

Comparison of New (“Technical Corrections”) and Old Requirements in Hazardous Waste Generator Improvements Rule, the Hazardous Waste Pharmaceuticals Rule, and the Definition of Solid Waste Rule; Technical Corrections

Initial Technical Corrections were made in [88 FR 54114; August 9, 2023](#) and were effective December 7, 2023. Due to adverse comments received, eight amendments were withdrawn by EPA in this Partial Withdrawal of the Technical Corrections ([88 FR 84710; December 6, 2023](#)) which was also effective December 7, 2023. [89 FR 99727; December 11, 2024](#) finalized five (of the eight) amendments that were previously withdrawn.

40 CFR 260		
Rule Updated	Old - 260.10	Technical Correction – 260.10
Hazardous Waste Generator Improvements Rule (HWGIR)	<p>§260.10 Definitions. <i>(Note: Only the definitions relevant to the Technical Corrections Rule are included on this form.)</i></p> <p><i>Final closure</i> means the closure of all hazardous waste management units at the facility in accordance with all applicable closure requirements so that hazardous waste management activities under parts 264 and 265 of this chapter are no longer conducted at the facility unless subject to the provisions in § 262.34.</p>	<p>§260.10 Definitions. <i>(Note: Only the definitions relevant to the Technical Corrections Rule are included on this form.)</i></p> <p><i>Final closure</i> means the closure of all hazardous waste management units at the facility in accordance with all applicable closure requirements so that hazardous waste management activities under parts 264 and 265 of this chapter are no longer conducted at the facility unless subject to the provisions in § 262.34 §§262.16 and 262.17.</p>
40 CFR 261		
	Old - 261.1(a)(1)	Technical Correction - 261.1(a)(1)
HWGIR	<p>40 CFR 261.1(a)(1)</p> <p>Subpart A defines the terms “solid waste” and “hazardous waste”, identifies those wastes which are excluded from regulation under parts 262 through 266, 268 and 270 of this chapter and establishes special management requirements for hazardous waste produced by very small quantity generators and hazardous waste which is recycled.</p>	<p>40 CFR 261.1(a)(1)</p> <p>Subpart A defines the terms “solid waste” and “hazardous waste”, identifies those wastes which are excluded from regulation under parts 262 through 266, 268, and 270 of this subchapter and establishes special management requirements for hazardous waste produced by very small quantity generators and hazardous waste which is recycled.</p>
	Old - 261.4(a)(25)(i)(I)	Technical Correction - 261.4(a)(25)(i)(I)
Definition of Solid Waste Rule (DSW)	<p>40 CFR 261.4(a)(25)(i)</p> <p>(I) The name of any countries of transit through which the hazardous secondary material will be sent and a description of the approximate length of time it will remain in such countries and the nature of its handling while there (for purposes of this section, the terms “EPA Acknowledgement of Consent”, “country of import” and “country of transit” are used as defined in 40 CFR 262.81 with the exception that the terms in this section refer to hazardous secondary materials, rather than hazardous waste):</p>	<p>40 CFR 261.4(a)(25)(i)</p> <p>(I) The name of any countries of transit through which the hazardous secondary material will be sent and a description of the approximate length of time it will remain in such countries and the nature of its handling while there (for purposes of this section, the terms “EPA Acknowledgment of Consent”, “country of import” and “country of transit” are used as defined in 40 CFR 262.81 with the exception that the terms in this section refer to hazardous secondary materials, rather than hazardous waste):</p>

Rule Updated	Old - 261.4(a)(25)(vi) and (vii)	Technical Corrections - 261.4(a)(25)(vi) and (vii)
DSW	<p>40 CFR 261.4(a)(25)</p> <p>(vi) The export of hazardous secondary material under this paragraph (a)(25) is prohibited unless the country of import consents to the intended export. When the country of import consents in writing to the receipt of the hazardous secondary material, EPA will send an EPA Acknowledgment of Consent to the hazardous secondary material generator. Where the country of import objects to receipt of the hazardous secondary material or withdraws a prior consent, EPA will notify the hazardous secondary material generator in writing. EPA will also notify the hazardous secondary material generator of any responses from countries of transit.</p> <p>(vii) For exports to OECD Member countries, the receiving country may respond to the notification using tacit consent. If no objection has been lodged by any country of import or countries of transit to a notification provided pursuant to paragraph (a)(25)(i) of this section within thirty (30) days after the date of issuance of the acknowledgement of receipt of notification by the competent authority of the country of import, the transboundary movement may commence. In such cases, EPA will send an EPA Acknowledgment of Consent to inform the hazardous secondary material generator that the country of import and any relevant countries of transit have not objected to the shipment, and are thus presumed to have consented tacitly. Tacit consent expires one (1) calendar year after the close of the thirty (30) day period; renotification and renewal of all consents is required for exports after that date.</p>	<p>40 CFR 261.4(a)(25)</p> <p>(vi) The export of hazardous secondary material under this paragraph (a)(25) is prohibited unless the <u>hazardous secondary material generator receives from EPA an EPA Acknowledgment of Consent documenting the consent of the country of import to the receipt of the hazardous secondary material.</u> Where the country of import objects to receipt of the hazardous secondary material or withdraws a prior consent, EPA will notify the hazardous secondary material generator in writing. EPA will also notify the hazardous secondary material generator of any responses from countries of transit.</p> <p>(vii) <u>Prior to each shipment, the hazardous secondary material generator or a U.S. authorized agent must:</u></p> <p><u>(A) Submit Electronic Export Information (EEI) for each shipment to the Automated Export System (AES) or its successor system, under the International Trade Data System (ITDS) platform, in accordance with 15 CFR 30.4(b).</u></p> <p><u>(B) Include the following items in the EEI, along with the other information required under 15 CFR 30.6:</u></p> <ol style="list-style-type: none"> <u>(1) EPA license code;</u> <u>(2) Commodity classification code per 15 CFR 30.6(a)(12);</u> <u>(3) EPA consent number;</u> <u>(4) Country of ultimate destination per 15 CFR 30.6(a)(5);</u> <u>(5) Date of export per 15 CFR 30.6(a)(2);</u> <u>(6) Quantity of waste in shipment and units for reported quantity, if required reporting units established by value for the reported commodity classification number are in units of weight or volume per 15 CFR 30.6(a)(15); or</u> <u>(7) EPA net quantity reported in units of kilograms, if required reporting units established by value for the reported commodity classification number are not in units of weight or volume.</u>

Rule Updated	Old - 261.4(a)(25)(xi)(D)	Technical Corrections - 261.4(a)(25)(xi)(D)
DSW	<p>40 CFR 261.4(a)(25)(xi) (D) By reclaimer and intermediate facility, for each hazardous secondary material exported, a description of the hazardous secondary material and the EPA hazardous waste number that would apply if the hazardous secondary material was managed as hazardous waste, the DOT hazard class, the name and U.S. EPA ID number (where applicable) for each transporter used, the total amount of hazardous secondary material shipped and the number of shipments pursuant to each notification;</p>	<p>40 CFR 261.4(a)(25)(xi) (D) By reclaimer and intermediate facility, for each hazardous secondary material exported, a description of the hazardous secondary material and the EPA hazardous waste number that would apply if the hazardous secondary material was managed as hazardous waste, the DOT hazard class, the name and U.S. EPA ID number (where applicable) for each transporter used, <u>the consent number(s) under which the hazardous secondary material was shipped and for each consent number</u>, the total amount of hazardous secondary material shipped and the number of shipments <u>exported during the calendar year covered by the report</u>;</p>
	<p align="center">Old - 261.4(e)(1)</p>	<p align="center">Technical Corrections - 261.4(e)(1)</p>
HWGIR	<p>40 CFR 261.4(e) [Treatability Study Samples] (1) Except as provided in paragraphs (e)(2) and (4) of this section, persons who generate or collect samples for the purpose of conducting treatability studies as defined in 40 CFR 260.10, are not subject to any requirement of 40 CFR parts 261 through 263 or to the notification requirements of Section 3010 of RCRA, nor are such samples included in the quantity determinations of 40 CFR 261.5 and 262.34(d) when:</p>	<p>40 CFR 261.4(e) [Treatability Study Samples] (1) Except as provided in paragraphs (e)(2) and (4) of this section, persons who generate or collect samples for the purpose of conducting treatability studies as defined in 40 CFR 260.10, are not subject to any requirement of this part and <u>40 CFR parts 262</u> and 263 or to the notification requirements of section 3010 of RCRA, nor are such samples included in the quantity determinations of <u>40 CFR 262.13 and the accumulation limits in 40 CFR 262.14(a)(3), 40 CFR 262.14(a)(4), and 40 CFR 262.16(b)(1)</u> when:</p> <p>Update effective 02/10/2025 with 89 FR 99731; December 11, 2024.</p>
	<p align="center">Old - 261.6(c)(2)(1)</p>	<p align="center">Technical Corrections - 261.6(c)(1)</p>
HWGIR	<p>40 CFR 261.6(c) (1) Owners and operators of facilities that store recyclable materials before they are recycled are regulated under all applicable provisions of subparts A through L, AA, BB, and CC of parts 264 and 265, and under parts 124, 266, 267, 268, and 270 of this chapter and the notification requirements under section 3010 of RCRA, except as provided in paragraph (a) of this section. (The recycling process itself is exempt from regulation except as provided in § 261.6(d).)</p>	<p>40 CFR 261.6(c) (1) Owners and operators of facilities that store recyclable materials before they are recycled are regulated under all applicable provisions of subparts A through L and AA <u>through DD</u> of <u>40 CFR</u> parts 264 and 265, and under 40 CFR parts 124, 266, 267, 268, and 270 and the notification requirements under section 3010 of RCRA, except as provided in paragraph (a) of this section. (The recycling process itself is exempt from regulation except as provided in <u>paragraph (d)</u> of this section.)</p>

