treatment permitted by adding the score for each type of treatment being performed by the facility using Table 2.

Type of Treatment Being Performed	Score
Storage Only	1
Solvent Recovery	2
Metal Recovery	2
Energy Recovery	2
Fuel Blending	2
Aqueous Treatment	3
Stabilization	2
Incineration	5
Residuals Management	5
Other Treatment	2

(f) A score shall be assigned for the nature of hazardous waste being treated or stored by adding the score for each type of waste managed at the facility using Table 3. However, if the facility is permitted for storage only and no treatment is performed, the score for the nature of hazardous waste shall be reduced by one-half for each hazardous waste stream stored only.

TABLE 3

Nature of Hazardous Waste (from Annual Report as listed in the Permit)	Score
Corrosive	1
Ignitable	2
Reactive	3
Toxicity Characteristic	2
Listed Toxic	2
Acute	3

(g) A score shall be assigned for volume of hazardous waste by using the applicable score in Table 4.

TABLE 4

Volume of Waste (Tons from Annual Report)	Score
Less than 2,000	1
2,000-10,000	2
10,000-20,000	3

(h) A score shall be assigned for uniformity, similarity and lack of diversity of waste streams by using the applicable score in Table 5.

TABLE 5

Uniformity, Similarity, Lack of Diversity of Waste Streams (Number of EPA Waste Codes) As Listed in the Permit	Score
Less than 5	1
5-75	2
Greater than 75	3

(i) A score shall be assigned for predictability and treatability of site specific waste streams by using the applicable score in Table 6.

TABLE 6

Predictability and Treatability of Waste Streams	Score
Simple Waste Streams and Treatment	1
Complex Waste Streams and Treatment (Incompatibles, highly toxic, or multicolored waste streams).	2

(j) A score shall be assigned for compliance history for the past two years by using the highest applicable score in Table 7.

TABLE 7

Compliance History for Past Two Years	Score
Class II Violations	1
Class I Violations	2
Penalties	3
Injunctions	5

(k) A score shall be assigned for annual changes, which increase/decrease "sensitive land use" within a ¼ mile radius of the commercial hazardous waste facility's property boundary by using the applicable score in Table 8. Each score shall be added together.

TABLE 8

Score

<p>Changes in "sensitive land use" Increases</p> <p>Greater than 5 percent – less than 10 percent increase in the number of residential housing units as compared to the baseline.</p> <p>Greater than or equal to 10 percent increase in the number of residential housing units as compared to the baseline, or 30 percent increase in the number of total sensitive land uses over a period of the previous four years.</p> <p>Greater than 50 percent increase in the number of non-residential sensitive land uses as compared to the baseline.</p> <p>Decreases</p> <p>Greater than 5 percent – less than 10 percent decrease in the number of residential housing units as compared to the baseline.</p> <p>Greater than or equal to 10 percent decrease in the number of residential housing units as compared to the baseline, or 30 percent decrease in the number of total sensitive land uses over a period of the previous four years.</p> <p>Greater than 50 percent decrease in the number of non-residential sensitive land uses as compared to the baseline.</p> <p>"Sensitive land use", as defined in G.S. 130A-295.01(d), includes residential housing, places of assembly, places of worship, schools, day care providers, and hospitals. Sensitive land use does not include retail businesses.</p> <p>"Baseline", means:</p> <p>(1) for existing "Special Purpose Commercial Hazardous Waste Facilities" as the January 2008 data collected from the local government that has planning jurisdiction over the site on which the facility is located; and</p> <p>(2) for new "Special Purpose Commercial Hazardous Waste Facilities" as the data from the local government that has planning jurisdiction over the site on which the facility is located collected in the year in which the facility permit is first issued.</p> <p>(1) A score shall be assigned for on-site reclamation by using the applicable score in Table 9.</p>	<p>1</p> <p>2</p> <p>1</p> <p>-1</p> <p>-1</p> <p>-2</p> <p>-1</p>
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TABLE 9

Score

<p>Reclamation (Credit Given)</p> <p>Pretreatment for Off-site Reclamation</p> <p>On-site Reclamation</p> <p>(m) The information referred to in Paragraphs (c) through (l) of this Rule shall be determined based on the facility's permit, the previous year's annual report, and compliance history. If no annual report was submitted, quarterly projections of waste volume shall be submitted to the Department by the facility. Each facility may be re-evaluated at any time new information is received by the Department concerning the factors in Paragraphs (c) through (l) of this Rule.</p> <p>(n) The frequency of inspections at special purpose commercial hazardous waste facilities shall be determined by the facility's classification as follows:</p>	<p>1</p> <p>2</p>
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<p>Category</p> <p>1</p> <p>2</p>	<p>Minimum Inspections</p> <p>2 per month</p> <p>4 per month</p>
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- 3 6 per month
- 4 8 per month
- 5 10 per month

History Note: Authority G.S. 130A-295.02(f);

Temporary Adoption Eff. February 15, 1991 for a period of 180 days to expire on August 14, 1991;
ARRC Objection Lodged February 25, 1991;
ARRC Objection Removed March 21, 1991;
Eff. August 1, 1991;
Amended Eff. April 1, 1994;
Recodified from 15A NCAC 13A.0016 Eff. December 20, 1996;
Amended Eff. January 1, 2011.

15A NCAC 13A.0117 FEE SCHEDULES

(a) A commercial hazardous waste storage, treatment, or disposal facility other than a special purpose facility shall pay monthly, in addition to the fees applicable to all hazardous waste storage, treatment, or disposal facilities as required by G.S. 130A-294.1, a charge of forty-one dollars (\$41.00) per hour of operation. The fee shall be paid for any time when hazardous waste is managed or during periods of maintenance, repair, testing, or calibration. Each facility shall submit an operational schedule to the Department on a quarterly basis.

(b) A special purpose commercial hazardous waste facility shall pay monthly, in addition to the fees applicable to all hazardous waste treatment, storage or disposal facilities as required by G.S. 130A-294.1, a charge per ton of hazardous waste received during the previous month and an additional charge based on the frequency of inspections as noted in the following schedules:

(1)	Effective April 1, 2011 to December 31, 2011, three dollars and fifty cents (\$3.50) per ton of hazardous waste received and:
Category	Fee
1	\$1,110.00
2	\$2,220.00
3	\$3,330.00
4	\$4,440.00
5	\$5,550.00
(2)	Effective January 1, 2012 to December 31, 2012, four dollars (\$4.00) per ton of hazardous waste received and:
Category	Fee
1	\$1,221.00
2	\$2,442.00
3	\$3,663.00
4	\$4,884.00
5	\$6,105.00
(3)	Effective January 1, 2013, four dollars and fifty cents (\$4.50) per ton of hazardous waste received and:
Category	Fee
1	\$1,332.00
2	\$2,664.00
3	\$3,996.00
4	\$5,328.00
5	\$6,660.00

History Note: Authority G.S. 130A-295.02(h);

Temporary Adoption Eff. February 15, 1991 for a period of 180 days to expire on August 14, 1991;

ARRC Objection Lodged February 25, 1991;

ARRC Objection Removed March 21, 1991;

Eff. August 1, 1991;

Recodified from 15A NCAC 13A.0017 Eff. December 20, 1996;

Amended Eff. April 1, 2011.

15A NCAC 13A.0118 STANDARDS FOR THE MANAGEMENT OF USED OIL.

- (a) 40 CFR 279.1 (Subpart A), "Definitions", is incorporated by reference including subsequent amendments and editions, except that the Definition for "Used Oil" is defined by G.S. 130A-290(b) and is not incorporated by reference.
- (b) 40 CFR 279.10 through 279.12 (Subpart B), "Applicability", are incorporated by reference including subsequent amendments and editions.
- (c) 40 CFR 279.20 through 279.24 (Subpart C), "Standards for Used Oil Generators", are incorporated by reference including subsequent amendments and editions.
- (d) 40 CFR 279.30 through 279.32 (Subpart D), "Standards for Used Oil Collection Centers and Aggregation Points", are incorporated by reference including subsequent amendments and editions.
- (e) 40 CFR 279.40 through 279.47 (Subpart E), "Standards for Used Oil Transporter and Transfer Facilities", are incorporated by reference including subsequent amendments and editions.
- (f) 40 CFR 279.50 through 279.59 (Subpart F), "Standards for Used Oil Processors and Re-Refiners", are incorporated by reference including subsequent amendments and editions.
- (g) 40 CFR 279.60 through 279.67 (Subpart G), "Standards for Used Oil Burners Who Burn Off-Specification Used Oil for Energy Recovery", are incorporated by reference including subsequent amendments and editions.
- (h) 40 CFR 279.70 through 279.75 (Subpart H), "Standards for Used Oil Fuel Marketers", are incorporated by reference including subsequent amendments and editions.
- (i) 40 CFR 279.80 through 279.81 (Subpart I), "Standards for Use as a Dust Suppressant and Disposal of Used Oil" are incorporated by reference including subsequent amendments and editions. {Note: 40 CFR 279.82, which addresses used oil as a dust suppressant, is specifically not incorporated by reference. See also G.S. 130A-309.15 for prohibited acts regarding used oil}.
- (j) Additional State Requirements:
- (1) By July 1 of each year the following persons shall notify the Department by submitting an annual report listing the type and quantity of used oil transported, collected, and recycled during the preceding calendar year, on Department forms:
 - (A) Persons transporting more than 500 gallons of used oil per week over public highways;
 - (B) Collection facilities that annually receive more than 6,000 gallons of used oil excluding the volume of used oil collected from individuals that change their own personal motor oil;
 - (C) Facilities that annually recycle more than 10,000 gallons of used oil; and
 - (D) Public used oil collection centers.
 - (2) The following persons are not required to comply with 15A NCAC 13A.0118(j)(1)
 - (A) An electric utility that generates used oil which is reclaimed, recycled, or re-refined on-site for use in its operations; and
 - (B) An on-site burner that burns its own on-specification used oil provided that the facility is in compliance with any Air Quality permit requirements established by the Department.
 - (3) An annual fee of twenty five dollars (\$25.00) shall be paid by all persons identified in 15A NCAC 13A.0118(j)(1)(A) through 0118(j)(1)(C) by July 1 of each year.

History Note: Authority G.S. 130A-294(b),(c); 150B-21.6;

Eff. October 1, 1993:

Recodified from 15A NCAC 13A.0018 Eff. December 20, 1996;

Amended Eff. August 1, 2000.

15A NCAC 13A .0119 STANDARDS FOR UNIVERSAL WASTE MANAGEMENT - PART 273

- (a) 40 CFR 273.1 through 273.9 (Subpart A), "General" are incorporated by reference including subsequent amendments and editions.
- (b) 40 CFR 273.10 through 273.20 (Subpart B), "Standards for Small Quantity Handlers of Universal Waste" are incorporated by reference including subsequent amendments and editions.
- (c) 40 CFR 273.30 through 273.40 (Subpart C), "Standards for Large Quantity Handlers of Universal Waste" are incorporated by reference including subsequent amendments and editions.
- (d) 40 CFR 273.50 through 273.56 (Subpart D), "Standards for Universal Waste Transporters" are incorporated by reference including subsequent amendments and editions.
- (e) 40 CFR 273.60 through 273.62 (Subpart E), "Standards for Destination Facilities" are incorporated by reference including subsequent amendments and editions.
- (f) 40 CFR 273.70 (Subpart F), "Import Requirements" is incorporated by reference including subsequent amendments and editions.
- (g) 40 CFR 273.80 through 273.81 (Subpart G), "Petitions to include Other Wastes Under 40 CFR Part 273" are incorporated by reference including subsequent amendments and editions, except that 40 CFR 273.80(a) and (b), are not incorporated by reference.
 - (1) The following shall be substituted for the provisions of 40 CFR 273.80(a) which were not incorporated by reference:

Any person seeking to add a hazardous waste or a category of hazardous waste to this Part may petition for a regulatory amendment under this Subpart and 15A NCAC 24B .0001 and 40 CFR 260.23.
 - (2) The following shall be substituted for the provisions of 40 CFR 273.80(b) which were not incorporated by reference:

To be successful, the petitioner must demonstrate to the satisfaction of the Administrator that regulation under the universal waste regulations of 40 CFR Part 273 is:

 - (A) appropriate for the waste or category of waste; will improve management practices for the waste or category of waste; and will improve implementation of the hazardous waste program;
 - (B) the petition must include the information required by 15A NCAC 24B .0001; and
 - (C) the petition shall also address as many of the factors listed in 40 CFR 273.81 as are appropriate for the waste or waste category addressed in the petition.

History Note: Authority G.S. 130A-294(c); 150B-21.6;

Eff. January 1, 1996;

Recorded from 15A NCAC 13A .0019 Eff. December 20, 1996;

Amended Eff. April 1, 2001; August 1, 1998.

ATTACHMENT 2
NOTIFICATION OF RCRA SUBTITLE C ACTIVITY (FORM 8700-12)
FORMS AND INSTRUCTIONS



United States
Environmental Protection
Agency

January 2015

Notification of RCRA Subtitle C Activity

Instructions and Form

EPA Form 8700-12

(OMB #2050-0024; Expires 01/31/2017)

Office of Resource Conservation and Recovery (ORCR)
(5303P)
Washington, DC 20460

Notification of Subtitle C Activity
Instructions and Form

Section 3010 of Subtitle C of the Resource Conservation and Recovery Act (RCRA) requires any person who generates, transports, or recycles regulated wastes or who owns or operates a facility for the treatment, storage, or disposal of regulated wastes to notify the U.S. Environmental Protection Agency (EPA) of their activities, including the location and general description of the activities and the regulated wastes handled. Respondents must submit the information required in the Notification of Subtitle C Activity Instructions and Form booklet by completing the RCRA Subtitle C Site Identification Form [EPA Form 8700-12]. As required by statute, the EPA promulgated regulations to implement these notification requirements at 40 CFR Parts 260, 261, 262, 263, 264, 265, 266, 270, 273, and 279. The EPA needs this information to determine the universe of persons who generate, handle, and manage these regulated wastes; assign EPA Identification Numbers; and ensure that these regulated wastes are managed in a way that protects human health and the environment as required by RCRA. This is mandatory reporting by the respondents.

The EPA enters notification information submitted by respondents into RCRAInfo, the EPA national database, and assigns EPA Identification Numbers. The EPA uses this information to identify the universe of regulated waste generators, handlers, and managers and their specific regulated waste activities. The EPA also uses the information for tracking and for a variety of enforcement and inspection purposes. Finally, the EPA uses this information to ensure that regulated waste is managed properly, that statutory provisions are upheld, and that regulations are adhered to by facility owners or operators.

Section 3007(b) of RCRA and 40 CFR Part 2, Subpart B, which defines the EPA's general policy on public disclosure of information, both contain provisions for confidentiality. However, the Agency does not anticipate that businesses will assert a claim of confidentiality covering all or part of the Notification of Subtitle C Activity. If such a claim were asserted, the EPA must and will treat the information in accordance with the regulations cited above. The EPA also will assure that the information collection complies with the Privacy Act of 1974 and OMB Circular 108.

Estimated Burden: *Facilities* - The reporting and recordkeeping burden for the Notification of Regulated Waste Activity (initial and subsequent) is estimated to average 1 hour for a facility to complete and submit the form, and keep copies of notification and affiliation agreements on site, as applicable. *State Agencies* - The recordkeeping burden for the Notification of Regulated Waste Activity (initial and subsequent) is estimated to average 2 hours for State agencies to review and enter notification information into the RCRAInfo database. There is no reporting associated with this requirement, and as such, there is no reporting burden for State agencies.

To comment on the EPA's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, the EPA has established a public docket for the Information Collection Request (ICR) under Docket ID Number EPA-HQ-RCRA-2014-0296, which is available for online viewing at www.regulations.gov, or in person viewing at the RCRA Docket in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Avenue, NW, Washington, D.C. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the RCRA Docket is (202) 566-0270. An electronic version of the public docket is available at www.regulations.gov. This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-RCRA-2014-0296 and OMB Control Number 2050-0024 in any correspondence.

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THE NOTIFICATION OF RCRA SUBTITLE C ACTIVITIES

INTRODUCTION

This booklet is designed to help you determine if you are subject to requirements under the Resource Conservation and Recovery Act (RCRA) for notifying the U.S. Environmental Protection Agency (EPA) of your regulated waste activities. Regulated wastes are hazardous wastes as defined by 40 CFR Part 261, universal wastes as defined by 40 CFR Part 263, and used oil as defined by 40 CFR Part 279. Furthermore, if you are managing hazardous secondary material under 40 CFR 261.2(a)(2)(ii), 40 CFR 261.4(a)(23), (24), or (25), you also must notify under 40 CFR 260.42 using the RCRA Subtitle C Site Identification Form and Addendum to the Site Identification Form. The instructions contained in this booklet will assist you in obtaining an EPA Identification Number by completing and submitting the RCRA Subtitle C Site Identification Form (Site ID Form) [EPA Form 8700-12] for Initial Notifications or in revising your Site ID Form if you are required to submit a Subsequent Notification. RCRA is a Federal law. If you are regulated but do not comply with the RCRA notification requirements, you may be subject to civil penalties.

NOTE

Although this booklet contains information and instructions for completing a Notification of RCRA Subtitle C Activity, it should not be considered a substitute for the regulations in Title 40 of the Code of Federal Regulations (40 CFR). Rather, this booklet serves as a supplement to the regulations and provides additional information not contained in 40 CFR. As a handler of regulated wastes, you are responsible for learning and complying with all requirements that apply to you and your regulated waste activities.

In addition, remember that this booklet and the regulations in 40 CFR address only the Federal hazardous waste program. Many States may have notification requirements that differ from the Federal requirements; those States may use the Site ID Form or they may use a similar State form that requires information not requested in the EPA form. Again, it is your responsibility to make sure that you have completed and submitted all forms required under the Federal or your State program.

WHAT'S NEW

Below are a list of changes to the Notification of RCRA Subtitle C Activity Instructions and Forms.

CLARIFIED THE DEFINITION OF LARGE QUANTITY GENERATOR (LQG)

Although current RCRA regulations do not specifically define the term "large quantity generator" (LQG), they do define the terms "conditionally exempt small quantity generator" (CESQG) and "small quantity generator" (SQG). Thus, a LQG is a generator that is not a CESQG or SQG. For purposes of clarity, the definition of LQG has been revised to describe all those situations where a generator would be a LQG.

CLARIFIED THE DEFINITION OF SMALL QUANTITY GENERATOR (SQG)

A SQG is defined at 40 CFR 260.10 as a site that generates less than 1,000 kilograms (kg; 2,200 pounds [lbs]) of hazardous waste in a calendar month. However, there are other situations where a generator could generate small amounts of acute hazardous waste listed in sections 261.31 or 261.33(e); and any residues or contaminated soil, waste, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous wastes listed in sections 261.31 or 261.33(e) and still maintain its regulatory status as a SQG. Therefore, for purposes of clarity, the definition of SQG has been revised to describe all those situations where a generator would continue to be a SQG. The EPA plans to make the appropriate conforming change to the outdated definition of SQG at 40 CFR 260.10 in the future.

CLARIFIED THE DEFINITION OF CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR (CESQG)

A CESQG is defined at 40 CFR 261.5(a) as a site that generates less than or equal to 100 kg (220 lbs) of hazardous waste in a calendar month. However, as found in 40 CFR 261.5(e), a generator also may generate small amounts of acute hazardous waste listed in sections 261.31 or 261.33(e); and any residues or contaminated soil, waste, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous wastes listed in sections 261.31, or 261.33(e) and still maintain its regulatory status as a CESQG. Therefore, for purposes of clarity, the definition of CESQG has been revised to describe all those situations where a generator would continue to be a CESQG.

WHERE TO GET HELP

We realize that the regulations are complex. Although we are not providing reprints of the 40 CFR regulations in this booklet, copies of the Federal regulations are available from the EPA (see below). We have listed the addresses and phone numbers of the contacts in each State who can answer your questions and help you understand the Federal and State requirements that apply to you. This contact list is located at: <http://www.epa.gov/osw/inforesources/data/form8700/contact.pdf>.

In addition to these contacts, there are several other sources available to help with your questions and provide information on the EPA regulations:

RCRA FREQUENTLY ASKED QUESTIONS

This allows users to find answers to commonly asked questions that cover a wide range of RCRA issues and topics. Find at: <http://waste.supportportal.com/ics/support/default.asp?deptID=23023>.

RCRA ONLINE

The RCRA Online database is designed to enable users to locate documents, including publications and other outreach materials that cover a wide range of RCRA issues and topics. Find at: <http://www.epa.gov/rcraonline>.

RCRA REGULATIONS

The Federal regulations can be found at: <http://www.gpo.gov/fdsys/>.

COMPLIANCE ASSISTANCE CENTERS

The EPA has sponsored partnerships with industry, academic institutions, environmental groups, and other agencies to launch sector-specific Compliance Assistance Centers (Centers). Each Center addresses real world issues in understandable language for you to understand Federal environmental requirements and how to save money through pollution prevention techniques. Visit the Compliance Assistance Centers at: <http://www.assistancecenters.net>.

EPA NATIONAL COMPLIANCE ASSISTANCE CLEARINGHOUSE

The Compliance Assistance Clearinghouse is a comprehensive source of compliance assistance information and resources. Use links to Federal, State, local, and other compliance assistance providers to find the tools you need. Visit the Compliance Assistance Clearinghouse at: <http://www.epa.gov/compliance/assistance/index.html>.

EPA SMALL BUSINESS OMBUDSMAN OFFICE

1-800-368-5888.

YOUR TRADE ASSOCIATION

INITIAL NOTIFICATIONS

If you do not currently have an EPA Identification Number and you handle regulated waste or hazardous secondary material, you must submit an Initial Notification. Please refer to information contained in the **“DETERMINING IF YOU MUST NOTIFY”** section of this booklet to help you determine whether you handle a regulated waste, whether any exemptions or exclusions apply to you, and how you should file the Notification of RCRA Subtitle C Activity. Circumstances under which you should submit an Initial Notification include:

- If you generate, transport, treat, store, or dispose of hazardous waste. Refer to the **“DETERMINING IF YOU MUST NOTIFY”** section of this booklet for further information and a description of exclusions or exemptions; or
- If you recycle hazardous wastes. (Recyclable materials are defined as hazardous wastes that are recycled). The recycling process itself is exempt from regulation, but you must notify the EPA and obtain an EPA Identification Number prior to recycling recyclable materials. Refer to the **“DETERMINING IF YOU MUST NOTIFY”** section of this booklet for further information and a description of exemptions; or

- If you are a large quantity handler of universal waste. Refer to the **“DETERMINING IF YOU MUST NOTIFY”** section of this booklet for further information and a description of exemptions. (Notification is required for people who have not previously notified the EPA of their hazardous waste activities or who have not already sent a notification to the EPA as required by 40 CFR 273.32); or
- If you transport, process, or re-refine used oil; burn off-specification used oil for energy recovery; or market used oil. Refer to the **“DETERMINING IF YOU MUST NOTIFY”** section of this booklet for further information and for a description of exemptions. (Notification is required for people who have not previously notified the EPA of their hazardous waste activities or have not notified under 40 CFR Part 279 or under 40 CFR Part 266, Subpart E, which was replaced by 40 CFR Part 279.)
- If you are an eligible academic entity opting into 40 CFR Part 262, Subpart K for managing laboratory hazardous wastes **AND** you have never before submitted site identification information, you must submit this form to notify the appropriate State or EPA Regional Office of your activities. Note: You must check with your State to determine if you are eligible to manage laboratory hazardous waste pursuant to 40 CFR Part 262, Subpart K in order for you to notify.
- If you will begin managing hazardous secondary material under 40 CFR 261.2(a)(2)(ii), 40 CFR 261.4(a)(23), (24), or (25) you must submit this form, pursuant to 40 CFR 260.42, to notify the appropriate State or EPA Regional Office of your activities. Note: You must check with your State to determine if you are eligible to manage hazardous secondary material under these exclusions in order for you to notify.
- If your business moves to another location and you are still conducting activities regulated under RCRA Subtitle C.

SUBSEQUENT NOTIFICATIONS

Even if you have submitted an Initial Notification and have received an EPA Identification Number, you may be required to submit a Subsequent Notification. Please refer to the **“DETERMINING IF YOU MUST NOTIFY”** section of this booklet for information on when and how to complete a Subsequent Notification. In general, you should submit a Subsequent Notification under the following circumstances:

- If the contact for your site changes.
- If the ownership of your site changes.
- If an additional owner has been added or replaced since you submitted your last notification.
- If the type of RCRA Subtitle C activity you conduct changes.

- If you have previously submitted site identification information and are an eligible academic entity opting into or withdrawing from 40 CFR Part 262, Subpart K for managing laboratory hazardous wastes, you must use this form. Note: You must check with your State to determine if you are eligible to manage laboratory hazardous waste pursuant to 40 CFR Part 262, Subpart K in order for you to notify.
- If you are managing or will stop managing hazardous secondary material under 40 CFR 261.2(a)(2)(ii), 40 CFR 261.4(a)(23), (24), or (25), you are required to re-notify by March 1 of each even-numbered year pursuant to 40 CFR 260.42.

DETERMINING IF YOU MUST NOTIFY

HOW TO DETERMINE IF YOU MUST NOTIFY EPA OF YOUR RCRA SUBTITLE C ACTIVITIES

All persons who generate, transport, recycle, treat, store, or dispose of hazardous waste are required to notify the EPA (or their State agency if the State is authorized to operate its own hazardous waste program) of their hazardous waste activities. Furthermore, if you are managing hazardous secondary material under 40 CFR 261.2(a)(2)(ii), 40 CFR 261.4(a)(23), (24), or (25), you also must notify using the RCRA Subtitle C Site Identification Form and Addendum to the Site Identification Form. These persons must obtain an EPA Identification Number unless their solid waste has been excluded from regulation or their hazardous waste has been exempted as outlined below. These respective notification requirements are found in 40 CFR Parts 260, 261, 262, 263, 264, 265, and 266.

In addition to the discussion below, you will need to refer to 40 CFR Part 261 to help you determine if the waste you handle is both a solid waste and a hazardous waste that is regulated under RCRA. If you need help making this determination after reading these instructions, contact the agency listed for your State. The list of contact names, addresses, telephone numbers, and e-mail address is located at: <http://www.epa.gov/osw/inforesources/data/form8700/contact.pdf>.

NOTE

Under the Hazardous Waste Import Regulations, 40 CFR Part 262.60, *foreign generators should not apply for an EPA Identification Number*. These regulations state that when filling out a U.S. manifest, you must include the name and address of the foreign generator, and the name, address, and EPA Identification Number of the importer. Please contact the U.S. firms involved with your shipments and determine which firm will serve as the U.S. Importer.

To determine if you handle a solid waste that is also a hazardous waste and regulated under RCRA, ask yourself the following questions:

A. DO I HANDLE A SOLID WASTE?

40 CFR 261.2 defines "solid waste" as any discarded material that is not excluded under 40 CFR 261.4(a) or that is not excluded by variance granted under 40 CFR 260.30 and 260.31. A discarded material is any material which is:

- Abandoned, as explained in 40 CFR 261.2(b); or
- Recycled, as explained in 40 CFR 261.2(c); or
- Considered inherently waste-like as explained in 40 CFR 261.2(d); or
- A military munition identified as a solid waste in 40 CFR 266.202.

B. HAS MY SOLID WASTE BEEN EXCLUDED FROM THE REGULATIONS UNDER 40 CFR 261.4?

The list of general exclusions can be found in 40 CFR 261.4. If the solid waste that you handle has been excluded, either by rule or special variance, then you do not need to notify the EPA for that solid waste unless otherwise stated in the regulations. If your solid waste was not excluded from regulation, you need to determine if it is a hazardous waste that the EPA regulates. The EPA regulates a solid waste as hazardous waste in two ways:

- By specifically listing the solid waste as a hazardous waste and assigning it a unique EPA Hazardous Waste Code Number; or
- By regulating it because it possesses any of four hazardous waste characteristics and assigning it a generic EPA Hazardous Waste Code Number.

C. IS MY SOLID WASTE SPECIFICALLY LISTED AS A HAZARDOUS WASTE?

40 CFR 261.30 through 261.33 identify certain solid wastes that the EPA has specifically listed as hazardous. Persons who handle listed hazardous waste are subject to regulation and must notify the EPA of their hazardous waste activities unless they are exempted as discussed below. Refer to these regulations to see if your solid waste is included as a “listed hazardous waste.” If you are handling a newly regulated hazardous waste and have already notified the EPA prior to that hazardous waste being regulated **and already have an EPA Identification Number**, you do not need to submit a Subsequent Notification for that newly regulated hazardous waste.

D. DOES MY SOLID WASTE POSSESS A HAZARDOUS CHARACTERISTIC?

Even if your solid waste is not specifically listed as a hazardous waste, it may still be hazardous because it exhibits certain hazardous characteristics. These characteristics are:

- Ignitability;
- Corrosivity;
- Reactivity; and
- Toxicity.

40 CFR 261.20 through 261.24 explain each of the characteristics and outline the testing procedures you should use to determine if your solid waste meets these characteristics. Persons who handle characteristic hazardous waste that is regulated must notify the EPA of their activities unless they are exempted, as discussed below. If you are handling a newly regulated hazardous waste and have already notified the EPA prior to that hazardous waste being regulated **and already have an EPA Identification Number**, you do not need to submit a Subsequent Notification for that newly regulated hazardous waste.

E. HAS MY HAZARDOUS WASTE BEEN EXEMPTED FROM THE REGULATIONS UNDER 40 CFR 261.5 AND 261.6(A)(3)?

40 CFR 261.5 and 261.6(a)(3) list certain hazardous wastes that are not subject to RCRA regulation. If the hazardous waste that you handle has been exempted, then you do not need to notify the EPA for that hazardous waste.

HOW TO DETERMINE IF YOU MUST NOTIFY EPA OF YOUR UNIVERSAL WASTE ACTIVITIES

Under 40 CFR Part 273, Subpart C, Large Quantity Handlers of Universal Waste (LQHUW) who accumulate a total of 5,000 kilograms (kg) or more of universal wastes at any time are required to notify the EPA (or their State agency if the State is authorized to operate its own universal waste program) of their universal waste activities and obtain an EPA Identification Number, unless they have previously notified the EPA of their hazardous waste activities. Large Quantity Handlers of Universal Waste must notify the EPA of their universal waste activities and obtain an EPA Identification Number before meeting or exceeding the 5,000 kg storage limit. Small Quantity Handlers of Universal Waste are exempt from these notification requirements.

NOTE

Please refer to the regulations in 40 CFR Part 273 to ensure that you are aware of all the requirements that apply to your universal waste handling activities.

HOW TO DETERMINE IF YOU MUST NOTIFY EPA OF YOUR USED OIL MANAGEMENT ACTIVITIES

Under 40 CFR Part 279, Subparts E, F, G, and H, respectively, persons who transport used oil; process or re-refine used oil; burn off-specification used oil for energy recovery; or market used oil fuel, are required to notify the EPA (or their State agency if the State is authorized to operate its own used oil program) and obtain an EPA Identification Number, unless they are exempt as outlined below. Off-specification used oil may be burned for energy recovery in an industrial furnace, boiler, or hazardous waste incinerator subject to regulation under Subpart O of 40 CFR Part 264 or 265.

Used oil transporters; used oil processors/re-refiners; off-specification used oil burners; and used oil fuel marketers who have not previously notified the EPA of their hazardous waste activities or notified under 40 CFR Part 266, Subpart E (replaced by 40 CFR Part 279) must notify the EPA to identify their used oil management activities.

NOTE

Please refer to the regulations in 40 CFR Part 279 to ensure that you are aware of all the requirements that apply to your used oil management activities.

WHO IS EXEMPT FROM USED OIL NOTIFICATION REQUIREMENTS?

A. PERSONS WHO BURN ON-SPECIFICATION USED OIL FUEL

Used oil that is to be burned for energy recovery and that meets the specification provided under [40 CFR 279.11](#) is exempt from the regulations. **However, the person who first claims that the used oil meets the specification is subject to notification as a used oil fuel marketer and certain other requirements (see [40 CFR Part 279, Subpart H](#)).** The burner of fuel that meets the specification in 40 CFR 279.11 is not required to notify.

B. USED OIL GENERATORS

Used oil generators are not required to notify the EPA.

C. USED OIL GENERATORS OPERATING USED OIL-FIRED SPACE HEATERS

Persons who burn only used oil that they generate (or used oil received from household do-it-yourself used oil changers) in used oil-fired space heaters are exempt from the notification requirement provided that the device is vented to the outdoors and the device is not designed to have a capacity greater than 0.5 million BTU/hour.

HOW TO DETERMINE IF YOU MUST NOTIFY EPA OF YOUR SUBPART K LABORATORY HAZARDOUS WASTE ACTIVITIES

Subpart K is an alternative set of generator requirements for managing laboratory hazardous waste at eligible academic entities. Generators that are eligible academic entities with laboratories may elect to opt into 40 CFR Part 262, Subpart K and manage their laboratory hazardous waste under Subpart K in lieu of 40 CFR 262.34(c) (or 40 CFR 261.5 for conditionally exempt small quantity generators [CESQGs]). In order for eligible academic entities (see the **“DEFINITIONS”** section of this booklet) to opt into Subpart K or subsequently withdraw from Subpart K, they must use the Site ID Form to notify the appropriate State or EPA Regional Office. Refer to [40 CFR 262.203](#) and [262.204](#). Note: You **must** check with your State to determine if you are eligible to manage laboratory hazardous waste pursuant to 40 CFR 262, Subpart K and for any State-specific requirements.

HOW TO DETERMINE IF YOU MUST NOTIFY EPA OF YOUR HAZARDOUS SECONDARY MATERIAL ACTIVITIES

40 CFR 261.2(a)(2)(ii), 40 CFR 261.4(a)(23), (24), and (25) exclude certain hazardous secondary material being reclaimed from the RCRA Subtitle C definition of solid waste, provided certain requirements and conditions are met. Hazardous secondary material is secondary material (e.g., spent material, by-

product, or sludge) that, when discarded, would be identified as hazardous waste under 40 CFR Part 261.

Facilities that will begin managing, are still managing, or will stop managing hazardous secondary material under these regulations must notify under 40 CFR 260.42 using the Site ID Form and the Addendum to the Site Identification Form. Note: You must check with your State to determine if you are eligible to manage hazardous secondary material under 40 CFR 261.2(a)(2)(ii), 40 CFR 261.4(a)(23), (24), or (25).

HOW MANY FORMS SHOULD I FILE?

A person who is subject to the hazardous waste, universal waste, or used oil management regulations under RCRA should submit one notification (Site ID Form) per RCRA site. If you manage academic laboratory waste under Subpart K or hazardous secondary material under 40 CFR 261.2(a)(2)(ii), 40 CFR 261.4(a)(23), (24), or (25), you should submit one notification per site using the Site ID Form and, if appropriate, the Addendum to the Site Identification Form. If you conduct any regulated waste activity or hazardous secondary material at more than one RCRA site, you must submit a separate notification for each RCRA site using the Site ID Form.

If you only transport regulated wastes and do not generate, treat, store, or dispose of hazardous wastes; do not qualify as a large quantity handler of universal wastes; or do not process/re-refine used oil, burn off-specification used oil fuel, or market used oil fuel, you may submit one notification that covers all activities your company conducts. This notification should be sent to the appropriate State or Regional Office (<http://www.epa.gov/osw/inforesources/data/form8700/contact.pdf>) that serves the State where your company has its headquarters or principal place of business. However, if you are a transporter who also engages in one or more of the regulated waste activities listed above, you must submit a separate notification for each RCRA site using the Site ID Form.

CAN I REQUEST THAT THIS INFORMATION BE KEPT CONFIDENTIAL?

All information you submit in an Initial or Subsequent Notification can be released to the public, according to the Freedom of Information Act, unless it is determined to be confidential by the EPA pursuant to 40 CFR Part 2. Since notification information is very general, the EPA believes it is unlikely that any information in your notification could qualify to be protected from release. However, you may make a claim of confidentiality by printing the word "CONFIDENTIAL" on all pages of the Site ID Form and on any attachments. The EPA will take action on the confidentiality claims in accordance with 40 CFR Part 2.

WHERE SHOULD I SEND MY COMPLETED FORM?

