

## Comparison of New and Old Requirements in Hazardous Waste Generator Improvements Rule

<b>Hazardous Waste Satellite Accumulation Area Requirements</b>	
<b>New – 262.15(a)</b>	<b>Old - 262.34(c)(1)</b>
<p>(a) A generator may accumulate as much as 55 gallons of <u>non-acute</u> hazardous waste <u>and/or either</u> one quart of <u>liquid</u> acute hazardous waste listed in §261.31 or §261.33(e) <u>of this chapter or 1 kg (2.2 lbs) of solid acute hazardous waste listed in §261.31 or §261.33(e) of this chapter</u> in containers at or near any point of generation where wastes initially accumulate which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with <u>the requirements of parts 124, 264 through 267, and 270 of this chapter, provided that all of the conditions for exemption in this section are met. A generator may comply with the conditions for exemption in this section instead of complying with the conditions for exemption in §262.16(b) or §262.17(a), except as required in §262.15(a)(7) and (8). The conditions for exemption for satellite accumulation are:</u></p>	<p>(c)(1) A generator may accumulate as much as 55 gallons of hazardous waste or one quart of <u>acutely</u> hazardous waste listed in §261.31 or §261.33(e) in containers at or near any point of generation where wastes initially accumulate which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with <u>paragraph (a) or (d) of this section</u> provided <u>he</u>:</p>

**New – 262.15(a)(1), (a)(2), (a)(3), and (a)(4)**

**Old - 262.34(c)(1)(i) reference to 265.171, 265.172, and 265.173(a)**

(1) If a container holding hazardous waste is not in good condition, or if it begins to leak, the generator must immediately transfer the hazardous waste from this container to a container that is in good condition and does not leak, or immediately transfer and manage the waste in a central accumulation area operated in compliance with §262.16(b) or §262.17(a).

(2) The generator must use a container made of or lined with materials that will not react with, and are otherwise compatible with, the hazardous waste to be accumulated, so that the ability of the container to contain the waste is not impaired.

**(3) Special standards for incompatible wastes.**

(i) Incompatible wastes, or incompatible wastes and materials, (see appendix V of part 265 for examples) must not be placed in the same container, unless §265.17(b) of this chapter is complied with.

(ii) Hazardous waste must not be placed in an unwashed container that previously held an incompatible waste or material (see appendix V of part 265 for examples), unless §265.17(b) of this chapter is complied with.

(iii) A container holding a hazardous waste that is incompatible with any waste or other materials accumulated nearby in other containers must be separated from the other materials or protected from them by any practical means.

(4) A container holding hazardous waste must be closed at all times during accumulation, except:

(i) When adding, removing, or consolidating waste; or

(ii) When temporary venting of a container is necessary

(A) For the proper operation of equipment, or

(B) To prevent dangerous situations, such as build-up of extreme pressure.

(i) Complies with §§265.171, 265.172, and 265.173(a) of this chapter; and

**§265.171 Condition of containers.**

If a container holding hazardous waste is not in good condition, or if it begins to leak, the owner or operator must transfer the hazardous waste from this container to a container that is in good condition, or manage the waste in some other way that complies with the requirements of this part.

**§265.172 Compatibility of waste with container.**

The owner or operator must use a container made of or lined with materials which will not react with, and are otherwise compatible with, the hazardous waste to be stored, so that the ability of the container to contain the waste is not impaired.

**§265.173 Management of containers.**

(a) A container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.

New – 262.15(a)(5)	Old - 262.34(c)(1)(ii)
<p>(5) A generator must mark or label its container with the following:</p> <ul style="list-style-type: none"> <li>(i) The words “Hazardous Waste” and</li> <li>(ii) An indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).</li> </ul>	<p>(ii) Marks his containers either with the words “Hazardous Waste” or with other words that identify the contents of the containers.</p>
New – 262.15(a)(6)	Old - 262.34(c)(2)
<p>(6) A generator who accumulates either acute hazardous waste listed in §261.31 or §261.33(e) of this chapter or non-acute hazardous waste in excess of the amounts listed in paragraph (a) of this section at or near any point of generation must do the following:</p> <ul style="list-style-type: none"> <li>(i) Comply within three consecutive calendar days with the applicable central accumulation area regulations in §262.16(b) or §262.17(a), or</li> <li>(ii) Remove the excess from the satellite accumulation area within three consecutive calendar days to either: <ul style="list-style-type: none"> <li>(A) A central accumulation area operated in accordance with the applicable regulations in §262.16(b) or §262.17(a);</li> <li>(B) An on-site interim status or permitted treatment, storage, or disposal facility, or</li> <li>(C) An off-site designated facility; and</li> </ul> </li> <li>(iii) During the three-consecutive-calendar-day period the generator must continue to comply with paragraphs (a)(1) through (5) of this section. The generator must mark or label the container(s) holding the excess accumulation of hazardous waste with the date the excess amount began accumulating.</li> </ul>	<p>(2) A generator who accumulates either hazardous waste or acutely hazardous waste listed in §261.31 or §261.33(e) in excess of the amounts listed in paragraph (c)(1) of this section at or near any point of generation must, with respect to that amount of excess waste, comply within three days with paragraph (a) of this section or other applicable provisions of this chapter. During the three day period the generator must continue to comply with paragraphs (c)(1)(i) and (ii) of this section. The generator must mark the container holding the excess accumulation of hazardous waste with the date the excess amount began accumulating.</p>

New - 262.15(a)(7) and (a)(8)	There is no corresponding "Old" Regulation
<p><u>(7) All satellite accumulation areas operated by a small quantity generator must meet the preparedness and prevention regulations of §262.16(b)(8) and emergency procedures at §262.16(b)(9).</u></p> <p><u>(8) All satellite accumulation areas operated by a large quantity generator must meet the Preparedness, Prevention and Emergency Procedures in subpart M of this part.</u></p>	<p><i>There is no corresponding "Old" Regulation.</i></p>