Rule Updated	Old - 261.11	Technical Corrections - 261.11
HWGIR	<p>40 CFR 261.11</p> <p>(c) The Administrator will use the criteria for listing specified in this section to establish the exclusion limits referred to in § 261.5(c).</p>	<p>40 CFR 261.11 is amended by removing paragraph (c).</p>
	Old - 261.30(d)	Technical Corrections - 261.30(d)
HWGIR	<p>40 CFR 261.30(d)</p> <p>(d) The following hazardous wastes listed in § 261.31 are subject to the exclusion limits for acutely hazardous wastes established in § 261.5: EPA Hazardous Wastes Nos. F020, F021, F022, F023, F026 and F027.</p>	<p>40 CFR 261.30(d)</p> <p>(d) The following hazardous wastes listed in §261.31 are subject to the generator category limits for acutely hazardous wastes established in table 1 of §262.13 of this subchapter: EPA Hazardous Wastes Nos. F020, F021, F022, F023, F026 and F027.</p>
	Old – 261.142(a)(2) through (4)	Technical Corrections – 261.142(a)(2) through (4)
DSW	<p>40 CFR 261.142(a)</p> <p>(2) The cost estimate must be based on the costs to the owner or operator of hiring a third party to conduct these activities. A third party is a party who is neither a parent nor a subsidiary of the owner or operator. (See definition of parent corporation in § 265.141(d) of this chapter.) The owner or operator may use costs for on-site disposal in accordance with applicable requirements if he can demonstrate that on-site disposal capacity will exist at all times over the life of the facility.</p> <p>(3) The cost estimate may not incorporate any salvage value that may be realized with the sale of hazardous secondary materials, or hazardous or non-hazardous wastes if applicable under § 265.5113(d) of this chapter, facility structures or equipment, land, or other assets associated with the facility.</p> <p>(4) The owner or operator may not incorporate a zero cost for hazardous secondary materials, or hazardous or non-hazardous wastes if applicable under § 265.5113(d) of this chapter that might have economic value.</p>	<p>40 CFR 261.142(a)</p> <p>(2) The cost estimate must be based on the costs to the owner or operator of hiring a third party to conduct these activities. A third party is a party who is neither a parent nor a subsidiary of the owner or operator. (See definition of “parent corporation” in §265.141(d) of this subchapter.) The owner or operator may use costs for on-site disposal in accordance with applicable requirements if he can demonstrate that on-site disposal capacity will exist at all times over the life of the facility.</p> <p>(3) The cost estimate may not incorporate any salvage value that may be realized with the sale of hazardous secondary materials, or hazardous or non-hazardous wastes if applicable under §265.113(d) of this subchapter, facility structures or equipment, land, or other assets associated with the facility.</p> <p>(4) The owner or operator may not incorporate a zero cost for hazardous secondary materials, or hazardous or non-hazardous wastes if applicable under §265.113(d) of this subchapter that might have economic value.</p>

Rule Updated	Old - 261.143(a)(7)	Technical Corrections – 261.143(a)(7)
DSW	<p>40 CFR 261.143(a)</p> <p>(7) Within 60 days after receiving a request from the owner or operator for release of funds as specified in paragraph (a) (5) or (6) of this section, the Regional Administrator will instruct the trustee to release to the owner or operator such funds as the Regional Administrator specifies in writing. If the owner or operator begins final closure under subpart G of 40 CFR part 264 or 265, an owner or operator may request reimbursements for partial or final closure expenditures by submitting itemized bills to the Regional Administrator. The owner or operator may request reimbursements for partial closure only if sufficient funds are remaining in the trust fund to cover the maximum costs of closing the facility over its remaining operating life. No later than 60 days after receiving bills for partial or final closure activities, the Regional Administrator will instruct the trustee to make reimbursements in those amounts as the Regional Administrator specifies in writing, if the Regional Administrator determines that the partial or final closure expenditures are in accordance with the approved closure plan, or otherwise justified. If the Regional Administrator has reason to believe that the maximum cost of closure over the remaining life of the facility will be significantly greater than the value of the trust fund, he may withhold reimbursements of such amounts as he deems prudent until he determines, in accordance with § 265.143(i) that the owner or operator is no longer required to maintain financial assurance for final closure of the facility. If the Regional Administrator does not instruct the trustee to make such reimbursements, he will provide to the owner or operator a detailed written statement of reasons.</p>	<p>40 CFR 261.143(a)</p> <p>(7) Within 60 days after receiving a request from the owner or operator for release of funds as specified in paragraph (a)(5) or (6) of this section, the Regional Administrator will instruct the trustee to release to the owner or operator such funds as the Regional Administrator specifies in writing. If the owner or operator begins final closure under subpart G of 40 CFR part 264 or 265, an owner or operator may request reimbursements for partial or final closure expenditures by submitting itemized bills to the Regional Administrator. The owner or operator may request reimbursements for partial closure only if sufficient funds are remaining in the trust fund to cover the maximum costs of closing the facility over its remaining operating life. No later than 60 days after receiving bills for partial or final closure activities, the Regional Administrator will instruct the trustee to make reimbursements in those amounts as the Regional Administrator specifies in writing, if the Regional Administrator determines that the partial or final closure expenditures are in accordance with the approved closure plan, or otherwise justified. If the Regional Administrator has reason to believe that the maximum cost of closure over the remaining life of the facility will be significantly greater than the value of the trust fund, he may withhold reimbursements of such amounts as he deems prudent until he determines, in accordance with <u>paragraph (i) of this section</u> that the owner or operator is no longer required to maintain financial assurance for final closure of the facility. If the Regional Administrator does not instruct the trustee to make such reimbursements, he will provide to the owner or operator a detailed written statement of reasons.</p>

Rule Updated	Old – 261.147(g)(2)(i)(B) and (g)(2)(ii)(B)	Technical Corrections – 261.147(g)(2)(i)(B) and (g)(2)(ii)(B)
DSW	<p>40 CFR 261.147(g)(2)(i) (B) Each State in which a facility covered by the guarantee is located have submitted a written statement to EPA that a guarantee executed as described in this section and § 264.151(g)(2) is a legally valid and enforceable obligation in that State.</p> <p>40 CFR 261.147(g)(2)(ii) (B) The Attorney General or Insurance Commissioner of each State in which a facility covered by the guarantee is located and the State in which the guarantor corporation has its principal place of business, has submitted a written statement to EPA that a guarantee executed as described in this section and § 261.151(h)(2) is a legally valid and enforceable obligation in that State.</p>	<p>40 CFR 261.147(g)(2)(i) (B) Each State in which a facility covered by the guarantee is located have submitted a written statement to EPA that a guarantee executed as described in this section and <u>§261.151(g)(2)</u> is a legally valid and enforceable obligation in that State.</p> <p>40 CFR 261.147(g)(2)(ii) (B) The Attorney General or Insurance Commissioner of each State in which a facility covered by the guarantee is located and the State in which the guarantor corporation has its principal place of business, has submitted a written statement to EPA that a guarantee executed as described in this section and <u>§261.151(g)(2)</u> is a legally valid and enforceable obligation in that State.</p>
	Old - 261.151(g)(2)	Technical Corrections – 261.151(g)(2)
DSW	<p>40 CFR 261.151(g) (2) A guarantee, as specified in <u>Sec. 261.147(g)</u> of this chapter, must be worded as follows, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:</p> <p>Guarantee for Liability Coverage</p> <p>Guarantee made this [date] by [name of guaranteeing entity], a business corporation organized under the laws of [if incorporated within the United States insert “the State of _____-” and insert name of State; if incorporated outside the United States insert the name of the country in which incorporated, the principal place of business within the United States, and the name and address of the registered agent in the State of the principal place of business], herein referred to as guarantor. This guarantee is made on behalf of [owner or operator] of [business address], which is one of the following: “our subsidiary;” “a subsidiary of [name and address of common parent corporation], of which guarantor is a subsidiary;” or “an entity with which guarantor has a substantial business relationship, as defined in 40 CFR [either 264.141(h) or 265.141(h)]”, to any and all third parties who have sustained or may sustain bodily injury or property damage caused by [sudden and/or nonsudden] accidental occurrences arising from operation of the facility(ies) covered by this guarantee.</p> <p>Recitals</p>	<p>40 CFR 261.151(g) (2) A guarantee, as specified in <u>§261.147(g)</u>, must be worded as follows, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:</p> <p>Guarantee for Liability Coverage</p> <p>Guarantee made this [date] by [name of guaranteeing entity], a business corporation organized under the laws of [if incorporated within the United States insert “the State of _____-” and insert name of State; if incorporated outside the United States insert the name of the country in which incorporated, the principal place of business within the United States, and the name and address of the registered agent in the State of the principal place of business], herein referred to as guarantor. This guarantee is made on behalf of [owner or operator] of [business address], which is one of the following: “our subsidiary;” “a subsidiary of [name and address of common parent corporation], of which guarantor is a subsidiary;” or “an entity with which guarantor has a substantial business relationship, as defined in 40 CFR [either 264.141(h) or 265.141(h)]”, to any and all third parties who have sustained or may sustain bodily injury or property damage caused by [sudden and/or nonsudden] accidental occurrences arising from operation of the facility(ies) covered by this guarantee.</p> <p>Recitals</p>

40 CFR 261.151(g)(2) (continued)

1. Guarantor meets or exceeds the financial test criteria and agrees to comply with the reporting requirements for guarantors as specified in 40 CFR 261.147(g).
2. [Owner or operator] owns or operates the following facility(ies) covered by this guarantee: [List for each facility: EPA identification number (if any issued), name, and address; and if guarantor is incorporated outside the United States list the name and address of the guarantor's registered agent in each State.] This corporate guarantee satisfies RCRA third-party liability requirements for [insert "sudden" or "nonsudden" or "both sudden and nonsudden"] accidental occurrences in above-named owner or operator facilities for coverage in the amount of [insert dollar amount] for each occurrence and [insert dollar amount] annual aggregate.
3. For value received from [owner or operator], guarantor guarantees to any and all third parties who have sustained or may sustain bodily injury or property damage caused by [sudden and/or nonsudden] accidental occurrences arising from operations of the facility(ies) covered by this guarantee that in the event that [owner or operator] fails to satisfy a judgment or award based on a determination of liability for bodily injury or property damage to third parties caused by [sudden and/or nonsudden] accidental occurrences, arising from the operation of the above-named facilities, or fails to pay an amount agreed to in settlement of a claim arising from or alleged to arise from such injury or damage, the guarantor will satisfy such judgment(s), award(s) or settlement agreement(s) up to the limits of coverage identified above.
4. Such obligation does not apply to any of the following:
 - (a) Bodily injury or property damage for which [insert owner or operator] is obligated to pay damages by reason of the assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages that [insert owner or operator] would be obligated to pay in the absence of the contract or agreement.
 - (b) Any obligation of [insert owner or operator] under a workers' compensation, disability benefits, or unemployment compensation law or any similar law.
 - (c) Bodily injury to:
 - (1) An employee of [insert owner or operator] arising from, and in the course of, employment by [insert owner or operator]; or
 - (2) The spouse, child, parent, brother, or sister of that employee as a consequence of, or arising from, and in the course of employment by [insert owner or operator]. This exclusion applies:
 - (A) Whether [insert owner or operator] may be liable as an employer or in any other capacity; and
 - (B) To any obligation to share damages with or repay another person who must pay damages because of the injury to persons identified in paragraphs (1) and (2).