We have provided an up-to-date list of the address for your State or EPA Regional Office where you should send your completed Site ID Form. The contact list can be found at: <http://www.epa.gov/osw/inforesources/data/form8700/contact.pdf>. This list contains contact names, addresses, phone numbers, and e-mail addresses that you can use to obtain additional information.

Many States use the form included at the end of this booklet; some also require additional information. The other States require that you complete and submit a State-specific form. Information about which form to use is included with the contact list located at the web page noted above. Even if you use the included form, you should check with your State to determine if you need to submit additional information. Also, contact your State if you have any questions about your submission.

After your completed Site ID Form for a notification is received and processed, you will be sent a written acknowledgement that will include your EPA Identification Number. **You must use this number on all communications with the EPA regarding your regulated waste and hazardous secondary material activities for this site.**

ITEM-BY-ITEM INSTRUCTIONS FOR NOTIFICATION OF RCRA SUBTITLE C ACTIVITY USING THE RCRA SUBTITLE C SITE IDENTIFICATION FORM

Please be sure to review the instructions carefully and complete all items on the form. After you have submitted the Site ID Form once, your State may allow you to attach a copy of your most recently submitted form. If so, circle item numbers for which any information has changed. Then enter the new information (and circle the item numbers) on the Site ID Form included in this booklet and provide the required signatures (no photocopied signatures) in Item 14 – Certification.

INSTRUCTIONS FOR FILLING OUT THE RCRA SUBTITLE C SITE IDENTIFICATION FORM (SITE ID FORM)

WHO MUST SUBMIT THIS FORM

All sites required to submit any of the following must submit the RCRA Subtitle C Site Identification Form (Site ID Form):

- Initial Notification of Regulated Waste Activity;
- Subsequent Notification of Regulated Waste Activity;
- First RCRA Hazardous Waste Part A Permit Application;
- Revised RCRA Hazardous Waste Part A Permit Application;
- Hazardous Waste Report;
- Notification for eligible academic entities opting into or withdrawing from managing laboratory hazardous wastes pursuant to 40 CFR Part 262 Subpart K (if in an eligible State); and
- Notification for facilities managing hazardous secondary material pursuant to 40 CFR 260.42 (if in an eligible State).

Some States have requirements in addition to, or that are different from the Federal requirements. To obtain the appropriate forms or ask questions, refer to a list of contacts at:
<http://www.epa.gov/epawaste/inforesources/data/form8700/contact.pdf>.

The list will tell you whether the Federal form or a State form is used, who to contact, and where to mail the completed form.

PURPOSE OF THIS FORM

The Site ID Form provides site-specific information about your facility and is used to obtain an EPA Identification Number under the RCRA Program. The Site ID Form also provides updated information for items that have changed at your site and verifies the information for those items that remain unchanged.

HOW TO FILL OUT THIS FORM

Complete the following Site ID Form items, as applicable to your facility:

- Item 1 - your reason for submitting the form
- Item 2 - your site's EPA Identification Number
- Item 3 - the name of your site
- Item 4 - the physical location of your site
- Item 5 - the land type of your site

- Item 6 - the North American Industry Classification System (NAICS) code(s) for your site
- Item 7 - the mailing address for your site
- Item 8 - name, title, address, phone number, fax, and e-mail of a contact person at your site
- Item 9 - name, address, and phone number of the legal owner(s) and name of the operator(s) of your site
- Item 10 - your site's regulated waste activities (enter all that apply)
- Item 11 - the description of hazardous waste
- Item 12 - your site's hazardous secondary material activity, if you manage any
- Item 13 - additional comments on Items 1 – 12
- Item 14 - certification that the information you provided throughout the form is truthful, accurate, and complete
- Addendum to the Site Identification Form – notification of hazardous secondary material activity

Type or print, in black ink, all items except the Signature box in Item 14. In Item 14, provide the required ink signatures. Signatures must be original. Stamped or photocopied signatures are not acceptable. Enter your site's EPA Identification Number in the top left-hand corner on all pages of the form; for an Initial Notification for this site, leave the EPA identification Number blank. Use Item 13 – Comments to clarify or provide additional information for any entry. When entering information in the comments section, enter the item number and box letter to which the comment refers. If you must use additional sheets for comments, enter your site's EPA Identification Number in the top left-hand corner of each sheet.

ITEM-BY-ITEM INSTRUCTIONS

ITEM 1 – REASON FOR SUBMITTAL

Place an "X" in the appropriate box(es) to indicate whether this form is your Initial Notification (i.e., this is your first time submitting site identification information / to obtain an EPA Identification Number for this location); a Subsequent Notification (to update your site identification information); a component of a First or a Revised Hazardous Waste Part A Permit Application; or a component of the Hazardous Waste Report.

TO PROVIDE AN INITIAL NOTIFICATION (FIRST TIME SUBMITTING SITE IDENTIFICATION INFORMATION / TO OBTAIN AN EPA IDENTIFICATION NUMBER FOR THIS LOCATION)

- If your waste activity is regulated under Subtitle C of the Resource Conservation and Recovery Act (RCRA) and the rules promulgated pursuant to the Act (specifically 40 CFR Parts 260-299), you must submit this form to notify the appropriate State or EPA Regional Office of your regulated waste activities and obtain an EPA Identification Number.
- If you are an eligible academic entity opting into 40 CFR Part 262, Subpart K for managing laboratory hazardous wastes **AND** you have never before submitted site identification information, you must submit this form to notify the appropriate State or EPA Regional Office of your activities. Note: You must check with your State to determine if you are eligible to manage laboratory hazardous waste pursuant to 40 CFR Part 262, Subpart K in order for you to notify.

- If you will begin managing hazardous secondary material under 40 CFR 261.2(a)(2)(ii), 40 CFR 261.4(a)(23), (24), or (25) **AND** you have never before submitted site identification information, you must submit this form, pursuant to 40 CFR 260.42, to notify the appropriate State or EPA Regional Office of your activities. Note: You must check with your State to determine if you are eligible to manage hazardous secondary material under these exclusions in order for you to notify.

TO PROVIDE A SUBSEQUENT NOTIFICATION (TO UPDATE SITE IDENTIFICATION INFORMATION FOR THIS LOCATION)

- You must use this form to submit a subsequent notification if your site already has an EPA Identification Number and you wish to change information (e.g., generator status, new site contact person, new owner, new mailing address, new regulated waste activity, etc.).
- If you have previously submitted site identification information and are an eligible academic entity opting into or withdrawing from 40 CFR Part 262, Subpart K for managing laboratory hazardous wastes, you must use this form. Note: You must check with your State to determine if you are eligible to manage laboratory hazardous waste pursuant to 40 CFR Part 262, Subpart K in order for you to notify.
- If you have previously submitted site identification information and are notifying (or re-notifying) that you will begin managing, are managing, or have stopped managing hazardous secondary material under 40 CFR 261.2(a)(2)(ii), 40 CFR 261.4(a)(23), (24), or (25), you must submit this form, pursuant to 40 CFR 260.42, to notify the appropriate State or Regional Office of your activities. Note: You must check with your State to determine if you are eligible to manage hazardous secondary material under these exclusions in order for you to notify.

AS A COMPONENT OF A FIRST RCRA HAZARDOUS WASTE PART A PERMIT APPLICATION

If your site is planning to treat, store, or dispose of hazardous waste on-site in a unit that is not exempt from obtaining a hazardous waste permit, you must submit this form as part of the Part A Permit Application. Also, if the activity at this site (treatment, storage, or disposal) became newly regulated under RCRA Subtitle C and the rules promulgated pursuant to the Act (specifically 40 CFR Parts 260-299), you must submit this form as part of the Part A Permit Application.

AS A COMPONENT OF A REVISED RCRA HAZARDOUS WASTE PART A PERMIT APPLICATION

If you must submit a Revised Part A Permit Application to reflect changes that have occurred at your site, you must submit this form as part of your Revised Part A Permit Application. Examples of site changes requiring a Revised Part A Permit Application include managing new wastes not identified in the first submission of the form or changes to existing waste treatment processes. When submitting a Revised Part A Permit Application, please include the Amendment Number in the appropriate space.

AS A COMPONENT OF THE HAZARDOUS WASTE REPORT (IF MARKED, SEE SUB-BULLET BELOW)

If you are required to submit a Hazardous Waste Report indicating the amount of hazardous waste you generate, treat, recycle, dispose, ship off-site, or receive from off-site, you must fill out this form. A Site ID Form submitted with a Hazardous Waste Report is equivalent to a Subsequent Notification.

SITE WAS A TSD FACILITY AND/OR GENERATOR OF $\geq 1,000$ KG OF HAZARDOUS WASTE, > 1 KG OF ACUTE HAZARDOUS WASTE, OR > 100 KG OF ACUTE HAZARDOUS WASTE SPILL CLEANUP IN ONE OR MORE MONTHS OF THE REPORT YEAR (OR STATE EQUIVALENT LQG REGULATIONS)

The purpose of this check box is to distinguish between sites that meet the criteria and are required to file a report versus those who file voluntarily or by State-only requirement but were not a treatment, storage, and disposal facility (TSDF) or a Large Quantity Generator (LQG) during the report year. Sites required to file the report should place an "X" in this box, while non-LQG/TSDF sites should not. For more information about who must file a report, refer to "WHO MUST FILE THE 2015 HAZARDOUS WASTE REPORT" section of the 2015 Hazardous Waste Report Instructions and Form booklet.

ITEM 2 – SITE EPA ID NUMBER

Provide your EPA Identification Number in Item 2 **for this site**. The first two characters of the EPA Identification Number must be a valid State postal code. Be sure to include your EPA Identification number at the top of all pages of the form (as well as on any attachments to the Site ID Form).

NOTE	If this is your Initial Notification for this site, leave the EPA Identification Number blank and proceed to Item 3.
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ITEM 3 AND 4 – SITE NAME AND LOCATION

Provide the legal name of your site and a complete location address. Please note that the address you give for Item 4, Site Location, must be a physical address, not a post office box or route number. Only foreign hazardous waste transporters, with their headquarters located outside the U.S., may provide a Site Location Country outside of the U.S.

NOTE	A new EPA Identification Number is required if you change the location of your site.
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ITEM 5 – SITE LAND TYPE

Place an "X" in the box that **best describes** the land type of your site. Select only one type: Private, County, District, Federal, Tribal (see below), Municipal, State, or Other. If your site's Land Type could be described as Municipal **and** another Land Type, such as County, District, or Tribal, do not place an "X" in Municipal. Instead, choose the other appropriate Land Type. (For example, if your site's Land Type is both Municipal and County, you would place an "X" in the box for County.) You may explain this in Item 13 – Comments.

Tribal - A member of one of the tribes/entities on the list of Federally recognized American Indian tribes and Alaskan Native entities located at: <http://www.epa.gov/tribal/whereyoulive/tribes-a-z.htm>.

ITEM 6 – NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS) CODE(S)

Box A must be completed. Completing Boxes B-D is recommended, if applicable.

BOX A

Provide the North American Industry Classification System (NAICS) code that best describes your site's primary business production process for your products or services. Referencing the latest NAICS codes, use the 6-digit code (most specific description) if available for your business; if not, use the 5-digit code; do not enter any four (4) or less digit codes.

BOXES B – D

List other NAICS codes that describe the other business production processes for your site. Referencing the latest NAICS codes, use the 6-digit code (most specific description) if available for your business; if not, use the 5-digit code; do not enter any four (4) or less digit codes.

Check with your accounting or business staff to determine your NAICS code(s); the NAICS code is used in tax reporting and other business reports. You can obtain additional information about NAICS codes at <http://www.census.gov/eos/www/naics>.

NOTE

Significant changes were made to the NAICS codes in 2012. All sites should confirm their NAICS codes in the new 2012 NAICS code table prior to completing Item 6 – NAICS Codes. You can obtain additional information about the 2012 NAICS codes at <http://www.census.gov/eos/www/naics>.

ITEM 7 – SITE MAILING ADDRESS

Please enter the Site Mailing Address. If the Mailing Address and the Location of Site (Item 4) are the same, you can enter “Same as Item 4” in the box for Item 7.

ITEM 8 – SITE CONTACT PERSON

Enter the name, title, business address, telephone number, extension, fax number, and e-mail address of the individual who should be contacted regarding the information submitted in the Site ID Form. A Subsequent Notification is recommended when the Site Contact Person changes. **Do not** enter other contact persons here; if there are other persons, who may be contacted about this submission, list them and their other contact information in Item 13 – Comments. If the person completing the Hazardous Waste Report is not the primary site RCRA hazardous waste contact, enter the primary site RCRA hazardous waste contact here and add the contact information for the person completing the Hazardous Waste Report in Item 13 – Comments.

NOTE

This is NOT the Facility Permit Contact information. The Facility Permit Contact information should be entered on the RCRA Hazardous Waste Part A Permit Application.

ITEM 9 – LEGAL OWNER AND OPERATOR OF THE SITE

This section should be used to indicate all owners and operators of this site.

A. NAME OF SITE'S LEGAL OWNER

Provide the name of your site's legal owner(s). This includes owner(s) of the building(s) and land. Please review these definitions:

Owner – The person who owns a RCRA site or part of a RCRA site. Note: This includes the owner(s) of the building(s) and/or land. This may be an individual, company, or business name. See **Person**.

Person – An individual, trust, firm, joint stock company, Federal Agency, corporation (including a government corporation), partnership, association, State, municipality, commission, political subdivision of a State, or any interstate body.

DATE BECAME AN OWNER

Indicate the date on which the above entity became the owner of your site. Enter dates as in this example: For April 22, 2015, enter 04/22/2015. This is a required field and a date must be reported.

OWNER TYPE

Place an "X" in the box that **best describes** the owner type for your site. Select only one type: Private, County, District, Federal, Tribal (see below), Municipal, State, or Other. If your site's Owner Type could be described as Municipal **and** another Owner Type, such as County, District, or Tribal, do not place an "X" in Municipal. Instead, choose the other appropriate Owner Type. (For example, if your site's Owner Type is both Municipal and County, you would place an "X" in the box for County.) You may explain this in Item 13 – Comments.

Tribal - A member of one of the tribes/entities on the list of Federally recognized American Indian tribes and Alaskan Native entities located at: <http://www.epa.gov/tribal/whereyoulive/tribes-a-z.htm>.

LEGAL OWNER ADDRESS

Enter the address of the legal owner. If the address and the Location of Site (Item 4) are the same, you can enter "Same as Item 4" in the box for Item 9.

Use the Comments section in Item 13 to list any additional owners, their names, the dates they became owners, owner type, mailing address, and which owner(s), if any, are no longer owners since your last submission of this form. If necessary, attach a separate sheet of paper. Remember to enter your site's EPA Identification Number in the top left-hand corner of each sheet.

B. NAME OF SITE'S OPERATOR

Provide the name of your site's operator. Please review these definitions:

Operator – The person responsible for the overall operation of a RCRA site. **Note:** This is the legal entity which controls the RCRA site operation rather than the plant or site manager. This is usually a company or business name, but may be an individual. See **Person**.

Person – An individual, trust, firm, joint stock company, Federal Agency, corporation (including a government corporation), partnership, association, State, municipality, commission, political subdivision of a State, or any interstate body.

DATE BECAME AN OPERATOR

Indicate the date on which the above entity became the operator of your site. Enter dates as in this example: For April 22, 2015, enter 04/22/2015. This is a required field and a date must be reported.

OPERATOR TYPE

Place an "X" in the box that **best describes** the operator type for your site. Select only one type: Private, County, District, Federal, Tribal (see below), Municipal, State, or Other. If your site's Operator Type could be described as Municipal **and** another Operator Type, such as County, District, or Tribal, do not place an "X" in Municipal. Instead, choose the other appropriate Operator Type. (For example, if your site's Operator Type is both Municipal and County, you would place an "X" in the box for County.) You may explain this in Item 13 – Comments.

Tribal - A member of one of the tribes/entities on the list of Federally recognized American Indian tribes and Alaskan Native entities located at: <http://www.epa.gov/tribal/whereyoulive/tribes-a-z.htm>.

Use the Comments section in Item 13 to list any additional operators, their names, the dates they became operators, operator type, mailing address, and which operator(s), if any, are no longer operators since your last submission of this form. If necessary, attach a separate sheet of paper. Remember to enter your site's EPA Identification Number in the top left-hand corner of each sheet.

NOTE

A subsequent notification is recommended when the owner or operator of a site changes. Because an EPA Identification Number is site-specific, the new owner will keep the existing EPA Identification Number for that location. If your business moves to another location, the owner or operator must notify the State or EPA Regional Office of this change. Since your business has changed locations, a new EPA Identification Number will be assigned.

ITEM 10 – TYPE OF REGULATED WASTE ACTIVITY

Mark box “Yes” or box “No” as appropriate for all **current** activities (as of the date submitting the form) at this site; complete any additional boxes as instructed. **Current** activities mean activities that are in effect when the form is submitted or those that the site plans to begin after EPA Identification Number assignment. The information you provide in Item 10 will be considered current as of the date you certify the form. If the site is no longer a generator as of the date you certify the form, you should mark the “No” (not a generator) box for Generator of Hazardous Waste.

NOTE

You must report your current regulated waste activities as of the date of submitting the Site ID Form. For the Hazardous Waste Report, your current status may be different than the status requiring the report during the calendar year.

A. HAZARDOUS WASTE ACTIVITIES (COMPLETE ALL PARTS 1 THROUGH 10)

NOTE

Listed below are the Federal generator status definitions. If, however, the State where your site is located has definitions different from the Federal definitions, you must use the State definitions.

1. GENERATOR OF HAZARDOUS WASTE (AT YOUR SITE):

If you generate a hazardous waste that is listed in 40 CFR 261.31 through 261.33 or identified by one or more hazardous waste characteristic(s) contained in 40 CFR 261.21 through 261.24, place an "X" in the appropriate box for the quantity of hazardous waste that is generated per calendar month. The regulations for hazardous waste generators are found in 40 CFR 261.5 for conditionally exempt small quantity generators (CESQGs) and in 40 CFR Part 262 for both small quantity generators (SQGs) and large quantity generators (LQGs). Consult these regulations and your State for details about how the regulations apply to your situation. Below is a brief description of the three types of hazardous waste generators.

If "Yes", place an "X" in only one of the following – a, b, or c.

a. LQG: Large Quantity Generator

For purposes of providing information in this form, the site is a Large Quantity Generator (LQG) if the site generates any of the following amounts in a calendar month:

- (i) Greater than or equal to 1,000 kilograms (kg; 2,200 pounds [lbs]) of non-acute RCRA hazardous waste; **or**
- (ii) Greater than 1 kg (2.2 lbs) of any RCRA acute hazardous waste listed in sections 261.31 or 261.33(e); **or**
- (iii) Greater than 100 kg (220 lbs) of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous wastes listed in sections 261.31 or 261.33(e).

NOTE

As discussed earlier, a RCRA LQG is a site that is neither a CESQG nor a SQG. For purposes of clarity, we describe above the situations when a site would be a LQG.

If, in addition to being a LQG, you recycle hazardous wastes at your site, mark both this box and Item 10.A.7.

Hazardous secondary material managed under 40 CFR 261.2(a)(2)(ii), 40 CFR 261.4(a)(23), (24), or (25) DOES NOT count towards your generator status. However, you must check with your State to determine if you are eligible to manage hazardous secondary material under these exclusions.

b. SQG: Small Quantity Generator

This site is a SQG if the site meets **all** of the following criteria:

- (i) Generates, in any calendar month, more than 100 kg (220 lbs) but less than 1,000 kg (2,200 lbs) of RCRA hazardous waste; **and**
- (ii) Does not generate, in any calendar month, more than 1 kg (2.2 lbs.) of acute hazardous waste listed in sections 261.31 or 261.33(e); **and**
- (iii) Does not generate more than 100 kg (220 lbs) of material from the cleanup of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous wastes listed in sections 261.31 or 261.33(e).

NOTE

The definition of a SQG found at 40 CFR 260.10 is outdated. The EPA plans to make the appropriate conforming change in the future. Moreover, here in this document, for purposes of clarity, we include those situations where a SQG also may have generated amounts of acute hazardous wastes and still maintain its regulatory status as a SQG.

c. CESQG: Conditionally Exempt Small Quantity Generator

This site is a CESQG if the site generates less than or equal to the following amounts in a calendar month:

- (i) 100 kg (220 lbs) of hazardous waste; **and**
- (ii) 1 kg (2.2 lbs) of acute hazardous wastes listed in sections 261.31, or 261.33(e); **and**
- (iii) 100 kg (220 lbs) of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous wastes listed in sections 261.31, or 261.33(e).

NOTE

A CESQG is defined at 40 CFR 261.5(a) as a site that generates less than or equal to 100 kg (220 lbs) of hazardous waste. However, the regulations at 40 CFR 261.5(e) discuss situations where a CESQG could be subject to full regulation. For purposes of clarity, we describe all those situations where a site continues to be a CESQG.

If you generate acute hazardous wastes listed in 40 CFR 261.31, 261.32, or 261.33(e), please refer to 40 CFR 261.5(e) to determine the circumstances under which you must notify the EPA.

If you marked “Yes” above, indicate your other generator activities. Mark “Yes” or “No” for the other hazardous waste activities listed below that may occur at this site. **Complete all parts 2-10.**

2. SHORT-TERM GENERATORS

Mark “Yes” if the site is currently generating hazardous waste only as the result of a one-time, non-recurring, temporary event that is not related to normal production processes. In other words, short-term generators produce hazardous waste from a particular activity for a limited time and then cease conducting that activity. Short-term generators would not be considered episodic generators because episodic generators have the potential to generate on a regular basis (for example, a facility that fluctuates from SQG to LQG in one month is not a short-term generator). Examples of short-term generators include: (1) one-time highway bridge waste generation; (2) underground storage tank removals; (3) generation of off-spec or out-of-date chemicals at a site that normally doesn’t generate hazardous waste; (4) remediation or spill clean-up at sites with no previous RCRA EPA Identification Number; and (5) site or production process decommissions by a new operator. If you mark “Yes”, you must provide an explanation of your short-term generation event in Item 13 – Comments.

3. U.S. IMPORTER OF HAZARDOUS WASTE

Mark “Yes” if you import hazardous waste from a foreign country into the U.S. Refer to 40 CFR 262.60 for additional information.

4. MIXED WASTE GENERATOR

Mark “Yes” if you are a generator of mixed waste (waste that is both hazardous and radioactive). RCRA defines “mixed waste” as waste that contains both hazardous waste and source, special nuclear, or by-product material subject to the Atomic Energy Act (AEA), RCRA Section 1004(41), 42 U.S.C. 6903 (63 FR 17414; April 9, 1998). See the “DEFINITIONS” section.

5. TRANSPORTER OF HAZARDOUS WASTE

a. Transporter

You transport hazardous waste within the U.S. The Federal regulations for hazardous waste transporters are found in 40 CFR Part 263.

b. Transfer Facility (at your site)

You are a hazardous waste transfer facility, at your site, if you hold manifested hazardous waste(s) at your site for a period of ten (10) days or less while the waste is in transit. The Federal regulations for hazardous waste transfer facilities are found in 40 CFR 263.12.

6. TREATER, STORER, OR DISPOSER OF HAZARDOUS WASTE (AT YOUR SITE)

If you treat, store, or dispose of hazardous waste, mark “Yes.” A RCRA Hazardous Waste Part B Permit is **required** for this activity. Contact the appropriate office for your State for more information. The Federal regulations for owners and operators of permitted treatment, storage, and disposal facilities (TSDFs) are found in 40 CFR Parts 264, 265, 266, and 270.

Mark “No” if any of the following conditions are true for your facility:

- This facility does not receive hazardous waste from other generators and ships all waste off-site for management within the regulatory timeframe.

- This facility is only involved with on-going post-closure activities, corrective actions under the Hazardous and Solid Waste Amendments of 1984 (HSWA), or a consent order under a non-traditional permit or without a RCRA permit being required.
- Receives waste from off-site but does not store greater than 10 days before re-shipping (i.e., transfer facility).

NOTE	If your site is a destination facility for universal wastes in addition to being a TSDF for other RCRA hazardous wastes, mark "Yes" for both this box and Item 10.B.2.
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7. RECYCLER OF HAZARDOUS WASTE (AT YOUR SITE)

If you recycle regulated hazardous wastes (recyclable materials) at your site, mark "Yes". The Federal regulations for owners and operators of sites that recycle hazardous waste are found in 40 CFR 261.6. You also may be subject to other Federal and State regulations; in some cases a permit is required.

NOTE	If your site, in addition to being a recycling site for hazardous waste, is a treater, storer, or disposer of hazardous waste, mark "Yes" for both this box and Item 10.A.6. If your site is a destination facility for universal wastes in addition to being a recycling site for other RCRA hazardous wastes, mark "Yes" for both this box and Item 10.B.2.
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8. EXEMPT BOILER AND/OR INDUSTRIAL FURNACE (AT YOUR SITE)

If "Yes", place an "X" in all that apply.

a. Small Quantity On-Site Burner Exemption

You burn small quantities of hazardous waste in an on-site boiler or industrial furnace in accordance with the conditions in 40 CFR 266.108, place an "X" in the box to indicate that you qualify for the Small Quantity On-Site Burner Exemption.

b. Smelting, Melting, and Refining Furnace Exemption

You process hazardous wastes in a smelting, melting, or refining furnace solely for metals recovery, as described in 40 CFR 266.100(d), or to recover economically significant amounts of precious metals, as described in 40 CFR 266.100(g), or if you process hazardous wastes in a lead recovery furnace to recover lead, as described in 40 CFR 266.100(h), place an "X" in the box to indicate that you qualify for the Smelting, Melting, and Refining Furnace Exemption.

9. UNDERGROUND INJECTION CONTROL (AT YOUR SITE)

If you generate, treat, store, or dispose of hazardous waste and place the waste or its residuals into an underground injection well (e.g., a Class I well) located at your site, mark "Yes." The Federal regulations for owners and operators of underground injection wells are found in 40 CFR Part 148.

10. RECEIVES HAZARDOUS WASTE FROM OFF-SITE (AT YOUR SITE)

If you received hazardous waste from another site, whether this waste was received as a commercial transaction or waste received from a restricted group of off-site generators, mark "Yes."

In addition to the above, mark "Yes" or "No" for the other regulated waste activities listed below that may occur at this site. Complete Items B, C, and D as appropriate.

B. UNIVERSAL WASTE ACTIVITIES (AT YOUR SITE)

Refer to your State-specific requirements and definitions for universal waste. Also, refer to 40 CFR 261.9 and 40 CFR Part 273 for the Federal regulations covering universal waste. **Complete parts 1 and 2.**

1. LARGE QUANTITY HANDLER OF UNIVERSAL WASTE (LQHUW)

You are an LQHUW if you accumulate a total of 5,000 kg or more total of universal wastes (batteries, pesticides, mercury-containing equipment, or lamps – calculated collectively) at any time. This designation is retained through the end of the calendar year in which the 5,000 kg limit is met or exceeded. If "Yes," place an "X" in the appropriate box(es) to indicate the type(s) of universal wastes managed at your site. If your State has other additional universal wastes, indicate what they are by placing an "X" in the corresponding box(es) (10.B.1.e, f, or g).

2. DESTINATION FACILITY FOR UNIVERSAL WASTE

Mark "Yes" if you treat, dispose, or recycle universal wastes on-site. A hazardous waste permit is required if you treat or dispose of universal wastes; a permit may be required if you recycle universal wastes.

NOTE

If your site, in addition to being a destination facility for universal wastes, is also a TSDF for RCRA hazardous wastes, mark "Yes" for both this box **and** Item 10.A.6. In addition, if your site recycles RCRA hazardous wastes, mark "Yes" for both this box **and** Item 10.A.7.

C. USED OIL ACTIVITIES

Mark the appropriate box(es) to indicate which used oil management activities are taking place at this site. The Federal regulations for used oil management are found in 40 CFR Part 279. **Complete all parts 1 through 4.**

1. USED OIL TRANSPORTER

If "Yes," place an "X" in all that apply.

a. Transporter

You transport used oil within the U.S. The Federal regulations for used oil transporters are found in 40 CFR 279.40-47.

b. Transfer Facility (at your site)

You own or operate a used oil transfer facility. The Federal regulations for used oil transfer facilities are found in 40 CFR 279.40-47.

2. USED OIL PROCESSOR AND/OR RE-REFINER (AT YOUR SITE)

If "Yes," place an "X" in all that apply.

a. Processor

You process used oil. The Federal regulations for processors of used oil are found in 40 CFR 279.50-59.

b. Re-refiner

You refine used oil. The Federal regulations for re-refiner of used oil are found in 40 CFR 279.50-59.

3. OFF-SPECIFICATION USED OIL BURNER (AT YOUR SITE)

You burn off-specification used oil fuel. Mark "Yes" to indicate this used oil management activity.

4. USED OIL FUEL MARKETER (AT YOUR SITE)

If "Yes," place an "X" in all that apply.

a. Marketer Who Directs Shipment of Off-Specification Used Oil to Off-Specification Used Oil Burners

You are a marketer who directs shipment of off-specification used oil to off-specification used oil burners. The Federal regulations for off-specification used oil are found in 40 CFR 279.70-75.

b. Marketer Who First Claims the Used Oil Meets the Specification

You are the first to claim that used oil meets the used oil specification established in 40 CFR 279.11.

NOTE

If either of these boxes is marked, you must also notify (or have previously notified) as a used oil transporter (10.C.1), used oil processor/re-refiner (10.C.2), or off-specification used oil fuel burner (10.C.3), unless you are a used oil generator. (Used oil generators are not required to notify.)

D. ELIGIBLE ACADEMIC ENTITIES WITH LABORATORIES – NOTIFICATION FOR OPTING INTO OR WITHDRAWING FROM MANAGING LABORATORY HAZARDOUS WASTES PURSUANT TO 40 CFR PART 262, SUBPART K

Note: Fill out Box D ONLY if you are at least one of the following: a college or university; a teaching hospital that is owned by or has a formal written affiliation agreement with a college or university; or a non-profit research institute that is owned by or has a formal written affiliation agreement with a college or university; AND you have checked with your State to determine if 40 CFR Part 262, Subpart K is

effective in your State and for any State-specific requirements. See EPA's website for more information about these regulations: <http://www.epa.gov/wastes/hazard/generation/labwaste/implementation.htm>.

Subpart K is an optional alternative set of requirements for eligible academic entities with laboratories. Certain generators (i.e., eligible academic entities defined under (1) below) are eligible to operate under Subpart K for management of their hazardous wastes in laboratories in lieu of 40 CFR 262.34(c) (or 40 CFR 261.5 for CESQGs). Eligible academic entities with laboratories that generate hazardous waste that elect to opt into Subpart K, are currently operating under Subpart K, or subsequently withdraw from Subpart K must complete this section to meet the notification requirements of this Subpart. Refer to [40 CFR 262.203](#) and [40 CFR 262.204](#).

NOTE

Eligible academic entities with laboratories must complete a separate Site ID Form for each site (i.e., EPA Identification Number) that is managing hazardous waste under Subpart K. All laboratories with the same EPA Identification Number will be regulated under this Subpart. If eligible academic entities with laboratories withdraw from Subpart K, all laboratories with the same EPA Identification Number associated with the withdrawal from Subpart K will be regulated under 40 CFR 262.34(c) requirements (or 40 CFR 261.5 for CESQGs).

1. OPTING INTO OR CURRENTLY OPERATING UNDER 40 CFR PART 262, SUBPART K FOR THE MANAGEMENT OF HAZARDOUS WASTES IN LABORATORIES

Mark "Yes" for this box if you are an eligible academic entity and you elect to opt into or are currently operating under 40 CFR Part 262, Subpart K for the hazardous wastes generated in your laboratories. If you mark "Yes" for this box, you must place an "X" in at least one of the following to indicate your type of eligible academic entity. Place an "X" in all that apply:

a. College or University

You are an eligible college or university if you are a private or public, post-secondary, degree-granting, academic institution, that is accredited by an accrediting agency listed annually by the U.S. Department of Education.

b. Teaching Hospital that is owned by or has a formal written affiliation agreement with a college or university

You are an eligible teaching hospital if you are a hospital that trains students to become physicians, nurses, or other health personnel and is either: (1) owned by a college or university, or (2) has a master affiliation agreement and program letter of agreement, as defined by the Accreditation Council for Graduate Medical Education, with an accredited medical program or medical school.

c. Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

You are an eligible non-profit institute if you are an organization that conducts research as its primary function and files as a non-profit organization under the tax code of 26 U.S.C. 501(c)(3) and is either: (1) owned by a college or university, or (2) has a formal written affiliation agreement with a college or university that establishes a relationship between institutions for the purposes of

research and/or education and is signed by authorized representatives from each institution. A relationship on a project-by-project or grant-by-grant basis is not considered a formal written affiliation agreement.

2. WITHDRAWING FROM 40 CFR PART 262, SUBPART K FOR THE MANAGEMENT OF HAZARDOUS WASTES IN LABORATORIES

Mark "Yes" for this box if you have previously elected to opt into 40 CFR Part 262, Subpart K and are now withdrawing from participation in this optional set of alternative requirements for hazardous waste generation in laboratories. Withdrawing generators will automatically revert to regulation under 40 CFR 262.34(c) requirements (or 40 CFR 261.5 for CESQGs). If marking "Yes" for this box, please include comments in Item 13 – Comments that explain your reasons for withdrawing from Subpart K.

ITEM 11 – DESCRIPTION OF HAZARDOUS WASTES

Complete this item if you marked "Yes" for any activity 1 (a-c), 6, 7, or 8 in Item 10.A. You will need to refer to 40 CFR Part 261 to complete this item. Part 261 identifies those solid wastes which the EPA defines as hazardous and regulates under RCRA. If you need help completing this section, please contact your State Office.

A. WASTE CODES FOR FEDERALLY REGULATED HAZARDOUS WASTES

Please list the waste codes of the Federal hazardous wastes (described in 40 CFR Part 261) handled at your site. List them in the order they are presented in the regulations using the appropriate 4-digit code(s) (e.g., D001, D003, F007, U112).

NOTE

If you handle more hazardous wastes than will fit under Item 11.A, please continue under Item 13 – Comments or on an extra sheet. Remember to include your EPA Identification Number on the top of each page. If you handle a large number of codes, you may copy the list in this booklet and mark the ones that you handle. Attach any additional sheets to the Site ID Form. Remember to include your EPA Identification Number on the top of each page.

B. WASTE CODES FOR STATE-REGULATED (I.E., NON-FEDERAL) HAZARDOUS WASTES

If you manage State-regulated hazardous wastes that have a State waste code, enter the appropriate code(s) in the box(es) provided. Please list the waste codes of the State-regulated hazardous wastes handled at your site in the order they are presented in the regulations.

NOTE

If you handle more hazardous wastes than will fit under Item 11.B, please continue under Item 13 – Comments or on an extra sheet. Remember to include your EPA Identification Number on the top of each page.

ITEM 12 – NOTIFICATION OF HAZARDOUS SECONDARY MATERIAL (HSM) ACTIVITY

Mark “Yes” if you are notifying under 40 CFR 260.42 that you will begin managing, are still managing, or will stop managing hazardous secondary material under 40 CFR 261.2(a)(2)(ii), 40 CFR 261.4(a)(23), (24), or (25). Mark “No” if you are not notifying under 40 CFR 260.42. Note: You must check with your State to determine if you are eligible to manage hazardous secondary material under these regulations.

NOTE

If you mark “Yes”, you must fill out the Addendum to the Site ID Form: Notification of Hazardous Secondary Material Activity. See instructions for this Addendum after Item 14.

ITEM 13 – COMMENTS

Use this section as needed to provide additional information for Items 1 through 12. Include the item number and box letter (if any) for each comment you make. You may attach additional sheets if needed. Remember to include your EPA Identification Number on the top of each page.

ITEM 14 – CERTIFICATION

This certification must be signed and dated by the owner(s), operator(s), responsible official(s), or authorized representative(s) of the site. See 40 CFR 270.11 for more information on signatories in general. See also 40 CFR 270.10(b) for additional Hazardous Waste Part A Permit Application signatory specifics. An “authorized representative” is a person responsible for the overall operation of the site (i.e., a plant manager or superintendent, or a person of equal responsibility).

NOTE

All Site ID Form submissions must include this certification to be complete.