40 CFR 261.151(g)(2) (continued)

1. Guarantor meets or exceeds the financial test criteria and agrees to comply with the reporting requirements for guarantors as specified in 40 CFR 261.147(g).
2. [Owner or operator] owns or operates the following facility(ies) covered by this guarantee: [List for each facility: EPA identification number (if any issued), name, and address; and if guarantor is incorporated outside the United States list the name and address of the guarantor's registered agent in each State.] This corporate guarantee satisfies RCRA third-party liability requirements for [insert "sudden" or "nonsudden" or "both sudden and nonsudden"] accidental occurrences in above-named owner or operator facilities for coverage in the amount of [insert dollar amount] for each occurrence and [insert dollar amount] annual aggregate.
3. For value received from [owner or operator], guarantor guarantees to any and all third parties who have sustained or may sustain bodily injury or property damage caused by [sudden and/or nonsudden] accidental occurrences arising from operations of the facility(ies) covered by this guarantee that in the event that [owner or operator] fails to satisfy a judgment or award based on a determination of liability for bodily injury or property damage to third parties caused by [sudden and/or nonsudden] accidental occurrences, arising from the operation of the above-named facilities, or fails to pay an amount agreed to in settlement of a claim arising from or alleged to arise from such injury or damage, the guarantor will satisfy such judgment(s), award(s) or settlement agreement(s) up to the limits of coverage identified above.
4. Such obligation does not apply to any of the following:
 - (a) Bodily injury or property damage for which [insert owner or operator] is obligated to pay damages by reason of the assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages that [insert owner or operator] would be obligated to pay in the absence of the contract or agreement.
 - (b) Any obligation of [insert owner or operator] under a workers' compensation, disability benefits, or unemployment compensation law or any similar law.
 - (c) Bodily injury to:
 - (1) An employee of [insert owner or operator] arising from, and in the course of, employment by [insert owner or operator]; or
 - (2) The spouse, child, parent, brother, or sister of that employee as a consequence of, or arising from, and in the course of employment by [insert owner or operator]. This exclusion applies:
 - (A) Whether [insert owner or operator] may be liable as an employer or in any other capacity; and
 - (B) To any obligation to share damages with or repay another person who must pay damages because of the injury to persons identified in paragraphs (1) and (2).

<p>40 CFR 261.151(g)(2) (continued)</p> <p>(d) Bodily injury or property damage arising out of the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle or watercraft.</p> <p>(e) Property damage to:</p> <ol style="list-style-type: none"> (1) Any property owned, rented, or occupied by [insert owner or operator]; (2) Premises that are sold, given away or abandoned by [insert owner or operator] if the property damage arises out of any part of those premises; (3) Property loaned to [insert owner or operator]; (4) Personal property in the care, custody or control of [insert owner or operator]; (5) That particular part of real property on which [insert owner or operator] or any contractors or subcontractors working directly or indirectly on behalf of [insert owner or operator] are performing operations, if the property damage arises out of these operations. <p>5. Guarantor agrees that if, at the end of any fiscal year before termination of this guarantee, the guarantor fails to meet the financial test criteria, guarantor shall send within 90 days, by certified mail, notice to the EPA Regional Administrator[s] for the Region[s] in which the facility[ies] is[are] located and to [owner or operator] that he intends to provide alternate liability coverage as specified in 40 CFR 261.147, as applicable, in the name of [owner or operator]. Within 120 days after the end of such fiscal year, the guarantor shall establish such liability coverage unless [owner or operator] has done so.</p> <p>6. The guarantor agrees to notify the EPA Regional Administrator by certified mail of a voluntary or involuntary proceeding under title 11 (Bankruptcy), U.S. Code, naming guarantor as debtor, within 10 days after commencement of the proceeding. Guarantor agrees that within 30 days after being notified by an EPA Regional Administrator of a determination that guarantor no longer meets the financial test criteria or that he is disallowed from continuing as a guarantor, he shall establish alternate liability coverage as specified in 40 CFR 261.147 in the name of [owner or operator], unless [owner or operator] has done so.</p> <p>7. Guarantor reserves the right to modify this agreement to take into account amendment or modification of the liability requirements set by 40 CFR 261.147, provided that such modification shall become effective only if a Regional Administrator does not disapprove the modification within 30 days of receipt of notification of the modification.</p> <p>8. Guarantor agrees to remain bound under this guarantee for so long as [owner or operator] must comply with the applicable requirements of 40 CFR 261.147 for the above-listed facility(ies), except as provided in paragraph 10 of this agreement.</p> <p>9. [Insert the following language if the guarantor is (a) a direct or higher-tier corporate parent, or (b) a firm whose parent corporation is also the parent corporation of the owner or operator]:</p>	<p>40 CFR 261.151(g)(2) (continued)</p> <p>(d) Bodily injury or property damage arising out of the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle or watercraft.</p> <p>(e) Property damage to:</p> <ol style="list-style-type: none"> (1) Any property owned, rented, or occupied by [insert owner or operator]; (2) Premises that are sold, given away or abandoned by [insert owner or operator] if the property damage arises out of any part of those premises; (3) Property loaned to [insert owner or operator]; (4) Personal property in the care, custody or control of [insert owner or operator]; (5) That particular part of real property on which [insert owner or operator] or any contractors or subcontractors working directly or indirectly on behalf of [insert owner or operator] are performing operations, if the property damage arises out of these operations. <p>5. Guarantor agrees that if, at the end of any fiscal year before termination of this guarantee, the guarantor fails to meet the financial test criteria, guarantor shall send within 90 days, by certified mail, notice to the EPA Regional Administrator[s] for the Region[s] in which the facility[ies] is[are] located and to [owner or operator] that he intends to provide alternate liability coverage as specified in 40 CFR 261.147, as applicable, in the name of [owner or operator]. Within 120 days after the end of such fiscal year, the guarantor shall establish such liability coverage unless [owner or operator] has done so.</p> <p>6. The guarantor agrees to notify the EPA Regional Administrator by certified mail of a voluntary or involuntary proceeding under title 11 (Bankruptcy), U.S. Code, naming guarantor as debtor, within 10 days after commencement of the proceeding. Guarantor agrees that within 30 days after being notified by an EPA Regional Administrator of a determination that guarantor no longer meets the financial test criteria or that he is disallowed from continuing as a guarantor, he shall establish alternate liability coverage as specified in 40 CFR 261.147 in the name of [owner or operator], unless [owner or operator] has done so.</p> <p>7. Guarantor reserves the right to modify this agreement to take into account amendment or modification of the liability requirements set by 40 CFR 261.147, provided that such modification shall become effective only if a Regional Administrator does not disapprove the modification within 30 days of receipt of notification of the modification.</p> <p>8. Guarantor agrees to remain bound under this guarantee for so long as [owner or operator] must comply with the applicable requirements of 40 CFR 261.147 for the above-listed facility(ies), except as provided in paragraph 9 of this agreement.</p> <p>9. [Insert the following language if the guarantor is (a) a direct or higher-tier corporate parent, or (b) a firm whose parent corporation is also the parent corporation of the owner or operator]:</p>
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<p>40 CFR 261.151(g)(2) (continued)</p> <p>10. Guarantor may terminate this guarantee by sending notice by certified mail to the EPA Regional Administrator(s) for the Region(s) in which the facility(ies) is(are) located and to [owner or operator], provided that this guarantee may not be terminated unless and until [the owner or operator] obtains, and the EPA Regional Administrator(s) approve(s), alternate liability coverage complying with 40 CFR 261.147.</p> <p>[Insert the following language if the guarantor is a firm qualifying as a guarantor due to its “substantial business relationship” with the owner or operator]: Guarantor may terminate this guarantee 120 days following receipt of notification, through certified mail, by the EPA Regional Administrator(s) for the Region(s) in which the facility(ies) is(are) located and by [the owner or operator].</p> <p>11. Guarantor hereby expressly waives notice of acceptance of this guarantee by any party.</p> <p>12. Guarantor agrees that this guarantee is in addition to and does not affect any other responsibility or liability of the guarantor with respect to the covered facilities.</p> <p>13. The Guarantor shall satisfy a third-party liability claim only on receipt of one of the following documents:</p> <p>(a) Certification from the Principal and the third-party claimant(s) that the liability claim should be paid. The certification must be worded as follows, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:</p> <p>Certification of Valid Claim</p> <p>The undersigned, as parties [insert Principal] and [insert name and address of third-party claimant(s)], hereby certify that the claim of bodily injury and/or property damage caused by a [sudden or nonsudden] accidental occurrence arising from operating [Principal's] facility should be paid in the amount of \$.</p> <p>[Signatures] Principal (Notary) Date [Signatures] Claimant(s) (Notary) Date</p> <p>(b) A valid final court order establishing a judgment against the Principal for bodily injury or property damage caused by sudden or nonsudden accidental occurrences arising from the operation of the Principal's facility or group of facilities.</p> <p>14. In the event of combination of this guarantee with another mechanism to meet liability requirements, this guarantee will be considered [insert “primary” or “excess”] coverage.</p>	<p>40 CFR 261.151(g)(2) (continued)</p> <p>Guarantor may terminate this guarantee by sending notice by certified mail to the EPA Regional Administrator(s) for the Region(s) in which the facility(ies) is(are) located and to [owner or operator], provided that this guarantee may not be terminated unless and until [the owner or operator] obtains, and the EPA Regional Administrator(s) approve(s), alternate liability coverage complying with 40 CFR 261.147.</p> <p>[Insert the following language if the guarantor is a firm qualifying as a guarantor due to its “substantial business relationship” with the owner or operator]: Guarantor may terminate this guarantee 120 days following receipt of notification, through certified mail, by the EPA Regional Administrator(s) for the Region(s) in which the facility(ies) is(are) located and by [the owner or operator].</p> <p>10. Guarantor hereby expressly waives notice of acceptance of this guarantee by any party.</p> <p>11. Guarantor agrees that this guarantee is in addition to and does not affect any other responsibility or liability of the guarantor with respect to the covered facilities.</p> <p>12. The Guarantor shall satisfy a third-party liability claim only on receipt of one of the following documents:</p> <p>(a) Certification from the Principal and the third-party claimant(s) that the liability claim should be paid. The certification must be worded as follows, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:</p> <p>Certification of Valid Claim</p> <p>The undersigned, as parties [insert Principal] and [insert name and address of third-party claimant(s)], hereby certify that the claim of bodily injury and/or property damage caused by a [sudden or nonsudden] accidental occurrence arising from operating [Principal's] facility should be paid in the amount of \$.</p> <p>[Signatures] Principal (Notary) Date [Signatures] Claimant(s) (Notary) Date</p> <p>(b) A valid final court order establishing a judgment against the Principal for bodily injury or property damage caused by sudden or nonsudden accidental occurrences arising from the operation of the Principal's facility or group of facilities.</p> <p>13. In the event of combination of this guarantee with another mechanism to meet liability requirements, this guarantee will be considered [insert “primary” or “excess”] coverage.</p>
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<p>40 CFR 261.151(g)(2) (continued)</p> <p>I hereby certify that the wording of the guarantee is identical to the wording specified in 40 CFR 261.151(g)(2) as such regulations were constituted on the date shown immediately below.</p> <p>Effective date: [Name of guarantor] [Authorized signature for guarantor] [Name of person signing] [Title of person signing] Signature of witness or notary:</p>	<p>40 CFR 261.151(g)(2) (continued)</p> <p>I hereby certify that the wording of the guarantee is identical to the wording specified in 40 CFR 261.151(g)(2) as such regulations were constituted on the date shown immediately below.</p> <p>Effective date: [Name of guarantor] [Authorized signature for guarantor] [Name of person signing] [Title of person signing] Signature of witness or notary:</p>
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Rule Updated	Old - 261.151(I)(2)	Technical Corrections – 261.151(I)(2)
DSW	<p>40 CFR 261.151(I) (2)The following is an example of the certification of acknowledgement which must accompany the trust agreement for a trust fund as specified in Sec. 261.147(j) of this chapter. State requirements may differ on the proper</p> <p>State of County of On this [date], before me personally came [owner or operator] to me known, who, being by me duly sworn, did depose and say that she/he resides at [address], that she/he is [title] of [corporation], the corporation described in and which executed the above instrument; that she/he knows the seal of said corporation; that the seal affixed to such instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that she/he signed her/ his name thereto by like order. [Signature of Notary Public]</p>	<p>40 CFR 261.151(I) (2) The following is an example of the certification of acknowledgement which must accompany the trust agreement for a trust fund as specified in §261.147(j). State requirements may differ on the proper content of this acknowledgement.</p> <p>State of County of On this [date], before me personally came [owner or operator] to me known, who, being by me duly sworn, did depose and say that she/he resides at [address], that she/he is [title] of [corporation], the corporation described in and which executed the above instrument; that she/he knows the seal of said corporation; that the seal affixed to such instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that she/he signed her/his name thereto by like order. [Signature of Notary Public]</p>
	Old- 261.400(a) and (b)	Technical Corrections – 261.400(a) and (b)
DSW	<p>40 CFR 261.400 (a) A generator of hazardous secondary material, or an intermediate or reclamation facility operating under a verified recycler variance under § 260.31(d), that accumulates 6000 kg or less of hazardous secondary material at any time must comply with §§ 261.410 and 261.411.</p> <p>(b) A generator of hazardous secondary material, or an intermediate or reclamation facility operating under a verified recycler variance under § 260.31(d) that accumulates more than 6000 kg of hazardous secondary material at any time must comply with §§ 261.410 and 261.420.</p>	<p>40 CFR 261.400 (a) A generator of hazardous secondary material, or an intermediate or reclamation facility, that accumulates 6000 kg or less of hazardous secondary material at any time must comply with §§261.410 and 261.411.</p> <p>(b) A generator of hazardous secondary material, or an intermediate or reclamation facility that accumulates more than 6000 kg of hazardous secondary material at any time must comply with §§261.410 and 261.420.</p>
	Old - 261.410(e)	Technical Corrections – 261.410(e)
DSW	<p>40 CFR 261.10 (e) Required aisle space. The hazardous secondary material generator or intermediate or reclamation facility operating under a verified recycler variance under § 260.31(d) must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of these purposes.</p>	<p>40 CFR 261.10 (e) Required aisle space. The hazardous secondary material generator or intermediate or reclamation facility must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of these purposes.</p>

Rule Updated	Old - 261.410(f)(1) and (f)(2)	Technical Corrections – 261.410(f)(1) and (f)(2)
DSW	<p>40 CFR 261.410(f)</p> <p>(1) The hazardous secondary material generator or an intermediate or reclamation facility operating under a verified recycler variance under § 260.31(d) must attempt to make the following arrangements, as appropriate for the type of waste handled at his facility and the potential need for the services of these organizations:</p> <p>(2) Where state or local authorities decline to enter into such arrangements, the hazardous secondary material generator or an intermediate or reclamation facility operating under a verified recycler variance under § 260.31(d) must document the refusal in the operating record.</p>	<p>40 CFR 261.410(f)</p> <p>(1) The hazardous secondary material generator or an intermediate or reclamation facility must attempt to make the following arrangements, as appropriate for the type of waste handled at his facility and the potential need for the services of these organizations:</p> <p>(2) Where State or local authorities decline to enter into such arrangements, the hazardous secondary material generator or an intermediate or reclamation facility must document the refusal in the operating record.</p>
	Old - 261.411 (intro), (b), and (c)	Technical Corrections – 261.411 (intro), (b), and (c)
DSW	<p>40 CFR 261.411</p> <p>A generator or an intermediate or reclamation facility operating under a verified recycler variance under § 260.31(d) that generates or accumulates 6000 kg or less of hazardous secondary material must comply with the following requirements:</p> <p>(b) The generator or intermediate or reclamation facility operating under a verified recycler variance under § 260.31(d) must post the following information next to the telephone:</p> <p>(c) The generator or an intermediate or reclamation facility operating under a verified recycler variance under § 260.31(d) must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies;</p>	<p>40 CFR 261.411</p> <p>A generator or an intermediate or reclamation facility that generates or accumulates 6000 kg or less of hazardous secondary material must comply with the following requirements:</p> <p>(b) The generator or intermediate or reclamation facility must post the following information next to the telephone:</p> <p>(c) The generator or an intermediate or reclamation facility must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies;</p>

Rule Updated	Old - 261.411(d)(3)	Technical Corrections – 261.411(d)(3)
DSW	<p>40 CFR 261.411(d)</p> <p>(3) In the event of a fire, explosion, or other release which could threaten human health outside the facility or when the generator or an intermediate or reclamation facility operating under a verified recycler variance under § 260.31(d) has knowledge that a spill has reached surface water, the generator or an intermediate or reclamation facility operating under a verified recycler variance under § 260.31(d) must immediately notify the National Response Center (using their 24-hour toll free number 800/424–8802). The report must include the following information:</p>	<p>40 CFR 261.411(d)</p> <p>(3) In the event of a fire, explosion, or other release which could threaten human health outside the facility or when the generator or an intermediate or reclamation facility has knowledge that a spill has reached surface water, the generator or an intermediate or reclamation facility operating under a verified recycler variance under §260.31(d) of this subchapter must immediately notify the National Response Center (using their 24-hour toll free number 800/424–8802). The report must include the following information:</p>
	Old - 261.420 (intro) and (a)(1)	Technical Corrections – 261.420 (intro) and (a)(1)
DSW	<p>40 CFR 261.420</p> <p>A generator or an intermediate or reclamation facility operating under a verified recycler variance under § 260.31(d) that generates or accumulates more than 6000 kg of hazardous secondary material must comply with the following requirements:</p> <p>40 CFR 261.420(a)</p> <p>(1) Each generator or an intermediate or reclamation facility operating under a verified recycler variance under § 260.31(d) that accumulates more than 6000 kg of hazardous secondary material must have a contingency plan for his facility. The contingency plan must be designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of hazardous secondary material or hazardous secondary material constituents to air, soil, or surface water.</p>	<p>40 CFR 261.420</p> <p>A generator or an intermediate or reclamation facility that generates or accumulates more than 6000 kg of hazardous secondary material must comply with the following requirements:</p> <p>40 CFR 261.420(a)</p> <p>(1) Each generator or an intermediate or reclamation facility that accumulates more than 6000 kg of hazardous secondary material must have a contingency plan for his facility. The contingency plan must be designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non- sudden release of hazardous secondary material or hazardous secondary material constituents to air, soil, or surface water.</p>

Rule Updated	Old - 261.420(b)(2) and (b)(3)	Technical Corrections – 261.420(b)(2) and (b)(3)
DSW	<p>40 CFR 261.420(b)</p> <p>(2) If the generator or an intermediate or reclamation facility operating under a verified recycler variance under § 260.31(d) accumulating more than 6000 kg of hazardous secondary material has already prepared a Spill Prevention, Control, and Countermeasures (SPCC) Plan in accordance with part 112 of this chapter, or some other emergency or contingency plan, he need only amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with the requirements of this part. The hazardous secondary material generator or an intermediate or reclamation facility operating under a verified recycler variance under § 260.31(d) may develop one contingency plan which meets all regulatory requirements. EPA recommends that the plan be based on the National Response Team's Integrated Contingency Plan Guidance (“One Plan”). When modifications are made to non-RCRA provisions in an integrated contingency plan, the changes do not trigger the need for a RCRA permit modification.</p> <p>(3) The plan must describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services, pursuant to § 262.410(f).</p>	<p>40 CFR 261.420(b)</p> <p>(2) If the generator or an intermediate or reclamation facility accumulating more than 6000 kg of hazardous secondary material has already prepared a Spill Prevention, Control, and Countermeasures (SPCC) Plan in accordance with part 112 of this chapter, or some other emergency or contingency plan, he need only amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with the requirements of this part. The hazardous secondary material generator or an intermediate or reclamation facility operating under a verified recycler variance under §260.31(d) of this subchapter may develop one contingency plan which meets all regulatory requirements. EPA recommends that the plan be based on the National Response Team’s Integrated Contingency Plan Guidance (“One Plan”). When modifications are made to non-RCRA provisions in an integrated contingency plan, the changes do not trigger the need for a RCRA permit modification.</p> <p>(3) The plan must describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services, pursuant to §261.410(f).</p>
	Old - 261.1033(n)(1)(i)	Technical Corrections – 261.1033(n)(1)(i)
DSW	<p>40 CFR 261.1033(n)(1)</p> <p>(i) The owner or operator of the unit has been issued a final permit under 40 CFR part 270 which implements the requirements of subpart X of this part; or</p>	<p>40 CFR 261.1033(n)(1)</p> <p>(i) The owner or operator of the unit has been issued a final permit under 40 CFR part 270 which implements the requirements of <u>40 CFR part 264</u>, subpart X; or</p>

Rule Updated	Old - 261.1083(a)(1)(intro) and (a)(1)(i)	Technical Corrections – 261.1083(a)(1)(intro) and (a)(1)(i)
DSW	<p>40 CFR 261.1083(a)</p> <p>(1) Determining average VO concentration at the point of material origination. A remanufacturer or other person that stores or treats the hazardous secondary material shall determine the average VO concentration at the point of material origination for each hazardous secondary material placed in a hazardous secondary material management unit exempted under the provisions of § 261.1082(c)(1) of this subpart from using air emission controls in accordance with standards specified in §§ 261.1084 through 261.1087 of this subpart, as applicable to the hazardous secondary material management unit.</p> <p>(i) An initial determination of the average VO concentration of the material stream shall be made before the first time any portion of the material in the hazardous secondary material stream is placed in a hazardous secondary material management unit exempted under the provisions of § 261.1082(c)(1) of this subpart from using air emission controls, and thereafter an initial determination of the average VO concentration of the material stream shall be made for each averaging period that a hazardous secondary material is managed in the unit; and</p>	<p>40 CFR 261.1083(a)</p> <p>(1) Determining average VO concentration at the point of material origination. A remanufacturer or other person that stores or treats the hazardous secondary material shall determine the average VO concentration at the point of material origination for each hazardous secondary material placed in a hazardous secondary material management unit exempted under the provisions of §261.1082(c) from using air emission controls in accordance with standards specified in §§261.1084 through 261.1087, as applicable to the hazardous secondary material management unit.</p> <p>(i) An initial determination of the average VO concentration of the material stream shall be made before the first time any portion of the material in the hazardous secondary material stream is placed in a hazardous secondary material management unit exempted under the provisions of §261.1082(c) from using air emission controls, and thereafter an initial determination of the average VO concentration of the material stream shall be made for each averaging period that a hazardous secondary material is managed in the unit; and</p>
	Old - 261.1083(c)(4)	Technical Corrections – 261.1083(c)(4)
DSW	<p>40 CFR 261.1083(c)</p> <p>(4) Use of knowledge to determine the maximum organic vapor pressure of the hazardous secondary material. Documentation shall be prepared and recorded that presents the information used as the basis for the knowledge by the remanufacturer or other person that stores or treats the hazardous secondary material that the maximum organic vapor pressure of the hazardous secondary material is less than the maximum vapor pressure limit listed in § 261.1085(b)(1)(i) of this subpart for the applicable tank design capacity category. An example of information that may be used is documentation that the hazardous secondary material is generated by a process for which at other locations it previously has been determined by direct measurement that the hazardous secondary material's waste maximum organic vapor pressure is less than the maximum vapor pressure limit for the appropriate tank design capacity category.</p>	<p>40 CFR 261.1083(c)</p> <p>(4) Use of knowledge to determine the maximum organic vapor pressure of the hazardous secondary material. Documentation shall be prepared and recorded that presents the information used as the basis for the knowledge by the remanufacturer or other person that stores or treats the hazardous secondary material that the maximum organic vapor pressure of the hazardous secondary material is less than the maximum vapor pressure limit listed in <u>§261.1084(b)(1)(i)</u> for the applicable tank design capacity category. An example of information that may be used is documentation that the hazardous secondary material is generated by a process for which at other locations it previously has been determined by direct measurement that the hazardous secondary material's waste maximum organic vapor pressure is less than the maximum vapor pressure limit for the appropriate tank design capacity category.</p>