ADDENDUM TO THE SITE IDENTIFICATION FORM:
NOTIFICATION OF HAZARDOUS SECONDARY MATERIAL ACTIVITY

YOU MUST FILL OUT THIS SECTION IF:

- You are located in a State that allows you to manage excluded hazardous secondary material under 40 CFR 261.2(a)(2)(ii), 261.4(a)(23), (24), or (25). See <http://www.epa.gov/epawaste/hazard/dsw/statespf.htm> for a list of eligible States; **AND**
- You will begin managing, are still managing, or will stop managing excluded hazardous secondary material under 40 CFR 261.2(a)(2)(ii), 40 CFR 261.4(a)(23), (24), or (25) and must notify the appropriate State or Regional Office of your activities, pursuant to 40 CFR 260.42. These regulations exclude certain hazardous secondary material being reclaimed from the RCRA Subtitle C definition of solid waste provided certain requirements and conditions are met. See EPA's website for more information about these regulations: <http://www.epa.gov/osw/hazard/dsw/rulemaking.htm>.

Complete all parts 1 – 3.

NOTE	<p>You must be managing excluded hazardous secondary material in compliance with 40 CFR 261.2(a)(2)(ii), 261.4(a)(23), (24), and/or (25) (or State equivalent). <u>Do not include any information regarding your hazardous wastes in this section.</u> See 73 FR 64668 or http://www.epa.gov/epawaste/hazard/dsw/impresource.htm for more information on these exclusions.</p> <p>You must submit a completed Site ID Form, including this Addendum, prior to operating under the exclusion(s) and by March 1 of each even-numbered year thereafter to your regulatory authority using the Site ID Form as pursuant to 40 CFR 260.42. Persons who must satisfy this notification requirement can submit this information at the same time as their Hazardous Waste Report (which is also due by March 1 of each even-numbered year).</p> <p>If you stop managing hazardous secondary material in accordance with the exclusion(s) and do not expect to manage any amount of hazardous secondary material under the exclusion(s) for at least one year, you must also submit a completed Site ID Form, including this Addendum, within thirty (30) days pursuant to 40 CFR 260.42.</p> <p>Remember to include your EPA Identification Number on the top of each page.</p>
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ITEM 1 – INDICATE REASON FOR NOTIFICATION (INCLUDE DATES WHERE REQUESTED)

Place an “X” in the box for the reason that applies to you:

FACILITY WILL BEGIN MANAGING EXCLUDED HAZARDOUS SECONDARY MATERIAL AS OF (MM/DD/YYYY)

Place an “X” in this box if you are notifying that you will begin managing hazardous secondary material under the exclusion(s).

- Facilities must notify prior to operating under the exclusion(s).
- If placing an “X” in this box, list the date (mm/dd/yyyy) when you will begin managing hazardous secondary material under 40 CFR 261.2(a)(2)(iii), 40 CFR 261.4(a)(23), (24), or (25). Note: If the facility had previously notified that it will stop managing hazardous secondary material in the past but will now begin anew, list the next planned start date.

FACILITY IS STILL MANAGING EXCLUDED HAZARDOUS SECONDARY MATERIAL/RE-NOTIFYING AS REQUIRED BY MARCH 1 OF EACH EVEN-NUMBERED YEAR

Place an “X” in this box if you are re-notifying that you are still managing hazardous secondary material under the exclusion(s). Note: You must have previously notified that you began managing hazardous secondary material in order to check this box.

- Facilities must notify by March 1st of each even-numbered year.
- If placing an “X” in this box, you do not have to list a date.

FACILITY HAS STOPPED MANAGING EXCLUDED HAZARDOUS SECONDARY MATERIAL AS OF (MM/DD/YYYY) AND IS NOTIFYING AS REQUIRED

Place an “X” in this box, if you are notifying that you have stopped managing hazardous secondary material under the exclusion(s) and do not expect to manage any amount of hazardous secondary material for at least one year (pursuant to 40 CFR 260.42(b)). List the date when you stopped managing hazardous secondary material. Enter the date in “mm/dd/yyyy” format.

- Facilities must notify within 30 days of when they stopped managing hazardous secondary material. You are considered to have stopped managing hazardous secondary material if: (1) you stop managing hazardous secondary material completely (e.g., you cease operations); (2) you choose to manage the hazardous secondary material as hazardous waste; (3) you undergo closure and request release from financial assurance per 40 CFR 261.143(h); or (4) you temporarily suspend management of hazardous secondary material for at least one year.
- Only place an “X” in this box if you have stopped managing all hazardous secondary material under the exclusion(s). For example, if your facility only stopped managing one hazardous secondary material, but continued to manage another hazardous secondary material, you would

leave this box blank since your facility continues to manage some amount of hazardous secondary material.

- If you submit a notification that you have stopped managing hazardous secondary material, you do not need to re-notify (unless you choose to manage hazardous secondary material again, in which case you would have to submit a notification prior to managing). After submitting a stop notification, you can leave the Addendum blank for subsequent submissions, including any subsequent Hazardous Waste Report submissions.

ITEM 2 – DESCRIPTION OF EXCLUDED HAZARDOUS SECONDARY MATERIAL (HSM) ACTIVITY

In the table provided on the Addendum to the Site Identification Form, list your appropriate facility code, each waste code for the hazardous secondary material you manage, the estimated and actual quantities in short tons for each hazardous secondary material, and the appropriate land-based code for how you manage the hazardous secondary material. Do not include any information regarding your hazardous wastes in this section. See examples below on how to answer this question.

a. Facility Code

Using the facility codes, found in the **“HAZARDOUS SECONDARY MATERIAL (HSM) FACILITY CODES”** section of this booklet, enter the appropriate 2-digit code(s) that correctly describes your facility. If more than one code applies to your facility, enter each 2-digit code on a separate row. Each hazardous secondary material should be reported by facility code.

b. Waste Code(s) for HSM

Use the box provided to enter the appropriate 4-digit hazardous waste code(s) that would apply to your hazardous secondary material if you managed it as hazardous waste (i.e., the waste code(s) that would apply if you did not manage your material in accordance with 40 CFR 261.2(a)(2)(iii), 40 CFR 261.4(a)(23), (24), or (25)).

NOTE

If you list more codes or manage more hazardous secondary material than will fit in the table under Item 2, please continue under Item 13 – Comments, or on an extra sheet. Remember to include your EPA Identification Number on the top of each page.

c. Estimate Short Tons of Excluded HSM to be Managed Annually

In the box provided, enter your estimated tonnage (using short tons) of hazardous secondary material you expect to manage annually. Convert all physical quantities (e.g., gallons, cubic yards, kilograms, metric tons, etc.) to short tons (1 short ton = 2,000 pounds) and round to the nearest ton (no decimals). Note: Your estimated tonnage should be for the entire amount of hazardous secondary material to be reclaimed NOT just the quantity of constituent or product reclaimed.

d. Actual Short Tons of Excluded HSM Managed During the Most Recent Odd-Numbered Year

Report the tonnage (using short tons) of each hazardous secondary material you actually managed during the most recent odd-numbered year. For example, if you are submitting this notification on February 20, 2016, enter the amount you actually managed during 2015 (i.e., the tonnage you managed from January 1, 2015 to December 31, 2015). Convert all physical quantities (e.g., gallons, cubic yards, kilograms, metric tons, etc.) to short tons (1 short ton = 2,000 pounds) and round to the nearest ton (no decimals). Note: Your actual tonnage should be for the entire amount of hazardous secondary material that was sent for reclamation NOT just the quantity of constituent or product reclaimed. If this is your initial notification, enter "0."

e. Land-based Unit Code

Using the land-based unit codes, found in the "**HAZARDOUS SECONDARY MATERIAL (HSM) LAND BASED UNIT CODES**" section of this booklet, enter in the 2-digit code that best describes the land-based unit you use or will use to manage the hazardous secondary material. If you do not use any land-based units, enter "NA." If you use the code "OT" (Other), please describe your land-based unit in Item 13 – Comments. If more than one land-based unit code applies to a hazardous secondary material, list it separately using another row.

EXAMPLES FOR REPORTING HAZARDOUS SECONDARY MATERIAL ACTIVITY

EXAMPLE 1

A pharmaceutical manufacturer generates spent solvents that are characteristic for ignitability (D001). The manufacturer plans to manage spent solvents under 40 CFR 261.2(a)(2)(ii) and 261.4(a)(24) by sending some amount to a reclaimer within its own company and the rest off-site to a reclamation facility within the U.S. The manufacturer will not manage any spent solvents in a land-based unit. Following the regulations, the manufacturer submits an initial notification prior to managing its spent solvents under the exclusions. The facility would report its hazardous secondary material activity as follows:

a. Facility code (answer using codes listed in the Code List section of the instructions)	b. Waste Code(s) for hazardous secondary material (HSM)	c. Estimated short tons of HSM to be managed annually	d. Actual short tons of HSM that was managed during the most recent odd-numbered year	e. Land-based unit code (answer using codes listed in the Code List section of the instructions)
02	D001	15	0	NA
06	D001	40	0	NA

EXAMPLE 2

A steel manufacturer generates electric arc furnace dust and spent pickle liquor from one of its steel operations. The manufacturer sends electric arc furnace dust (K061) off-site to a reclamation facility within the U.S. and reclaims spent pickle liquor (K062) on-site. Neither hazardous secondary material is managed in a land-based unit. The steel manufacturer has managed both hazardous secondary material under 40 CFR 261.2(a)(2)(ii) and 261.4(a)(24) for a number of years and it is now time to re-notify. The facility would report its hazardous secondary material activity as follows:

a. Facility code (answer using codes listed in the Code List section of the instructions)	b. Waste Code(s) for hazardous secondary material (HSM)	c. Estimated short tons of HSM to be managed annually	d. Actual short tons of HSM that was managed during the most recent odd-numbered year	e. Land-based unit code (answer using codes listed in the Code List section of the instructions)
01	K062	60	52	NA
06	K061	20,000	22,468	NA

EXAMPLE 3

A reclamation facility has been receiving and reclaiming spent solvents under 40 CFR 261.2(a)(2)(ii) and 261.4(a)(24) for a number of years. The facility receives and reclaims spent solvents from multiple hazardous secondary material generators, some of which are within the same company. No spent solvents are managed in a land-based unit. It is now time to re-notify. The facility would report its hazardous secondary material activity as follows:

a. Facility code (answer using codes listed in the Code List section of the instructions)	b. Waste Code(s) for hazardous secondary material (HSM)	c. Estimated short tons of HSM to be managed annually	d. Actual short tons of HSM that was managed during the most recent odd-numbered year	e. Land-based unit code (answer using codes listed in the Code List section of the instructions)
03	D001; F002; F003; F005	6,000	7,533	NA
03	D001; D035; F002; F003	1,500	918	NA
07	D001; F002; F003; F005	3,000	3,509	NA
07	D001; D038; F002; F003	1,000	523	NA

EXAMPLE 4

A smelting operation generates furnace bricks that are characteristic for chromium (D007) and sends them off-site for reclamation. Before shipping the bricks off-site, the facility manages some of the bricks in a containment building and the rest in a pile on the land. The facility has been managing the bricks under 40 CFR 261.4(a)(24) for a number of years and must now re-notify. The facility would report its activity as follows:

a. Facility code (answer using codes listed in the Code List section of the instructions)	b. Waste Code(s) for hazardous secondary material (HSM)	c. Estimated short tons of HSM to be managed annually	d. Actual short tons of HSM that was managed during the most recent odd-numbered year	e. Land-based unit code (answer using codes listed in the Code List section of the instructions)
06	D007	200	235	NA
06	D007	115	126	PL

EXAMPLE 5

An intermediate facility has been managing wastewater treatment sludges from electroplating operations (F006) for the past seven years but, due to company consolidation, it will soon shut down. In accordance with 40 CFR 260.42, the facility notifies that it will stop managing hazardous secondary material. The facility would report its activity as follows:

a. Facility code (answer using codes listed in the Code List section of the instructions)	b. Waste Code(s) for hazardous secondary material (HSM)	c. Estimated short tons of HSM to be managed annually	d. Actual short tons of HSM that was managed during the most recent odd-numbered year	e. Land-based unit code (answer using codes listed in the Code List section of the instructions)
08	F005	0	5,034	NA

ITEM 3 – FACILITY HAS FINANCIAL ASSURANCE PURSUANT TO 40 CFR 261.4(A)(24)(VI)

Financial assurance is required for reclaimers (07, 11) and intermediate (08) facilities managing hazardous secondary material under 40 CFR 261.4(a)(24) and (25). See EPA's website for more information about these regulations: <http://www.epa.gov/epawaste/hazard/dsw/impresource.htm>.

- Mark "Yes," if you have financial assurance pursuant to 40 CFR 261.4(a)(24)(vi) AND you use at least one facility code that is 07, 08, or 11 in Item 2.a above. For example, the facilities in Examples 3 and 5 above are required to have financial assurance because the facility codes are 07 and 08, respectively.
- Mark "No," if you do NOT have financial assurance pursuant to 40 CFR 261.4(a)(24)(vi). Note: Reclaimers (07, 11) and intermediate (08) facilities must have financial assurance in order to manage hazardous secondary material under 40 CFR 261.4(a)(24) and (25). Answering "No" to this question may mean you are in violation of these regulations if you report facility codes 07, 08, or 11. For example, the facilities in Examples 1, 2, and 4 above are not required to have financial assurance because these facilities did not report facility codes of 07, 08, or 11.

Notification of RCRA Subtitle C Activity

OTHER REFERENCE INFORMATION

AND

CODE LISTS

EXCLUDED WASTES

This section presents a partial list of excluded materials and wastes. This list includes materials excluded from the definition of solid waste in 40 CFR 261.4(a) and solid wastes excluded from the definition of hazardous waste in 40 CFR 261.4(b). In addition, it also includes specific solid waste samples that are excluded from the definition of hazardous waste in 40 CFR 261.4(d)-(f). Finally, this list includes specific hazardous wastes, as described in 40 CFR 261.4(c), that are exempted from certain RCRA Subtitle C regulations.

Agricultural Waste Fertilizer §261.4(b)(2)	Household Waste §261.4(b)(1)(i)-(ii)	Secondary Material Returned to Original Process §261.4(a)(8)
Analytical Samples §261.4(d)	HTMR Condenser Residue §261.4(a)(11)	Secondary Material from Mineral Processing §261.4(a)(17)
Arsenic Treated Wood and Wood Products §261.4(b)(9)	In situ Mining Materials §261.4(a)(5)	Shredded Circuit Boards Being Recycled §261.4(a)(14)
Cement Kiln Dust §261.4(b)(8)	Irrigation Return Flows §261.4(a)(3)	Spent Caustics from Petroleum Refining §261.4(a)(19)
Coking By-products §261.4(a)(10)	Kraft Mill Steam Stripper Condensates §261.4(a)(15)	Spent Wood Preserving Solutions and Wastewaters §261.4(a)(9)
Comparable/Syn gas Fuels §261.4(a)(16)	Leachate §261.4(b)(15)	Sulfuric Acid §261.4(a)(7)
Domestic Sewage §261.4(a)(1)	Mining and Mineral Process Wastes §261.4(b)(7)	Treatability Study Samples §261.4(e)
Dredged Material §261.4(g)	Mining Overburden §261.4(b)(3)	Treatability Studies at Laboratories and Testing Facilities §261.4(f)
Drilling Fluid §261.4(b)(5)	Nuclear Material §261.4(a)(4)	Trivalent Chromium Waste §261.4(b)(6)
Excluded Scrap Metal Being Recycled §261.4(a)(13)	Oil Filters §261.4(b)(13)	Used Oil Distillation Bottoms §261.4(b)(14)
Exported Wastes §262.56	Petrochemical Recovered Oil §261.4(a)(18)	Wastes Generated in Storage Tanks, Transport Vehicles, Pipelines, or Manufacturing Process Units §261.4(c)
Fossil Fuel Emission Control Waste §261.4(b)(4)	Petroleum-contaminated Media and Debris §261.4(b)(10)	Wastewater Point Source Discharge §261.4(a)(2)
Hazardous Secondary Material Generated and Reclaimed Under the Control of the Generator 40 CFR 261.2(a)(2)(ii) 40 CFR 261.4(a)(23)	Petroleum Refining §261.4(a)(12)	
Hazardous Secondary Material Transferred Off-site for Reclamation 40 CFR 261.4(a)(24) 40 CFR 261.4(a)(25)	Pulping Liquor §261.4(a)(6)	
	Refrigerants §261.4(b)(12)	

DEFINITIONS

This section contains definitions of terms helpful for completing the form. For terms defined in the Code of Federal Regulations (CFR), the appropriate citation is provided.

ACCUMULATION – A site that does not hold RCRA Interim Status or a RCRA permit may accumulate hazardous waste for a short period of time before shipping it off-site. The waste must be accumulated in either tanks or containers; it may not be accumulated in surface impoundments.

Generators of more than 1,000 kg (2,200 lbs) of hazardous waste per month may accumulate their waste for up to 90 days before shipping it off-site. Generators of 100 kilograms (kg; 220 pounds [lbs]) to 1,000 kg (2,200 lbs) of hazardous waste per month may accumulate their waste for up to 180 days before shipping it off-site. If the nearest treatment, storage, disposal, or recycling facility to which they can send their waste is more than 200 miles away, they may accumulate their waste for 270 days. See 40 CFR 262.34.

ACT OR RCRA – The Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended by the Hazardous and Solid Waste Amendments of 1984, 42 U.S.C. Section 6901 *et seq.*

ACUTE HAZARDOUS WASTE – Any hazardous waste with an EPA hazardous waste code beginning with the letter “P” (40 CFR 261.33(e)) or any of the following “F” codes: F020, F021, F022, F023, F026, and F027 (40 CFR 261.31). These wastes are subject to stringent quantity standards for accumulation and generation (40 CFR 261.5(e)).

AUTHORIZED REPRESENTATIVE – The person responsible for the overall operation of the site or an operational unit (i.e., part of a site), e.g., superintendent or plant manager, or person of equivalent responsibility.

AUTHORIZED STATE – A State that has obtained authorization from the EPA to direct its own RCRA program.

BOILER – An enclosed device using controlled flame combustion and having the following characteristics:

- The unit has physical provisions for recovering and exporting energy in the form of steam, heated fluids, or heated gases;
- The unit’s combustion chamber and primary energy recovery section(s) are of integral design (i.e., they are physically formed into one manufactured or assembled unit);
- The unit continuously maintains an energy recovery efficiency of at least 60 percent, calculated in terms of the recovered energy compared with the thermal value of the fuel;
- The unit exports and utilizes at least 75 percent of the recovered energy, calculated on an annual basis (excluding recovered heat used internally in the same unit, for example, to preheat fuel or combustion air or drive fans or feedwater pumps); or
- The unit is one which the Regional Administrator has determined, on a case-by-case basis, to be a boiler, after considering the standards in 40 CFR 260.32.

BY-PRODUCT MATERIAL – A by-product material is (1) any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material; and (2) the tailings or wastes produced by the

extraction or concentration of uranium or thorium from any ore processed primarily for its source material content (defined in the Atomic Energy Act of 1954).

CODE OF FEDERAL REGULATIONS (CFR) – Codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the Federal Government. The Code is divided into 50 titles which represent broad areas subject to Federal regulation. Each title is divided into chapters that usually bear the name of the issuing agency. Each chapter is further subdivided into parts covering specific regulatory areas. The CFR title applicable for the Hazardous Waste Report is “40,” as in “40 CFR 262.34.”

CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR (CESQG) OF HAZARDOUS WASTE is a generator who generates less than or equal to the following amounts in a calendar month:

- (i) 100 kilograms (kg; 220 pounds [lbs]) of hazardous waste; **and**
- (ii) 1 kg (2.2 lbs) of acute hazardous wastes listed in sections 261.31, or 261.33(e); **and**
- (iii) 100 kg (220 lbs) of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous wastes listed in sections 261.31, or 261.33(e).

CONFIDENTIAL BUSINESS INFORMATION (CBI) – Information a facility does not wish to make available to the general public for competitive business reasons. Confidential Business Information (CBI) may be claimed for certain information in your submittal. A claim may be made in accordance with 40 CFR Part 2, Subpart B.

DELISTED WASTE – Site-specific wastes excluded from regulation under 40 CFR 260.20 and 260.22. A waste at a particular generating site may be excluded by petitioning the EPA Administrator for a regulatory amendment. These wastes are listed in Appendix IX of 40 CFR Part 261.

DISPOSAL – The discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

ELIGIBLE ACADEMIC ENTITY – A college or university, or a non-profit research institute that is owned by or has a formal written affiliation with a college or university, or a teaching hospital that is owned by or has a formal written affiliation with a college or university pursuant to 40 CFR Part 262, Subpart K (See 40 CFR 262.200).

ENVIRONMENTAL PROTECTION AGENCY (EPA) – The EPA, also called U.S. EPA, means the U.S. Environmental Protection Agency. Some State environmental authorities may be called the EPA also, as in “Illinois EPA.”

EPA IDENTIFICATION (ID) NUMBER – The number assigned by the EPA to each hazardous waste generator, hazardous waste transporter, and treatment, storage, or disposal facility; U.S. importer of hazardous waste; mixed waste (hazardous and radioactive) generator; recycler of hazardous waste; exempt boiler and/or industrial furnace burning or processing hazardous waste; large quantity handler of or destination facility for universal wastes; disposer of hazardous waste with an underground injection permit; used oil transporter, used oil processor/re-refiner, off-specification used oil fuel burner,

used oil fuel marketer; eligible academic entity managing laboratory hazardous waste under Subpart K; or site undergoing corrective action. Additionally, facilities that must notify using the Site ID Form and Addendum to the Site Identification Form that they are managing hazardous secondary material will also be assigned an EPA Identification Number.

EXCLUDED WASTES – Wastes excluded from the definition of solid or hazardous waste under 40 CFR 261.3 and 261.4. For a partial listing, see the “**EXCLUDED WASTES**” section of this booklet.

HAZARDOUS WASTE – A hazardous waste as defined in 40 CFR 261.3.

HAZARDOUS SECONDARY MATERIAL (HSM) – A secondary material (e.g., spent material, by-product, or sludge) that, when discarded, would be identified as hazardous waste under 40 CFR Part 261. Facilities managing hazardous secondary material under 40 CFR 261.2(a)(2)(ii), 40 CFR 261.4(a)(23), (24), or (25) must complete the Addendum to the Site Identification Form: Notification for Managing Hazardous Secondary Material. You must check with your State to determine if you are eligible to manage hazardous secondary material under these exclusions (see also <http://www.epa.gov/epawaste/hazard/dsw/statespf.htm>).

HAZARDOUS WASTE GENERATOR – Any person, by site, whose act or process produces hazardous waste identified or listed in 40 CFR Part 261.

HAZARDOUS WASTE NUMBER OR CODE, EPA – The number (or code) assigned by the EPA to each hazardous waste listed in 40 CFR Part 261, Subpart D and to each characteristic identified in 40 CFR Part 261, Subpart C. The codes consist of one letter (D, F, P, U, or K) and three numbers. For a list of EPA hazardous waste codes see the “**EPA HAZARDOUS WASTE CODES**” section of this booklet.

HAZARDOUS WASTE NUMBER OR CODE, STATE – The number (or code) assigned by the State to each hazardous waste listed in the State regulations. Obtain a list of the States waste codes from your State.

HAZARDOUS WASTE STORAGE – The holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of, or stored elsewhere.

HAZARDOUS WASTE TRANSFER FACILITY – Refer to “Transfer Facility” definition.

HAZARDOUS WASTE TRANSPORTER – Refer to “Transporter” definition.

HAZARDOUS WASTE TREATMENT – Any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize such hazardous waste, or so as to recover energy or material resources from the hazardous waste, or so as to render such hazardous waste nonhazardous, or less hazardous; safer to transport, store, or dispose of; or amenable for recovery, amenable for storage, or reduced in volume. Such term includes any activity or processing designed to change the physical form or composition of hazardous waste so as to render it nonhazardous.

INCINERATION – Burning of certain types of solid, liquid, or gaseous materials; or a treatment technology involving destruction of waste by controlled burning at high temperatures (e.g., burning sludge to

remove the water and reduce the remaining residues to a safe, non-burnable ash that can be disposed safely on land, in some waters, or in underground locations).

INDUSTRIAL FURNACE – Any of the following enclosed devices that are integral components of manufacturing processes and that use thermal treatment to accomplish recovery of materials or energy: cement kilns; lime kilns; aggregate kilns; phosphate kilns; coke ovens; blast furnaces; smelting, melting, and refining furnaces; titanium dioxide chloride process oxidation reactors; methane reforming furnaces; pulping liquor recovery furnaces; combustion devices used in the recovery of sulfur values from spent sulfuric acid; halogen acid furnaces, as defined under industrial furnace in 40 CFR 260.10; and such other devices as the Administrator may add to this list.

INTERIM (PERMIT) STATUS – Period during which the owner/operator of an existing TSD facility is treated as having been issued a RCRA permit even though he/she has not yet received a final determination. An existing facility should have automatically qualified for interim status if the owner/operator filed both timely “notification” and the first part (Part A) of the RCRA permit application. Interim status continues until a final determination is made to issue or deny the permit. Owner/operator of new facilities cannot by definition qualify for interim status; rather, they need a RCRA permit prior to beginning construction of a hazardous waste management facility.

LARGE QUANTITY GENERATOR (LQG) OF HAZARDOUS WASTE – is a generator who generates any of the following amounts in a calendar month:

- (i) Greater than or equal to 1,000 kilograms (kg; 2,200 pounds [lbs]) or more of hazardous waste;
- or**
- (ii) Greater than 1 kg (2.2 lbs) of any acute hazardous wastes listed in §§ 261.31 or 261.33 (e); **or**
- (iii) Greater than 100 kg (220 lbs) of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous wastes listed in sections 261.31 or 261.33(e).

LARGE QUANTITY HANDLER OF UNIVERSAL WASTE (LQHUW) – A universal waste handler (as defined in 40 CFR 273.9) who accumulates 5,000 kilograms (kg) or more total of universal wastes (batteries, pesticides, mercury-containing equipment, or lamps – calculated collectively) at any time. This designation is retained through the end of the calendar year in which the 5,000 kg limit is met or exceeded.

MANAGEMENT, OR HAZARDOUS WASTE MANAGEMENT – Systematic control of the collection, source separation, storage, transportation, processing, treatment, recovery, or disposal of hazardous waste (40 CFR 260.10).

MANIFEST, UNIFORM HAZARDOUS WASTE – The shipment document EPA Form 8700-22 and, if necessary, Form 8700-22A, originated and signed by a generator in accordance with the instructions included in the Appendix to 40 CFR Part 262. The “cradle-to-grave” paperwork must accompany a shipment of hazardous waste as it moves from the generator to the transporter and eventually to the hazardous waste management facility.

MIXED WASTE – Waste that contains both hazardous and source, special nuclear, or by-product material subject to the Atomic Energy Act (AEA), RCRA section 1004(41), 42 U.S.C. 6903 (63 FR 17414; April 9, 1998).

MUNICIPALITY – A city, village, town, borough, county, parish, district, association, Indian tribe or authorized Indian tribal organization, designated and approved management agency under Section 208 of the Clean Water Act, or any other public body created by or under State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

OFF-SITE FACILITY – A hazardous waste treatment, storage, disposal, or recycling area located at a place away from the generating site.

OFF-SPECIFICATION USED OIL BURNER – A site where used oil not meeting the specification requirements in 40 CFR 279.11 (off-specification used oil) is burned for energy recovery in devices identified in Section 279.61(a).

OFF-SPECIFICATION USED OIL FUEL – Used oil fuel that does not meet the specification provided under 40 CFR 279.11.

ON-SITE FACILITY – A hazardous waste treatment, storage, disposal, or recycling area located on the generating site.

ON-SPECIFICATION USED OIL FUEL – Used oil fuel that meets the specification provided under 40 CFR 279.11.

OPERATOR – The person responsible for the overall operation of a RCRA site. Note: This is the legal entity which controls the RCRA site operation rather than the plant or site manager. This is usually a company or business name, not an individual. See **Person**.

OWNER – The person who owns a RCRA site or part of a RCRA site. Note: This includes the owner(s) of the building(s) and/or land. This may be an individual, company, or business name. See **Person**.

PERSON – An individual, trust, firm, joint stock company, Federal Agency, corporation (including a government corporation), partnership, association, State, municipality, commission, political subdivision of a State, or any interstate body.

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) – The Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act (RCRA) (40 CFR 270.2). It is the Federal statute that regulates the generation, treatment, storage, disposal, recycling, and/or transportation of solid and hazardous waste.

RCRA INTERIM (PERMIT) STATUS – Refer to “Interim (Permit) Status” definition.

RCRA PERMIT – A complete RCRA permit is comprised of an operating permit for hazardous waste treatment, storage, and disposal, and a corrective action permit addressing releases from solid waste management unit (SWMUs). To apply for a permit, a site must file a two-part application (Part A and Part B). A facility is not considered to have a complete RCRA permit until both parts have been issued.

RCRA SUBTITLE C SITE (RCRA SITE OR SITE) – The physical plant or location at which one or more of the following regulated waste activities occurs: the generation, transportation, treatment, storage, or

disposal of hazardous wastes; recycling of hazardous wastes; U.S. importer of hazardous waste; mixed waste (hazardous and radioactive) generator; exempt boiler and/or industrial furnace burning or processing hazardous waste; large quantity handler of or destination facility for universal wastes; disposing hazardous waste with an underground injection permit; the transportation (and temporary storage during transportation), processing/re-refining, burning, or marketing of used oil; eligible academic entity managing laboratory hazardous waste under Subpart K; facility managing hazardous secondary material being reclaimed that must comply with certain requirements and conditions; or undergoing corrective action.

A site may consist of several treatment, storage, or disposal operational units. For entities that only transport regulated wastes, the term site refers to the headquarters of that entity's operations.

RECYCLING – Use, reuse, or reclamation of a material (40 CFR 261.1(c)(7)). “Reclamation” is the processing or regeneration of a material to recover a usable product (e.g., recovery of lead values from spent batteries, regeneration of spent solvents) (40 CFR 261.1(c)(4)). A material is “used or reused” if it is either: (1) employed as an ingredient (including use as an intermediate) in an industrial process to make a product (e.g., distillation bottoms from one process used as feedstock in another process) (40 CFR 261.1(c)(5)). However, a material will not satisfy this condition if distinct components of the material are recovered as separate end products (as when metals are recovered from metal-containing secondary material); or (2) a commercial product (e.g., spent pickle liquor used as phosphorous precipitant and sludge conditioner in wastewater treatment).

SMALL QUANTITY GENERATOR (SQG) OF HAZARDOUS WASTE – is a generator if the site meets **all** of the following criteria:

- (i) Generates, in any calendar month, more than 100 kilograms (kg; 220 pounds [lbs]) but less than 1,000 kg (2,200 lbs) of RCRA hazardous waste; **and**
- (ii) Does not generate, in any calendar month, more than 1 kg (2.2 lbs) of acute hazardous waste listed in sections 261.31 or 261.33(e); **and**
- (iii) Does not generate more than 100 kg (220 lbs) of material from the cleanup of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous wastes listed in sections 261.31 or 261.33(e).

SMALL QUANTITY ON-SITE BURNER EXEMPTION – The persons who burn small quantity of hazardous waste in an on-site boiler or industrial furnace, in accordance with 40 CFR 266.108, are conditionally exempt from regulation for that activity.

SMELTING, MELTING, AND REFINING FURNACE EXEMPTION – Under 40 CFR 266.100(c), owners or operators of smelting, melting, and refining furnaces that process hazardous wastes solely for metals recovery are conditionally exempt from regulation, except for 40 CFR 266.101 and 266.112, provided they comply with limited requirements set forth in Section 266.100(c). Similarly, 40 CFR 266.100(f) provides that owners or operators of smelting, melting, and refining furnaces that process hazardous wastes for the recovery of precious metals are conditionally exempt from regulation, except for 40 CFR 266.112, provided they comply with limited requirements specified in Section 266.100(f).

SOLID WASTE – Any garbage, refuse, or sludge, or other materials not excluded under 40 CFR 261.4(a). Exclusions include, for example, domestic sewage and any mixture of other wastes that pass

through a sewer system to a publicly owned treatment works (POTWs); industrial wastewater discharges that are point source discharges subject to regulation under the Clean Water Act; irrigation return flows; nuclear materials defined by the Atomic Energy Act; and in situ mining materials (see the **“EXCLUDED WASTES”** section of this booklet). Wastewaters being collected, stored, or treated before discharge and sludges generated by wastewater treatment are not excluded. The EPA defines hazardous waste as a subset of solid waste.

SOURCE MATERIAL – As defined by the Atomic Energy Act of 1954: (1) Uranium, thorium, or any other material determined by the Nuclear Regulatory Commission pursuant to the provisions of Section 2091 of this title to be source material; or (2) ores containing one or more of the foregoing materials in such concentration as the Commission may by regulation determine from time to time.

SPECIAL NUCLEAR MATERIAL – As defined by the Atomic Energy Act of 1954: (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Nuclear Regulatory Commission, pursuant to the provisions of Section 2071 of this title, determines to be special nuclear material, but does not include source material; or (2) any material artificially enriched by any of the foregoing, but does not include source material.

SUBPART K – An alternative set of generator requirements for managing laboratory hazardous waste at eligible academic entities. Generators that are eligible academic entities with laboratories may elect to opt into 40 CFR 262 Subpart K and manage their laboratory hazardous waste under Subpart K in lieu of 40 CFR 262.34(c) (or 40 CFR 261.5 for CESQGs). In order for eligible academic entities (see definition) to opt into Subpart K or subsequently withdraw from Subpart K, they must use the Site ID Form to notify the appropriate State or EPA Regional Office. Refer to 40 CFR 262.203 and 262.204. Note: You must check with your State to determine if you are eligible to manage laboratory hazardous waste pursuant to 40 CFR Part 262 Subpart K and for any State-specific requirements.

TOLLING – Tolling arrangements describe a particular type of recycling contract between two companies. Specifically, the “tolling” company certifies that it has a contract with a manufacturer to produce a product, and that manufacturing process generates a residual material that can be recycled by the tolling company. If the tolling company certifies that the contract specifies that the tolling company owns and has responsibility for the recyclable material once it is generated, and the material is returned to the tolling company for reclamation, and subsequently recycled, the material is excluded from regulation (under 40 CFR 261.2(a)(2)(ii) or 261.4(a)(23)), provided certain requirements are met.

TRANSFER FACILITY – Any transportation-related facility including loading docks, parking areas, storage areas, and other similar areas where shipments of hazardous waste are held for 10 days or less during the normal course of transportation (40 CFR 260.10 and 40 CFR 263.12).

TRANSPORTER – A person engaged in the off-site transportation of hazardous waste by air, rail, highway, or water.

UNDERGROUND INJECTION CONTROL – The subsurface emplacement of fluids through a bored, drilled or driven well; or through a dug well, where the depth of the dug well is greater than the largest surface dimension. Underground injection wells are regulated under both the Safe Drinking Water Act and the Resource Conservation and Recovery Act (see 40 CFR Part 148).

UNITED STATES IMPORTER – Any person who imports hazardous waste from a foreign country into the U.S. This does not include hazardous waste shipped from a foreign Department of Defense site, Maquiladora, U.S. territory or protectorate.

UNIVERSAL WASTE – Any of the following hazardous wastes that are managed under the universal waste requirements of 40 CFR Part 273: batteries, pesticides, mercury-containing equipment, and lamps. Some States may have State-specific universal wastes defined as well.

USED OIL – Any oil that has been refined from crude oil, or any synthetic oil, that has been used, and as a result of such use, is contaminated by physical or chemical impurities.

USED OIL FUEL MARKETER – Any person who conducts either of the following activities:

1. Directs a shipment of off-specification used oil from their site to an off-specification used oil burner; or
2. First claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in 40 CFR 279.11.

USED OIL MANAGEMENT ACTIVITIES – For the purposes of the Site ID Form, includes used oil transportation; used oil processing and re-refining; burning off-specification used oil fuel; and used oil fuel marketing.

USED OIL PROCESSING – Chemical or physical operations designed to produce from used oil, or to make used oil more amenable for production of, fuel oils, lubricants, or other used oil-derived products. Processing includes, but is not limited to: blending used oil with virgin petroleum products, blending used oils to meet the fuel specification, filtration, simple distillation, chemical or physical separation, and re-refining.