Rule Updated	Old - 261.1084(j)(2)(i)-(iii)	Technical Corrections – 261.1084(j)(2)(i)-(iii)
DSW	<p>40 CFR 261.1084(j)(2)</p> <p>(i) The hazardous secondary material meets the average VO concentration conditions specified in § 261.1082(c)(1) of this subpart at the point of material origination.</p> <p>(ii) The hazardous secondary material has been treated by an organic destruction or removal process to meet the requirements in § 261.1082(c)(2) of this subpart.</p> <p>(ii) The hazardous secondary material meets the requirements of § 261.1082(c)(4) of this subpart.</p>	<p>40 CFR 261.1084(j)(2)</p> <p>(i) The hazardous secondary material meets the average VO concentration conditions specified in §261.1082(c) at the point of material origination.</p> <p>(ii) The hazardous secondary material has been treated by an organic destruction or removal process to meet the requirements in §264.1082(c)(2).</p> <p>(iii) The hazardous secondary material meets the requirements of §264.1082(c)(4).</p>

Rule Updated	Old – 261.1089(a), (f), (g)	Technical Corrections – 261.1089(a), (f), (g)
DSW	<p>40 CFR 261.1089</p> <p>(a) Each remanufacturer or other person that stores or treats the hazardous secondary material subject to requirements of this subpart shall record and maintain the information specified in paragraphs (b) through (j) of this section, as applicable to the facility. Except for air emission control equipment design documentation and information required by paragraphs (i) and (j) of this section, records required by this section shall be maintained at the facility for a minimum of 3 years. Air emission control equipment design documentation shall be maintained at the facility until the air emission control equipment is replaced or otherwise no longer in service. Information required by paragraphs (i) and (j) of this section shall be maintained at the facility for as long as the hazardous secondary material management unit is not using air emission controls specified in §§ 261.1084 through 261.1087 of this subpart in accordance with the conditions specified in § 261.1080(b)(7) or (d) of this subpart, respectively.</p> <p>(f) The remanufacturer or other person that stores or treats the hazardous secondary material using a tank or container exempted under the hazardous secondary material organic concentration conditions specified in § 261.1082(c)(1) or (c)(2)(i) through (vi) of this subpart, shall prepare and maintain at the facility records documenting the information used for each material determination (e.g., test results, measurements, calculations, and other documentation). If analysis results for material samples are used for the material determination, then the remanufacturer or other person that stores or treats the hazardous secondary material shall record the date, time, and location that each material sample is collected in accordance with applicable requirements of § 261.1083 of this subpart.</p> <p>(2) [Reserved]</p> <p>(g) A remanufacturer or other person that stores or treats the hazardous secondary material designating a cover as “unsafe to inspect and monitor” pursuant to § 261.1084(l) or § 261.1085(g) of this subpart shall record and keep at facility the following information: The identification numbers for hazardous secondary material management units with covers that are designated as “unsafe to inspect and monitor,” the explanation for each cover stating why the</p>	<p>40 CFR 261.1089</p> <p>(a) Each remanufacturer or other person that stores or treats the hazardous secondary material subject to requirements of this subpart shall record and maintain the information specified in paragraphs (b) through (j) of this section, as applicable to the facility. Except for air emission control equipment design documentation and information required by paragraphs (i) and (j) of this section, records required by this section shall be maintained at the facility for a minimum of 3 years. Air emission control equipment design documentation shall be maintained at the facility until the air emission control equipment is replaced or otherwise no longer in service. Information required by paragraphs (i) and (j) of this section shall be maintained at the facility for as long as the hazardous secondary material management unit is not using air emission controls specified in §§261.1084 through 261.1087 in accordance with the conditions specified in <u>§261.1080(a).</u></p> <p>(f) The remanufacturer or other person that stores or treats the hazardous secondary material using a tank or container exempted under the hazardous secondary material organic concentration conditions specified in <u>§261.1082(c)</u>, shall prepare and maintain at the facility records documenting the information used for each material determination (e.g., test results, measurements, calculations, and other documentation). If analysis results for material samples are used for the material determination, then the remanufacturer or other person that stores or treats the hazardous secondary material shall record the date, time, and location that each material sample is collected in accordance with applicable requirements of §261.1083.</p> <p>(g) A remanufacturer or other person that stores or treats the hazardous secondary material designating a cover as “unsafe to inspect and monitor” pursuant to §261.1084(l) shall record and keep at facility the following information: The identification numbers for hazardous secondary material management units with covers that are designated as “unsafe to inspect and monitor,” the explanation for each cover stating why the cover is unsafe to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.</p>

	40 CFR 261.1089(g) (continued) cover is unsafe to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.	
Rule Updated	Old - Appendix IX to Part 261	Technical Corrections - Appendix IX to Part 261
Not Applicable to North Carolina	<p>Appendix IX to Part 261—Wastes Excluded Under §§260.20 and 260.22</p> <p>Appendix IX to part 261 entries for “Bekaert Corp” (Dyersburg, TN) and “Saturn Corporation” (Spring Hill, TN) in table 1 and the entry for “American Chrome & Chemical” (Corpus Christi, TX) in table 2</p> <p><i>Since these sites are not in NC, the delisting is not included in this document.</i></p>	<p>Appendix IX to Part 261—Wastes Excluded Under §§260.20 and 260.22</p> <p>Amend Appendix IX to part 261 by revising the entries for “Bekaert Corp” (Dyersburg, TN) and “Saturn Corporation” (Spring Hill, TN) in table 1 and by revising the entry for “American Chrome & Chemical” (Corpus Christi, TX) in table 2 to read as follows:</p> <p><i>Since these subject sites are not in NC, the delisting is not included in this document.</i></p>

Rule Updated	40 CFR 262	
	Old - 262.1	Technical Corrections – 262.1
HWGIR	40 CFR 262.1 <i>Condition for exemption</i> means any requirement in §§ 262.14, 262.15, 262.16, 262.17, 262.70, or subpart K or subpart L of this part that states an event, action, or standard that must occur or be met in order to obtain an exemption from any applicable requirement in parts 124, 264 through 268, and 270 of this chapter, or from any requirement for notification under section 3010 of RCRA.	40 CFR 262.1 <i>Condition for exemption</i> means any requirement in §262.14, §262.15, §262.16, §262.17, §262.70, or subpart K or L of this part that states an event, action, or standard that must occur or be met in order to obtain an exemption from any applicable requirement in parts 124, 264 through 268, and 270 of this chapter, or from any requirement for notification under section 3010 of RCRA <u>for treatment storage, and disposal facilities.</u>
	Old – 262.10(a)(2)	Technical Corrections – 262.10(a)(2)
HWGIR	40 CFR 262.10(a) (2) A generator that accumulates hazardous waste on site is a person that stores hazardous waste; such generator is subject to the applicable requirements of parts 124, 264 through 267, and 270 of this chapter and section 3010 of RCRA, unless it is one of the following:	40 CFR 262.10(a) (2) A generator that accumulates hazardous waste on site is a person that stores hazardous waste; such generator is subject to the applicable requirements of parts 124, 264 through 267, and 270 of this chapter and section 3010 of RCRA <u>for treatment, storage, and disposal facilities,</u> unless it is one of the following:
	Old – 262.10(k)	Technical Corrections – 262.10(k)
Not applicable to NC	40 CFR 260.10(k) (k) <i>Applies to Generators in the Commonwealth of Massachusetts (regulatory text is not included here)</i>	40 CFR 262.10(k) (k) <i>Applies to Generators in the Commonwealth of Massachusetts (regulatory text is not included here)</i>
	Old – 262.10 notes after (l)	Technical Corrections – 262.10 notes after (l)
HWGIR	40 CFR 262.10(l) Note 1: The provisions of § 262.34 are applicable to the on-site accumulation of hazardous waste by generators. Therefore, the provisions of <u>§ 262.34</u> only apply to owners or operators who are shipping hazardous waste which they generated at that facility. Note 2: A generator who treats, stores, or disposes of hazardous waste on-site must comply with the applicable standards and permit requirements set forth in 40 CFR parts 264, 265, 266, 268, and 270.	40 CFR 262.10 (appears at end of 40 CFR 262.10 instead of after 262.10(l)) Note 1 <u>to §262.10</u> : The provisions of <u>§§262.15 through 262.17</u> are applicable to the on-site accumulation of hazardous waste by generators. Therefore, the provisions of <u>§§262.15 through 262.17</u> only apply to owners or operators who are shipping hazardous waste which they generated at that facility. Note 2 <u>to §262.10</u> : A generator who treats, stores, or disposes of hazardous waste on-site must comply with the applicable standards and permit requirements set forth in 40 CFR parts 264, 265, 266, 268, and 270.

Rule Updated	Old – 262.11(d)(intro)	Technical Corrections – 262.11(d)(intro)
HWGIR	<p>40 CFR 262.11</p> <p>(d) The person then must also determine whether the waste exhibits one or more hazardous characteristics as identified in subpart C of 40 CFR part 261 by following the procedures in paragraph (d)(1) or (2) of this section, or a combination of both.</p>	<p>This technical correction was withdrawn and is not effective. The proposed technical correction is below for reference.</p> <p>40 CFR 262.11</p> <p>(d) The person then must also determine whether the waste exhibits one or more hazardous characteristics as identified in subpart C of 40 CFR part 261 by following the procedures in paragraph (d)(1) or (2) of this section, or a combination of both. <u>Where a waste is both listed and exhibits a characteristic, the listed waste code is sufficient, provided that the listed waste code addresses the constituents and/or properties that cause the waste to exhibit the characteristic. Otherwise, the waste codes must be identified for all applicable listings and characteristics.</u></p> <p><i>This proposed update was not effective 12/07/2023. 88 FR 84710; December 6, 2023 withdrew this update.</i></p>
	<p align="center">Old – 262.11(g)</p>	<p align="center">Technical Corrections – 262.11(g)</p>
HWGIR	<p>40 CFR 262.11</p> <p>(g) <i>Identifying hazardous waste numbers for small and large quantity generators.</i> If the waste is determined to be hazardous, small quantity generators and large quantity generators must identify all applicable EPA hazardous waste numbers (EPA hazardous waste codes) in subparts C and D of part 261 of this chapter. Prior to shipping the waste off site, the generator also must mark its containers with all applicable EPA hazardous waste numbers (EPA hazardous waste codes) according to § 262.32.</p>	<p>This technical correction was withdrawn and is not effective. The proposed technical correction is below for reference.</p> <p>40 CFR 262.11</p> <p>(g) <i>Identifying hazardous waste numbers for small and large quantity generators.</i> <u>Consistent with paragraph (d) of this section, if the waste is determined to be hazardous, small quantity generators and large quantity generators must identify all applicable EPA hazardous waste numbers (EPA hazardous waste codes) in subparts C and D of part 261 of this subchapter. Prior to shipping the waste off site, the generator also must mark its containers with all applicable EPA hazardous waste numbers (EPA hazardous waste codes) according to §262.32.</u></p> <p><i>This proposed update was not effective 12/07/2023. 88 FR 84710; December 6, 2023 withdrew this update.</i></p>

Rule Updated	Old – 262.14(a)(3)	Technical Corrections – 262.14(a)(3)
HWGIR	<p>40 CFR 262.14(a)</p> <p>(3) If the very small quantity generator accumulates at any time greater than 1 kilogram (2.2 lbs) of acute hazardous waste or 100 kilograms (220 lbs) of any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous waste listed in §§ 261.31 or 261.33(e) of this chapter, all quantities of that acute hazardous waste are subject to the following additional conditions for exemption:</p> <p>(i) Such waste is held on site for no more than 90 days beginning on the date when the accumulated wastes exceed the amounts provided above; and</p> <p>(ii) The conditions for exemption in § 262.17(a) through (g).</p>	<p>40 CFR 262.14(a)</p> <p>(3) If the very small quantity generator accumulates at any time greater than 1 kilogram (2.2 lbs) of acute hazardous waste or 100 kilograms (220 lbs) of any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous waste listed in §261.31 or §261.33(e) of this <u>subchapter</u>, all quantities of that acute hazardous waste are subject to the following additional conditions for exemption <u>and independent requirements</u>:</p> <p>(i) Such waste is held on site for no more than 90 days beginning on the date when the accumulated wastes exceed the amounts provided <u>in paragraph (a)(3) of this section</u>;</p> <p>(ii) The conditions for exemption in §262.17(a) through (g);</p> <p>(iii) <u>Notification as a “very small quantity generator” under §262.18(a) through (c)</u>;</p> <p>(iv) <u>Preparation and use of the manifest in subpart B of this part</u>;</p> <p>(v) <u>Pre-transport requirements in subpart C of this part</u>;</p> <p>(vi) <u>Recordkeeping and reporting requirements in subpart D of this part</u>; and (vii) <u>Requirements for transboundary movements of hazardous wastes in subpart H of this part</u>.</p>

Rule Updated	Old – 262.14(a)(4)	Technical Corrections – 262.14(a)(4)
HWGIR	<p>40 CFR 262.14(a)</p> <p>(4) If the very small quantity generator accumulates at any time 1,000 kilograms (2,200 lbs) or greater of non-acute hazardous waste, all quantities of that hazardous waste are subject to the following additional conditions for exemption:</p> <ul style="list-style-type: none"> (i) Such waste is held on site for no more than 180 days, or 270 days, if applicable, beginning on the date when the accumulated waste exceed the amounts provided above; (ii) The quantity of waste accumulated on site never exceeds 6,000 kilograms (13,200 lbs); and (iii) The conditions for exemption in § 262.16(b)(2) through (f). 	<p>40 CFR 262.14(a)</p> <p>(4) If the very small quantity generator accumulates at any time 1,000 kilograms (2,200 lbs) or greater of non-acute hazardous waste, all quantities of that hazardous waste are subject to the following additional conditions for exemption <u>and independent requirements</u>:</p> <ul style="list-style-type: none"> (i) Such waste is held on site for no more than 180 days, or 270 days, if applicable, beginning on the date when the accumulated waste exceed the amounts provided <u>in paragraph (a)(4) of this section</u>; (ii) The quantity of waste accumulated on site never exceeds 6,000 kilograms (13,200 lbs); (iii) The conditions for exemption in §262.16(b)(2) through (f); (iv) <u>Notification as a “very small quantity generator” under §262.18(a) through (c)</u>; (v) <u>Preparation and use of the manifest in subpart B of this part</u>; (vi) <u>Pre-transport requirements in subpart C of this part</u>; (vii) <u>Recordkeeping and reporting requirements in subpart D of this part; and</u> (viii) <u>Requirements for transboundary movements of hazardous wastes in subpart H of this part.</u>
	Old – 262.16(intro)	Technical Corrections – 262.16 (intro)
HWGIR	<p>40 CFR 262.16</p> <p>A small quantity generator may accumulate hazardous waste on site without a permit or interim status, and without complying with the requirements of parts 124, 264 through 267, and 270 of this chapter, or the notification requirements of section 3010 of RCRA, provided that all the conditions for exemption listed in this section are met:</p>	<p>40 CFR 262.16</p> <p>A small quantity generator may accumulate hazardous waste on site without a permit or interim status, and without complying with the requirements of parts 124, 264 through 267, and 270 of this chapter, or the notification requirements of section 3010 of RCRA <u>for treatment, storage, and disposal facilities</u>, provided that all the conditions for exemption listed in this section are met:</p>
	Old – 262.16(b)(intro)	Technical Corrections – 262.16(b)(intro)
HWGIR	<p>40 CFR 262.16</p> <p>(b) Accumulation. The generator accumulates hazardous waste on site for no more than 180 days, unless in compliance with the conditions for exemption for longer accumulation in paragraphs (d) and (e) of this section. The following accumulation conditions also apply:</p>	<p>40 CFR 262.16</p> <p>(b) Accumulation. The generator accumulates hazardous waste on site for no more than 180 days, unless in compliance with the conditions for exemption for longer accumulation in paragraphs (c), (d), and (e) of this section. The following accumulation conditions also apply:</p>

Rule Updated	Old – 262.16(b)(1)	Technical Corrections – 262.16(b)(1)
HWGIR	<p>40 CFR 262.16(b)</p> <p>(1) Accumulation limit. The quantity of hazardous waste accumulated on site never exceeds 6,000 kilograms (13,200 pounds);</p>	<p>40 CFR 262.16(b)</p> <p>(1) Accumulation limit. The quantity of <u>acute hazardous waste accumulated on site never exceeds 1 kilogram (2.2 pounds) and the quantity of non-acute hazardous waste accumulated on site never exceeds 6,000 kilograms (13,200 pounds);</u></p> <p>Update effective 02/07/2025 with 89 FR 99731; December 11, 2024.</p>
	<p>Old – 262.16(b)(5)(intro)</p>	<p>Technical Corrections – 262.16(b)(5) (intro)</p>
HWGIR	<p>40 CFR 262.16(b)</p> <p>(5) Accumulation of hazardous waste in containment buildings. If the waste is placed in containment buildings, the small quantity generator must comply with of 40 CFR part 265 subpart DD. The generator must label its containment buildings with the words “Hazardous Waste” in a conspicuous place easily visible to employees, visitors, emergency responders, waste handlers, or other persons on site and also in a conspicuous place provide 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). The generator must also maintain:</p>	<p>40 CFR 262.16(b)</p> <p>(5) Accumulation of hazardous waste in containment buildings. If the waste is placed in containment buildings, the small quantity generator must comply with 40 CFR part 265 subpart DD. The generator must label its containment buildings with the words “Hazardous Waste” in a conspicuous place easily visible to employees, visitors, emergency responders, waste handlers, or other persons on site and also in a conspicuous place provide 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). The generator must also maintain:</p>

Rule Updated	Old – 262.16(b)(8)(iv)(A) and (B)	Technical Corrections – 262.16(b)(8)(iv)(A) and (B)
HWGIR	<p>40 CFR 262.16(b)(8)(iv)</p> <p>(A) Whenever hazardous waste is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation must have immediate access (e.g., direct or unimpeded access) to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee, unless such a device is not required under paragraph (a)(8)(ii) of this section.</p> <p>(B) In the event there is just one employee on the premises while the facility is operating, the employee must have immediate access (e.g., direct or unimpeded access) to a device, such as a telephone (immediately available at the scene of operation) or a hand-held two-way radio, capable of summoning external emergency assistance, unless such a device is not required under paragraph (a)(8)(ii) of this section.</p>	<p>40 CFR 262.16(b)(8)(iv)</p> <p>(A) Whenever hazardous waste is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation must have immediate access (e.g., direct or unimpeded access) to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee, unless such a device is not required under paragraph <u>(b)(8)(ii)</u> of this section.</p> <p>(B) In the event there is just one employee on the premises while the facility is operating, the employee must have immediate access (e.g., direct or unimpeded access) to a device, such as a telephone (immediately available at the scene of operation) or a hand-held two-way radio, capable of summoning external emergency assistance, unless such a device is not required under paragraph <u>(b)(8)(ii)</u> of this section.</p>
	Old – 262.17(intro)	Technical Corrections – 262.17 (intro)
HWGIR	<p>40 CFR 262.17</p> <p>A large quantity generator may accumulate hazardous waste on site without a permit or interim status, and without complying with the requirements of parts 124, 264 through 267, and 270 of this chapter, or the notification requirements of section 3010 of RCRA, provided that all of the following conditions for exemption are met:</p>	<p>40 CFR 262.17</p> <p>A large quantity generator may accumulate hazardous waste on site without a permit or interim status, and without complying with the requirements of parts 124, 264 through 267, and 270 of this chapter, or the notification requirements of section 3010 of RCRA <u>for treatment, storage, and disposal facilities</u>, provided that all of the following conditions for exemption are met:</p>
	Old – 262.17(a)(2)	Technical Corrections – 262.17(a)(2)
HWGIR	<p>40 CFR 262.17(a)</p> <p>(2) Accumulation of hazardous waste in tanks. If the waste is placed in tanks, the large quantity generator must comply with the applicable requirements of subparts J, except § 265.197(c) of Closure and post-closure care and § 265.200—Waste analysis and trial tests, as well as the applicable requirements of AA, BB, and CC of 40 CFR part 265.</p>	<p>40 CFR 262.17(a)</p> <p>(2) Accumulation of hazardous waste in tanks. If the waste is placed in tanks, the large quantity generator must comply with the applicable requirements of subpart J (except §§265.197(c) and 265.200 of this subchapter) as well as the applicable requirements of <u>40 CFR part 265, subparts AA through CC.</u></p>