USED OIL PROCESSOR – A site that processes on-specification or off-specification used oil.

USED OIL RE-REFINER – A site that produces lubricating oils and greases, industrial fuel, asphalt extender, gasoline, and other products from on-specification or off-specification used oil.

USED OIL TRANSFER FACILITY – Any transportation-related facility, including loading docks, parking areas, storage areas, and other areas where shipments of used oil are held for more than 24 hours during the normal course of transportation and not longer than 35 days. Transfer facilities that store used oil for more than 35 days are subject to regulation under 40 CFR Part 279, Subpart F.

USED OIL TRANSPORTER – Any person who transports used oil, any person who collects used oil from more than one generator and transports the collected oil, and owners and operators of used oil transfer facilities. Used oil transporters may consolidate or aggregate loads of used oil for purposes of transportation but, with the following exception, may not process used oil. Used oil transporters may conduct incidental processing operations that occur in the normal course of used oil transportation (e.g., settling and water separation), but that are not designed to produce (or make more amenable for production of) used oil-derived products or used oil fuel.

EPA HAZARDOUS WASTE CODES

A list of all the hazardous waste codes is shown below. See the regulations for details.

CHARACTERISTICS OF HAZARDOUS WASTE (SEE 40 CFR 261.24) – DXXX

HAZARDOUS WASTE FROM NON-SPECIFIC SOURCES (SEE 40 CFR 261.31) – FXXX

HAZARDOUS WASTE FROM SPECIFIC SOURCES (SEE 40 CFR 261.32) - KXXX

DISCARDED COMMERCIAL CHEMICAL PRODUCTS, OFF-SPECIFICATION SPECIES, CONTAINER RESIDUES, AND SPILL RESIDUES THEREOF – ACUTE HAZARDOUS WASTE (SEE 40 CFR 261.33) – PXXX

DISCARDED COMMERCIAL CHEMICAL PRODUCTS, OFF-SPECIFICATION SPECIES, CONTAINER RESIDUES, AND SPILL RESIDUES THEREOF – TOXIC WASTES (SEE 40 CFR 261.33) – UXXX

D001	F001	K001	K047	K123	P001	P050	P106	U001	U048	U095	U143	U189	U247
D002	F002	K002	K048	K124	P002	P051	P108	U002	U049	U096	U144	U190	U248
D003	F003	K003	K049	K125	P003	P054	P109	U003	U050	U097	U145	U191	U249
D004	F004	K004	K050	K126	P004	P056	P110	U004	U051	U098	U146	U192	U271
D005	F005	K005	K051	K131	P005	P057	P111	U005	U052	U099	U147	U193	U278
D006	F006	K006	K052	K132	P006	P058	P112	U006	U053	U101	U148	U194	U279
D007	F007	K007	K060	K136	P007	P059	P113	U007	U055	U102	U149	U196	U280
D008	F008	K008	K061	K141	P008	P060	P114	U008	U056	U103	U150	U197	U328
D009	F009	K009	K062	K142	P009	P062	P115	U009	U057	U105	U151	U200	U353
D010	F010	K010	K069	K143	P010	P063	P116	U010	U058	U106	U152	U201	U359
D011	F011	K011	K071	K144	P011	P064	P118	U011	U059	U107	U153	U202	U364
D012	F012	K013	K073	K145	P012	P065	P119	U012	U060	U108	U154	U203	U367
D013	F019	K014	K083	K147	P013	P066	P120	U014	U061	U109	U155	U204	U372
D014	F020	K015	K084	K148	P014	P067	P121	U015	U062	U110	U156	U205	U373
D015	F021	K016	K085	K149	P015	P068	P122	U016	U063	U111	U157	U206	U387
D016	F022	K017	K086	K150	P016	P069	P123	U017	U064	U112	U158	U207	U389
D017	F023	K018	K087	K151	P017	P070	P127	U018	U066	U113	U159	U208	U394
D018	F024	K019	K088	K156	P018	P071	P128	U019	U067	U114	U160	U209	U395
D019	F025	K020	K093	K157	P020	P072	P185	U020	U068	U115	U161	U210	U404
D020	F026	K021	K094	K158	P021	P073	P188	U021	U069	U116	U162	U211	U409
D021	F027	K022	K095	K159	P022	P074	P189	U022	U070	U117	U163	U213	U410
D022	F028	K023	K096	K161	P023	P075	P190	U023	U071	U118	U164	U214	U411
D023	F032	K024	K097	K169	P024	P076	P191	U024	U072	U119	U165	U215	
D024	F034	K025	K098	K170	P026	P077	P192	U025	U073	U120	U166	U216	
D025	F035	K026	K099	K171	P027	P078	P194	U026	U074	U121	U167	U217	
D026	F037	K027	K100	K172	P028	P081	P196	U027	U075	U122	U168	U218	
D027	F038	K028	K100	K174	P029	P082	P197	U028	U076	U123	U169	U219	
D028	F039	K029	K101	K175	P030	P084	P198	U029	U077	U124	U170	U220	
D029		K030	K102	K176	P031	P085	P199	U030	U078	U125	U171	U221	
D030		K031	K103	K177	P033	P087	P201	U031	U079	U126	U172	U222	
D031		K032	K104	K178	P034	P088	P202	U032	U080	U127	U173	U223	
D032		K033	K105	K181	P036	P089	P203	U033	U081	U128	U174	U225	
D033		K034	K106		P037	P092	P204	U034	U082	U129	U176	U226	
D034		K035	K107		P038	P093	P205	U035	U083	U130	U177	U227	
D035		K036	K108		P039	P094		U036	U084	U131	U178	U228	
D036		K037	K109		P040	P095		U037	U085	U132	U179	U234	
D037		K038	K110		P041	P096		U038	U086	U133	U180	U235	
D038		K039	K111		P042	P097		U039	U087	U134	U181	U236	
D039		K040	K112		P043	P098		U041	U088	U135	U182	U237	
D040		K041	K113		P044	P099		U042	U089	U136	U183	U238	
D041		K042	K114		P045	P101		U043	U090	U137	U184	U239	
D042		K043	K115		P046	P102		U044	U091	U138	U185	U240	
D043		K044	K116		P047	P103		U045	U092	U140	U186	U243	
		K045	K117		P048	P104		U046	U093	U141	U187	U244	
		K046	K118		P049	P105		U047	U094	U142	U188	U246	

HAZARDOUS SECONDARY MATERIAL (HSM) FACILITY CODES

Facility codes describe the specific regulation a facility uses to manage its hazardous secondary material (HSM) and the type of activity the facility performs under the regulation (e.g., generator, reclaimer). Review the groups and pick the appropriate code. If more than one facility code applies to you, enter each code on a separate row under Item 2 of the Addendum to the Site ID Form.

Under Control of the Generator Exclusion (40 CFR 261.2(a)(2)(ii) or 261.4(a)(23))	
Code	Facility Code Description
01	HSM Generator reclaiming HSM "on-site": This code applies if you generate and reclaim hazardous secondary material at your generating facility. <i>See also paragraph (1) in the Federal definition of "Hazardous secondary material generated and reclaimed under the control of the generator" in 40 CFR Part 260.10.</i>
02	HSM Generator transferring HSM to reclaimer within the "same company": This code applies if you generate hazardous secondary material and send the material for reclamation to a different facility that is either controlled by you or controlled by the same person that controls your generating facility. <i>See also paragraph (2) in the Federal definition of "Hazardous secondary material generated and reclaimed under the control of the generator" in 40 CFR Part 260.10.</i>
03	Reclaimer receiving HSM from HSM generator within the "same company": This code applies if you receive and reclaim hazardous secondary material from a different facility that either controls you or is controlled by the same person that controls you. <i>See also paragraph (2) in the Federal definition of "Hazardous secondary material generated and reclaimed under the control of the generator" in 40 CFR Part 260.10.</i>
04	Tolling Contractor reclaiming HSM pursuant to a tolling contract: This code applies if you are a tolling contractor that reclaims hazardous secondary material pursuant to a written contract with a toll manufacturer. <i>See also paragraph (3) in the Federal definition of "Hazardous secondary material generated and reclaimed under the control of the generator" in 40 CFR Part 260.10.</i>
05	Toll Manufacturer managing HSM pursuant to a tolling contract: This code applies if you generate and send hazardous secondary material for reclamation to a tolling contractor pursuant to a written contract. <i>See also paragraph (3) in the Federal definition of "Hazardous secondary material generated and reclaimed under the control of the generator" in 40 CFR Part 260.10.</i>

Transfer-based Exclusion (40 CFR 261.4(a)(24))	
Code	Facility Code Description
06	HSM Generator transferring HSM off-site to a domestic reclamation facility: This code applies if you generate and send hazardous secondary material for reclamation to an off-site domestic reclamation facility.
07	Reclaimer receiving HSM from off-site: This code applies if you reclaim hazardous secondary material received from an off-site domestic hazardous secondary material generator or other domestic facility.
08	Intermediate facility: This code applies if you receive hazardous secondary material from an off-site domestic hazardous secondary material generator or another domestic facility and you store it for more than ten days. This code does not apply if you generate or reclaim the hazardous secondary material.

Imports/Exports (40 CFR 261.4(a)(24) or (25))	
Code	Facility Code Description
09	HSM Generator exporting HSM off-site to a foreign reclamation facility: This code applies if you generate and export hazardous secondary material for reclamation to a foreign reclamation facility.
10	HSM Generator importing HSM from a foreign entity to send to another domestic reclamation facility: This code applies if you import hazardous secondary material from a foreign entity and send the material for reclamation to a domestic reclamation facility.
11	HSM Generator AND Reclaimer of imported HSM: This code applies if you import hazardous secondary material from a foreign entity and reclaim the material at your facility.

HAZARDOUS SECONDARY MATERIAL (HSM) LAND-BASED UNIT CODES

A 2-digit code that best describes the land-based unit you use or will use to manage the hazardous secondary material.

Code	Land-based Unit Code Description
NA	Do not use land-based units to manage hazardous secondary material.
SI	Use surface impoundment(s) to manage hazardous secondary material. A surface impoundment is a natural topographic depression, man-made excavation or diked area formed primarily of earthen materials (although it may be lined with man-made materials), which is designed to hold an accumulation of liquid hazardous secondary materials or materials containing free liquids and which is not an injection well.
PL	Use pile(s) to manage hazardous secondary material. Pile means any non-containerized accumulation of solid, non-flowing hazardous secondary material that is used for storage and is not a containment building.
OT	Use other land-based unit(s) to manage hazardous secondary material.

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<p>SEND COMPLETED FORM TO: The Appropriate State or Regional Office.</p>	<p>United States Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION FORM</p>		
<p>1. Reason for Submittal</p> <p>MARK ALL BOX(ES) THAT APPLY</p>	<p>Reason for Submittal:</p> <p><input type="checkbox"/> To provide an Initial Notification (first time submitting site identification information / to obtain an EPA ID number for this location)</p> <p><input type="checkbox"/> To provide a Subsequent Notification (to update site identification information for this location)</p> <p><input type="checkbox"/> As a component of a First RCRA Hazardous Waste Part A Permit Application</p> <p><input type="checkbox"/> As a component of a Revised RCRA Hazardous Waste Part A Permit Application (Amendment # _____)</p> <p><input type="checkbox"/> As a component of the Hazardous Waste Report (If marked, see sub-bullet below)</p> <p><input type="checkbox"/> Site was a TSD facility and/or generator of >1,000 kg of hazardous waste, >1 kg of acute hazardous waste, or >100 kg of acute hazardous waste spill cleanup in one or more months of the report year (or State equivalent LQG regulations)</p>		
<p>2. Site EPA ID Number</p>	<p>EPA ID Number <input type="text"/> <input type="text"/></p>		
<p>3. Site Name</p>	<p>Name: _____</p>		
<p>4. Site Location Information</p>	<p>Street Address: _____</p>		
	<p>City, Town, or Village: _____</p>		
	<p>State: _____</p>	<p>Country: _____</p>	<p>County: _____</p>
<p>5. Site Land Type</p>	<p><input type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Tribal <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other</p>		
	<p>6. NAICS Code(s) for the Site (at least 5-digit codes)</p>	<p>A. <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p>	<p>C. <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p>
<p>7. Site Mailing Address</p>	<p>Street or P.O. Box: _____</p>		
	<p>City, Town, or Village: _____</p>		
	<p>State: _____</p>	<p>Country: _____</p>	<p>Zip Code: _____</p>
<p>8. Site Contact Person</p>	<p>First Name: _____</p>	<p>MI: _____</p>	<p>Last: _____</p>
	<p>Title: _____</p>		
	<p>Street or P.O. Box: _____</p>		
	<p>City, Town or Village: _____</p>		
	<p>State: _____</p>	<p>Country: _____</p>	<p>Zip Code: _____</p>
	<p>Email: _____</p>		
	<p>Phone: _____</p>	<p>Ext.: _____</p>	<p>Fax: _____</p>
<p>9. Legal Owner and Operator of the Site</p>	<p>A. Name of Site's Legal Owner: _____</p>		<p>Date Became Owner: _____</p>
	<p>Owner Type: <input type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Tribal <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other</p>		
	<p>Street or P.O. Box: _____</p>		
	<p>City, Town, or Village: _____</p>		<p>Phone: _____</p>
	<p>State: _____</p>	<p>Country: _____</p>	<p>Zip Code: _____</p>
	<p>B. Name of Site's Operator: _____</p>		<p>Date Became Operator: _____</p>
	<p>Operator Type: <input type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Tribal <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other</p>		

10. Type of Regulated Waste Activity (at your site)

Mark "Yes" or "No" for all current activities (as of the date submitting the form); complete any additional boxes as instructed.

A. Hazardous Waste Activities; Complete all parts 1-10.

- Y N **1. Generator of Hazardous Waste**
 If "Yes," mark only one of the following – a, b, or c.
- a. LQG: Generates, in any calendar month, 1,000 kg/mo (2,200 lbs/mo.) or more of hazardous waste; or Generates, in any calendar month, or accumulates at any time, more than 1 kg/mo (2.2 lbs/mo) of acute hazardous waste; or Generates, in any calendar month, or accumulates at any time, more than 100 kg/mo (220 lbs/mo) of acute hazardous spill cleanup material.
- b. SQG: 100 to 1,000 kg/mo (220 – 2,200 lbs/mo) of non-acute hazardous waste.
- c. CESQG: Less than 100 kg/mo (220 lbs/mo) of non-acute hazardous waste.

If "Yes" above, indicate other generator activities in 2-10.

- Y N **2. Short-Term Generator** (generate from a short-term or one-time event and not from on-going processes). If "Yes," provide an explanation in the Comments section.
- Y N **3. United States Importer of Hazardous Waste**
- Y N **4. Mixed Waste (hazardous and radioactive) Generator**

- Y N **5. Transporter of Hazardous Waste**
 If "Yes," mark all that apply.
- a. Transporter
- b. Transfer Facility (at your site)

- Y N **6. Treater, Storer, or Disposer of Hazardous Waste** Note: A hazardous waste Part B permit is required for these activities.

- Y N **7. Recycler of Hazardous Waste**

- Y N **8. Exempt Boiler and/or Industrial Furnace**
 If "Yes," mark all that apply.
- a. Small Quantity On-site Burner Exemption
- b. Smelting, Melting, and Refining Furnace Exemption

- Y N **9. Underground Injection Control**

- Y N **10. Receives Hazardous Waste from Off-site**

B. Universal Waste Activities; Complete all parts 1-2.

- Y N **1. Large Quantity Handler of Universal Waste (you accumulate 5,000 kg or more) [refer to your State regulations to determine what is regulated]. Indicate types of universal waste managed at your site. If "Yes," mark all that apply.**
- a. Batteries
- b. Pesticides
- c. Mercury containing equipment
- d. Lamps
- e. Other (specify) _____
- f. Other (specify) _____
- g. Other (specify) _____

- Y N **2. Destination Facility for Universal Waste**
 Note: A hazardous waste permit may be required for this activity.

C. Used Oil Activities; Complete all parts 1-4.

- Y N **1. Used Oil Transporter**
 If "Yes," mark all that apply.
- a. Transporter
- b. Transfer Facility (at your site)

- Y N **2. Used Oil Processor and/or Re-refiner**
 If "Yes," mark all that apply.
- a. Processor
- b. Re-refiner

- Y N **3. Off-Specification Used Oil Burner**

- Y N **4. Used Oil Fuel Marketer**
 If "Yes," mark all that apply.
- a. Marketer Who Directs Shipment of Off-Specification Used Oil to Off-Specification Used Oil Burner
- b. Marketer Who First Claims the Used Oil Meets the Specifications

D. Eligible Academic Entities with Laboratories—Notification for opting into or withdrawing from managing laboratory hazardous wastes pursuant to 40 CFR Part 262 Subpart K

❖ You can ONLY Opt into Subpart K if:

- you are at least one of the following: a college or university; a teaching hospital that is owned by or has a formal affiliation agreement with a college or university; or a non-profit research institute that is owned by or has a formal affiliation agreement with a college or university; AND
- you have checked with your State to determine if 40 CFR Part 262 Subpart K is effective in your state

Y N 1. Opting into or currently operating under 40 CFR Part 262 Subpart K for the management of hazardous wastes in laboratories
See the item-by-item instructions for definitions of types of eligible academic entities. Mark all that apply:

- a. College or University
- b. Teaching Hospital that is owned by or has a formal written affiliation agreement with a college or university
- c. Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

Y N 2. Withdrawing from 40 CFR Part 262 Subpart K for the management of hazardous wastes in laboratories

11. Description of Hazardous Waste

A. Waste Codes for Federally Regulated Hazardous Wastes. Please list the waste codes of the Federal hazardous wastes handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more spaces are needed.

B. Waste Codes for State-Regulated (i.e., non-Federal) Hazardous Wastes. Please list the waste codes of the State-Regulated hazardous wastes handled at your site. List them in the order they are presented in the regulations. Use an additional page if more spaces are needed.

ADDENDUM TO THE SITE IDENTIFICATION FORM: NOTIFICATION OF HAZARDOUS SECONDARY MATERIAL ACTIVITY



ONLY fill out this form if:

- ❖ You are located in a State that allows you to manage excluded hazardous secondary material (HSM) under 40 CFR 261.2(a)(2)(ii), 261.4(a)(23), (24), or (25) (or state equivalent). See <http://www.epa.gov/epawaste/hazard/dsw/statespf.htm> for a list of eligible states; **AND**
- ❖ You are or will be managing excluded HSM in compliance with 40 CFR 261.2(a)(2)(ii), 261.4(a)(23), (24), or (25) (or state equivalent) or you have stopped managing excluded HSM in compliance with the exclusion(s) and do not expect to manage any amount of excluded HSM under the exclusion(s) for at least one year. Do not include any information regarding your hazardous waste activities in this section.

1. Indicate reason for notification. Include dates where requested.

- Facility will begin managing excluded HSM as of _____ (mm/dd/yyyy).
- Facility is still managing excluded HSM/re-notifying as required by March 1 of each even-numbered year.
- Facility has stopped managing excluded HSM as of _____ (mm/dd/yyyy) and is notifying as required.

2. Description of excluded HSM activity. Please list the appropriate codes and quantities in **short tons** to describe your excluded HSM activity ONLY (do not include any information regarding your hazardous wastes). Use additional pages if more space is needed.

a. Facility code (answer using codes listed in the Code List section of the instructions)	b. Waste code(s) for HSM	c. Estimated short tons of excluded HSM to be managed annually	d. Actual short tons of excluded HSM that was managed during the most recent odd-numbered year	e. Land-based unit code (answer using codes listed in the Code List section of the instructions)

3. Facility has financial assurance pursuant to 40 CFR 261.4(a)(24)(vi). (Financial assurance is required for reclaimers and intermediate facilities managing excluded HSM under 40 CFR 261.4(a)(24) and (25))

Y N Does this facility have financial assurance pursuant to 40 CFR 261.4(a)(24)(vi)?

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ATTACHMENT 3
CHECKLISTS FOR PART B APPLICATION

**REGULATORY COMPLETENESS CHECKLIST FOR
HAZARDOUS WASTE STORAGE, TREATMENT AND DISPOSAL FACILITIES**

Facility Name _____
 EPA ID Number _____
 Address _____

 Contact Name _____
 Contact Telephone No. _____

Permit Review Team _____

 Date Application Received _____
 Date Review Completed _____

Guidance Documents for Part A

- (1) RCRA Part A Permit Application Form, November 2009.

Subject Requirement and 40 CFR Reference	Location in Application and Comments
PART A – APPLICATION RCRA Subtitle C Site Identification Form {270.10, 270.11 and 270.13} 1. Reason for Submittal (Check one of the following) [Guidance(1) - pages 13 and 14] - As a component of a First RCRA Hazardous Waste Part A Permit Application. - As a component of a Revised RCRA Hazardous Waste Part A Permit Application (provide amendment number).	
2. EPA ID Number {270.13(g)} [Guidance(1) - page 14]	
3. Site Name {270.13(b)} [Guidance(1) - page 14]	
4. Site Location {270.13(b)} [Guidance(1) - pages 14] - Street Address - City, Town, or Village - County - State - Country Name - Zip Code	
5. Site Land Type (Check one of the following) {270.13(b)} [Guidance(1) - page 14] - Private - County - District - Federal - Indian - Municipal - State - Other	
6. NAICS Code (can be found at www.census.gov/epcd/naics/naicscod.txt)	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
[Guidance(1) - page 14]	
7. Site Mailing Address	
{270.13(b)}	
[Guidance(1) - page 15]	
- Street or P.O. Box	
- City, Town, or Village	
- State	
- County Name	
- Zip Code	
8. Site Contact Person	
[Guidance(1) - page 16]	
(The facility contact should be someone located at the facility.)	
- First Name	
- Middle Initial	
- Last Name	
- Title	
- Street or P.O. Box	
- City, Town, or Village	
- State	
- Country	
- Zip Code	
- Email	
- Telephone number	
- Telephone Extension	
- Fax Number	
9. A. Legal Owner and Operator of Site	
{270.13(d)}	
[Guidance(1) - pages 16 and 17]	
- Name of Site's Legal Owner	
- Date Became Owner	
- Owner Type (Check one of the following)	
{270.13(b)}	
[Guidance(1) - page 16]	
• Private	
• County	
• District	
• Federal	
• Indian	
• Municipal	
• State	
• Other	
- Street or P.O. Box	
- City, Town, or Village	
- Telephone Number	
- State	
- Country	
- Zip Code	
B. Legal Owner and Operator of Site	
{270.13(d)}	
[Guidance(1) - pages 16 and 17]	
- Name of Site's Operator	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> - Date Became Operator 	
<ul style="list-style-type: none"> - Operator Type (Check one of the following) {270.13(b)} [Guidance(1) - page 26] <ul style="list-style-type: none"> • Private • County • District • Federal • Indian • Municipal • State • Other 	
<p>10. Type of Regulated Waste Activity [Guidance(1) - pages 19 to 24]</p> <p>a) Hazardous Waste Activities</p> <p>1) Generator of Hazardous Waste (Check one of the following three)</p> <ul style="list-style-type: none"> a) LQG b) SQG c) CESQG <p>(Check all that apply)</p> <ul style="list-style-type: none"> d) Short Term Generator (If yes, provide an explanation in the Comments section.) e) US Importer of Hazardous Waste f) Mixed Waste Generator 	
<p>(For items 2 through 6, check all that apply)</p> <p>2) Transporter of Hazardous Waste</p> <ul style="list-style-type: none"> a) Transporter b) Transfer Facility (at your site) <p>3) Treater, Storer or Disposer of Hazardous Waste</p> <p>4) Recycler of Hazardous Waste</p> <p>5) Exempt BIF</p> <ul style="list-style-type: none"> a) Small Quantity On-Site Burner Exemption b) Smelting, Melting, and Refining Furnace Exemption <p>6) Underground Injection Control</p> <p>7) Receives Hazardous Waste From Off-Site</p>	
<p>b) Universal Waste Activities (Check all that apply)</p> <p>1) Large Quantity Handler of Hazardous Waste</p> <ul style="list-style-type: none"> a) Batteries b) Pesticides c) Mercury containing Equipment d) Lamps e) Other (Specify) f) Other (Specify) g) Other (Specify) <p>2) Destination Facility for Universal Waste</p>	
<p>c) Used Oil Activities (Check all that apply)</p> <p>1) Used Oil Transporter</p> <ul style="list-style-type: none"> c) Transporter d) Transfer Facility (at your site) <p>2) Used Oil Processor and/or Refiner</p> <ul style="list-style-type: none"> a) Processor b) Re-refiner 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
3) Off-Specification Used Oil Burner 4) Used Oil Marketer a) Directs Shipment b) First Claims meets Used Oil Specifications	
d) Eligible Academic Entities with Laboratories— Notification for opting into or withdrawing from managing laboratory hazardous wastes pursuant to 40 CFR Part 262 Subpart K 5) Opting into or currently operating under 40 CFR 262 Subpart K a) College or University b) Teaching Hospital c) Non-profit Institute d) Withdrawing from 40 CFR 262 Subpart K	
11. Description of Hazardous Waste [Guidance(1) - pages 24 and 25]	
12. Notification of Hazardous Secondary Material Activity [Guidance(1) - page 25]	
13. Comments [Guidance(1) - page 25]	
14. Certifications {270.11(a), 270.11(b), 270.11(d)} [Guidance(1) - page 26]	
- Owner Certification (Signature, Name and Official Title, Date)	
- Operator Certification (Signature, Name and Official Title, Date)	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
PART A – APPLICATION Hazardous Waste Permit Information Form {270.10, 270.11 and 270.13}	
1. Facility Permit Contact [Guidance(1) - page 33] (The facility contact should be someone located at the facility.)	
- First Name	
- Middle Initial	
- Last Name	
- Telephone number	
- Telephone Extension	
- Fax Number	
2. Facility Permit Contact Mailing Address {270.13(b)} [Guidance(1) - page 33]	
- Street or P.O. Box	
- City, Town, or Village	
- State	
- Country	
- Zip Code	
3. Operator Mailing Address {270.13(b)} [Guidance(1) - page 33]	
- Street or P.O. Box	
- City, Town, or Village	
- State	
- Phone Number	
- Country	
- Zip Code	
4. Facility Existence Date {270.13(b)} [Guidance(1) - page 33]	
5. Other Environmental Permits {270.13(k)} [Guidance(1) - pages 33 and 34]	
- Permit type (N, P, R, U, F or E)	
- Permit number	
- Description	
6. Nature of the Business {270.13(m)} [Guidance(1) - page 34]	
7. Process - Codes and Design Capacities {270.13(a), 270.13(i)} [Guidance(1) - page 34]	
- Process codes	
- Amount	
- Unit of measure (See table at end of checklist)	
- Process total number of units	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>8. Other Processes {270.13(a), 270.13(i)} [Guidance(1) - page 34]</p> <ul style="list-style-type: none"> - Line Number - Process Code - Amount - Unit of measure (See table at end of checklist) - Process total number of units 	
<p>9. Description of Hazardous Wastes {270.13(j), 270.13(n)} [Guidance(1) – pages 34 and 35]</p> <ul style="list-style-type: none"> - EPA hazardous waste number - Estimated annual quantity - Unit of measure (P, T, K or M) - Process code - Process description 	
<p>10. Map {270.13(l)} [Guidance(1) - pages 35]</p> <ul style="list-style-type: none"> - Topographic map - One mile beyond property line - Legal boundaries of facility - Location and serial number of each existing and proposed intake and discharge structures - Hazardous waste treatment, storage, and disposal units listed in Items XII and XIII identified by process code - Each underground injection well - Wells, springs, rivers, and other surface water bodies - Drinking water wells within 1/4 mile of the facility property boundary. 	
<p>11. Facility Drawing {270.13(h)(1)} [Guidance(1) - page 36]</p> <ul style="list-style-type: none"> - Property boundaries of the facility - Areas occupied by all storage, treatment, or disposal operations - The name of each operation - Areas of past storage, treatment, or disposal operations - Areas of future storage, treatment, or disposal operations - The approximate dimensions of the property boundaries and all storage, treatment, and disposal areas 	
<p>12. Photographs {270.13(h)(2)} [Guidance(1) - page 36]</p> <p>Photographs should clearly delineate:</p> <ul style="list-style-type: none"> - all existing structures - all existing areas for storing, treating, or disposing of hazardous waste - all known sites of future storage, treatment, or disposal operations <p>Process codes should be used to indicate the location of all</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
storage, treatment, or disposal areas	
The date each photograph was taken should be provided	
13. Comments [Guidance(1) - page 36]	

PROCESS CODES AND ACCEPTABLE UNITS OF MEASURE

Process Code	Process	Appropriate Unit of Measure for Process Design Capacity
	<u>Disposal:</u>	
D79	Underground Injection Well-Disposal	G, L, U, V
D80	Landfill	Y, C, B, A, Q, F
D81	Land Application	B, Q
D82	Ocean Disposal	U, or V
D83	Surface Impoundment-Disposal	G, L, Y, C
D99	Other Disposal	G, E, U, L, H, V, D, W, N, S, J, R, Y, C, B, A, Q, F, I, X
	<u>Storage:</u>	
S01	Container	G, L, Y, C
S02	Tank-Storage	G, L, Y, C
S03	Waste Pile	Y, C
S04	Surface Impoundment-Storage	G, L, Y, C
S05	Drip Pad	G, L, Y, C, B, Q
S06	Containment Building-Storage	Y, C
S99	Other Storage	G, E, U, L, H, V, D, W, N, S, J, R, Y, C, B, A, Q, F, I, X
	<u>Treatment:</u>	
T01	Tank-Treatment	E, U, H, V, D, W, N, S, J, R
T02	Surface Impoundment-Treatment	E, U, H, V, D, W, N, S, J, R
T03	Incinerator	E, U, H, V, D, W, N, S, J, R
T04	Other Treatment	E, U, H, V, D, W, N, S, J, R
T80	Boiler	G, E, L, H, I, X
T81	Cement Kiln	E, U, H, V, D, W, N, S, J, R, I, X
T82	Lime Kiln	
T83	Aggregate Kiln	
T84	Phosphate Kiln	
T85	Coke Oven	
T86	Blast Furnace	
T87	Smelting, Melting or Refining Furnace	
T88	Titanium Dioxide Chloride Process Oxidation Reactor	
T89	Methane Forming Furnace	
T90	Pulping Liquor Recovery Furnace	
T91	Combustion Device Used in Recovery of Sulfur Values from Spent Sulfuric Acid	
T92	Halogen Acid Furnace	
T93	Other Industrial Furnaces	
T94	Containment Building-Treatment	E, U, H, V, D, W, N, S, J, R, Y, C
	<u>Miscellaneous (Subpart X):</u>	
X01	Open Burning/Open Detonation	G, E, U, L, H, V, D, W, N, S, J, R, Y, C, B, A, Q, F, I, X
X02	Mechanical Processing	E, U, H, V, D, W, N, S, J, R
X03	Thermal Unit	U, V, J, D, R, W, S, N, I, X
X04	Geologic Repository	G, L, Y, C, A, F
X99	Other Subpart X	G, E, U, L, H, V, D, W, N, S, J, R, Y, C, B, A, Q, F, I, X

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**REGULATORY COMPLETENESS CHECKLIST FOR
HAZARDOUS WASTE STORAGE, TREATMENT AND DISPOSAL FACILITIES**

Facility Name _____
 EPA ID Number _____
 Permit Review Team _____

 Date Review Completed _____

Guidance Documents for Part B

(2) Permit Applicants' Guidance Manual for the General Facility Standards of 40 CFR 264, SW-968, October 1983.

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>PART B - FACILITY DESCRIPTION</p> <p>B-1 <u>General Description</u></p> <p>A general description of the facility. This description should include: {270.14 (b)(1) and 15A NCAC 13A .0113(c)(6)} [Guidance(2) - page 5-3]</p> <ul style="list-style-type: none"> - Facility Name; - Name of owner; - Location/address; - New or existing; - Size (acres, number of units); - Type of facility (on-site, off-site; storage, treatment, disposal); - Nature of the business; - Waste types and quantities stored, treated, and/or disposed; and - For off-site facilities, the types of industry served; - For on-site facilities, a description of the process(es) involved in the generation of hazardous waste. 	
<p>B-2 <u>Topographic Map</u></p> <p>B-2a <u>General Requirements</u></p> <p>A topographic map showing the facility and a distance of 1000 feet around it. The following information is required: {270.14(b)(19) and 15A NCAC 13A .0113(c)(6)}</p> <ul style="list-style-type: none"> - Scale 1 in = 200 ft; {270.14(b)(19)} - Contours sufficient to show surface water flow; {270.14(b)(19)} - Extend 1000 ft. beyond property; {270.14(b)(19)} - Map scale; {270.14(b)(19)(i)} - Map date; {270.14(b)(19)(i)} - 100-yr floodplain; {270.14(b)(19)(ii)} 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
- Surface waters (including intermittent streams); {270.14(b)(19)(iii)}	
- Surrounding land uses; {270.14(b)(19)(iv) and 15A NCAC 13A .0113(c)(4)}	
- Wind rose; {270.14(b)(19)(v)}	
- Map orientation; {270.14(b)(19)(vi)}	
- Legal boundaries; {270.14(b)(19)(vii)}	
- Location of access control; {270.14(b)(19)(viii)}	
- Injection and withdrawal wells both on-site and off-site; {270.14(b)(19)(ix)}	
- Buildings and structures; {270.14(b)(19)(x)}	
- Storm, sanitary and process sewers; {270.14(b)(19)(x)}	
- Loading and unloading areas; {270.14(b)(19)(x)}	
- Fire control facilities; {270.14(b)(19)(x)}	
- Flood control or drainage barriers; {270.14(b)(19)(xi)}	
- Run-off control systems; {270.14(b)(19)(x)}	
- Location of hazardous waste units; {270.14(b)(19)(xii)}	
- Location of solid waste management units; and {270.14(d)(1)(i)}	
- Access and internal roads. {270.14(b)(19)(x)}	
For large facilities, the use of other scales may be acceptable on a case-by-case basis. {Note following 270.14(b)(19)}	
B-2b <u>Additional Topographic Requirements for Land Storage, Treatment and Disposal Facilities</u> (See Checklist Module E for Topographic Map Requirements.) {270.14(c)(3), and (c)(4)(i), 264.95, and 264.97}	
B-3 <u>Traffic Information</u> A description of the means of transporting hazardous wastes. All facilities should describe movement of waste on the facility. Description must include: {270.14(b)(10)} - Estimated volume - Traffic pattern - Traffic control - Access road(s) surfacing and load-bearing capacity. Off-site facilities should also describe movement of waste to the facility from the point to where it leaves the nearest major highway. {15A NCAC 13A .0113(c)(5)}	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
[Guidance(2) - page 5-136]	
<p>B-4 <u>Location Information</u></p> <p>B-4a <u>Seismic Considerations</u></p> <p>For new facilities only, the applicant must identify the political jurisdiction (county, township, or election district) in which the facility will be located. If the facility is proposed to be located in any of the political jurisdictions specified in Part 264 Appendix VI, the applicant must prove that the facility is located at least 3000 ft from any fault where movement has taken place in Holocene time or that no such faults pass within 200 ft of the portions of the facility used for treatment, storage, or disposal of hazardous waste. Proof may come from geologic studies, aerial photographs, field observations, or subsurface investigations. All information gathered must be acceptable by a geologist experienced in evaluating seismic activity. {270.14(b)(11)(i) and (ii), 264.18(a), and 264 Appendix VI} [Guidance(2) pages 5-144 and 145]</p>	
<p>B-4b <u>Floodplain Standard</u></p> <p>Documentation of whether or not the facility is located within a 100-yr floodplain including the source of data (Federal Insurance Administration Map or other maps and calculations). If a map other than a FIA map is used, demonstration of equivalent mapping technique should be provided. If located in a 100-yr floodplain include: {270.14(b)(11)(iii) and Comment following 270.14(b)(11)(iii)}</p> <ul style="list-style-type: none"> - 100-yr floodplain level, {270.14(b)(11)(iii)} 	
<ul style="list-style-type: none"> - Other special flooding factors (e.g., wave action) that must be considered to withstand washout. {270.14(b)(11)(iii)} 	
<p>B-4b(1) <u>Demonstration of Compliance</u></p> <p>For facilities located within the 100-yr floodplain, a description of how the facility is designed, constructed, operated, and maintained to prevent washout of any hazardous waste during a flood. Either of the following may be used: {270.14(b)(11)(iv) and 264.18(b)}</p>	
<p>B-4b(1)(a) <u>Flood Proofing and Flood Protection</u></p> <p>A structural or other engineering study showing how design of the tanks, containers, or waste piles and the flood proofing and protection devices at the facility will prevent washout including: {270.14(b)(11)(iv)}</p> <ul style="list-style-type: none"> - Engineering analysis of hydrodynamic and hydrostatic forces, {270.14(b)(11)(iv)(A)} 	
<ul style="list-style-type: none"> - Structural or other engineering studies of hazardous waste units and flood protection devices. {270.14(b)(11)(iv)(B)} 	
<p>B-4b(1)(b) <u>Flood Plan</u></p> <p>Description of the procedures to be followed to remove</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>hazardous waste to safety before the facility is flooded. The plan must address the following: {270.14(b)(11)(iv)(C)}</p> <ul style="list-style-type: none"> - Timing of waste movement related to flood levels; {270.14(b)(11)(iv)(C)(1)} 	
<ul style="list-style-type: none"> - Estimated time to move the waste; {270.14(b)(11)(iv)(C)(1)} 	
<ul style="list-style-type: none"> - Description of the location to which the waste will be moved and proof of the receiving facility's eligibility to receive hazardous waste; {270.14(b)(11)(iv)(C)(2)} 	
<ul style="list-style-type: none"> - Procedures, equipment, and personnel to be used and the means to ensure that these resources will be available; {270.14(b)(11)(iv)(C)(3)} 	
<ul style="list-style-type: none"> - Potential for accidental discharge of waste during movement of waste. {270.14(b)(11)(iv)(C)(4)} 	
<p>B-4b(2) <u>Plan for Future Compliance with Floodplain Standard</u></p> <p>For facilities located within the 100-yr floodplain that do not comply with the floodplain standard, a plan showing how and when the facility will be brought into compliance. A compliance schedule must be included. {270.14(b)(11)(v)}</p>	
<p>B-4b(3) <u>Waiver for Land Storage and Disposal Facilities (Existing Facilities Only)</u></p> <p>If a waiver from the Floodplain Standard is requested, the owner or operator must demonstrate that there will be no adverse effects on human health or the environment if washout occurs. The following factors must be considered in this demonstration: {264.18(b)(1)(ii)}</p>	
<ul style="list-style-type: none"> - Volume and physical and chemical characteristics of the waste; {264.18(b)(1)(ii)(A)} 	
<ul style="list-style-type: none"> - Concentration of hazardous constituents that would potentially affect surface waters; {264.18(b)(1)(ii)(B)} 	
<ul style="list-style-type: none"> - Impact of such concentration on the current or potential uses of and water quality standard established for the affected surface waters; and {264.18(b)(1)(ii)(C)} 	
<ul style="list-style-type: none"> - Impact of hazardous constituents on the sediments of affected surface waters or the soils or the 100-yr floodplain. {264.18(b)(1)(ii)(D)} 	
<p>B-4c <u>Additional North Carolina Location Standards</u></p> <p>The following minimum separation distances shall be required of all hazardous waste management facilities except that existing facilities shall be required to meet these distances to the maximum extent feasible. {15A NCAC 13A .0109(r)(2), .0113(c)(3) and .0113(c)(5)}</p> <ul style="list-style-type: none"> - Hazardous waste management facilities shall be located at 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
least 0.25 miles from institutions such as schools, hospitals, prisons, etc. {15A NCAC 13A .0109(r)(2)(A) and .0113(c)(5)}	
- Hazardous waste treatment and storage facilities shall: <ul style="list-style-type: none"> ▪ store and/or treat all hazardous waste a minimum of 50 feet from the property line of the facility; and 	
<ul style="list-style-type: none"> ▪ store and/or treat all ignitable, incompatible, or reactive wastes a minimum of 200 feet from the facility property line if the area adjacent to the facility is zoned for any use other than industrial or is not zoned. {15A NCAC 13A .0109(r)(2)(B)}	
- Hazardous waste landfills, long-term storage facilities, land treatment facilities, and surface impoundments shall be located 200 feet from the facility property line. {15A NCAC 13A .0109(r)(2)(C)(i)}	
- Hazardous waste landfills, long-term storage facilities, and surface impoundments shall be constructed so that the bottom of the facility is 10 feet or more above the historical high ground water level. {15A NCAC 13A .0109(r)(2)(C)(ii)}	
- Hazardous waste landfills, long-term storage facilities, land treatment facilities, and surface impoundments shall be located at least 1,000 feet from the zone of influence of any existing off-site ground water well used for drinking water. {15A NCAC 13A .0109(r)(2)(C)(iii)}	
- Hazardous waste landfills, long-term storage facilities, land treatment facilities, and surface impoundments shall be located outside the zone of influence of any existing or planned on-site drinking water well. {15A NCAC 13A .0109(r)(2)(C)(iii)}	
- Hazardous waste treatment and storage facilities for liquid waste that is TC toxic, toxic, or acutely toxic and is stored in tanks or containers shall not be located: <ul style="list-style-type: none"> ▪ in the recharge area of an aquifer which is designated as an existing sole drinking water source unless an adequate secondary containment system is constructed and the facility can demonstrate no unreasonable risk to public health; {15A NCAC 13A .0109(r)(2)(D)(i)} 	
<ul style="list-style-type: none"> ▪ Within 200 feet of surface water impoundments or surface water streams with continuous flow; {15A NCAC 13A .0109(r)(2)(D)(ii)} 	
<ul style="list-style-type: none"> ▪ In an area that will allow direct surface or subsurface discharge to WS-I, WS-II, or SA waters or a Class III Reservoir as defined in 15A NCAC 2B .0200 and 15A NCAC 18C .0102; {15A NCAC 13A .0109(r)(2)(D)(iii)} 	
<ul style="list-style-type: none"> ▪ In an area that will allow direct surface or subsurface discharge to the watershed for a Class I or Class II Reservoir as defined in 15A NCAC 18C .0102; {15A NCAC 13A .0109(r)(2)(D)(iv)} 	
<ul style="list-style-type: none"> ▪ Within 200 feet horizontally of a 100-year floodplain elevation; {15A NCAC 13A .0109(r)(2)(D)(v)} 	
<ul style="list-style-type: none"> ▪ Within 200 feet of a seismically active area; and {15A NCAC 13A .0109(r)(2)(D)(vi)} 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> • Within 200 feet of a mine cave or cavernous bedrock. {15A NCAC 13A .0109(r)(2)(D)(vii) and .0113(c)(3)} 	
<ul style="list-style-type: none"> - A hazardous waste landfill, long-term storage, or a surface impoundment facility shall not be located: <ul style="list-style-type: none"> • In the recharge area of an aquifer which is an existing sole drinking water source; {15A NCAC 13A .0109(r)(4)(A)(i)} 	
<ul style="list-style-type: none"> • Within 200 feet of a surface water stream with continuous flow as defined by the United States Geological Survey; {15A NCAC 13A .0109(r)(4)(A)(ii)} 	
<ul style="list-style-type: none"> • In an area that will allow direct surface or subsurface discharge to WS-I, WS-II or SA waters or a Class III Reservoir as defined in 15A NCAC 2B .0200 and 15A NCAC 18C .0102; {15A NCAC 13A .0109(r)(4)(A)(iii)} 	
<ul style="list-style-type: none"> • In an area that will allow direct surface or subsurface discharge to a watershed for a Class I or II Reservoir as defined in 15A NCAC 18C .0102; {15A NCAC 13A .0109(r)(4)(A)(iv)} 	
<ul style="list-style-type: none"> • Within 200 feet horizontally of a 100-year flood hazard elevation; {15A NCAC 13A .0109(r)(4)(A)(v)} 	
<ul style="list-style-type: none"> • Within 200 feet of a seismically active area as defined in (c) of this Rule; and {15A NCAC 13A .0109(r)(4)(A)(vi)} 	
<ul style="list-style-type: none"> • Within 200 feet of a mine, cave or cavernous bedrock. {15A NCAC 13A .0109(r)(4)(A)(vii)} 	
<p>B-5 <u>Additional North Carolina Requirements</u></p> <p>B-5a <u>Monitoring Wells for New Facilities</u></p> <p>The owners and operators of all new hazardous waste management facilities shall construct and maintain a minimum of two observation wells, one upgradient and one downgradient of the proposed facility; and shall establish background groundwater concentrations and monitor annually for all hazardous wastes that the owner or operator proposes to store, treat, or dispose at the facility.</p> <p>{15A NCAC 13A .0109(r)(6)}</p>	
<p>B-5b <u>Public Participation for New Facilities</u></p> <p>The owners and operators of all new hazardous waste facilities shall demonstrate that the community has had an opportunity to participate in the siting process by complying with 15A NCAC 13A .0109(r)(7) and providing the following with the permit application:</p> <p>{15A NCAC 13A .0109(r)(7) and .0113(c)(1)}</p> <ul style="list-style-type: none"> - Copies of the public notices for the two public meetings. {15A NCAC 13A .0109(r)(7)(A) and (C)} 	
<ul style="list-style-type: none"> - Copies of the transcripts from both of the public meetings. {15A NCAC 13A .0109(r)(7)(A) and (C)} 	
<ul style="list-style-type: none"> - Copies of all other relevant written material distributed or used at the meeting. 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
{15A NCAC 13A .0109(r)(7)(C)}	

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**REGULATORY COMPLETENESS CHECKLIST FOR
HAZARDOUS WASTE STORAGE, TREATMENT AND DISPOSAL FACILITIES**

Facility Name _____
 EPA ID Number _____
 Permit Review Team _____

 Date Review Completed _____

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>PART D - PROCESS INFORMATION</p> <p>D-6 <u>Landfill Design</u></p> <p>D-6a <u>Wastes to be Landfilled</u></p> <p>Provide a list of all hazardous wastes to be placed in each landfill cell. {270.21(a)}</p> <p>Applicant should include:</p> <ul style="list-style-type: none"> - Quantity of each waste; {270.21(a)} - Chemical and physical analysis; {270.21(a)} - Ignitability, reactivity, and incompatibility; {270.21(f)} - Appendix VIII constituents, and {270.21(a)} - Compatibility of liner and waste/leachate. {264.301(a)(1) and (2)} 	
<p>D-6b <u>Surveying and Recordkeeping</u></p> <p>Description of surveying and recordkeeping procedures including a map to be used to show: {264.309 and 264.73}</p> <ul style="list-style-type: none"> - Exact location and dimensions of each cell, - Surveyed benchmarks, - Contents of each cell, and - Location of each waste type within each cell. 	
<p>D-6c <u>Liner System Exemption Requests</u></p> <p>D-6c(1) <u>Exemption Based on Alternative Design and Location</u></p> <p>The applicant must demonstrate that alternate design and operating practices, together with location characteristics, will prevent ground-water and surface water contamination at least as effectively as a double liner with leachate collection and removal system and will allow detection of leaks through the top liner at least as effectively. Applicant should submit for consideration detailed information on: {270.21(b)(1), 264.301(d)}</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> - Nature and quantity of wastes; 	
<ul style="list-style-type: none"> - Alternative design and operation; 	
<ul style="list-style-type: none"> - Landfill location description; <ul style="list-style-type: none"> • hydrogeologic setting • attenuative capacity and thickness of materials between landfill and ground and surface waters 	
<ul style="list-style-type: none"> - Other factors which would influence the quality and mobility of leachate produced. 	
<p>D-6c(2) <u>Exemption for Monofills</u></p>	
<p>The double liner requirement may be waived for a monofill if: {264.301(e),270.21(b)(1)(ii)}</p>	
<ul style="list-style-type: none"> - The monofill receives only wastes from foundry furnace emission controls or metal casting molding sand, and such wastes do not contain constituents which would render the wastes hazardous for reasons other than TCLP. {264.301(e)(1)} 	
<ul style="list-style-type: none"> - The design and operating practices will, in conjunction with local aspects, prevent the migration of hazardous constituents into ground or surface waters at any future time, or {264.301(e)(2)(ii)} 	
<ul style="list-style-type: none"> - The site is located at least one-quarter mile from a source of drinking water, has at least one non-leaking liner, and meets the requirements of 40 CFR Part 264, Subpart F. {264.301(e)(2)(i)} 	
<p>D-6d <u>Subpart F Exemption</u></p>	
<p>If an exemption from the Subpart F ground-water monitoring requirements is sought, demonstrate the following: {270.21(b), 264.90(b)(2)}</p>	
<ul style="list-style-type: none"> - The unit for which the exemption is sought is an engineered structure; 	
<ul style="list-style-type: none"> - No liquid wastes or waste containing free liquids will be received by or contained in the landfill; 	
<ul style="list-style-type: none"> - Liquids, precipitation, and other run-on and run-off will be excluded from the landfill; 	
<ul style="list-style-type: none"> - A containment system with both inner and outer layers will enclose the waste; 	
<ul style="list-style-type: none"> - A leak detection system is built into each containment layer; 	
<ul style="list-style-type: none"> - The means of ensuring continuing operation and maintenance of the leak detection systems during the active life of the unit and the closure and post-closure care periods; 	
<ul style="list-style-type: none"> - The unit will not allow hazardous constituents to migrate beyond the outer layer of the containment system prior to the end of the post-closure care period (within a reasonable degree of certainty). 	
<p>D-6e <u>Liner System</u></p>	
<p>D-6e(1) <u>General Items</u></p>	
<p>The following regulations apply to landfills that were constructed prior to January 29, 1992. For landfills constructed prior to that date, see 264.301(a).</p>	
<p>D-6e(1)(a) <u>Liner System Description</u></p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>The application must provide a detailed description of the liner system, demonstrating (by description and drawings) that the liner system will prevent any migration of wastes out of the landfill to the adjacent subsurface soil or groundwater or surface water at any time during the active life of the landfill. For each liner within the system (minimum one synthetic liner and one soil liner), describe the type of liner (i.e., its material and its thickness). {270.21(b)(1), 264.301(a)(1) and 264.301(c)}</p>	
<p>D-6e(1)(b) <u>Liner System Location Relative to High Water Table</u></p> <p>Provide data showing seasonal fluctuations in the depth of the water table and the location of the seasonal high water table in relation to the base of the liner system (i.e., groundwater levels and liner foundation elevations should be shown on geological cross sections). {270.21(b)(1), 264.301(a)(1)(i) and (ii) and 264.301(c)}</p>	
<p>D-6e(1)(c) <u>Loads on Liner System</u></p> <p>The maximum loads or stresses which will be placed on the liner system must be determined and reported in the application. Include all calculations, data, and assumptions for the following conditions: {270.21(b)(1), 264.301(a)(1)(i) and 264.301(c)}</p>	
<ul style="list-style-type: none"> - Both static and dynamic loads; 	
<ul style="list-style-type: none"> - Stresses due to installation or construction operations; 	
<ul style="list-style-type: none"> - Stresses from operating equipment; 	
<ul style="list-style-type: none"> - Stresses due to the maximum quantity of waste, cover, and proposed post-closure land use, as applicable; 	
<ul style="list-style-type: none"> - Stresses resulting from settlement, compression, subsidence, or uplift; and 	
<ul style="list-style-type: none"> - Internal and external pressure gradients. 	
<p>D-6e(1)(d) <u>Liner System Coverage</u></p> <p>The liner system must be installed to cover all surrounding earth likely to be in contact with the waste or leachate. Submit information (i.e., construction, as built, or detailed drawings) which demonstrates this. {270.21(b)(1), 264.301(a)(1)(i) and 264.301(c)}</p>	
<p>D-6e(1)(e) <u>Liner System Exposure Prevention</u></p> <p>Demonstrate in the application that the liner system will not be exposed to wind or sunlight, or if exposure to any part of the system is to be permitted, that such exposure will not result in unacceptable degradation of that portion of the system (i.e., drawings and/or liner specifications as appropriate). If the liner system will be exposed or located close enough to the surface to be affected by the changing temperatures, provide calculations defining the stresses on the liner system due to thermal expansion and contraction. {270.21(b)(1), 264.301(a)(1)(i) and 264.301(c)}</p>	
<p>D-6e(2) <u>Foundation Upon which Liner System Is Constructed</u></p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>D-6e(2)(a) <u>Foundation Description</u></p> <p>A description of the foundation for the liner system must be included in the application. The description should include the following: {270.21(b)(1), 264.301(a)(1)(ii) and 264.301(c)}</p> <ul style="list-style-type: none"> - Type of foundation materials; 	
<ul style="list-style-type: none"> - Bearing elevations shown on geological and construction drawings; and 	
<ul style="list-style-type: none"> - Load bearing embankments placed to support the liner system, as applicable. 	
<p>D-6e(2)(b) <u>Subsurface Exploration Data</u></p> <p>The engineering characteristics of the liner system foundation materials, including subsurface soil, bedrock, and hydrogeologic conditions should be verified through subsurface explorations. These efforts should be fully described by including location plans and cross sections for test borings, test pits, etc., and descriptions or references for the procedures used. Procedures may include the following: {270.21(b)(1), 264.301(a)(1)(ii) and 264.301(c)}</p>	
<ul style="list-style-type: none"> - Collection of historical data, 	
<ul style="list-style-type: none"> - Test borings, 	
<ul style="list-style-type: none"> - Test pits, 	
<ul style="list-style-type: none"> - Test trenches, 	
<ul style="list-style-type: none"> - In situ tests, and 	
<ul style="list-style-type: none"> - Geophysical methods. 	
<p>D-6e(2)(c) <u>Laboratory Testing Data</u></p> <p>Results from sufficient index testing should be provided to classify the site materials. Other lab test data should be provided to evaluate the engineering properties of the foundation materials, particularly for strength, hydraulic conductivity, compressibility, and other important design parameters. Provide copies of the test methods used to test the material or provide references, as appropriate and with any revisions, to standard test procedures. {270.21(b)(1), 264.301(a)(1)(ii) and 264.301(c)}</p>	
<p>D-6e(2)(d) <u>Engineering Analyses</u></p> <p>Engineering analyses should be provided which are based on the data gathered through subsurface exploration and laboratory testing programs. With the analyses include a discussion of the methods used, assumptions, copies of calculations, and appropriate references. Include the following, as applicable: {270.21(b)(1), 264.301(a)(1)(i) and 264.301(c)}</p> <ul style="list-style-type: none"> - Settlement potential, - Bearing capacity, - Stability of the landfill (cut or constructed) slopes, - Potential for excess hydrostatic or gas pressure, - Seismic conditions, - Subsidence potential, and - Sinkhole potential. 	
<p>D-6e(3) <u>Synthetic Liners</u></p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>D-6e(3)(a) <u>General Description</u></p> <p>For each synthetic liner under consideration for use in the system, provide the following general information: {270.21(b)(1), 264.301(a)(1), 264.301(c)}</p> <ul style="list-style-type: none"> - Thickness, - Type, - Material, - Brand name, and - Manufacturer. 	
<p>D-6e(3)(b) <u>Strength</u></p> <p>Provide data showing the synthetic liners and all seams will have sufficient strength after exposure to the waste and waste leachate to support all loads/ stresses to which they will be subjected. {270.21(b)(1), 264.301(a)(1)(i) and 264.301(c)}</p>	
<p>D-6e(3)(c) <u>Bedding</u></p> <p>Demonstrate that sufficient bedding will be provided above and below the synthetic liners to prevent rupture of the synthetic liner during installation and operation. {270.21(b)(1), 264.301(a)(1)(ii) and 264.301(c)}</p>	
<p>D-6e(4) <u>Soil Liners</u></p> <p>A description of the soil liner must be presented in the application. Include the following information: {270.21(b)(1), 264.301(a)(1), 264.301(c)}</p>	
<ul style="list-style-type: none"> - Liner thickness; 	
<ul style="list-style-type: none"> - Whether the liner will be in place material or borrow material (Note: If in-place material is to be used, describe how it will be reworked.); 	
<ul style="list-style-type: none"> - Material testing data which includes: <ul style="list-style-type: none"> · index tests · hydraulic conductivity · strength · consolidation · shrink-swell; 	
<ul style="list-style-type: none"> - Demonstration that the soil liner will wholly contain leachate throughout the operating life and post-closure period of the unit; 	
<ul style="list-style-type: none"> - Demonstration that the liner has sufficient strength to support all loads/stresses to which it will be subjected. 	
<p>D-6e(5) <u>Leachate Collection/Detection Systems</u></p> <p>Descriptions of the leachate collection and detection systems must be provided. Information to be submitted includes: {270.21(b)(1), 264.301(a)(2), 264.301(c)}</p> <ul style="list-style-type: none"> - Description of how the leachate collection system is designed and operated to remove collected leachate in a timely manner; - Description of any protective layer placed over the leachate collection system; - Description of how the leachate detection system will 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
function to detect any leakage in a timely manner;	
- Description of how liquid can be removed from the systems;	
- Estimate of the drainage capacity (speed and volume);	
- Contour plan for the systems which includes the layout and spacing of the piping system;	
- Design details of pumps, sumps, etc. used in the systems;	
- Description of handling procedures for any collected leachate (i.e., testing, disposal, etc.);	
- Demonstration that the leachate detection system is appropriately graded to assure that leakage at any point in the liner system is detected in a timely manner;	
- Demonstration that the pipes and pipe perforations are sized sufficiently to handle the expected flow of leachate;	
- Demonstration that the leachate depth over the top of the primary liner will not exceed one foot;	
- Demonstration that all components of the systems have sufficient strength to support all loads/stresses to which the systems will be subject, without jeopardizing the effectiveness of the system by reducing its conductivity;	
- Demonstration that the systems are designed and operated to prevent clogging of the drainage layer material and pipes throughout the active life of the landfill.	
<p>D-6e(6) <u>Construction and Maintenance</u></p> <p>Both material and construction specifications must be provided for all liner system components. Construction specifications should include the following: {270.21(b)(1), 264.301(a), 264.301(c)}</p>	
- Preparation of the liner system foundation;	
<p>- Procedures for installing the soil liner which includes:</p> <ul style="list-style-type: none"> • method of compaction • degree of compaction and percent moisture that must be achieved • lift thickness • methods to be used to alter the water content of the soil • scarification requirement between lifts • method of amending the soil, if applicable; 	
<p>- Procedures for installation of the synthetic liners which include:</p> <ul style="list-style-type: none"> • inspection of the synthetic liner bed for material which could puncture the liner (and removal of that material) • placement procedures • techniques to be utilized to bond the liner seams • procedures for protection of the liner before and during placement of material on top of the liner • any protective layer placed to protect the liner during operations; 	
<p>- Procedures for placement of all components of the leachate collection and detection systems including:</p> <ul style="list-style-type: none"> • any protective layer • drainage layers • piping • sumps, pumps, etc. • filter layers; 	
- Details of the quality control program;	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> - Methods of repairing any damage to the liner which may occur during construction 	
<p>D-6f <u>Run-on Control System</u></p> <p>Detailed plans and an engineering report describing: {270.21(b)(2), 264.301(g)}</p> <ul style="list-style-type: none"> - Run-on control system capable of preventing run-on to the active portion(s) of the landfill during peak discharge from a 25-year storm; 	
<ul style="list-style-type: none"> - Sizing, design, and installation of system; 	
<ul style="list-style-type: none"> - Maintenance procedures to ensure long-term structural integrity and timely repairs. 	
<p>D-6g <u>Run-off Control System</u></p> <p>Detailed plans and an engineering report describing: {270.21(b)(3), 264.301(h)}</p> <ul style="list-style-type: none"> - Run-off control system designed to collect and control water volume from a 24-hour, 25-year storm; 	
<ul style="list-style-type: none"> - Sizing, design, and installation of system; 	
<ul style="list-style-type: none"> - Maintenance procedures to ensure long-term structural integrity and timely repairs. 	
<p>D-6h <u>Units Associated with Run-on and Run-off Control Systems</u></p> <p>Detailed plans and an engineering report describing: {270.21(b)(4), 264.301(i)}</p> <ul style="list-style-type: none"> - Collection and holding facilities (e.g. tanks, basins) associated with run-on and run-off control systems and 	
<ul style="list-style-type: none"> - How the holding facilities will be managed and operated to maintain design capacity after storms. 	
<p>D-6i <u>Particulate Control</u></p> <p>If landfill contains particulate matter, plans describing how wind dispersal of particulate from a landfill will be controlled. {270.21(b)(5), 264.301(j)}</p>	
<p>D-6j <u>Bulk or Non-containerized Free Liquids</u></p> <p>The placement of bulk or non-containerized liquid hazardous waste or waste containing free liquids (whether or not adsorbents have been added) in any landfill is prohibited. To ensure this, the following information must be included in the application: {270.21(h), 264.314(b), (c) and (d)}</p> <ul style="list-style-type: none"> - Description of methods used to prevent placement of bulk or non-containerized liquid hazardous waste or waste containing free liquids in the landfill; 	
<ul style="list-style-type: none"> - Description of how free liquids in containers to be landfilled will either be removed or stabilized before landfilling; {264.314(d)(1)} 	
<ul style="list-style-type: none"> - Demonstration that if small containers are to be disposed of in the landfill that the containers will be very small (such as ampules); {264.314(d)(2)} 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> - Description of non-storage containers to show that they are designed to hold free liquids for use other than storage (e.g. batteries, capacitors, etc.). {264.314(d)(3)} 	
<p>D-6k <u>Disposal of Small Containers in Overpacked Drums (Lab Packs)</u> {270.21(h), 264.314(d)(4), 264.316}</p>	
<ul style="list-style-type: none"> - Materials, design of inside container; 	
<ul style="list-style-type: none"> - Compatibility of inside container with waste; 	
<ul style="list-style-type: none"> - Tightly sealed; 	
<ul style="list-style-type: none"> - DOT specifications for both inside container and overpack; 	
<ul style="list-style-type: none"> - Absorbent material, type, and quantity; 	
<ul style="list-style-type: none"> - Compatibility of absorbent materials with waste; 	
<ul style="list-style-type: none"> - Incompatible wastes not placed in same outside container; 	
<ul style="list-style-type: none"> - Reactive wastes (other than cyanide-bearing and sulfide-bearing) treated or rendered non-reactive prior to packaging. 	
<p>D-6l <u>Containerized Waste</u></p> <p>Containerized solid wastes must be at least 90 percent full or the container must be crushed, shredded, or similarly reduced in volume to the maximum practical extent before landfilling. {270.21(i), 264.315}</p>	
<p>D-6m <u>Action Leakage Rate</u></p> <p>Determine the action leakage rate and the average daily flow rate for each sump. {264.302}</p>	
<p>D-6n <u>Response Action Plan</u></p> <p>Develop a response action plan prior to receipt of waste. {264.304}</p> <ul style="list-style-type: none"> - Notifications - Assessment 	
<p>D-6o <u>Special Waste Management Plan for Landfills Containing Wastes F020, F021, F022, F023, F026, and F027</u></p> <p>Applications for landfills containing hazardous wastes F020, F021, F022, F023, F026, and F027 must contain a plan which describes how the landfills are or will be designed, constructed, operated, and maintained in order to protect human health and the environment. The plan should include the following: {270.21(j), 264.317}</p> <ul style="list-style-type: none"> - The volume and physical and chemical characteristics of the wastes including their potential to migrate through the soil or volatilize or escape into the atmosphere; - Description of the attenuative properties of underlying and surrounding soils or other materials; - Description of the mobilizing properties of other materials co-disposed with these wastes; - Documentation on the effectiveness of additional treatment, design, operating or monitoring techniques. 	
<p>D-6p <u>Location Standards</u></p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>A hazardous Waste Landfill shall not be located:</p> <ul style="list-style-type: none"> - In the recharge area of an aquifer that is an existing sole drinking water source, within 200 feet of a surface water stream, in an area that allows discharge to a watershed, within 200 feet of a 100 year flood hazard elevation, within 200 feet of a seismically active area, or within 200 feet of a mine, cave or cavernous bedrock. {15A NCAC 13A .0109(r)(4)(A)} 	
<ul style="list-style-type: none"> - All waste shall be at least 200 feet from the property line, the bottom of the facility shall be 10 feet above the high ground water level, and all waste shall be at least 1000 feet from the zone of influence of drinking water wells. {15A NCAC 13A.0109(r)(2)(C)} 	
<ul style="list-style-type: none"> - The facility shall make monthly reports to the county commissioners of the county in which the facility is located on the kinds and amounts of waste in the facility. {GS 130 A-294(c)(18)} 	
<p>D-6q <u>Special Requirements for Ignitable and Reactive Wastes</u></p> <p>Ignitable or reactive waste must not be placed in a landfill unless:</p> <ul style="list-style-type: none"> - The treated waste no longer meets the definition of ignitable or reactive waste, and {264.312(a)(1)} 	
<ul style="list-style-type: none"> - The waste does not generate heat or violent reactions, produce fumes or gases that may explode or ignite, damage the structural integrity of the unit or threaten human health or the environment. {264.312(a)(2), 264.17(b)} 	
<p>D-6r <u>Special Requirements for Incompatible Waste</u></p> <p>Incompatible waste must not be placed in the same landfill cell. {264.313}</p>	

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**REGULATORY COMPLETENESS CHECKLIST FOR
HAZARDOUS WASTE STORAGE, TREATMENT AND DISPOSAL FACILITIES**

Facility Name _____
 EPA ID Number _____
 Permit Review Team _____

 Date Review Completed _____

The regulatory checklists are currently undergoing revision. While this checklist has been reformatted, it has not been reviewed for technical content.