Rule Updated	Old – 262.17(a)(7)(i)(A)	Technical Corrections – 262.17(a)(7)(i)(A)
HWGIR	<p>40 CFR 262.17(a)(7)(i)</p> <p>(A) Facility personnel must successfully complete a program of classroom instruction, online training (e.g., computer-based or electronic), or on-the-job training that teaches them to perform their duties in a way that ensures compliance with this part. The large quantity generator must ensure that this program includes all the elements described in the document required under paragraph (a)(7)(iv) of this section.</p>	<p>40 CFR 262.17(a)(7)(i)</p> <p>(A) Facility personnel must successfully complete a program of classroom instruction, online training (e.g., computer-based or electronic), or on-the-job training that teaches them to perform their duties in a way that ensures compliance with this part. The large quantity generator must ensure that this program includes all the elements described in the document required under paragraph (a)(7)(iv)(C) of this section.</p>
HWGIR	<p>Old – 262.17(a)(8)(i) and (a)(8)(i)(A)</p> <p>40 CFR 262.17(a)(8)</p> <p>(i) Notification for closure of a waste accumulation unit. A large quantity generator must perform one of the following when closing a waste accumulation unit:</p> <p>(A) Place a notice in the operating record within 30 days after closure identifying the location of the unit within the facility; or</p>	<p>Technical Corrections – 262.17(a)(8)(i) and (a)(8)(i)(A)</p> <p>40 CFR 262.17(a)(8)</p> <p>(i) Notification for closure of a waste accumulation unit. A large quantity generator must perform one of the following when closing a waste accumulation unit, <u>but not all waste accumulation units</u>:</p> <p>(A) Place a notice in the operating record within 30 days after closure identifying the location of the unit within the facility <u>(if the waste accumulation unit is subsequently reopened, the generator may remove the notice from the operating record)</u>; or</p> <p><u>(B) Meet the closure performance standards of paragraph (a)(8)(iii) of this section for container, tank, and containment building waste accumulation units or paragraph (a)(8)(iv) of this section for drip pads and notify EPA following the procedures in paragraph (a)(8)(ii)(B) of this section for the waste accumulation unit.</u></p> <p>Update effective 02/07/2025 with 89 FR 99731; December 11, 2024.</p>

Rule Updated	Old – 262.17(a)(8)(iii)(A)(4)	Technical Corrections – 262.17(a)(8)(iii)(A)(4)
HWGIR	<p>40 CFR 262.17(a)(8)(iii)(A)</p> <p>(4) If the generator demonstrates that any contaminated soils and wastes cannot be practicably removed or decontaminated as required in paragraph (a)(8)(iii)(A)(2) of this section, then the waste accumulation unit is considered to be a landfill and the generator must close the waste accumulation unit and perform post-closure care in accordance with the closure and post-closure care requirements that apply to landfills (§ 265.310 of this chapter). In addition, for the purposes of closure, post-closure, and financial responsibility, such a waste accumulation unit is then considered to be a landfill, and the generator must meet all of the requirements for landfills specified in <u>subparts G and H of part 265 of this chapter</u>.</p>	<p>40 CFR 262.17(a)(8)(iii)(A)</p> <p>(4) If the generator demonstrates that any contaminated soils and wastes cannot be practicably removed or decontaminated as required in paragraph (a)(8)(iii)(A)(2) of this section, then the waste accumulation unit is considered to be a landfill and the generator must close the waste accumulation unit and perform post-closure care in accordance with the closure and post-closure care requirements that apply to landfills (§265.310 of this <u>subchapter</u>). In addition, for the purposes of closure, post-closure, and financial responsibility, such a waste accumulation unit is then considered to be a landfill, and the generator must meet all of the requirements for landfills specified in <u>40 CFR part 265, subparts G and H</u>.</p>

Rule Updated	Old – 262.17(b)	Technical Corrections – 262.17(b)
HWGIR	<p>40 CFR 262.17</p> <p>(b) Accumulation time limit extension. A large quantity generator who accumulates hazardous waste for more than 90 days is subject to the requirements of 40 CFR parts 124, 264 through 268, and part 270 of this chapter, and the notification requirements of section 3010 of RCRA, unless it has been granted an extension to the 90-day period. Such extension may be granted by EPA if hazardous wastes must remain on site for longer than 90 days due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted at the discretion of the Regional Administrator on a case-by-case basis.</p>	<p>40 CFR 262.17</p> <p>(b) Accumulation time limit extension. A large quantity generator who accumulates hazardous waste for more than 90 days is subject to the requirements of 40 CFR parts 124, 264 through 268, and part 270 of this chapter, and the notification requirements of section 3010 of RCRA <u>for treatment, storage, and disposal facilities</u>, unless it has been granted an extension to the 90-day period. Such extension may be granted by EPA if hazardous wastes must remain on site for longer than 90 days due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted at the discretion of the Regional Administrator on a case-by-case basis.</p>
	Old – 262.17(c)(intro)	Technical Corrections – 262.17(c) (intro)
HWGIR	<p>40 CFR 262.17</p> <p>(c) Accumulation of F006. A large quantity generator who also generates wastewater treatment sludges from electroplating operations that meet the listing description for the EPA hazardous waste number F006, may accumulate F006 waste on site for more than 90 days, but not more than 180 days without being subject to parts 124, 264 through 267 and 270 of this chapter, and the notification requirements of section 3010 of RCRA, provided that it complies with all of the following additional conditions for exemption:</p>	<p>40 CFR 262.17</p> <p>(c) Accumulation of F006. A large quantity generator who also generates wastewater treatment sludges from electroplating operations that meet the listing description for the EPA hazardous waste number F006, may accumulate F006 waste on site for more than 90 days, but not more than 180 days without being subject to parts 124, 264 through 267, and 270 of this chapter, and the notification requirements of section 3010 of RCRA <u>for treatment, storage, and disposal facilities</u>, provided that it complies with all of the following additional conditions for exemption:</p>
	Old – 262.17(d)	Technical Corrections – 262.17(d)
HWGIR	<p>40 CFR 262.17</p> <p>(d) F006 transported over 200 miles. A large quantity generator who also generates wastewater treatment sludges from electroplating operations that meet the listing description for the EPA hazardous waste number F006, and who must transport this waste, or offer this waste for transportation, over a distance of 200 miles or more for off-site metals recovery, may accumulate F006 waste on site for more than 90 days, but not more than 270 days without being subject to parts 124, 264 through 267, 270, and the notification requirements of section 3010 of RCRA, if the large quantity generator complies with all of the conditions for exemption of paragraphs (c)(1) through (4) of this section.</p>	<p>40 CFR 262.17</p> <p>(d) F006 transported over 200 miles. A large quantity generator who also generates wastewater treatment sludges from electroplating operations that meet the listing description for the EPA hazardous waste number F006, and who must transport this waste, or offer this waste for transportation, over a distance of 200 miles or more for off-site metals recovery, may accumulate F006 waste on site for more than 90 days, but not more than 270 days without being subject to parts 124, 264 through 267, <u>and 270 of this chapter</u>, and the notification requirements of section 3010 of RCRA <u>for treatment, storage, and disposal facilities</u>, if the large quantity generator complies with all of the conditions for exemption of paragraphs (c)(1) through (4) of this section.</p>

Rule Updated	Old – 262.17(e)	Technical Corrections – 262.17(e)
HWGIR	<p>40 CFR 262.17</p> <p>(e) F006 accumulation time extension. A large quantity generator accumulating F006 in accordance with paragraphs (c) and (d) of this section who accumulates F006 waste on site for more than 180 days (or for more than 270 days if the generator must transport this waste, or offer this waste for transportation, over a distance of 200 miles or more), or who accumulates more than 20,000 kilograms of F006 waste on site is an operator of a storage facility and is subject to the requirements of 40 CFR parts 124, 264, 265, 267, and 270 of this chapter, and the notification requirements of section 3010 of RCRA, unless the generator has been granted an extension to the 180-day (or 270-day if applicable) period or an exception to the 20,000 kilogram accumulation limit. Such extensions and exceptions may be granted by EPA if F006 waste must remain on site for longer than 180 days (or 270 days if applicable) or if more than 20,000 kilograms of F006 waste must remain on site due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to 30 days or an exception to the accumulation limit may be granted at the discretion of the Regional Administrator on a case-by-case basis.</p>	<p>40 CFR 262.17</p> <p>(e) F006 accumulation time extension. A large quantity generator accumulating F006 in accordance with paragraphs (c) and (d) of this section who accumulates F006 waste on site for more than 180 days (or for more than 270 days if the generator must transport this waste, or offer this waste for transportation, over a distance of 200 miles or more), or who accumulates more than 20,000 kilograms of F006 waste on site is an operator of a storage facility and is subject to the requirements of 40 CFR parts 124, 264, 265, 267, and 270, and the notification requirements of section 3010 of RCRA <u>for treatment, storage, and disposal facilities</u>, unless the generator has been granted an extension to the 180-day (or 270-day if applicable) period or an exception to the 20,000 kilogram accumulation limit. Such extensions and exceptions may be granted by EPA if F006 waste must remain on site for longer than 180 days (or 270 days if applicable) or if more than 20,000 kilograms of F006 waste must remain on site due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to 30 days or an exception to the accumulation limit may be granted at the discretion of the Regional Administrator on a case-by-case basis.</p>
	<p>Old – 262.17(f)(intro)</p>	<p>Technical Corrections – 262.17(f) (intro)</p>
HWGIR	<p>40 CFR 262.17</p> <p>(f) Consolidation of hazardous waste received from very small quantity generators. Large quantity generators may accumulate on site hazardous waste received from very small quantity generators under control of the same person (as defined in § 260.10 of this chapter), without a storage permit or interim status and without complying with the requirements of parts 124, 264 through 268, and 270 of this chapter, and the notification requirements of section 3010 of RCRA, provided that they comply with the following conditions. “Control,” for the purposes of this section, means the power to direct the policies of the generator, whether by the ownership of stock, voting rights, or otherwise, except that contractors who operate generator facilities on behalf of a different person shall not be deemed to “control” such generators.</p>	<p>40 CFR 262.17</p> <p>(f) Consolidation of hazardous waste received from very small quantity generators. Large quantity generators may accumulate on site hazardous waste received from very small quantity generators under control of the same person (as defined in §260.10 of this <u>subchapter</u>), without a storage permit or interim status and without complying with the requirements of parts 124, 264 through 268, and 270 of this chapter, and the notification requirements of section 3010 of RCRA <u>for treatment, storage, and disposal facilities</u>, provided that they comply with the following conditions. “Control,” for the purposes of this section, means the power to direct the policies of the generator, whether by the ownership of stock, voting rights, or otherwise, except that contractors who operate generator facilities on behalf of a different person shall not be deemed to “control” such generators.</p>