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>PART E - GROUNDWATER MONITORING</p> <p>E-1 <u>Interim Status monitoring Data</u></p> <p>Summary of groundwater monitoring data obtained during interim status period. {270.14(c)(1) and 265.90-265.94}</p>	
<p>E-1a <u>Description of Wells</u> {265.91}</p> <ul style="list-style-type: none"> - Number of wells; - Locations; - Depths and screened intervals; - Casing description; - Other well construction details; - Identifications of upgradient wells and downgradient wells; and - Water levels at time of drilling and any changes within 24 hours. 	
<p>E-1b <u>Description of Sampling/Analysis Procedures</u> {265.92}</p> <ul style="list-style-type: none"> - Sample Collection; - Sample preservation and shipment; - Analytical procedures; and - Chain-of-custody control. 	
<p>E-1c <u>Monitoring Data</u></p> <p>All interim status monitoring results must be provided, including the following: {265.92}</p> <ul style="list-style-type: none"> - Copies of each quarterly (from first year) analytical results for each well; {265.92(c)(1)} - Copies of subsequent (annual or semi-annual) analytical results for each well; {265.92(d)} - Results of groundwater surface elevation measurements for 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
each sampling event; and {265.92(e)}	
- Initial background arithmetic mean and variance for each indicator parameter based on replicate measurements from upgradient wells during first year. {265.92(c)}	
E-1d <u>Statistical Procedures</u> {265.93}	
- Description of the statistical procedures employed to make the required statistical comparisons; and	
- Results of statistical comparisons between upgradient and downgradient well sampling results and first year background values for each indicator parameter.	
E-1e <u>Groundwater Assessment Plan</u> If required, based on statistical comparison results, the specific plan for a groundwater quality assessment program, along with the results obtained from implementation of the plan. include results of the following determinations, considering (at a minimum) the hazardous constituents listed in Appendix VIII to 40 CFR Part 261. {265.93(d)(2)}	
- Whether hazardous waste or hazardous constituents have entered the groundwater;	
- The rate and extent of migration of hazardous waste or hazardous waste constituents in the groundwater; and	
- Concentrations of hazardous waters or hazardous waste constituents in the groundwater.	
E-2 <u>General Hydrogeologic Information</u> Identification of uppermost aquifer and aquifers hydraulically interconnected beneath facility, including: {270.14(c)(2)}	
- Groundwater flow direction and rate; and	
- Basis for identification.	
E-3 <u>Topographic Map Requirements</u> Unless exempt from groundwater monitoring requirements, surface impoundments, waste piles, land treatment, and landfill facilities must include the following information on the topographic map: {270.14(c)(2),(3),(4),(i)}	
- Groundwater flow direction and rate (isometric graph);	
- Point of compliance;	
- Groundwater monitoring wells;	
- The extent of any plume (horizontal and vertical);	
- Hazardous waste management area; and	
- Property boundary.	
The following required information may be incorporated into the topographic map if possible, or at least should be discussed in the text:	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
- Groundwater flow rate;	
- Boundaries of uppermost aquifer;	
- Underlying interconnection between uppermost aquifer and lower aquifer;	
- Hydraulic downgradient;	
- Waste management area; and	
- Uppermost aquifer.	
(Although many of these items can be shown on a single map, it is allowable to use additional maps to display some of the information. Presentation of all of this information on a single map may sacrifice clarity.)	
E-4 <u>Contaminant Plume Description</u>	
Description of any plume of contamination that has already entered groundwater from a regulated unit: {270.14(c)(4) and 261, Appendix VIII}	
- Delineation of extent of the plume on the topographic map;	
- Identification and concentrations of Appendix VIII constituents throughout the plume or maximum concentrations of these constituents in the plume; and	
- Delineation of the vertical extent of the plume in a cross-section. {270.14(c)(2) and 270.14(c)(7)(ii)}	
E-5 <u>General Monitoring Program Requirements</u>	
Waiver request - applicant must certify that there will be no migration of liquid to uppermost aquifer during active life and postclosure. If waiver is not requested, applicant must provide detailed plans and an engineering report describing proposed groundwater monitoring program to meet general groundwater monitoring requirements. The following information is required: {270.14(c)(5), 264.97 and 264.90(b)(4)}	
E-5a <u>Description of Wells</u> {264.97(a),(b) and 264.97(c)}	
- Number of wells;	
- Locations;	
- Depths;	
- Casing description;	
- Assurance of unaffected background water measurement; and	
- Assurance of compliance point ground-water measurement.	
E-5b <u>Description of Sampling/Analysis Procedures</u> {264.97(d) and 264.97(e)}	
- Sample collection methods {264.97(f)}	
- Sample preservation/shipment;	
- Analytical procedures;	
- Chain-of-custody control;	
- Documentation of proper sampling and analysis procedures; and	
- Procedure for determination of ground-water elevation with each sample.	
E-5c <u>Procedures for Establishing Background Quality</u>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
{264.97(a)(1) and 264.97(g)}	
- Representative of background quality not affected by the unit;	
- Each hazardous constituent, or monitoring parameters and other constituents;	
- May include wells not hydraulically upgradient of the waste management area where:	
1. upgradient cannot be determined due to hydrogeologic conditions, and	
2. other wells provide background groundwater quality that is representative or more representative of background than upgradient wells.	
E-5d <u>Statistical Procedures</u>	
Use one of following statistical methods (E-5d(1) - (5)) to evaluate groundwater monitoring data for each hazardous constituent, consistent with the following: {264.97(h), 264.97(i)(1),(5) and (6)}	
- Conduct test separately for each hazardous constituent in each well;	
- Appropriate for distribution of chemical parameters or hazardous constituents. More than one method necessary if distributions differ;	
- Account for data below the detection limit;	
- Any practical quantification limit (PQL) shall be lowest concentration level within levels of precision and accuracy for routine lab operations; and	
- Procedures to control or correct for seasonal and spatial variability and temporal correlation in data.	
E-5d(1) <u>Parametric Analysis of Variance (ANOVA):</u>	
ANOVA followed by multiple comparisons procedures: {264.97(h)(1) and 264.97(i)(2)}	
- Include estimation and testing of contrasts between each compliance well's mean and the background mean levels for each constituent.	
- If using individual well comparison procedure, Type 1 error level of no less than 0.01 shall be maintained. If using multiple comparison procedure, Type 1 error level no less than 0.05 for each testing period must be used.	
E-5d(2) <u>Non-parametric ANOVA (Based on Ranks):</u>	
ANOVA based on Ranks followed by multiple comparisons procedures: {264.97(h)(2) and 264.97(i)(2)}	
- Estimation and testing of each compliance well's median and background median levels for each constituent.	
- If using individual well comparison procedure, Type 1 error level of no less than 0.01 shall be maintained. If using multiple comparison procedure, Type 1 error level no less than 0.05 for each testing period must be used.	
E-5d(3) <u>Tolerance or Prediction Interval Procedure:</u>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> - Establish interval for each constituent based on distribution of background data. {264.97(h)(3) and 264.97(i)(4)} 	
<ul style="list-style-type: none"> - Compare level of each constituent in each compliance well to the upper tolerance or prediction limit. 	
<ul style="list-style-type: none"> - Prepare levels of confidence and/or percentage of the population that the interval must contain considering number of samples in the background data base, data distribution, and range of concentration values for each constituent of concern. 	
<p>E-5d(4) <u>Control Chart Approach:</u> {264.97(h)(4) and 264.97(i)(3)}</p> <ul style="list-style-type: none"> - Control limits for each constituent; 	
<ul style="list-style-type: none"> - Specify type of control chart and associated parameter values. 	
<p>E-5d(5) <u>Alternative Approach:</u></p> <p>An alternative approach can be proposed which complies with all performance standards set in 264.97(i). {264.97(h)(5) and 264.97(i)(3)}</p>	
<p>E-6 <u>Description of Detection Monitoring Program for Facilities not Detecting the Presence of Hazardous Constituents, Including:</u> {270.14(c)(6), 264.91(a)(4) and 264.98}</p>	
<p>E-6a <u>List of Indicator Parameters, Waste Constituents, Reaction Products to be Monitored for, Including:</u> {270.14(c)(6)(i), 264.93 and 264.98(a)}</p> <ul style="list-style-type: none"> - Type, quantities, concentrations expected wastes; - Mobility, stability, persistence in unsaturated zone; - Detectability in groundwater; and - Concentration or values and coefficients of variation of proposed parameters in the groundwater background. 	
<p>E-6b <u>Description of Groundwater Monitoring System</u> {270.14(c)(6)(ii), 264.98(b), 264.95, and 264.97}</p> <ul style="list-style-type: none"> - Hydraulic downgradient limit; - Waste management area; and {(a)(2),(b),(c)} - Uppermost aquifer. 	
<p>E-6c <u>Background Groundwater Concentration Values for Proposed Parameters</u> {270.14(c)(6)(iii), 264.98(c), 264.97(g)(1) and (2)}</p> <ul style="list-style-type: none"> - Use of an appropriate groundwater monitoring system, to establish background per E-5d specifying number and type of samples for each hazardous constituent appropriate to form of statistical test employed; - Sampling procedure shall be a sequence of at least four samples from each well in the entire system at an interval assuring an independent sample relative to the uppermost aquifer's effective porosity, hydraulic conductivity, hydraulic gradient and fate and transport characteristics of the potential 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
contaminants but at least semi-annually; or - Alternative sampling procedure to be approved.	
E-6d <u>Description of proposed Sampling and Analysis Procedures</u> {270.14(c)(6)(iv), 264.97(f), 264.98(f), and 264.98(d)}	
- Documentation of proper sampling and analysis procedures;	
- Procedures for determining groundwater elevation; {264.98(e)}	
- Procedures for determining statistically significant increase for any monitored parameter;	
- At least four samples from each compliance and background well semi-annually	
- Procedure for annual determination of uppermost aquifer flow rate and direction. {264.98(e)}	
E-6e <u>Procedure to be Implemented if a Statistically Significant Increase in Any Constituent or Parameter is Identified at Any Compliance Point Monitoring Well</u> {270.14(c)(7) and 264.98(g)}	
- Notify RA within seven days;	
- Sample all wells for Appendix IX list (Part 264) constituents;	
- Establish compliance monitoring program;	
- Submit engineering feasibility plan for a corrective action program or request RA approval to submit permit schedule for development of plan.	
- May demonstrate that a source other than the regulated unit caused the contamination.	
E-7 <u>Compliance Monitoring Program for Facilities Which Have Detected Presence of Hazardous Constituents</u> {270.14(c)(7) and 264.99}	
E-7a <u>Description of Monitoring Program</u>	
E-7a(1) <u>Description of Wastes Previously Handled at Facility</u> {270.14(c)(7)(i)}	
E-7a(2) <u>Characterization of Contaminated Groundwater</u> {270.14(c)(7)(ii)}	
- Hazardous constituents identified;	
- Hazardous constituents concentrations.	
E-7a(3) <u>List of Hazardous Constituents to be Monitored in Compliance Program</u> May resample within one month and repeat analysis for compounds detected. Constituents identified in both analysis will form basis for compliance monitoring plan. {270.14(c)(7)(iii), 264.99(a)(1), and 264.98(g)(3)}	
E-7a(4) <u>Proposed Concentration Limits for Each Constituent</u> {270.14(c)(7)(iv) and 264.99(a)(2)}	
- Justification for establishing alternative limits; {264.94}	
- Conditions warranting special sampling procedures;	
- Importance of statistically significant values; and	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> - Procedures for establishing background concentration values for constituents that are based on: {264.99(c)(3), 264.97(g) and (h)} <ul style="list-style-type: none"> • use of any appropriate ground-water monitoring system; • data that is available prior to permit issuance; • data that accounts for measurement errors in sampling analysis; • data that accounts for seasonal groundwater quality fluctuations; and • data from a minimum of four samples per well collected at least semiannually. 	
<p>E-7a(5) <u>Detailed Plans of an Engineering Report Describing Groundwater Monitoring System</u> {270.14(c)(7)(v) and 264.99(b)}</p>	
<ul style="list-style-type: none"> - Represent quality of groundwater passing point of compliance; {264.97(a)(2)} 	
<ul style="list-style-type: none"> - Proposed compliance point; {264.95} 	
<ul style="list-style-type: none"> - Number of wells; {264.97(a)(2)} 	
<ul style="list-style-type: none"> - Location and depths of wells; and {264.97(a)(2)} 	
<ul style="list-style-type: none"> - Casing and construction of wells. {264.97(c)} 	
<p>E-7a(6) <u>Description of Proposed Sampling and Statistical Analysis Procedures for Groundwater Data</u> {270.14(c)(7)(vi), 264.99(c), (d), (e), (f) and (g)}</p>	
<ul style="list-style-type: none"> - Compliance period 	
<ul style="list-style-type: none"> - Sample collection methods {264.97(d)} 	
<ul style="list-style-type: none"> - Sample preservation/shipment {264.97(d)} 	
<ul style="list-style-type: none"> - Analytical procedures {264.97(d)} 	
<ul style="list-style-type: none"> - Chain-of-custody control {264.97(d)} 	
<ul style="list-style-type: none"> - Documentation of proper sampling and analysis procedures {264.97(e)} 	
<ul style="list-style-type: none"> - Procedures for determining ground-water elevation {264.97(f)} 	
<ul style="list-style-type: none"> - Procedures for annual determination of uppermost aquifer flow rate and direction {264.99(e)} 	
<ul style="list-style-type: none"> - Annual testing procedures for Appendix IX constituents. {264.99(g)} 	
<p>Procedures for determining a statistically significant increase for any monitored parameters or hazardous constituent: {264.99(d) and (f)}</p>	
<ul style="list-style-type: none"> - Comparing compliance point using the procedure in 264.97(h) to the concentration limit developed in accordance with 264.94. 	
<ul style="list-style-type: none"> - At least four samples from each well (compliance and background) must be collected at least semi-annually. 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
E-7a(7) <u>Procedures to be Implemented if Groundwater Protection Standard is Exceeded at Compliance Point Monitoring Well</u> {264.99(i) and 264.99(h)} - Written notification to Regional Administrator	
- An application for permit modification to establish a corrective action program, including details of the program to comply with groundwater protection standard and details of groundwater monitoring to demonstrate effectiveness of the corrective action program, or	
- Submit demonstration that concentration limits were exceeded due to source other than regulated unit, or due to statistical error.	
E-7b <u>An Engineering Feasibility Plan for Corrective Action Program</u> {270.14(c)(7), 270.14(c)(8)(v), and 264.98(g)(5)(ii)} - Engineering feasibility plan for a corrective action program to meet requirements of 264.100, or	
- Request authorization from RA to submit schedule for a submittal plan.	
E-8 <u>Corrective Action Program</u> {270.14(c)(8)(i)}	
E-8a <u>Characterization of Contamination</u> - Identification of hazardous constituents detected in groundwater	
- Concentrations of hazardous constituents.	
E-8b <u>Concentration Limits</u> {270.14(c)(8)(ii), 264.100(a), and 264.97(a)}	
E-8b(1) <u>Concentration Limits Established Under 264.94(a)</u>	
E-8b(2) <u>Alternate Concentration Limits</u> {264.94(b)}	
- Proposed alternate concentration limits - Justification for proposed alternate limits, including assessment of potential adverse effects on groundwater quality and on the quality of hydraulically connected surface waters, and assessment of the potential for health risks caused by human exposure to waste constituents.	
E-8c <u>Corrective Action Plan</u> A corrective action program must prevent hazardous constituents from exceeding their respective concentration limits at the compliance point, and between the compliance point and the downgradient facility property boundary. The corrective action plan must consist of detailed engineering plans and report, and must address the following: {270.14(c)(8)(iii) and 264.100}	
- Identification of compliance point - Plans for removing and handling of hazardous wastes (if proposed)	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
- Design and construction plans and specifications for any proposed features to contain groundwater or redirect its flow (e.g., drains, engineered barriers, wells)	
- A description of the treatment technologies to be employed to remove hazardous constituents from contaminated groundwater	
- Description of the operation and maintenance plans for the corrective action measures	
- Description of any additional hydrogeologic data collected for use in designing the corrective action measures	
- Schedule for implementation the corrective action measures.	
<p>E-8d <u>Groundwater Monitoring Program</u></p> <p>In conjunction with a corrective action program, a groundwater monitoring program must be implemented to determine compliance with the concentration limits established under 264.94, and to determine the effectiveness of the corrective action program.</p> <p>{270.14(c)(8) and 264.100(d)}</p>	
<p>E-8d(1) <u>Description of Monitoring System</u></p> <p>{270.14(c)(8) and 270.14(c)(7)(v)}</p>	
- Number of wells	
- Locations	
- Depths and screened intervals	
- Casing descriptions	
- Other well construction details	
- Description of how the groundwater monitoring program will demonstrate the adequacy of the corrective action.	
<p>E-8d(2) <u>Description of Sampling and Analysis Procedures</u></p> <p>{270.14(c)(8) and 270.14(c)(7)(vi)}</p>	
- Sampling frequency	
- Sample collection	
- Sample preservation and shipment	
- Analytical procedures	
- Chain-of-custody control	
- Procedures for determining ground-water elevations	
- Procedures for annual determination of groundwater flow rate and direction.	
<p>E-8d(3) <u>Monitoring Data and Statistical Analysis Procedures</u></p> <p>{270.14(c)(8) and 270.14(c)(7)(vi)}</p>	
- Procedure for establishing background concentration values	
- Statistical procedures for comparing compliance point data to the concentration limits	
- Statistical procedures for evaluating effectiveness of the corrective action program between the compliance point and the property boundary.	
<p>E-8d(4) <u>Reporting Requirements</u></p>	
<p>- Semi-annual report to Regional Administrator evaluating the effectiveness of the corrective action program.</p> <p>{264.100(g)}</p>	

**REGULATORY COMPLETENESS CHECKLIST FOR
HAZARDOUS WASTE STORAGE, TREATMENT AND DISPOSAL FACILITIES**

Facility Name _____
 EPA ID Number _____
 Permit Review Team _____

 Date Review Completed _____

Guidance Documents for Part F

- (2) Permit Applicants' Guidance Manual for the General Facility Standards of 40 CFR 264, SW-968, October 1983.
- (7) Guidance on Setting Permit Conditions and Reporting Trial Burn Results - Volume II of the Hazardous Waste Incineration Guidance Series, EPA/625/6-89/019, January 1989.
- (10) Hazardous Waste Incinerator Inspection Manual, OSWER Directive No. 9938.6, April 1989.

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>PART F - PROCEDURES TO PREVENT HAZARDS</p> <p>F-1 <u>Security</u></p> <p>F-1a <u>Security Procedures and Equipment</u></p> <p>The Part B must include a description of the security procedures and equipment required by 264.14 as detailed below, unless a waiver is granted: (See section F-1b of this checklist for waiver requirements) {264.14(a) and 270.14(b)(4)}</p>	
<p>F-1a(1) <u>24-Hour Surveillance System</u></p> <p>A 24-hour surveillance system (e.g., television monitoring or surveillance by guards or facility personnel) that continuously monitors and controls entry onto the active portion of the facility: {264.14(b)(1)}</p> <ul style="list-style-type: none"> - Procedures and personnel to be used [Guidance(2) - pg 5-67] - Location and description of equipment. [Guidance(2) - pg 5-67] 	
<p>F-1a(2) <u>Barrier and Means to Control Entry</u></p> <p>In lieu of a 24-hour surveillance system, the applicant may elect to use a barrier and other means to control entry. {264.14(b)(2)}</p>	
<p>F-1a(2)(a) <u>Barrier</u></p> <p>An artificial or natural barrier (e.g., a fence in good repair or a fence combined with a cliff) that completely surrounds the active portion of the facility. Description should include: {264.14(b)(2)(i)} [Guidance(2) - pg 5-68]</p> <ul style="list-style-type: none"> - Height, and - Material of construction. 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>F-1a(2)(b) <u>Means to Control Entry</u></p> <p>A means to control entry, at all times, through the gates or other entrances to the active portion of the facility (e.g., an attendant, television monitors, locked entrance, or controlled roadway access to the facility). {264.14(b)(2)(ii)} [Guidance(2) - pg 5-68]</p> <ul style="list-style-type: none"> - Description should include: <ul style="list-style-type: none"> • Procedure and personnel to be used, and • Location and description of equipment. 	
<ul style="list-style-type: none"> - The requirements of sections F-1a(1) and F-1a(2) of this checklist are satisfied if the facility or plant within which the active portion is located itself has a surveillance system, or a barrier and means to control entry, which complies with the requirements of 264.14(b)(1) or 264.14(b)(2). {Comment following 264.14(b)(2)(ii)} 	
<p>F-1a(3) <u>Warning Signs</u></p> <p>The facility must have a sign with the legend, "Danger - Unauthorized Personnel Keep Out," which must:</p> <ul style="list-style-type: none"> - Be posted at each entrance to the active portion of the facility {264.14(c)} 	
<ul style="list-style-type: none"> - Be in sufficient numbers to be seen from any approach to the active portion of the facility {264.14(c)} 	
<ul style="list-style-type: none"> - Be in English and any other language predominating in the area {264.14(c)} 	
<ul style="list-style-type: none"> - Be legible from a distance of at least 25 feet. {264.14(c)} <p>Existing signs with a legend other than "Danger - Unauthorized Personnel Keep Out" may be used if the legend on the sign indicates that only authorized personnel are allowed to enter the active portion and that entry onto the active portion can be dangerous. {264.14(c)}</p>	
<p>F-1b <u>Waiver</u></p> <p>If a waiver of these requirements is requested, the owner or operator must demonstrate the following: {264.14(a)}</p>	
<p>F-1b(1) <u>Injury to Intruder</u></p> <p>Physical contact with the waste, structure, or equipment within the active portion of the facility will not injure unknowing or unauthorized persons or livestock that may enter the active portion of a facility; and {264.14(a)(1)}</p>	
<p>F-1b(2) <u>Violation Caused by Intruder</u></p> <p>Disturbance of the waste or equipment by the unknowing or unauthorized entry of persons or livestock onto the active portion</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>of a facility will not cause a violation of the requirements of 40 CFR Part 264. {264.14(a)(2)}</p> <p>Note: To address F-1b(1) and F-1b(2), the applicant should include:</p> <ul style="list-style-type: none"> - Nature and duration of hazard potential from wastes, [Guidance(2) - page 5-70] 	
<ul style="list-style-type: none"> - Equipment and structures to minimize potential for an intruder to 1) cause a spill; 2) mix incompatible wastes; 3) ignite ignitable or reactive wastes; 4) damage containment or monitoring systems, [Guidance(2) - page 5-70] 	
<ul style="list-style-type: none"> - Features that prevent contact with waste and prevent equipment and structures from unauthorized access and tampering. [Guidance(2) - page 5-70] 	
<p>F-2 <u>Inspection Schedule</u></p> <p>A copy of the general inspection schedule required by 264.15(b) and as detailed below including, where applicable, specific requirements for</p> <ul style="list-style-type: none"> - containers [264.174]; - tanks [264.193(h)(4)(i), 264.195]; - surface impoundments [264.226]; - waste piles [264.254]; - land treatment [264.273(g)]; - landfills [264.303]; - incinerators [264.347]; - drip pads [264.574]; - miscellaneous units [264.602]; - process vents [264.1033]; - equipment leaks [264.1052, 264.1053, 264.1057, 264.1058]; - air emission controls for tanks, surface impoundments, and containers [264.1101(c)(4)]; - boilers and industrial furnaces [266.102(e)(8), and 266.103(j)]. <p>{270.14(b)(5) and 264.15}</p>	
<p>F-2a <u>General Inspection Requirements</u></p> <p>A description of the facility inspection schedule (schedule must be kept at the facility) for the following equipment: {270.14(b)(5), 264.15(a), 264.15(b)(1), 264.15(b)(2), 264.15(b)(4) and 264.33}</p> <ul style="list-style-type: none"> - Monitoring equipment; - Emergency and safety equipment; - Security devices; - Operating and structural equipment that are vital to prevent, detect, or respond to environmental or human health hazards; - Testing as necessary of communications or alarm systems, fire protection equipment, and decontamination equipment; - Containers; - Tank systems; - Waste piles; - Surface Impoundments; 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> - Incinerators; - Landfills; - Land treatment units; - Miscellaneous Units; - Boilers and Industrial Furnaces; - Drip Pads; and - Containment buildings. 	
<p>F-2a(1) <u>Types of Problems</u></p> <p>The schedule must identify the types of problems to look for during the inspection (e.g., leaks, deterioration, readings out of specified range, missing items or materials, inoperative equipment, etc.). {264.15(b)(3)}</p>	
<p>F-2a(2) <u>Frequency of Inspection</u></p> <p>A description of the inspection frequency must be provided for items on the schedule. The frequency of inspection should be based on the rate of possible deterioration of equipment and the probability of an environmental or human health incident if the deterioration, malfunction, or operator error goes undetected between inspections. Areas subject to spills, such as loading and unloading areas, must be inspected daily when in use. {264.15(b)(4)}</p>	
<p>F-2b Facility Inspection Requirements</p> <p>F-2b(1) Monitoring Equipment</p> <p>Examples of monitoring equipment to be inspected at TSD facilities may include, but are not limited to: [Guidance(2) - page 5-77]</p>	
<ul style="list-style-type: none"> - Liquid level transmitters 	
<ul style="list-style-type: none"> - Conservation vents 	
<ul style="list-style-type: none"> - Leak detection/collection system 	
<ul style="list-style-type: none"> - Ground water monitoring system 	
<ul style="list-style-type: none"> - Liquid flow meters 	
<ul style="list-style-type: none"> - Scales 	
<ul style="list-style-type: none"> - Hazardous gas detectors 	
<ul style="list-style-type: none"> - pH monitors 	
<ul style="list-style-type: none"> - Pressure sensors 	
<ul style="list-style-type: none"> - Temperature gauges 	
<p>F-2b(2) <u>Emergency Equipment</u></p> <p>Examples of emergency equipment to be inspected at TSD facilities are: [Guidance(2) - page 5-77]</p> <ul style="list-style-type: none"> - Fire detection/control equipment <ul style="list-style-type: none"> • Fire blankets • Fire extinguishers • Fire alarm system • Smoke detectors • Fire fighting wagon/hoses • Alarm system (other than fire) - Emergency backup equipment 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> ▪ Generators ▪ Emergency lights 	
<ul style="list-style-type: none"> - Spill control equipment <ul style="list-style-type: none"> ▪ Portable pumps/hoses ▪ Absorbants ▪ Containment booms ▪ Shovels ▪ Brooms ▪ Sump pumps 	
<ul style="list-style-type: none"> - Emergency Personal Protective Equipment <ul style="list-style-type: none"> ▪ Face shields ▪ Protective glasses/goggles ▪ Protective clothing (overalls, boots) ▪ Gas masks ▪ Chemical respirators ▪ Self-contained breathing apparatus 	
<p>F-2b(3) <u>Safety Equipment</u></p> <p>Examples of safety equipment to be inspected at TSD facilities are: [Guidance(2) - page 5-77]</p> <ul style="list-style-type: none"> - Emergency shower/eyewash 	
<ul style="list-style-type: none"> - Decontamination equipment <ul style="list-style-type: none"> ▪ Detergents ▪ Cleaning solvents 	
<ul style="list-style-type: none"> - Personal Protective Equipment <ul style="list-style-type: none"> ▪ Face shields ▪ Protective glasses/goggles ▪ Protective clothing (overalls, boots) ▪ Gas masks ▪ Chemical respirators 	
<ul style="list-style-type: none"> - First aid/equipment supplies 	
<ul style="list-style-type: none"> - Signs <ul style="list-style-type: none"> ▪ Warning ▪ No smoking 	
<ul style="list-style-type: none"> - Communication equipment <ul style="list-style-type: none"> ▪ Telephones ▪ Radios ▪ Intercoms ▪ Public address system ▪ Television monitoring system ▪ Pagers ▪ Cellular telephones 	
<p>F-2b(4) <u>Security Equipment</u></p> <p>Examples of security equipment to be inspected at TSD facilities are: [Guidance(2) - page 5-77]</p> <ul style="list-style-type: none"> - Surveillance system <ul style="list-style-type: none"> ▪ Video cameras ▪ Television monitors ▪ Alarm systems 	
<ul style="list-style-type: none"> - Barrier <ul style="list-style-type: none"> ▪ Fences-facility/area 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> • Gates • Locks 	
- Warning signs	
- Lighting	
<p>F-2b(5) <u>Operating and Structural Equipment</u></p> <p>Examples of operating and structural equipment to be inspected at TSD facilities are: [Guidance(2) - page 5-77]</p> <ul style="list-style-type: none"> - Structural equipment <ul style="list-style-type: none"> • Dikes • Berms • Ramps • Tank supports • Bases/foundations • Roofs • Walls • Fire and explosion barriers • Ventilation equipment 	
<ul style="list-style-type: none"> - Operating equipment <ul style="list-style-type: none"> • Lifts (elevators) 	
<ul style="list-style-type: none"> - Other areas (as applicable to hazardous waste management) <ul style="list-style-type: none"> • Loading/unloading areas • Storage areas • Main roadways • Gate areas • Periphery 	
<p>F-2b(6) <u>Testing of Equipment</u></p> <p>Examples of equipment requiring testing at TSD facilities are: {264.33} [Guidance(2) - page 5-104]</p> <ul style="list-style-type: none"> - Communication systems - Alarm systems - Fire control equipment - Spill control equipment - Decontamination equipment - Emergency water supply system 	
<p>F-2c <u>Specific Process Inspection Requirements</u></p> <p>At a minimum, the inspection schedule must include the terms and frequencies called for in 264.174, 264.195, 264.226, 264.254, 264.273(g), 264.303, 264.347 and 266.102, where applicable as detailed below. {270.14(b)(5) and 264.15(b)}</p>	
<p>F-2c(1) <u>Container Inspection</u></p> <p>A description of the weekly inspection of containers and container storage areas for leaks in containers or deterioration of containers and the containment system caused by corrosion or other factors. {264.174}</p>	
<p>F-2c(2) <u>Tank System Inspection</u></p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> - A description of the inspection each operating day of overfilling control equipment, monitoring equipment and levels of waste. These may include: {264.195(a)} [Guidance(2) - Section 5.5.2.3] <ul style="list-style-type: none"> • Temperature gauges, • Pressure gauges, • Liquid level monitors, • Waste feed cut-off systems, • Overfill alarm systems. 	
<ul style="list-style-type: none"> - A description of the daily inspection of aboveground portions of the tank system, if any, to detect corrosion or releases of waste. These may include: {264.195(b)(1)} [Guidance(2) - Section 5.5.2.3] <ul style="list-style-type: none"> • Ancillary equipment, • Seals at manholes, gauge locations, etc., • Inlet/outlet nozzles and flanges. 	
<ul style="list-style-type: none"> - A schedule describing the inspection each operating day of data from monitoring and leak detection equipment (e.g., pressure and temperature gauges) where present to ensure that the tank is operated according to design specifications. These may include: {264.195(b)(2)} [Guidance(2) - Section 5.5.2.3] <ul style="list-style-type: none"> • Temperature, • Pressure, • Liquid level. 	
<ul style="list-style-type: none"> - A description of the daily inspection of tank construction materials and the area surrounding the tank including secondary containment system (e.g., dikes) to detect erosion or signs of release. {264.195(b)(3)} 	
<ul style="list-style-type: none"> - A schedule and procedure for assessing the condition of the tank, including detection of leaks, cracks, or wall thinning to less than minimum shell thickness. [Guidance(2) - page 5-82] 	
<ul style="list-style-type: none"> - A procedure for emptying a tank to allow entry and inspection when necessary to detect corrosion or erosion of the tank sides and bottom. [Guidance(2) - page 5-82] 	
<ul style="list-style-type: none"> - Confirm proper operation of cathodic protection system (if present) within six months after installation and at least annually thereafter. {264.195(c)(1)} 	
<ul style="list-style-type: none"> - Schedule showing all sources of impressed current for cathodic protection system are inspected and/or tested at least bimonthly. {264.195(c)(2)} 	
<p>F-2c(3) <u>Waste Pile Inspection</u></p> <p>Waste pile owners or operators must provide a description of procedures for:</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>{270.18(d), and 264.254}</p> <ul style="list-style-type: none"> - For new facilities, inspection of liners/covers during and immediately after installation {264.254(a)} <ul style="list-style-type: none"> • Synthetic liners and covers must be inspected to ensure tight seams and joints and the absence of tears, punctures and blisters, and {264.254(a)(1)} • Soil-based and admixed liners and covers must be inspected for imperfections, including lenses, cracks, channels, root holes, or other structural non-uniformities that may cause an increase in permeability. {264.254(a)(2)} 	
<ul style="list-style-type: none"> - Inspections should also include: [Guidance(2) - pages 5-86 and 5-92] <ul style="list-style-type: none"> • Raw materials prior to construction, • Construction equipment, • Construction procedures, • Post construction inspection. 	
<ul style="list-style-type: none"> - Inspections weekly and after storms to detect: <ul style="list-style-type: none"> • deterioration, malfunctions, or improper operation of run-on and run-off control systems; {264.254(b)(1)} • proper functioning of wind dispersal control systems, where present; {264.254(b)(2)} • the presence of leachate in and proper functioning of leachate collection and removal systems, where present; and {264.254(b)(3)} • the presence of liquids in and proper functioning of leak detection systems, where installed. The amount of liquid removed must be recorded. {264.254(c)} 	
<p>F-2c(4) <u>Surface Impoundment Inspection</u></p> <p>Surface impoundment owners or operators must provide a description of procedures for: {270.17(c) and 264.226(a)}</p> <ul style="list-style-type: none"> - For new facilities, inspection of liners/covers during and immediately after installation {264.226(a)} <ul style="list-style-type: none"> • Synthetic liners and covers must be inspected to ensure tight seams and joints and the absence of tears, punctures and blisters, and {264.226(a)(1)} • Soil-based and admixed liners and covers must be inspected for imperfections, including lenses, cracks, channels, root holes, or other structural non-uniformities that may cause an increase in permeability. {264.226(a)(2)} <p>Inspections should also include: [Guidance(2) - page 5-86]</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> • Raw materials prior to construction, • Construction equipment, • Construction procedures, • Post construction inspection. 	
<ul style="list-style-type: none"> - Inspections weekly and after storms for: {264.226(b)} • Deterioration, malfunctions, or improper operation of overtopping control systems; {264.226(b)(1)} • Sudden drops in the level of the impoundment's contents {264.226(b)(2)} • Severe erosion or other signs of deterioration in dikes or other containment devices. {264.226(b)(3)} • the presence of liquids in and proper functioning of leak detection systems, where installed. The amount of liquid removed must be recorded. {264.226(d)(1)} 	
<p>F-2c(5) <u>Incinerator Inspection</u></p> <ul style="list-style-type: none"> - Incinerator and associated equipment must be inspected visually at least daily for leaks, spills, fugitive emissions and signs of tampering. {264.347(b)} 	
<ul style="list-style-type: none"> - Emergency waste feed cut-off system and associated alarms must be tested weekly unless the applicant demonstrates that weekly inspection is unduly restrictive and that less frequent inspection will be adequate. At a minimum, operational testing must be conducted monthly. {264.347(c)} 	
<ul style="list-style-type: none"> - Specific operating and monitoring equipment which should be inspected include: [Guidance(7) - page 80] - Incinerator equipment - Waste/fuel feed systems <ul style="list-style-type: none"> • Liquid waste feed systems, including flow meters, pumps and mixing devices; • Solid waste feed systems, including conveyor system and waste feed measurement system (scales); • Fuel feed systems, including flow meters, pumps and mixing devices. [Guidance(10) - pages II-23 - II-26] - Monitoring equipment <ul style="list-style-type: none"> • Waste flow monitors and recorders • Temperature monitors • O2 and CO monitors • Combustion gas flow monitors • Pressure monitors • Flame sensors • Pressure differential indicators • Ammeters for measuring blower current draw. [Guidance(10) - pages II-57 - II-73] - Air Pollution Control Equipment <ul style="list-style-type: none"> • Wet scrubbers (venturi, packed bed, ionizing) • Dry scrubbers (rotary atomization, and dual-fluid 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>nozzle atomization)</p> <ul style="list-style-type: none"> • Fabric filters <p>APCE support systems and performance instrumentation should also be included in the inspection. [Guidance(10) - pages II-26 - II-57]</p>	
<p>F-2c(6) <u>Landfill Inspection</u></p> <p>Landfill owners or operators must provide a description of procedures for: {270.21(d), 264.15(a), and 264.303}</p> <ul style="list-style-type: none"> - For new facilities, inspection of liners/covers during and immediately after installation {264.303(a)} <ul style="list-style-type: none"> • Synthetic liners and covers must be inspected to ensure tight seams and joints and the absence of tears, punctures and blisters, and {264.303(a)(1)} • Soil-based and admixed liners and covers must be inspected for imperfections, including lenses, cracks, channels, root holes, or other structural non-uniformities that may cause an increase in permeability. {264.303(a)(2)} <p>Inspections should also include: [Guidance(2) - page 5-86]</p> <ul style="list-style-type: none"> • Raw materials prior to construction, • Construction equipment, • Construction procedures, • Post construction inspection. 	
<ul style="list-style-type: none"> - Inspections weekly and after storms for: {264.303(b)} <ul style="list-style-type: none"> • Deterioration, malfunctions, or improper operation of run-on/run-off controls; {264.303(b)(1)} • Proper functioning of wind dispersal control systems, where present; {264.303(b)(2)} • Leachate in and proper operation of leachate collection/removal system; and {264.303(b)(3)} • Presence of liquids in and proper operation of leak detection system. The amount of liquid removed must be recorded. {264.303(c)(1)} 	
<p>F-2c(7) <u>Land Treatment Inspection</u></p> <p>Provide a description of how the unit will be inspected weekly and after storms for: {270.20(c)(5) and 264.273(g)}</p> <ul style="list-style-type: none"> - Deterioration, malfunctions, or improper operation of run-on and run-off control systems; {264.273(g)(1)} 	
<ul style="list-style-type: none"> - Improper functioning of wind dispersal control measures; and 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
{264.273(g)(2)}	
<ul style="list-style-type: none"> - Wind breaks around unit for gaps or breakage. [Guidance(2) - page 5-96] 	
<p>F-2c(8) <u>Miscellaneous Unit Inspections</u></p> <p>Provide an inspection program which ensures compliance with the standards specified in F-2b(1) through F-2b(5), where applicable. Check other similar units for equipment and inspection examples. {264.602}</p>	
<p>F-2c(9) <u>Boilers and Industrial Furnaces Inspections</u></p> <ul style="list-style-type: none"> - The boiler or industrial furnace and associated equipment must be inspected visually at least daily for leaks, spills, fugitive emissions and signs of tampering. {266.102(e)(8)(iii)} 	
<ul style="list-style-type: none"> - The automatic hazardous waste feed cut-off system and associated alarms must be tested weekly when hazardous waste is burned unless the applicant demonstrates that weekly inspection is unduly restrictive and that less frequent inspection will be adequate. At a minimum, operational testing must be conducted monthly. {266.102(e)(8)(iv)} 	
<ul style="list-style-type: none"> - Specific operating and monitoring equipment which should be inspected include: [Guidance(7) - page 80] 	
<ul style="list-style-type: none"> - Boiler and/or industrial furnace - Waste/fuel feed systems <ul style="list-style-type: none"> • Liquid waste feed systems, including flow meters, pumps and mixing devices; • Solid waste feed systems, including conveyor system and waste feed measurement system (scales); • Fuel feed systems, including flow meters, pumps and mixing devices • Raw material feed systems. [Guidance(10) - pages II-23 - II-26] 	
<ul style="list-style-type: none"> - Monitoring equipment <ul style="list-style-type: none"> • Waste flow monitors and recorders • Temperature monitors • O₂, CO and HC monitors • Combustion gas flow monitors • Pressure monitors • Flame sensors • Pressure differential indicators • Ammeters for measuring blower current draw. [Guidance(10) - pages II-57 - II-73] 	
<ul style="list-style-type: none"> - Air Pollution Control Equipment <ul style="list-style-type: none"> • Wet scrubbers (venturi, packed bed, ionizing) • Dry scrubbers (rotary atomization, and dual-fluid nozzle atomization) • Fabric filters <p>APCE support systems and performance instrumentation should also be included in the inspection.</p> 	

Subject Requirement and 40 CFR Reference [Guidance(10) - pages II-26 – II-57]	Location in Application and Comments
<p>F-2c(10) <u>Drip Pad Inspections</u></p> <ul style="list-style-type: none"> - Drip pad owners or operators of new facilities must provide a description of procedures for: {264.547(a)} <ul style="list-style-type: none"> • Inspection of liners/covers during installation for uniformity, damage and imperfections. • Inspection immediately after construction to certify that the drip pad was constructed in accordance with 264.573. • Inspection of liners and covers after installation to ensure tight seams and joints and the absence of tears, punctures and blisters. 	
<ul style="list-style-type: none"> - Inspections weekly and after storms for: <ul style="list-style-type: none"> • Deterioration, malfunctions, or improper operation of run-on and run-off control systems; {264.574(b)(1)} • Presence of leakage in or proper functioning of leak detection system; and {264.574(b)(2)} • Deterioration or cracking of the drip pad surface. {264.574(b)(3)} 	
<p>F-2c(11) <u>Containment Building Inspections</u></p> <p>A description of the inspection procedures. Specifically the unit must be inspected at least once every seven days. The inspection must include; {264.1101(c)(4)}</p> <ul style="list-style-type: none"> - data gathered from the monitoring equipment and leak detection equipment, and - the containment building and surrounding area for signs of release of hazardous waste. 	
<p>F-2c(12) <u>Subpart AA - Air Emission Standards for Process Vents</u></p> <p>The inspection requirements for these units will be covered under the Subpart AA checklist (Module AA).</p>	
<p>F-2c(13) <u>Subpart BB - Air Emission Standards for Equipment Leaks</u></p> <p>The inspection requirements for these units will be covered under the Subpart BB checklist (Module BB).</p>	
<p>F-2c(14) <u>Subpart CC - Air Emission Standards for Tanks, Surface Impoundments, and Containers</u></p> <p>The inspection requirements for these units will be covered under the Subpart CC checklist (Module CC).</p>	
<p>F-2d <u>Remedial Action</u></p> <p>A description of procedures for taking remedial actions when inspections reveal problems or when problems are imminent. These may alternately be described in the contingency plan (see 264.194(c), 264.227, and 264.171). {264.15(c)}</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>F-2e <u>Inspection Log</u></p> <p>A copy or description of the inspection log or summary form including the following: {264.73(b)(5) and 264.15(d)}</p> <ul style="list-style-type: none"> - Dates and times of inspections, - Name(s) of the inspector(s), - Observations made, - Date and nature of repairs or remedial actions taken. 	
<p>F-3 <u>Waiver of Preparedness and Prevention Requirements</u></p> <p>A justification of any request for a waiver of preparedness and prevention requirements of Part 264, Subpart C. {270.14(b)(6)}</p>	
<p>F-3a <u>Equipment Requirements</u></p> <p>Unless it can be demonstrated that none of the hazards posed by waste handled at the facility would require a particular kind of equipment specified below, the facility must have the following equipment: {264.32}</p>	
<p>F-3a(1) <u>Internal Communications</u></p> <p>An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel. {264.32(a)}</p>	
<p>F-3a(2) <u>External Communications</u></p> <p>A device such as telephone (immediately available at the scene of operations) or a handheld two-way radio, for summoning emergency assistance from local police departments, or state or local emergency response teams. {264.32(b)}</p>	
<p>F-3a(3) <u>Emergency Equipment</u></p> <ul style="list-style-type: none"> - Portable fire extinguishers {264.32(c)} 	
<ul style="list-style-type: none"> - Fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals, and portable fire extinguishers) {264.32(c)} 	
<ul style="list-style-type: none"> - Spill control equipment {264.32(c)} 	
<ul style="list-style-type: none"> - Decontamination equipment. {264.32(c)} 	
<p>F-3a(4) <u>Water for Fire Control</u></p> <p>One of the following:</p> <ul style="list-style-type: none"> - Water at adequate volume and pressure to supply water hose streams, or {264.32(d)} 	
<ul style="list-style-type: none"> - Foam-producing equipment, or {264.32(d)} 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>- Automatic sprinklers or water spray systems. {264.32(d)}</p>	
<p>F-3b <u>Aisle Space Requirements</u></p> <p>Sufficient aisle space is needed to allow the unobstructed movement of personnel, fire protection equipment, or spill control equipment to any area of facility operation in an emergency. "Sufficient" aisle space is determined by storage area configuration and corresponding emergency response and inspection procedures. A good rule of thumb is three (3) feet, a minimum of two (2) feet, and four (4) feet between rows which are two pallets wide. However, each facility must be evaluated individually to determine the minimum aisle space necessary for that facility's operation. {264.35}</p> <p>Requests for a waiver of this requirement must be accompanied by a demonstration that the aisle space is not needed.</p>	
<p>F-4 <u>Preventive Procedures, Structures, and Equipment</u></p> <p>A description of procedures, structures, or equipment used at the facility for the following must be included: {270.14(b)(8)}</p>	
<p>F-4a <u>Loading and Unloading Operations</u></p> <p>Prevention of hazards in unloading operations (e.g., use of ramps or special forklifts). {270.14(b)(8)(i)}</p>	
<p>F-4b <u>Run-Off</u></p> <p>Prevention of runoff from hazardous waste handling areas to other areas of the facility or environment, or prevention of flooding (e.g., berms, dikes, trenches). {270.14(b)(8)(ii)}</p>	
<p>F-4c <u>Water Supplies</u></p> <p>Prevention of contamination of water supplies. {270.14(b)(8)(iii)}</p>	
<p>F-4d <u>Equipment and Power Failure</u></p> <p>Mitigation of effects of equipment failure and power outages. {270.14(b)(8)(iv)}</p>	
<p>F-4e <u>Personal Protection Equipment</u></p> <p>Prevention of undue exposure of personnel to hazardous waste (e.g., protective clothing). {270.14(b)(8)(v)}</p>	
<p>F-4f <u>Ventilation Equipment</u></p> <p>Prevention of release to atmosphere. {270.14(b)(8)(vi)}</p>	
<p>F-5 <u>Prevention of Reaction of Ignitable, Reactive and Incompatible Wastes</u></p> <p>F-5a <u>Precautions to Prevent Ignition or Reaction of Ignitable or Reactive Wastes</u></p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>A description of the precautions taken by a facility that handles ignitable, reactive, or incompatible waste to demonstrate compliance with 264.17 including documentation demonstrating compliance with 264.17(c). Precautions to prevent actual ignition, including separation from sources of ignition such as: {270.14(b)(9) and 264.17(a) and (c)}</p> <ul style="list-style-type: none"> - Open flames - Smoking - Cutting and welding - Hot surfaces - Frictional heat - Sparks (static, electrical, or mechanical) - Spontaneous ignition (heat producing chemical reactions) - Radiant heat. <p>{264.17(a)}</p>	
<p>Demonstrations that when ignitable or reactive waste is being handled, the owner or operator confines smoking and open flames to specially designated locations. "No Smoking" signs must be conspicuously placed wherever a hazard exists for ignitable or reactive waste.</p> <p>{264.17(a)}</p>	
<p>F-5b <u>General Precautions for Handling Ignitable or Reactive Waste and Mixing of Incompatible Waste</u></p> <p>A description of the precautions taken by a facility that treats, stores, or disposes of ignitable or reactive waste, or accidentally mixes incompatible waste or incompatible wastes or other materials, to prevent reactions which: {270.14(b)(9) and 264.17(b) and (c)}</p> <ul style="list-style-type: none"> - generate extreme heat or pressure, fire or explosions, or violent reactions; {264.17(b)(1)} 	
<ul style="list-style-type: none"> - produce uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health or the environment; {264.17(b)(2)} 	
<ul style="list-style-type: none"> - produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions; {264.17(b)(3)} 	
<ul style="list-style-type: none"> - damage the structural integrity of the device or facility; {264.17(b)(4)} 	
<ul style="list-style-type: none"> - by similar means threaten human health or the environment. {264.17(b)(5)} 	
<p>Documentation to meet requirements of 264.17(a) or (b) may be based on references to published scientific or engineering literature, data from trial tests, waste analyses, or results of treatment of similar wastes by similar treatment processes and under similar operating conditions.</p> <p>{264.17(c)}</p>	
<p>F-5c <u>Management of Ignitable or Reactive Wastes in Containers</u></p> <p>Sketches, drawings, or data demonstrating that containers of</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
ignitable or reactive waste are located at least 15 meters (50 feet) from the facility's property line or at least 60 meters (200 feet) from the property line if the area adjacent to the facility is not zoned for industrial use. {270.15(c), 264.176, and 15A NCAC 13A .0009(r)(2)(B)}	
F-5d <u>Management of Incompatible Wastes in Containers</u> A description of procedures to demonstrate compliance with 264.177(a) and (b) and 264.17(b) and (c): {270.15(d) and 264.177} - The procedures used to ensure that incompatible wastes and materials are not placed in the same container (unless 264.17(b) is complied with) or in an unwashed container that previously held an incompatible waste {264.177(a) and 264.177(b)}	
- Dikes, berms, walls, or other devices used to separate containers, holding wastes which are incompatible with wastes or materials stored nearby. {264.177(c)}	
F-5e <u>Management of Ignitable or Reactive Wastes in Tanks</u> A description of the procedures for handling incompatible, ignitable, or reactive wastes, including the use of buffer zones. {270.16(j)} - Waste must be treated, rendered, or mixed before or immediately after placement in the tank so that <ul style="list-style-type: none"> • it is no longer considered ignitable and complies with 264.17(b); {264.198(a)(1)} • or the waste is stored or treated in such a way that it is protected from any material or conditions that may cause the waste to react or ignite; {264.198(a)(2)} • or the tank is used solely for emergencies. {264.198(a)(3)} 	
- Facilities that treat or store ignitable or reactive waste in covered tanks must comply with the National Fire Protection Association's buffer zone requirements for tanks. {264.198(b)}	
F-5f <u>Incompatible Wastes in Tanks</u> A statement that incompatible wastes and materials are not stored in the same tank or in an unwashed tank that previously held an incompatible waste or material (unless 264.17(b) is complied with). {270.16(j) and 264.199}	
F-5g <u>Ignitable or Reactive Wastes in Waste Piles</u> The application must include a description of the procedures for handling ignitable or reactive wastes, including the use of buffer zones. {270.18(f)}	
- Waste must be treated, rendered, or mixed before or immediately after placement in the waste pile so that it is no longer considered ignitable or reactive and complies with	

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264.17(b); or {264.256(a)}	
- The waste is managed in such a way that it is protected from any material or conditions that may cause the waste to react or ignite. {264.256(b)}	
F-5h <u>Incompatible Wastes in Waste Piles</u> The applicant must include: {270.18(g)} - A statement that incompatible wastes or incompatible materials are not stored in the same waste pile unless 264.17(b) is complied with. {264.257(a)}	
- A description of the procedures (dikes, beams, walls, distances) utilized to separate a waste pile of hazardous waste that is incompatible with any waste or other material stored nearby. {264.257(b)}	
- A statement that hazardous wastes are not placed on the same base that previously held an incompatible waste or material unless 264.17(b) is complied with. {264.257(c)}	
F-5i <u>Ignitable or Reactive Wastes in Surface Impoundments</u> The application must include a description of the procedures for handling ignitable or reactive wastes, including the use of buffer zones. {270.17(g)}	
- Waste must be treated, rendered, or mixed before or immediately after placement in the surface impoundment so that it is no longer considered ignitable or reactive and complies with 264.17(b); or {264.229(a)}	
- The waste is stored or treated in such a way that it is protected from any material or conditions that may cause the waste to react or ignite; or {264.229(b)}	
- The impoundment is used only for emergencies. {264.229(c)}	
F-5j <u>Incompatible Wastes in Surface Impoundments</u> The application must include: - A statement that incompatible wastes and materials are not placed in the same surface impoundments or in the impoundments that previously held an incompatible waste or material unless 264.17(b) is complied with. {270.17(h) and 264.230}	
F-5k <u>Ignitable or Reactive Wastes in Landfills</u> The application must include a description of the procedures for handling ignitable or reactive wastes, including the use of buffer zones. {270.21(f)}	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> - Waste must not be placed in a landfill cell unless the resulting waste, mixture, or dissolution of material is no longer considered ignitable or reactive and complies with 264.17(b); or {264.312(a)} 	
<ul style="list-style-type: none"> - A description of how ignitable and/or reactive waste will be landfilled in such a way that they are protected from any material which may cause them to ignite. As a minimum this should include placement in non-leaking containers, careful handling and placement to avoid any condition which might cause ignition, daily covering of containers with soil, and disposal in cells which do not contain other wastes which generate sufficient heat to cause ignition. {264.312(b)} 	
<p>F-5l <u>Incompatible Wastes in Landfills</u></p> <p>Applicant must provide procedures for insuring that incompatible wastes will not be disposed of in the same landfill cell, unless 264.17(b) is complied with. {270.21(g) and 264.313}</p>	
<p>F-5m <u>Ignitable or Reactive Wastes in Land Treatment</u></p> <p>A description of the management of ignitable or reactive wastes which will be placed in or on the treatment zone, if applicable, and an explanation of how the following requirements will be complied with: {270.20(g)}</p> <ul style="list-style-type: none"> - The waste is immediately incorporated into the soil so that the resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste and the requirements of 264.17(b) are complied with, or {264.281(a)} 	
<ul style="list-style-type: none"> - The waste is managed in such a way that it is protected from any material or conditions which may cause it to ignite or react. {264.281(b)} 	
<p>F-5n <u>Incompatible Wastes in Land Treatment</u></p> <p>A description of the management of incompatible wastes must be submitted if incompatible wastes, or incompatible wastes and materials, will be placed in or on the same treatment zone, including an explanation of how the requirements of 264.17(b) are complied with. {270.20(h) and 264.282}</p>	

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**REGULATORY COMPLETENESS CHECKLIST FOR
HAZARDOUS WASTE STORAGE, TREATMENT AND DISPOSAL FACILITIES**

Facility Name _____
 EPA ID Number _____
 Permit Review Team _____

 Date Review Completed _____

Guidance Document for Part G

(2) Permit Applicants' Guidance Manual for the General Facility Standards of 40 CFR 264, SW-968, October 1983.

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>PART G - CONTINGENCY PLAN</p> <p>A copy of the contingency plan required in Part 264, Subpart D. Include, where applicable, specific requirements in 246.196, 264.227, 264.253, and 264.304. {270.14(b)(7) and 264.50 through 264.56}</p> <p>Note that an existing spill prevention control plan can be amended to incorporate hazardous waste management provisions sufficient to comply with 264, Subpart D requirements. {264.52(b)}</p>	
<p>G-1 <u>General Information</u></p> <p>The contingency plan must be a stand alone document as it must be submitted to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon in the event of an emergency. Therefore the following information must be included in the contingency plan: {264.53(b)}</p> <ul style="list-style-type: none"> - Facility name and location and owner or operator name, - Site plan, and - Description of facility operations. 	
<p>G-2 <u>Emergency Coordinators</u></p> <ul style="list-style-type: none"> - An up-to-date list of emergency coordinators which should also be posted on site in various locations. This list must include names, addresses, office and home phone numbers, and duties of primary and alternate coordinators. The names on this list must be in the order in which they will assume responsibility. {264.52(d)} [Guidance(2) - page 5-116] 	
<ul style="list-style-type: none"> - A statement authorizing designated coordinators to commit the necessary resources to implement the contingency plan. {264.55} 	
<ul style="list-style-type: none"> - A statement indicating that the emergency coordinators can reach the facility in a short period of time. {264.55} 	
<p>G-3 <u>Implementation</u></p> <p>Criteria for implementation of contingency plan for any potential</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>emergency:</p> <ul style="list-style-type: none"> - Fires, - Explosions, - Unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water. {264.52(a)} 	
<p>G-4 <u>Emergency Response Procedures</u></p> <p>G-4a <u>Notification</u></p> <p>Procedures for immediate notification of facility personnel and necessary state or local agencies in the event of an imminent or actual emergency. {264.56(a)}</p>	
<p>G-4b <u>Identification of Hazardous Materials</u></p> <ul style="list-style-type: none"> - Available data and/or procedures for identification of hazardous materials involved in the emergency and quantity and areal extent of release. Include information on: <ul style="list-style-type: none"> • Characteristics of waste, • Exact source, • Amount, and • Areal extent of release. {264.56(b)} 	
<ul style="list-style-type: none"> - This information may be obtained by: <ul style="list-style-type: none"> • observation, • review of facility records or manifests, and • if necessary, by chemical analysis. {264.56(b)} 	
<p>G-4c <u>Hazard Assessment</u></p> <ul style="list-style-type: none"> - Procedure for assessment of possible hazards to the environment and human health. This assessment must consider both direct and indirect effects of the release, fire or explosion. {264.56(c)} 	
<ul style="list-style-type: none"> - Procedures for determining the need for evacuation and notification of appropriate local authorities. {264.56(d)(1)} 	
<ul style="list-style-type: none"> - The authorities to be notified must include the On-Scene-Coordinator for that area or the National Response Center. A report to these authorities must include: <ul style="list-style-type: none"> • Name and telephone number of the reporter; • Name and address of the facility; • Time and type of incident; • Name and quantity of material(s) involved, to the extent known; • The extent of injuries, if any; and • The possible hazards to human health, or the environment, outside the facility. {264.56(d)(2)} 	
<p>G-4d <u>Control Procedures</u></p> <ul style="list-style-type: none"> - Specific responses and control procedures to be taken in the 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
event of a fire, explosion, or release of hazardous waste or hazardous waste constituents to air, land, or water. {264.52(a)}	
- Procedures for deployment of these resources. {264.52(a)}	
- Methods to contain, treat, and clean up a hazardous release and decontaminate the affected area. {264.52(a) and 264.56(g)}	
<p data-bbox="99 436 824 493"><u>G-4d(1) Prevention of Recurrence or Spread of Fires, Explosions, or Releases</u></p> <p data-bbox="99 527 824 646">During an emergency situation, a description of the necessary steps to be taken to ensure that fires, explosions, or releases do not occur, recur, or spread to other hazardous waste at the facility. Steps must include, where applicable:</p> <ul style="list-style-type: none"> <li data-bbox="99 680 824 737">- Shut-down of processes and continued monitoring of them; {264.56(e)} <li data-bbox="99 743 824 800">- Collecting, containing, and treating released wastes; {264.56(e)} <li data-bbox="99 806 824 863">- Removing and isolating containers; and {264.56(e)} <li data-bbox="99 869 824 951">- Proper use of fire control structures (e.g., fire doors), systems (e.g., sprinkler systems), and equipment (e.g., extinguishers). [Guidance(2) - page 5-123] <li data-bbox="99 957 824 1108">- Provisions to monitor for leaks, pressure buildup, gas generation, or ruptures as appropriate if operations at the facility are stopped in response to a release, fire, or explosion. {264.56(f)} 	
<p data-bbox="99 1115 824 1150"><u>G-4d(2) Container Spills and Leakage</u></p> <p data-bbox="99 1178 824 1266">Procedures for responding to container spills or leakage including removal of spilled waste and repair or replacement of containers. {264.171}</p>	
<p data-bbox="99 1272 824 1308"><u>G-4d(3) Tank Spills and Leakage</u></p> <ul style="list-style-type: none"> <li data-bbox="99 1335 824 1787">- Procedures for responding to tank spills or leakage including: <ul style="list-style-type: none"> <li data-bbox="152 1362 824 1419">• Cessation of use of tanks, {264.196(a)} <li data-bbox="152 1425 824 1507">• Removal of waste from the tank system within 24 hours of leak or spill detection (if possible), {264.196(b)(1)} <li data-bbox="152 1514 824 1596">• Removal of waste from secondary containment within 24 hours of leak or spill detection (if possible), {264.196(b)(2)} <li data-bbox="152 1602 824 1684">• Prevention of further migration of leak or spill to soils or surface water, {264.196(c)(1)} <li data-bbox="152 1690 824 1787">• Removal and disposal of visibly contaminated soil or surface water. {264.196(c)(2)} 	
<ul style="list-style-type: none"> <li data-bbox="99 1793 824 1908">- Any release must be reported to the Department within 24 hours of its detection except for leaks or spills which are: <ul style="list-style-type: none"> <li data-bbox="152 1850 824 1877">• Less than or equal to a quantity of one (1) pound, and <li data-bbox="152 1883 824 1908">• Immediately contained and cleaned up. 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>{264.196(d)(1) and (2)}</p> <p>- Within 30 days of detection of a release to the environment, a report must be submitted to the Department. This report must contain the following information:</p> <ul style="list-style-type: none"> • Likely route of migration of the release; • Characteristics of the surrounding soil; • Results of any sampling or monitoring conducted in connection with the release (submit as soon as available); • Proximity to downgradient drinking water, surface water, and populated areas; and • Description of the response actions taken or planned. <p>{264.196(d)(3)}</p>	
<p>- Indicate that damaged tanks will be repaired or closed per the requirements of 40 CFR 264.196(e).</p> <p>{264.196(e)}</p>	
<p>- Indicate that a certification of major repairs by an independent, qualified, registered, professional engineer will be provided to the Department within 7 days after returning the tank system to use.</p> <p>{264.196(f)}</p>	
<p>G-4d(4) <u>Waste Piles</u></p> <p>The owner/operator of waste piles must have an approved response action plan. The action plan must set forth the actions to be taken if the action leakage rate has been exceeded.</p> <p>{264.253}</p>	
<p>G-4d(5) <u>Surface Impoundments Spills, Leakage, and Sudden Drops</u></p> <p>A surface impoundment must be removed from service when the liquid level suddenly drops or the dike leaks. The following must be provided in the contingency plan:</p> <p>{264.227}</p> <p>- Procedures for stopping waste additions,</p> <p>{264.227(b)(1)}</p>	
<p>- Procedures for containing any leakage,</p> <p>{264.227(b)(2)}</p>	
<p>- Procedures for stopping leaks and preventing sudden drops and preventing catastrophic failure,</p> <p>{264.227(b)(3) and 264.227(b)(4)}</p>	
<p>- Procedures and criteria for emptying impoundment,</p> <p>{264.227(b)(5)}</p>	
<p>- Notification of the Department in writing within 7 days after detecting the problem,</p> <p>{264.227(b)(6)}</p>	
<p>- If the impoundment was removed from service as the result of actual or imminent dike failure, the dike's structural integrity must be recertified in accordance with 264.266(c),</p> <p>{264.227(d)(1)}</p>	
<p>- Procedures for installing a liner in existing portions of the impoundment or procedures for certification of the liner in other than existing portions when the impoundment is removed from service as the result of a sudden drop in liquid</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
level, {264.227(d)(2)}	
- Obtain independent, qualified, NC registered, professional engineer's certification of repairs and probability of leakage or failure. {264.227(d)(2)(ii)}	
<p>G-4d(6) <u>Landfills</u></p> <p>The owner/operator of landfills must have an approved response action plan. The action plan must set forth the actions to be taken if the action leakage rate has been exceeded. {264.304}</p>	
<p>G-4e <u>Incompatible Waste</u></p> <p>Provisions for preventing waste which is incompatible with the released material from being treated, stored, or located in the affected areas until cleanup procedures are completed. {264.56(h)(1)}</p>	
<p>G-4f <u>Storage and Treatment of Released Material</u></p> <p>Provisions for treatment, storage, or disposal of any hazardous waste, contaminated soil, contaminated surface water or any other material resulting from a release, fire, or explosion at the facility. {264.56(g)}</p>	
<p>G-4g <u>Post-Emergency Equipment Maintenance</u></p> <p>Procedures for ensuring that all emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed. Appropriate State and local authorities must be notified before operations are resumed in the affected areas of the facility. {264.56(h)(2) and 264.56(i)}</p>	
<p>G-5 <u>Emergency Equipment</u></p> <p>An up-to-date list of emergency equipment available at the facility. This list must be kept on site and contain the following information for each piece of emergency equipment:</p> <ul style="list-style-type: none"> - Location, - Physical description, and - A description of the capabilities. <p>{264.52(e)}</p>	
<p>The list should include the following equipment: {264.52(e)} [Guidance(2) - page 5-116]</p>	
<ul style="list-style-type: none"> - Spill control equipment, 	
<ul style="list-style-type: none"> - Fire control equipment, 	
<ul style="list-style-type: none"> - Personal protective items such as respirators and protective clothing, 	
<ul style="list-style-type: none"> - First aid and medical supplies, 	
<ul style="list-style-type: none"> - Emergency decontamination equipment, 	
<ul style="list-style-type: none"> - Emergency communication and alarm systems. 	
<p>G-6 <u>Coordination Agreements</u></p> <ul style="list-style-type: none"> - A description of coordination agreement with local police 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
and fire departments, hospitals, contractors, and state and local emergency response teams to familiarize them with the facility and actions needed in case of emergency. {264.37, 264.52(c) and 264.53}	
- A statement indicating that a copy of the contingency plan has been submitted to these organizations. {264.53(b)}	
- If applicable, document of refusal to enter into a coordination agreement. {264.37(b)}	
G-7 <u>Evacuation Plan</u> The plan must include: {264.52(f)}	
- Criteria for evacuation,	
- A description of signal(s) to be used to begin evacuation,	
- Primary and alternate evacuation routes.	
G-8 <u>Required Reports</u> - Provisions for submission of reports of emergency incidents within 15 days of occurrence. {264.56(j)}	
- The report must include:	
<ul style="list-style-type: none"> • Name, address, and telephone number of the owner or operator; 	
<ul style="list-style-type: none"> • Name, address, and telephone number of the facility; 	
<ul style="list-style-type: none"> • Date, time, and type of incident; 	
<ul style="list-style-type: none"> • Name and quantity of material(s) involved; 	
<ul style="list-style-type: none"> • The extent of injuries, if any; 	
<ul style="list-style-type: none"> • An assessment of actual or potential hazards to human health or the environment, where this is applicable, and 	
<ul style="list-style-type: none"> • Estimated quantity and disposition of recovered material that resulted from the incident. {264.56(j)} 	
- Notation of such incidents in the operating record identifying the time, date, and details of these emergency incidents. {264.56(j)}	
G-9 <u>Amendment to Contingency Plan</u> Indicate that the contingency plan will be reviewed and amended whenever:	
- The facility permit is revised;	
- The plan fails in an emergency;	
- The facility changes in a way that materially increases the potential for fires, explosions, or releases of hazardous waste or hazardous waste constituents, or changes the response necessary in an emergency;	
- The list of emergency coordinators changes; or	
- The list of emergency equipment changes. {264.54}	

**REGULATORY COMPLETENESS CHECKLIST FOR
HAZARDOUS WASTE STORAGE, TREATMENT AND DISPOSAL FACILITIES**

Facility Name _____
 EPA ID Number _____
 Permit Review Team _____

 Date Review Completed _____

Guidance Document for Part H

(2) Permit Applicants' Guidance Manual for the General Facility Standards of 40 CFR 264, SW-968, October 1983.

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>PART H - PERSONNEL TRAINING</p> <p>H-1 <u>Training Program</u></p> <p>Describe the training programs provided by owners or operators to prepare the personnel to operate and maintain the facility in a safe manner as required to demonstrate compliance with 264.16. This description should include the following topics. {264.16 and 270.14(b)(12)} [Guidance(2) - Section 5.12.2]</p>	
<p>H-2 <u>Job Titles and Duties</u></p> <p>For each employee whose position at the facility is related to hazardous waste management, provide the following information: {264.16(d) and comment following 264.16(a)(1)} [Guidance(2) - Sections 5.12.2.2 and 5.12.2.7]</p> <p>- Job title {264.16(d)(1)}</p>	
<p>- Written job description to include requisite skill, education or other qualifications, and job duties of employees assigned to each position. {264.16(d)(2)}</p>	
<p>H-3 <u>Training Content</u></p> <p>- Provide an outline of both the introductory and continuing training programs (including annual review of the initial training) and/or a table of contents of the training manual (if applicable). {270.14(b)(12), 264.16(c), 264.16(d)(3) and comment following 264.16(a)(1)}</p>	
<p>- Provide a brief description of how training of facility personnel in hazardous waste management procedures (including contingency plan implementation) is relevant to each employee's position. {264.16(a)(2) and comment following 264.16(a)(1)}</p>	
<p>- Documentation that the training program trains facility personnel to respond effectively to emergencies and trains them to be familiar with emergency procedures, emergency equipment, and emergency systems, include where applicable: {264.16(a)(3)}</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> • Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment; {264.16(a)(3)(i)} • Key parameters for automatic waste feed cut-off systems; {264.16(a)(3)(ii)} • Communications or alarm systems; {264.16(a)(3)(iii)} • Response to fires or explosions; {264.16(a)(3)(iv)} • Response to groundwater contamination incidents; and {264.16(a)(3)(v)} • Shutdown of operations. {264.16(a)(3)(vi)} 	
<p>H-4 <u>Training Frequency</u></p> <ul style="list-style-type: none"> - Provide the frequency at which training will be provided. Indicate that facility personnel will take part in an annual review of the initial training including a review of emergency procedures, the contingency plan, and any facility procedural revisions. {264.16(c)} 	
<ul style="list-style-type: none"> - Indicate the amount of training that each employee will receive. {264.16(d)(3)} 	
<ul style="list-style-type: none"> - Indication that training has been and will be successfully completed by facility personnel within 6 months of their employment or assignment to a facility, or transfer to a new position at a facility, whichever is later. {264.16(b)} 	
<p>H-5 <u>Training Techniques</u></p> <p>Describe the various techniques used to provide both the introductory and continuing training. This may include, but is not limited to:</p> <ul style="list-style-type: none"> - In-house class room training, - On-the-job training, and - Formal training courses. <p>{264.16(d)(3)}</p>	
<p>H-6 <u>Training Director</u></p> <p>Demonstration that the program is directed by a person trained in hazardous waste management procedures. Formal training programs should be instructed by hazardous waste management experts. On-the-job (performance) training should be provided by supervisors skilled in the actual operations of the facility.</p> <p>{264.16(a)(2)}</p> <p>[Guidance(2) - Section 5.12.2.1]</p>	
<p>H-7 <u>Recordkeeping</u></p> <ul style="list-style-type: none"> - For each employee whose position is related to hazardous waste management, indicate that the following documentation will be maintained at the facility: <ul style="list-style-type: none"> • Job title, {264.16(d)(1)} 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> ▪ Name of employee, {264.16(d)(1)} ▪ Job description and duties, and {264.16(d)(2)} ▪ Documentation that the required training has been given to and completed by facility personnel. {264.16(d)(4)} 	
<ul style="list-style-type: none"> - Indicate that personnel records will be kept for current employees until facility closure or, for former employees, for three (3) years from the last date of employment at the facility. Personnel training records may accompany personnel transferred within the same company. {264.16(e)} 	

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**REGULATORY COMPLETENESS CHECKLIST FOR
HAZARDOUS WASTE STORAGE, TREATMENT AND DISPOSAL FACILITIES**

Facility Name _____
 EPA ID Number _____
 Permit Review Team _____

 Date Review Completed _____

The regulatory checklists are currently undergoing revision. While this checklist has been reformatted, it has not been reviewed for technical content.

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>PART I - CLOSURE PLANS, POSTCLOSURE PLANS, AND FINANCIAL REQUIREMENTS {270.14(b)(13), 270.14(b)(15), 270.14(b)(16), 270.14(b)(17), 270.14(b)(18), 264.110-264.151, 264.178, 264.197, 264.228, 264.258, 264.280, 264.310, and 264.351}</p> <p><u>I-1 Closure Plans</u></p> <p>A copy of the written closure plan required by 264.112 and consistent with Items I-1a through I-1e. {270.14(b)(13) and 264.112}</p>	
<p><u>I-1a Closure Performance Standard</u></p> <p>A description of how closure: {264.111 (264.112 requires consistency with 264.111)}</p> <ul style="list-style-type: none"> - Minimizes the need for further maintenance 	
<ul style="list-style-type: none"> - Controls, minimizes, or eliminates post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground or surface waters or to the atmosphere. 	
<ul style="list-style-type: none"> - Complies with the closure requirements of Subpart G and unit-specific closure requirements. 	
<ul style="list-style-type: none"> - Estimated expected year of closure for facilities that use trust funds to establish financial assurance and that are expected to close prior to the expiration of the permit. 	
<p><u>I-1b Partial Closure and Final Closure Activities</u></p> <p>Fully describe time and all activities required for: {264.112(b) (264.112(b)(1) through 264.112(b)(7) outline minimum acceptable plan elements)}</p> <ul style="list-style-type: none"> - Partial closure, if applicable - Final closure - Maximum extent of operation which will be active during life of facility 	
<p>Description must identify how requirements of 264.111, 264.113, 264.114, 264.115 and applicable requirements of 264.178, 264.197, 264.228, 264.258, 264.280, 264.310, and 264.351 will</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
be met.	
<p>I-1c <u>Maximum Waste Inventory</u></p> <p>A description of the maximum inventory of wastes that could be in storage, treatment, and disposal at any time during the life of the facility. {264.112(b)(3)}</p> <p>Methods for removing, transporting, treating, storing, or disposing of all hazardous wastes. Identification of the type(s) of off-site hazardous waste management units to be used.</p>	
<p>I-1d <u>Schedule for Closure</u></p> <p>A schedule for final closure including: {264.112(b)(6)}</p> <ul style="list-style-type: none"> - Each HWMU and final closure of the facility 	
<ul style="list-style-type: none"> - Closure schedule with total time to close, time for intervening closure activities, and inspection schedule during closure. 	
<ul style="list-style-type: none"> - Estimated expected year of closure for facilities that use trust funds to establish financial assurance and that are expected to close prior to the expiration of the permit. 	
<p>I-d1(1) <u>Time Allowed for Closure</u></p> <p>The schedule for closure must show: {264.112(b)(2), 264.113(a) and (b)}</p> <ul style="list-style-type: none"> - All hazardous wastes will be treated, removed off-site, or disposed of on-site within 90 days from receipt of final volume of waste at the unit or facility 	
<ul style="list-style-type: none"> - All closure activities will be completed within 180 days from receipt of final volume of waste at the unit or facility. 	
<p>I-1d(1)(a) <u>Extensions for Closure Time</u></p> <p>A petition made to the Regional Administrator for a schedule for closure which exceeds the 90 days for treatment, removal, or disposal of wastes and/or the 180 days for completion of closure activities made to the Regional Administrator. One of the following must be demonstrated. {264.113(a) and 264.113(b)}</p> <ul style="list-style-type: none"> - Closure activities require longer than 90 or 180 days, 	
<ul style="list-style-type: none"> - Unit or facility has capacity to receive additional wastes, 	
<ul style="list-style-type: none"> - There is a reasonable likelihood that another person other than owner or operator will recommence operation of the site within one year, and 	
<ul style="list-style-type: none"> - Closure would be incompatible with continued operation. Demonstrate that all steps have and will be taken to prevent threats to human health and environment from unclosed but inactive facility. 	
<p>I-1e <u>Closure Procedures</u></p> <p>I-1e(1) <u>Inventory Removal, Disposal, or Decontamination of Equipment</u></p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>A description of how all facility equipment and structures will be decontaminated or disposed of when closure is completed. The following should be included: {264.112, 264.112(b)(4) and 264.114}</p>	
<ul style="list-style-type: none"> - Decontamination procedures 	
<ul style="list-style-type: none"> - Criteria for determining decontamination 	
<ul style="list-style-type: none"> - List of equipment, structures, and soils 	
<ul style="list-style-type: none"> - Disposal of contaminated soil and residues 	
<ul style="list-style-type: none"> - Decontamination of clean-up materials and equipment 	
<ul style="list-style-type: none"> - Demonstrate decontamination has been effective. 	
<p>A demonstration that any hazardous constituents left will not impact environmental media in excess of agency established exposure levels, and direct contact will not pose a threat to human health and the environment. {264.111(b)} [Guidance (Preamble 51 FR 16444, May 2, 1986)]</p>	
<p>I-1e(2) <u>Closure of Disposal Units</u></p> <p>Closure plans for all piles, landfills, surface impoundments, and miscellaneous disposal units in which wastes or contaminated materials are to remain at closure must describe how the unit will be closed, including a description of the final cover to be established and its expected performance. Contingent closure plans for tanks, surface impoundments, and waste piles also must provide these descriptions. {270.14(b)(13), 270.17(f), 270.18(h), 270.21(e), 264.228(a)(2), 264.228(c)(1)(i), 264.258(c), 264.310(a), and 264.601}</p>	
<p>I-1e(3) <u>Closure of Containers</u></p> <p>A description of how at closure, all hazardous waste residues will be removed from the containment system, and how remaining containers, bases, and soil containing or contaminated with hazardous waste or hazardous waste residues will be decontaminated or removed. {264.178}</p> <p>The description should address the following:</p> <ul style="list-style-type: none"> - Hazardous waste removal and disposal [Guidance] 	
<ul style="list-style-type: none"> - Container decontamination and disposal [Guidance] 	
<ul style="list-style-type: none"> - Site decontamination and disposal including linings, soil, and washes [Guidance] 	
<ul style="list-style-type: none"> - Verification of decontamination [Guidance] 	
<ul style="list-style-type: none"> - Maximum inventory {264.112(b)(3)} 	
<p>I-1e(4) <u>Closure of Tanks</u></p> <p>A description of how at closure, all hazardous waste residues will be removed from tanks, discharge control equipment, and secondary containment structures, and the facility will be decontaminated. The description should address the following: {264.197(a)}</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> - Waste removal from tanks and equipment [Guidance] 	
<ul style="list-style-type: none"> - Decontamination of all components [Guidance] 	
<ul style="list-style-type: none"> - Verification of decontamination [Guidance] 	
<ul style="list-style-type: none"> - Disposal of wastes and residues [Guidance] 	
<ul style="list-style-type: none"> - Maximum inventory {264.112(b)(3)} 	
<p>If not all contaminated soils can be removed or decontaminated at closure, a closure and post-closure plan for a landfill must be included. If the tank systems do not have secondary containment or are not exempt, then a contingent closure and post-closure plan for a landfill must be provided. {264.197(b) and 264.197(c)}</p>	
<p>I-1e(5) <u>Closure of Waste Piles</u></p> <p>The application must describe how all hazardous waste residues, contaminated containment system components (liners, etc.), contaminated subsoils, and structures and equipment contaminated with waste and leachate will be removed or decontaminated at closure and managed as hazardous waste. {270.18(h), 264.258 and 264.112(b)(4)}</p>	
<p>If any wastes, waste residues, or contaminated materials or soils will remain after closure, provide plans for closing the pile as a landfill [I-1f(6)] and provide postclosure plan [I-2]. Piles without liners or with liners that do not meet the requirement of D-3e must also provide contingent plans for closing the facility as a landfill {I-1d(6)} and a contingent post-closure {I-2}, except for dry, enclosed piles meeting the requirements of D-3b or piles for which a liner exemption is sought in accordance with D-3c.</p> <p>The description should address the following:</p> <ul style="list-style-type: none"> - Procedure and criteria for determining whether or not decontamination has been successful 	
<ul style="list-style-type: none"> - Sampling and analytical techniques 	
<p>I-1e(6) <u>Closure of Surface Impoundments</u></p> <p>A description of how all hazardous waste residues, contaminated containment system components (liners, etc.), contaminated subsoils, and structures and equipment contaminated with waste and leachate will be removed or decontaminated at closure and managed as hazardous waste. {270.17(f), 264.228(a)(1) and (2), and 264.228(b)}</p> <p>The description should address the following:</p> <ul style="list-style-type: none"> - Procedure and criteria for determining whether or not decontamination has been successful [Guidance] 	
<ul style="list-style-type: none"> - Sampling and analytical techniques [Guidance] 	
<ul style="list-style-type: none"> - Continuance of treatment during closure (if appropriate). [Guidance] 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>If any wastes, waste residues or contaminated materials or soils will remain after closure, provide plans for closing the surface impoundment in place and provide post-closure plans [I-2]. Plans for closing a surface impoundment in place must address the following:</p> <ul style="list-style-type: none"> - Elimination of liquids by removal or solidification 	
<ul style="list-style-type: none"> - Stabilization of wastes to sufficient bearing capacity 	
<ul style="list-style-type: none"> - Final cover designed and constructed to provide long-term minimization of migration of liquids through the closed impoundment, function with minimal maintenance, promote drainage, and minimize erosion of final cover, accommodate settling and subsidence, and have a permeability less than or equal to that of the bottom liner system or natural subsoils present. 	
<p>Surface impoundments without liners or with liners that do not meet requirements of D-4c must also provide contingent plans for closure in place and a contingent post-closure plan [I-2], except for impoundments requesting a liner exemption in accordance with D-4b.</p>	
<p>I-1e(7) <u>Closure of Incinerators</u></p> <p>Description of how at closure all hazardous waste and hazardous waste residues including ash, scrubber waters, and scrubber sludges will be removed from the incinerator, associated duct work, piping, air pollution control equipment, sumps, and any other structures or operating equipment such as pumps, valves, etc., that have come into contact with the hazardous waste. Alternatively, a description of how the incinerator and associated units and equipment will be dismantled and disposed of as a hazardous waste will suffice. {264.351}</p>	
<p>I-1e(8) <u>Closure for Landfills</u></p> <p>Provide detailed plans and an engineering report which describes the final cover components in detail. Cover installation and construction quality assurance procedures should be thoroughly described. These detailed plans and engineering reports must describe how the final cover will: {270.21(e), 264.310(a) and 264.280(b)}</p> <ul style="list-style-type: none"> - Provide long-term minimization of migration of liquids through closed landfill - Function with minimum maintenance - Promote drainage and minimize erosion/abrasion - Settle/subside without losing integrity - Be less permeable than bottom liners or subsoils - Withstand freeze/thaw cycles. 	
<p>I-1e(9) <u>Closure of Land Treatment</u></p> <p>During closure of land treatment facilities, the owner or operator must comply with the following: {270.20(f) and 264.280(a)}</p> <ul style="list-style-type: none"> - Continue all operations (including pH control) necessary to maximize degradation, transformation, or immobilization of 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
hazardous constituents within the treatment zone as required, except to the extent such measures are inconsistent with 264.280(a)(8)	
- Continue all operations in the treatment zone to minimize run-off of hazardous constituents	
- Maintain the run-on control system	
- Maintain the run-off management system	
- Control wind dispersal of hazardous waste if required	
- Continue to comply with any prohibitions or conditions concerning growth of food-chain crops	
- Continue unsaturated zone monitoring except that soil-pore liquid monitoring may be terminated 90 days after the last application of waste to the treatment zone	
- Establish a vegetative cover on the portion of the facility being closed at such time that the cover will not substantially impede degradation, transformation, or immobilization of hazardous constituents in the treatment zone. The vegetative cover must be capable of maintaining growth without extensive maintenance.	
When closure is complete the owner-operator may submit to the Regional Administrator certification by an independent qualified soil scientist, in lieu of an independent registered professional engineer that the facility has been closed in accordance with the specifications in the approved closure plan.	
<p>I-1e(10) <u>Closure of Miscellaneous Units</u></p> <p>Show that at closure, all hazardous waste and hazardous waste residues will be removed from the treatment process or equipment, discharge control equipment, and discharge confinement structures, and that the facility will be decontaminated. Description of the sampling/test procedures or other means used to ensure that no contamination remains on, in, or around the units and associated equipment and structures. If any wastes, waste residues, or contaminated materials or soils will remain after closure, provide plans for closing the miscellaneous unit as a disposal unit [I-1e(2)] and provide post-closure plans [I-2]. {264.601 and 270.23(a)(2)}</p>	
<p>I-2 <u>Post-Closure Plan</u></p> <p>An owner/operator of a disposal facility must have a written post-closure plan, or, if applicable, a contingent post-closure plan. A copy of the approved plan and all revisions to the plan must be kept at the facility until the post-closure care begins. Landfill, surface impoundment, waste pile, and tank post-closure plans should address items I-2a, b, c, f, g, h; land treatment unit post-closure plan, items I-2d f, g, and h; miscellaneous units should address items I-2a, b, c, e, f, g, and h. {270.14(b)(13), 270.17(f), 270.18(h), 270.20(f), 270.21(e), 270.23(a)(3), 264.118, 264.197(b), 264.197(c)(2), 264.228(b), 264.228(c)(1)(ii), 264.258(b), 264.258(c)(1)(ii), 264.280(c), 264.310(b), and 264.603}</p>	
<p>I-2a <u>Inspection Plan</u></p> <p>A description of the inspections to be conducted during the post-closure care period, their frequency, the inspection procedure,</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>and the logs to be kept. The following items, as applicable, should be included in the inspection plan: {264.118(a), 264.197(b), 264.197(c)(2), 264.228(b), 264.228(c)(1)(ii), 264.258(b), 264.258(c)(1)(ii), and 264.310(b)}</p>	
<ul style="list-style-type: none"> - Security control devices 	
<ul style="list-style-type: none"> - Erosion damage 	
<ul style="list-style-type: none"> - Cover settlement, subsidence, and displacement 	
<ul style="list-style-type: none"> - Vegetative cover condition 	
<ul style="list-style-type: none"> - Integrity of run-on and run-off control measures 	
<ul style="list-style-type: none"> - Cover drainage system function 	
<ul style="list-style-type: none"> - Leachate collection/detection and removal system maintenance 	
<ul style="list-style-type: none"> - Gas venting system 	
<ul style="list-style-type: none"> - Well condition 	
<ul style="list-style-type: none"> - Benchmark integrity 	
<p>The rationale to be used to determine the need for corrective maintenance activities.</p>	
<p>I-2b <u>Monitoring Plan</u></p> <p>A description of the monitoring to be conducted during the post-closure care period, including, as applicable, the procedures for conducting the following operations and evaluating the data gathered should include: {264.118(b)(1), 264.228(b), 264.197(b), 264.197(c)(2), 264.228(c)(1)(ii), 264.258(b), 264.258(c)(1)(ii), and 264.310(b)}</p>	
<ul style="list-style-type: none"> - Groundwater monitoring 	
<ul style="list-style-type: none"> - Leachate collection/detection and removal. 	
<p>I-2c <u>Maintenance Plan</u></p> <p>A description of preventative and corrective maintenance procedures, equipment procedures, equipment requirements, and material needs. Include the following items in the maintenance plan, as applicable: {264.118(b)(2), 264.197(b), 264.197(c)(2), 264.228(b), 264.228(c)(1)(ii), 264.258(b), 264.258(c)(1)(ii), and 264.310(b)}</p>	
<ul style="list-style-type: none"> - Repair of security control devices 	
<ul style="list-style-type: none"> - Erosion damage repair 	
<ul style="list-style-type: none"> - Correction of settlement, subsidence, and displacement 	
<ul style="list-style-type: none"> - Mowing, fertilization, and other vegetative cover maintenance 	
<ul style="list-style-type: none"> - Repair of run-on and run-off control structures 	
<ul style="list-style-type: none"> - Leachate collection/detection system maintenance 	
<ul style="list-style-type: none"> - Well replacement 	
<ul style="list-style-type: none"> - The rationale to be used to determine the need for corrective maintenance activities. 	
<p>I-2d <u>Land Treatment</u></p> <p>A description of the operation, inspection, and maintenance programs to be used at the closed facility. Include descriptions of the procedures for conducting the following activities and identify frequencies at which they are to be conducted: {264.280(c)}</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
- Continuance of land treatment	
- Vegetative cover maintenance	
- Maintenance of run-on control systems and run-off management systems	
- Wind dispersal control	
- Control of food chain crops	
- Unsaturated zone monitoring	
<p><u>I-2e Post-Closure Care for Miscellaneous Units</u></p> <p>A detailed description of the plans to ensure protection of human health and the environment. Include the prevention of any releases to groundwater or subsurface environment; surface water or wetlands or on the soil surface; or to air. This will include providing related information form [D-8]. {270.23(a)(3) and 264.603}</p>	
<p><u>I-2f Post-Closure Security</u></p> <p>Indicate which security provisions will continue during closure when hazardous waste will remain exposed after completion of partial or final closure or access by the public or domestic livestock may pose a hazard to human health. {264.117(b)}</p>	
<p><u>I-2g Post-Closure Contact</u></p> <p>Provide the name, address, and phone number of the person or office to contact about the hazardous waste disposal unit or facility during the post-closure care period. {264.118(b)(3)}</p>	
<p><u>I-3 Notices Required for Disposal Facilities</u></p> <p><u>I-3a Certification of Closure</u></p> <p>A statement by the applicant which indicates that within 60 days of completion of closure of each hazardous waste surface impoundment, waste pile, land treatment, and landfill unit, and within 60 days of the completion of final closure, closure certification will be submitted to the Regional administrator. The certification must certify that the hazardous waste management unit or facility, as applicable, has been closed in accordance with the specifications of the approved closure plan. The certification must be signed by the owner/operator and by an independent registered professional engineer (or by an independent qualified soil scientist in the case of a land treatment closure). {264.115 and 264.280(b)}</p>	
<p><u>I-3b Survey Plat</u></p> <p>A statement by the applicant which indicates that no later than the submission of certification of closure of each hazardous waste disposal unit, a survey plat indicating the location and dimensions of landfill cells or other disposal units with respect to permanently surveyed benchmarks, will be submitted to the local zoning authority (or authority with jurisdiction over local land use) and to the Regional Administrator. The plat must be prepared and certified by a professional land surveyor and must contain a note, prominently displayed, which states the owner-operator's obligation to restrict disturbance of the disposal unit in</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
accordance with applicable 40 CFR 264 Subpart G regulations. {264.116}	
<p><u>I-3c Notice to Local and Authority</u></p> <p>Documentation by applicant that within 60 days after closure, a record of the type, location, and quantity of hazardous waste within each cell or disposal area will be submitted to the appropriate local land use authority and to the Regional Administrator.</p> <p>{264.119}</p>	
<p><u>I-3d Post-Closure Certification</u></p> <p>Provide a statement which indicates that within 60 days of completion of the post-closure care period for each hazardous waste disposal unit, certification will be submitted to the Regional Administrator. The certification must certify that the post-closure care period for the hazardous waste disposal unit was performed in accordance with the specifications of the approved post-closure plan. The certification must be signed by the owner/ operator and by an independent registered professional engineer.</p> <p>{264.120}</p>	
<p><u>I-3e Notice in Deed to Property</u></p> <p>Documentation by applicant that s/he has or will record a notation on the facility deed, or other instrument examined during a title search, that notifies any potential purchase of the property that:</p> <p>{270.14(b)(14) and 264.119}</p>	
<ul style="list-style-type: none"> - The property has been used to manage hazardous wastes 	
<ul style="list-style-type: none"> - Use of the land is restricted to activities that will not disturb integrity of final cover system, or monitoring system during post-closure care period 	
<ul style="list-style-type: none"> - Requirements stated under I-3a above have been complied with. 	
<p><u>I-4 Closure Cost Estimate</u></p> <p>A copy of the most recent closure or contingent closure cost estimate, prepared in accordance with 264.142.</p> <p>{270.14(b)(15)}</p>	
<ul style="list-style-type: none"> - Cost estimate based on third party costs {264.142(a)(2)} 	
<ul style="list-style-type: none"> - Fully loaded (most costly) [Guidance] 	
<ul style="list-style-type: none"> - No salvage credits {264.142(a)(3) and (4)} 	
<ul style="list-style-type: none"> - Current year costs {264.142(a)} 	
<ul style="list-style-type: none"> - Cost adjusted annually from anniversary date of first cost estimate {264.142(b)} 	
<ul style="list-style-type: none"> - Based on point in operating life when extent and manner of operation would make closure most expensive. {264.142(a)} 	
<p><u>I-5 Financial Assurance Mechanism for Closure</u></p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>A copy of the established financial assurance mechanism for facility closure adopted in compliance with 264.143. The mechanism must be one of the following [I-5(a) through I[5(f)] and include due dates and use standard wording. {270.14(b)(15), 264.143 and 264.151}</p>	
<p><u>I-5a Closure Trust Fund</u></p> <p>A copy of the closure trust fund agreement with the wording required in 264.151(a)(1) and a formal certification of acknowledgement. {264.143(a) and 264.151(a)(1)}</p> <ul style="list-style-type: none"> - Bank or approval institution 	
<ul style="list-style-type: none"> - Mechanics: <ul style="list-style-type: none"> ▪ pay-in period; life of permit or remaining life of facility, whichever is shorter, ▪ annual payment; unfunded liability divided by years left in pay-in period. 	
<p><u>I-5b Surety Bond</u></p> <p>A surety bond from a federally acceptable surety company meeting one of the following requirements: {264.143(b) and(c), 264.151(b) and (c)}</p> <ul style="list-style-type: none"> - Surety bond guaranteeing payment into a closure trust fund. A copy of the surety bond with the wording required in 264.151(b), a copy of the standby trust fund agreement {264.143(b) and 264.151(b)} 	
<ul style="list-style-type: none"> - Surety bond guaranteeing performance of closure. A copy of the surety bond with the wording required in Part 264.151(c), Guaranteeing that the owner/operator will perform closure according to the closure plan and the requirements of Subpart G. {264.143(c) and 264.151(c)} 	
<p><u>I-5c Closure Letter of Credit</u></p> <p>A copy of a closure letter of credit with the wording required in 264.151(d): {264.143(d) and 264.151(d)}</p> <ul style="list-style-type: none"> - Irrevocable letter of credit - At least one year period, automatic renewal - Standby trust fund - Amount reflects current cost estimate. 	
<p><u>I-5d Closure Insurance</u></p> <p>To demonstrate that the owner/operator has closure insurance, s/he must submit to the Regional Administrator 60 days before hazardous waste is received a certificate of insurance worded as specified in 264.151(e). {264.143(e) and 264.151(e)}</p> <ul style="list-style-type: none"> - Non-cancelable policy, automatic renewal - Insurer licensed or eligible surplus lines carrier - Certificate of insurance 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>- Funds available whenever final closure occurs.</p>	
<p><u>I-5e Financial Test and Corporate Guarantee for Closure</u></p> <p>To demonstrate that this test is met, an owner/operator must submit a letter signed by the company's chief financial officer that is worded as specified in 264.151(f) and meets the following criteria: {264.143(f), 264.151(f), and 264.151(h)}</p>	
<p>- Tangible net worth \$10 million</p>	
<p>- Tangible net worth 6 x all closure and post-closure costs</p>	
<p>- U.S. assets at least 90% of total assets or at least six times all closure and post-closure costs</p>	
<p>- Bond rating requirement or alternative financial ratio tests</p>	
<p>- Application must include:</p> <ul style="list-style-type: none"> • copy of a report from the owner's/ operator's independent CPA to the owner/operator stating that s/he has examined the data in the letter from the chief financial officer and that it is consistent with the amounts in the independently-audited year-end financial statements for the latest fiscal year and that no matters came to attention to cause her/him to believe that the data should be adjusted. 	
<p>In lieu of the above items, the owner/ operator may submit a corporate guarantee worded as required by 264.151(h). This guarantee provides that the guarantor must be the parent company of the owner/ operator. A copy of these items should be submitted with the Part B for review by the permit writer. {264.143(f)(10)}</p>	
<p><u>I-5f Combinations</u></p> <p><u>I-5f(1) Use of Multiple Financial Mechanisms</u></p> <p>A copy of a combination of trust fund agreements, surety bond guaranteeing payment into a closure trust fund, letter of credit, or insurance, and state assumption of responsibility, which provide financial assurance for the amount of closure. Combined financial assurance must be at least equal to the adjusted closure cost estimate. Financial assurance instruments must meet requirements 264.143(a),(b),(d), or (e) which include closure trust fund, surety bond guaranteeing payment into a closure trust fund, closure letter of credit, and closure insurance, respectively. {264.143(g)}</p>	
<p><u>I-5f(2) Use of Financial Mechanism for Multiple Facilities</u></p> <p>A copy of a financial assurance mechanism for more than one facility showing for each facility, the EPA ID number, name, address, and amount of closure funds assured by the mechanism. {264.143(h)}</p> <p>Total funding must be no less than the sum required for each facility considered separately. Documents must be submitted to each Region where facilities are located. Financial test applies to sum of closure and post-closure costs for all facilities. {264.143(h)}</p>	
<p><u>I-6 Post-Closure Cost Estimate</u></p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>If landfill, land treatment, surface impoundments, or waste piles are utilized, the application must include a post-closure or a contingent post-closure cost estimate prepared in accordance with 264.144: {270.14(b)(16) and 264.144}</p> <ul style="list-style-type: none"> - Fully loaded labor rate (third party) [Guidance] 	
<ul style="list-style-type: none"> - No salvage values [Guidance] 	
<ul style="list-style-type: none"> - No operation credits (gas, crops, livestock) [Guidance] 	
<ul style="list-style-type: none"> - Current year [Guidance] 	
<ul style="list-style-type: none"> - Based on the extent of operation most likely to make post-closure most expensive [Guidance] 	
<ul style="list-style-type: none"> - Inspection costs [Guidance] 	
<ul style="list-style-type: none"> - Administration [Guidance] 	
<ul style="list-style-type: none"> - Transportation [Guidance] 	
<p>I-7 <u>Financial Assurance Mechanism for post-Closure</u></p> <p>A copy of the established financial assurance mechanism for post-closure care adopted in compliance with 264.145. The mechanism must be one of the following: {270.14(b)(16), 264.145 and 264.151}</p> <p>[I-7(a) through I-7(f)] and include due dates and use standard wording.</p>	
<p>I-7a <u>Post-Closure Trust Fund</u></p> <p>A copy of the post-closure trust fund agreement with the wording required in 264.151(a)(1) and a formal certification of acknowledgement: {264.145(a) and 264.151(a)(1)}</p> <ul style="list-style-type: none"> - Bank or approval institution 	
<ul style="list-style-type: none"> - Mechanics <ul style="list-style-type: none"> • pay-in period; life of permit or remaining life of facility, whichever is shorter • annual payment; unfunded liability divided by years left in pay-in period. 	
<p>I-7b <u>Surety Bond</u></p> <p>A surety bond from a federally acceptable surety company meeting one of the following requirements: {264.145(b) and (c), 264.151(b) and (c)}</p> <ul style="list-style-type: none"> - Surety bond guaranteeing payment into a post-closure trust fund. A copy of the surety bond with the wording required in 264.151(b), a copy of the standby trust fund agreement. {264.145(b) and 264.151(b)} 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> - Surety bond guaranteeing performance of post-closure activities. A copy of the surety bond with the wording required in Part 264.151(c), guaranteeing that the owner/operator will perform post-closure plan and the requirements of Subpart H. {264.145(c) and 264.151(c)} 	
<p>I-7c Post-Closure Letter of Credit</p> <p>A copy of post-closure letter of credit with the wording required in 264.151(d): {264.145(d) and 264.151(d)}</p> <ul style="list-style-type: none"> - Irrevocable letter of credit 	
<ul style="list-style-type: none"> - At least one year period, automatic renewal 	
<ul style="list-style-type: none"> - Standby trust fund 	
<ul style="list-style-type: none"> - Amount reflects current cost estimate 	
<p>I-7d Post-Closure Insurance</p> <p>To demonstrate that the owner/operator has post-closure insurance, s/he must submit to the Regional Administrator 60 days before hazardous waste is received a certificate of insurance worded as specified in 264.151(e): {264.145(e) and 264.151(e)}</p> <ul style="list-style-type: none"> - Noncancellable policy, automatic renewal 	
<ul style="list-style-type: none"> - Insurer licensed or eligible surplus lines carrier 	
<ul style="list-style-type: none"> - Certificate of insurance 	
<ul style="list-style-type: none"> - Funds available whenever final post-closure occurs. 	
<p>I-7e Financial Test and Corporate Guarantee for Post-Closure</p> <p>To demonstrate that this test is met, an owner/operator must submit a letter signed by the company's chief financial officer that is worded as specified in 264.151(f) and meets the following criteria: {264.145(f), 264.151(f) and 264.151(h)}</p> <ul style="list-style-type: none"> - Tangible net worth \$10 million 	
<ul style="list-style-type: none"> - Tangible net worth 6 x all closure and post-closure costs 	
<ul style="list-style-type: none"> - U.S. assets at least 90 percent of total assets or at least six times all closure and post-closure costs 	
<ul style="list-style-type: none"> - Bond rating requirements or alternative 	
<ul style="list-style-type: none"> - Application must include: <ul style="list-style-type: none"> ▪ copy of a report on the company's latest financial statements drafted by an independent certified public accountant (CPA) ▪ copy of a report from the owner's/ operator's independent CPA to the owner/operator stating that s/he has examined the data in the letter from the chief financial officer and that it is consistent with the amounts in the independently-audited year-end financial statements for the latest fiscal year and that no matters came to attention to cause him to believe that the data should be adjusted. 	
<p>In lieu of the above items, the owner/ operator may submit a corporate guarantee worded as required by 264.151(h). This</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>guarantee provides that the guarantor, which must be the parent company of the owner/operator, will perform post-closure activities in accordance with the post-closure plan if the owner/operator fails to do so or will establish a post-closure trust fund for the owner/operator. A copy of these items should be submitted with the Part B for review by the permit writer. {264.145(f)(10)}</p>	
<p>I-7f <u>Combinations</u></p> <p>I-7f(1) <u>Use of Multiple Financial Mechanisms</u></p> <p>A copy of a combination of trust fund agreements, surety bond guaranteeing payment into a post-closure trust fund or letters of credit, insurance, and state assumption of responsibility, which provide financial assurance for the amount of post-closure. Combined financial assurance must be at least equal to the adjusted post-closure cost estimate. Financial assurance instruments must meet requirements of 264.143(a),(b), (d), or (e) which include post-closure trust fund, surety bond guaranteeing payment into a post-closure trust fund, post-closure letter of credit, and post-closure insurance, respectively. {264.145(g)}</p>	
<p>I-7f(2) <u>Use of Financial Mechanism for Multiple Facilities</u></p> <p>A copy of a financial assurance mechanism for more than one facility showing for each facility, the EPA ID number, name, address, and amount of closure funds assured by the mechanism. Total funding must be no less than the sum required for each facility considered separately. Documents must be submitted to each Region where facilities are located. Financial test applies to the sum of closure and post-closure costs for all facilities. {264.145(h)}</p>	
<p>I-8 <u>Liability Requirements</u></p> <p>Where applicable, a copy of the insurance policy or other documentation which comprise compliance with the requirements of 264.147. (Coverage is for all facilities owned and operated and applies until certification for closure and post-closure is completed. For facilities in Phase I authorized states, originally signed duplicates of executed instruments or certificates of insurance are not required until the time of permit issuance, except as required by state law.) {270.147(b)(17), 264.147(a) and (b)}</p>	
<p>I-8a <u>Sudden Insurance</u></p> <p>Hazardous waste treatment, storage, or disposal facilities must demonstrate financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences. {264.147(a), 264.147(g), and 264.151(g, i, j)}</p>	
<p>- Amount of at least \$1 million per occurrence</p>	
<p>- An annual total of at least \$2 million, exclusive of legal costs</p>	
<p>- A signed duplicate original of the Hazardous Waste Facility Liability Endorsement worded as specified in ?????</p>	
<p>- A Certificate of Liability Insurance worded as specified in 264.151(j), or</p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<ul style="list-style-type: none"> - Financial test <ul style="list-style-type: none"> ▪ letter from CFO ▪ auditor report ▪ auditor opinion ▪ other information requested by R.A. ▪ acceptable ratios ▪ notification to EPA by Attorneys General or insurance commissioner of guarantor's state and facility state that corporate guarantee is legally valid and enforceable. 	
<ul style="list-style-type: none"> - A combination of endorsement of certification and financial test or a combination of endorsement or certification and corporate guarantee. Amounts of coverage must total at least the minimum amounts required by 264.147(a). 	
<p>I-8b <u>Nonsudden Insurance</u></p> <p>This applies to high risk storage facilities (designated by Regional Administrator), surface impoundments, land disposal and land treatment. {264.147(b) and (d), 264.151(i) and (j), and 264.147(f)}</p>	
<ul style="list-style-type: none"> - A least \$3 million per occurrence 	
<ul style="list-style-type: none"> - An annual total of at least \$6 million is required, exclusive of legal costs 	
<ul style="list-style-type: none"> - Same endorsement or certification requirements as for sudden insurance coverage, or 	
<ul style="list-style-type: none"> - Financial test <ul style="list-style-type: none"> ▪ letter from CFO (264.151(g)) ▪ auditor's report ▪ auditor's opinion ▪ other information requested by R.A. 	
<ul style="list-style-type: none"> - Corporate guarantee - {264.147(b)(2), 264.147(g)(2)(i), and 264.151(h)(2)} <ul style="list-style-type: none"> ▪ guarantor must be parent corporation ▪ certified copy of corporate guarantee with wording as specified in 264.151(h)(2) ▪ financial test for guarantor 	
<p>I-8c <u>Variance Procedures and R.A. Adjustments</u></p> <p>Evaluation of degree and duration of risk sufficient to allow R.A. to make a judgment on reduction of required liability. The financial responsibility levels specified above for liability insurance for sudden accidental occurrences may be adjusted downward if the owner/operator can prove to the Regional Administrator that these levels are not consistent with the degree and duration of risk at the owner's/operator's facility. Conversely, the Regional Administrator may adjust the levels of financial responsibility up or down, based on the administrator's assessment of the degree and duration of risk associated with the facility. {264.147(c) and (d)}</p>	
<p>I-9 <u>State Financial Mechanism</u></p> <p>Where appropriate, proof of coverage by a state financial mechanism in compliance with 264.149 or 264.150. {270.14(b)(18)}</p>	
<p>I-9a <u>Use of State-Required mechanisms</u></p>	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>Where a state has hazardous waste regulations with equivalent or greater liability requirements for financial assurance for closure and post-closure care, evidence of establishment of the state-required financial mechanisms, including the facility EPA ID number, name, address, and required mechanism do not satisfy amount of funds required, funds may be made available through the state-required mechanisms or by using additional mechanisms specified in 264.143. {264.149(a) and 264.149(b)}</p>	
<p>I-9b <u>State Assumption of Responsibility</u></p> <p>If a state assumes legal responsibility for compliance with closure, post-closure, or liability requirements or the state assures that state funds are available to cover those requirements, then facility is in compliance and must include a copy of a letter from the state describing the state assumption of responsibility and a letter from the owner/operator requesting that the state's assumption of responsibility be considered acceptable in meeting the financial coverage requirements, and including the facility EPA ID number, name, address, and amounts of liability coverage or funds for closure or post-closure care that are assured by the state. {264.150}</p>	

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**REGULATORY COMPLETENESS CHECKLIST FOR
HAZARDOUS WASTE STORAGE, TREATMENT AND DISPOSAL FACILITIES**

Facility Name _____
 EPA ID Number _____
 Permit Review Team _____

 Date Review Completed _____

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>PART J - OTHER FEDERAL LAWS</p> <p>Applicants may be required to submit information that will enable the Department to carry out his duties under other Federal laws. The applicant must provide demonstration of compliance with applicable Federal laws such as the following, or at a minimum, the applicant must state that these laws do not apply:</p> <ul style="list-style-type: none"> - Wild and Scenic Rivers Act, - National Historic Preservation Act of 1966, - Endangered Species Act, - Coastal Zone Management Act, - Fish and Wildlife Coordination Act. <p>{270.3, 270.14(b)(20)}</p>	

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**REGULATORY COMPLETENESS CHECKLIST FOR
HAZARDOUS WASTE STORAGE, TREATMENT AND DISPOSAL FACILITIES**

Facility Name _____
 EPA ID Number _____
 Permit Review Team _____

 Date Review Completed _____

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>PART K - CERTIFICATION</p> <p>K-1 <u>Application Signature</u></p> <p>For a corporation, certification of the application by a responsible corporate officer meaning:</p> <ul style="list-style-type: none"> - a president, secretary, treasurer, vice-president, or any other person who performs similar policy or decisionmaking functions for the corporation, or - the manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million. <p>{270.11(a)(1)(i)and (ii)}</p>	
<p>For a partnership or sole proprietorship, certification by a general partner or the proprietor, respectively.</p> <p>{270.11(a)(2)}</p>	
<p>For a municipality, State, Federal, or other public agency, certification by a principal executive officer or ranking elected official.</p> <p>{270.11(a)(3)}</p>	
<p>K-2 <u>Certification Statement</u></p> <p>The person signing the application shall make the following certification statement:</p> <p>"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."</p> <p>{270.11(d)}</p>	

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**REGULATORY COMPLETENESS CHECKLIST FOR
HAZARDOUS WASTE STORAGE, TREATMENT AND DISPOSAL FACILITIES**

Facility Name _____
 EPA ID Number _____
 Permit Review Team _____

 Date Review Completed _____

Guidance Documents for Part L

- (12) RCRA Facility Assessment Guidance, EPA-OSW, October 1986.
- (13) RFA Checklist - produced in conjunction with the RCRA Facility Assessment Guidance.
- (14) Confirmatory Sampling Workplan Guidance.

For information about SWMUs and AOCs a facility can submit the RCRA Facility Assessment and all subsequently identified SWMUs or AOCs reported or submit the information listed in the following checklist.

<p>PART L - INFORMATION REQUIREMENTS FOR SOLID WASTE MANAGEMENT UNITS</p>	
<p>Provide a tabular listing of all SWMUs and AOCs. For each SWMU and AOC provide the following in the table:</p> <ul style="list-style-type: none"> - SWMU Number - SWMU name - Current status of SWMU; (No Further Action, Under Assessment, Remedy Selected, Remedy Construction Complete (include selected remedy), etc.) - Date current status achieved 	
<p>For SWMUs and AOCs that are NOT listed as No Further Action provide the following information</p>	
<p><u>L-1 Minimum Information Requirements for Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs)</u></p>	
<p><u>L-1a Description of Solid Waste Management Units and Areas of Concern:</u></p> <p>A description of each solid waste management unit or area of concern that was not listed as No Further Action at the facility including:</p> <ul style="list-style-type: none"> - Location of the unit on the topographic map and a facility site map required under 270.14(b)(19), {270.14(d)(1)(i)} 	
<ul style="list-style-type: none"> - General Description of the SWMU or AOC (e.g. concrete sump, land disposal area, spill, etc.), {270.14(d)(1)(ii)} 	
<ul style="list-style-type: none"> - General dimensions and structural description (provide 	

drawings if available), {270.14(d)(1)(iii)}	
- Dates of operation of the unit, and {270.14(d)(1)(iv)}	
- Specification of all wastes that have been managed at the unit. {270.14(d)(1)(v)}	
L-1b <u>Information Pertaining to Releases:</u> The applicant must provide a summary of all available information pertaining to releases of hazardous wastes or hazardous constituents from solid waste management units and areas of concern at the facility. {270.14(d)(2)}	
L-1c <u>Sampling and Analysis:</u> The applicant must provide a summary of the results of sampling and analysis of groundwater, land surface and subsurface strata, surface water, and air. (270.14(d)(3))	

Additional Requirements	Location in Application and Comments
<p>Sampling frequency and constituents sampled for SWMUs or AOC where long term monitoring is part of the selected remedy or is used to demonstrate remedy effectiveness.</p> <p>Identify on a facility site map the locations of monitoring points (wells, indoor air, soil samples, etc) where long term monitoring is part of the selected remedy or is used to demonstrate remedy effectiveness.</p> <p>Cost Estimate for the assessment and remediation of all SWMUs and AOC. [Note: this estimate can be combined with the cost estimate for closure or post-closure of the regulated unit.]</p>	

**REGULATORY COMPLETENESS CHECKLIST FOR
HAZARDOUS WASTE STORAGE, TREATMENT AND DISPOSAL FACILITIES**

Facility Name _____
 EPA ID Number _____
 Permit Review Team _____

 Date Review Completed _____

Guidance Document for Part N

(15) Guidelines for Documentation of Substantial Compliance and Financial Qualification, North Carolina Hazardous Waste Section, July 26, 1991.

Subject Requirement and 40 CFR Reference	Location in Application and Comments
<p>PART N - SUBSTANTIAL COMPLIANCE AND FINANCIAL QUALIFICATION</p> <p>The following requirements apply to any applicant for a hazardous waste management permit, including certain modifications to existing permits and transfer of permit ownership. {15A NCAC 13A .0113(l) and GS 130A-295}</p>	
<p>N-1 <u>General Information</u> [Guidance(15) - Instructions]</p> <ul style="list-style-type: none"> - A brief description of the form of the business (e.g., partnership, corporation, etc.) 	
<ul style="list-style-type: none"> - The names, addresses, and titles of all officers, directors, or partners of the applicant and of any parent or subsidiary corporation if the applicant is a corporation. 	
<ul style="list-style-type: none"> - The name and address of any hazardous waste facilities constructed or operated after October 21, 1976, by the applicant or any parent or subsidiary corporation if the applicant is a corporation. 	
<p>N-2 <u>Substantial Compliance</u></p> <p>Documentation that the facilities in the list required by N-1 above have been operated in accordance with sound management practices and in substantial compliance with federal and state laws, regulations, and rules. {15A NCAC 13A .0113(l)(1) and GS 130A-295(a)(1)}</p>	
<p>N-2a <u>In-State Facilities</u></p> <p>The documentation must include the following information for each environmental program at each in-state facility listed above: [Guidance(15) - In-state Form]</p> <ul style="list-style-type: none"> - General facility information; <ul style="list-style-type: none"> ▪ Applicant name, ▪ Facility name, ▪ Facility EPA ID number, ▪ Facility location, ▪ Environmental program, and ▪ Permit type and number (if permitted). - Specific compliance information; 	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
Date of violation, <ul style="list-style-type: none"> • Description of violation (including violation class), • Amount of penalty assessed, • Amount of penalty paid, and • Court docket number. 	
- Compliance information summary; <ul style="list-style-type: none"> • Total number of inspections, • Total number of violations, • Total amount of penalties assessed, and • Total amount of penalties paid. 	
- Whether the facility has ever been denied an environmental permit (include explanation if yes); and	
- If there is a pending enforcement action against the facility which has not already been described.	
N-2b <u>Out-of-State Facilities</u>	
The documentation must include the following information for each environmental program: [Guidance(15) - Out-of-State Form]	
- Applicant name;	
- Environmental program;	
- Permit type and number (if permitted).	
For each out-of-state facility in each program: [Guidance(14) - Out-of-State Form]	
- Facility information; <ul style="list-style-type: none"> • Facility name, • Facility location, • Facility EPA ID number, • Interim status period, • Permit issue date, and • Permit expiration date. 	
- Compliance history; <ul style="list-style-type: none"> • Number of state/EPA inspections, • Total number of violations, • Number of violations with penalties, and • Total amount of penalties assessed. 	
- List of facilities which have been denied a permit (including EPA ID number and date of denial).	
N-3 <u>Financial Qualification</u>	
Documentation that the applicant, or any parent or subsidiary corporation if the applicant is a corporation, is financially qualified to operate the proposed facility. This documentation may consist of a financial statement, auditor's report, or other document that addresses the applicant's financial qualification to operate the proposed facility. {15A NCAC 13A .0113(l)(2) and GS 130A-295(a)(2)} [Guidance(15) - instructions]	
N-4 <u>Justification of Need</u>	
All applicants for commercial hazardous waste management permits must satisfy the Department that there is a need for a new facility or modifications to an existing permitted commercial facility based on the current or projected hazardous waste	

Subject Requirement and 40 CFR Reference	Location in Application and Comments
management needs of this State. {15A NCAC 13A .0113(m) and GS 130A-295(c)}	

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