Rule Updated	Old – 262.42(a)(1) and (a)(2)	Technical Corrections – 262.42(a)(1) and (a)(2)
HWGIR	<p>40 CFR 262.42(a)</p> <p>(1) A generator of 1,000 kilograms or greater of hazardous waste in a calendar month, or greater than 1 kg of acute hazardous waste listed in § 261.31 or § 261.33(e) in a calendar month, who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 35 days of the date the waste was accepted by the initial transporter must contact the transporter and/or the owner or operator of the designated facility to determine the status of the hazardous waste.</p> <p>(2) A generator of 1,000 kilograms or greater of hazardous waste in a calendar month, or greater than 1 kg of acute hazardous waste listed in § 261.31 or § 261.33(e) in a calendar month, must submit an Exception Report to the EPA Regional Administrator for the Region in which the generator is located if he has not received a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 45 days of the date the waste was accepted by the initial transporter. The Exception Report must include:</p>	<p>40 CFR 262.42(a)</p> <p>(1) A large quantity generator who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 35 days of the date the waste was accepted by the initial transporter must contact the transporter and/or the owner or operator of the designated facility to determine the status of the hazardous waste.</p> <p>(2) A large quantity generator must submit an Exception Report to the EPA Regional Administrator for the Region in which the generator is located if he has not received a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 45 days of the date the waste was accepted by the initial transporter. The Exception Report must include:</p>
	Old – 262.42(b) and note following (b)	Technical Corrections – 262.42(b) and note following (b)
HWGIR	<p>40 CFR 262.42</p> <p>(b) A generator of greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 60 days of the date the waste was accepted by the initial transporter must submit a legible copy of the manifest, with some indication that the generator has not received confirmation of delivery, to the EPA Regional Administrator for the Region in which the generator is located.</p> <p>Note: The submission to EPA need only be a handwritten or typed note on the manifest itself, or on an attached sheet of paper, stating that the return copy was not received.</p>	<p>40 CFR 262.42</p> <p>(b) A small quantity generator of hazardous waste who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 60 days of the date the waste was accepted by the initial transporter must submit a legible copy of the manifest, with some indication that the generator has not received confirmation of delivery, to the EPA Regional Administrator for the Region in which the generator is located.</p> <p>Note 1 to paragraph (b): The submission to EPA need only be a handwritten or typed note on the manifest itself, or on an attached sheet of paper, stating that the return copy was not received.</p>

Rule Updated	Old – 262.82(e)(2)	Technical Corrections – 262.82(e)(2)
HWGIR	40 CFR 262(e) (e) For hand-delivery, the Office of Land and Emergency Management, Office of Resource Conservation and Recovery, Materials Recovery and Waste Management Division, International Branch (Mail Code 2255A), Environmental Protection Agency, William Jefferson Clinton South Building, Room 6144, 1200 Pennsylvania Ave. NW, Washington, DC 20004.	40 CFR 262.82(e) (2) For hand-delivery, the Office of Land and Emergency Management, Office of Resource Conservation and Recovery, Materials Recovery and Waste Management Division, International Branch (Mail Code 2255T), Environmental Protection Agency, William Jefferson Clinton West Building, Room 1329, 1301 Constitution Ave. NW, Washington, DC 20004.
	Old – 262.200	Technical Corrections – 262.200
HWGIR	40 CFR 262.200 <i>Trained professional</i> means a person who has completed the applicable RCRA training requirements of § 262.17 for large quantity generators, or is knowledgeable about normal operations and emergencies in accordance with § 262.16 for small quantity generators and very small quantity generators. A trained professional may be an employee of the eligible academic entity or may be a contractor or vendor who meets the requisite training requirements.	40 CFR 262.200 <i>Trained professional</i> means a person who has completed the applicable RCRA training requirements of §262.17(a)(7) for large quantity generators, or is knowledgeable about normal operations and emergencies in accordance with §262.16(b)(9)(iii) for small quantity generators and for very small quantity generators that opt into subpart K of this part. A trained professional may be an employee of the eligible academic entity or may be a contractor or vendor who meets the requisite training requirements.
	Old – 262.212(e)(3)	Technical Corrections – 262.212(e)(3)
HWGIR	40 CFR 262.212(e) (3) Count the hazardous waste toward the eligible academic entity's generator status, pursuant to § 261.5(c) and (d) in the calendar month that the hazardous waste determination was made, and	40 CFR 262.212(e) (3) Count the hazardous waste toward the eligible academic entity's generator status, pursuant to <u>§262.13</u> in the calendar month that the hazardous waste determination was made, and
	Old – 262.213(a)(1)	Technical Corrections – 262.213(a)(1)
HWGIR	40 CFR 262.213(a) (1) If the volume of unwanted material in the laboratory exceeds 55 gallons (or 1 quart of liquid reactive acutely hazardous unwanted material or 1 kg of solid reactive acutely hazardous unwanted material), the eligible academic entity is not required to remove all unwanted materials from the laboratory within 10 calendar days of exceeding 55 gallons (or 1 quart of liquid reactive acutely hazardous unwanted material or 1 kg or solid reactive acutely hazardous unwanted material), as required by § 262.208. Instead, the eligible academic entity must remove all unwanted materials from the laboratory within 30 calendar days from the start of the laboratory clean-out; and	40 CFR 262.213(a) (1) If the volume of unwanted material in the laboratory exceeds 55 gallons (or 1 quart of liquid reactive acutely hazardous unwanted material, or 1 kg of solid reactive acutely hazardous unwanted material), the eligible academic entity is not required to remove all unwanted materials from the laboratory within 10 calendar days of exceeding 55 gallons (or 1 quart of liquid reactive acutely hazardous unwanted material, or 1 kg of solid reactive acutely hazardous unwanted material), as required by §262.208. Instead, the eligible academic entity must remove all unwanted materials from the laboratory within 30 calendar days from the start of the laboratory clean-out; and

Rule Updated	Old – 262.232(a)(5)	Technical Corrections – 262.232(a)(5)
HWGIR	40 CFR 262.232(a) (5) The very small quantity generator must comply with the hazardous waste manifest provisions of subpart B of this part when it sends its episodic event hazardous waste off site to a designated facility, as defined in § 260.10 of this chapter.	40 CFR 262.232(a) (5) The very small quantity generator must comply with the hazardous waste manifest provisions of subpart B of this part <u>and the recordkeeping provisions for small quantity generators in §262.44</u> when it sends its episodic event hazardous waste off site to a designated facility, as defined in §260.10 of this <u>sub</u> chapter.
	Old – 262.232(b)(4) (intro)	Technical Corrections – 262.232(b)(4) (intro)
HWGIR	40 CFR 262.232(b) 4) Accumulation by small quantity generators. A small quantity generator is prohibited from accumulating hazardous wastes generated from an episodic event waste on drip pads and in containment buildings. When accumulating hazardous waste generated from an episodic event in containers and tanks, the following conditions apply:	40 CFR 262.232(b) (4) Accumulation by small quantity generators. A small quantity generator is prohibited from accumulating hazardous wastes generated from an episodic event on drip pads and in containment buildings. When accumulating hazardous waste generated from an episodic event in containers and tanks, the following conditions apply:
	Old – 262.232(b)(4)(ii)(C)	Technical Corrections – 262.232(b)(4)(ii)(C)
HWGIR	40 CFR 262.232(b)(4)(ii) (C) Use inventory logs, monitoring equipment or other records to identify the date upon which each period of accumulation begins and ends ; and	40 CFR 262.232(b)(4)(ii) (C) Use inventory logs, monitoring equipment or other records to identify the date upon which each <u>episodic event begins</u> ; and
	Old – 262.232(b)(6)(iv)	Technical Corrections – 262.232(b)(6)(iv)
HWGIR	40 CFR 262.232(b)(6) (iv) A description of how the hazardous waste was managed as well as the name of the designated facility (as defined by § 260.10 of this chapter) that received the hazardous waste;	<p>This technical correction was withdrawn and is not effective. The proposed technical correction is below for reference.</p> <p>40 CFR 262.232(b)(6) (iv) A description of how the hazardous waste was managed as well as the name of the <u>RCRA</u>-designated facility (as defined by §260.10 of this <u>sub</u>chapter) that received the hazardous waste;</p> <p><u>This proposed update was <i>not</i> effective 12/07/2023. 88 FR 84710; December 6, 2023 withdrew this update.</u></p>

40 CFR 264		
Rule Updated	Old – 264.1(g)(3)	Technical Corrections – 264.1(g)(3)
HWGIR	40 CFR 264.1(g) (3) A generator accumulating waste on site in compliance with §§ 262.14, 262.15, 262.16, or 262.17 of this chapter.	40 CFR 264.1(g) (3) A generator accumulating waste on site in compliance with §262.14, <u>§262.15</u> , <u>§262.16</u> , <u>§262.17</u> , <u>or subpart K or L of part 262</u> of this subchapter.
	Old – 264.15(b)(5)	Technical Corrections – 264.15(b)(5)
HWGIR	40 CFR 264.15(b) 5) Performance Track member facilities that choose to reduce their inspection frequency must: ...	Section 264.15 is amended by removing paragraph (b)(5).
	Old – 264.72(a)(3)	Technical Corrections – 264.72(a)(3)
Hazardous Waste Pharmaceutical Rule (HW Pharmaceutical)	40 CFR 264.72(a) (3) Container residues, which are residues that exceed the quantity limits for “empty” containers set forth in 40 CFR 261.7(b).	40 CFR 264.72(a) (3) Container residues, which are residues that exceed the quantity limits for “empty” containers set forth in 40 CFR 261.7(b) <u>and 266.507</u> .
	Old – 264.1030(b)(3)	Technical Corrections – 264.1030(b)(3)
HWGIR	40 CFR 264.1030(b) (3) A unit that is exempt from permitting under the provisions of 40 CFR <u>262.34(a)</u> (i.e., a “90-day” tank or container) and is not a recycling unit under the provisions of 40 CFR 261.6.	40 CFR 264.1030(b) (3) A unit that is exempt from permitting under the provisions of 40 CFR <u>262.17</u> (i.e., a “90-day” tank or container) and is not a recycling unit under the provisions of 40 CFR 261.6.
	Old – 264.1050(b)(2)	Technical Corrections – 264.1050(b)(2)
HWGIR	40 CFR 264.1050(b) (2) A unit (including a hazardous waste recycling unit) that is not exempt from permitting under the provisions of 40 CFR <u>262.34(a)</u> (i.e., a hazardous waste recycling unit that is not a “90-day” tank or container) and that is located at a hazardous waste management facility otherwise subject to the permitting requirements of 40 CFR part 270, or	40 CFR 264.1050(b) (2) A unit (including a hazardous waste recycling unit) that is not exempt from permitting under the provisions of 40 CFR <u>262.17</u> (i.e., a hazardous waste recycling unit that is not a “90-day” tank or container) and that is located at a hazardous waste management facility otherwise subject to the permitting requirements of 40 CFR part 270; or

40 CFR 265		
Rule Updated	Old – 265.1(c)(15)	Technical Corrections – 265.1(c)(15)
Not Applicable to North Carolina	40 CFR 265.1(c) (15) A New York State Utility central collection facility consolidating hazardous waste in accordance with 40 CFR 262.90.	40 CFR 265.1 is amended by removing and reserving paragraph (c)(15).
	Technical Corrections – 265.71(c) (comment after (c))	Technical Corrections – 265.71(c) (comment after (c))
HWGIR	40 CFR 265.71(c) [Comment: The provisions of § 262.34 are applicable to the on-site accumulation of hazardous wastes by generators. Therefore, the provisions of § 262.34 only apply to owners or operators who are shipping hazardous waste which they generated at that facility.]	40 CFR 265.71 is amended by removing the undesignated “Comment” paragraph following paragraph (c).
	Technical Corrections – 265.72(a)(3)	Technical Corrections – 265.72(a)(3)
HWGIR	40 CFR 265.72(a) (3) Container residues, which are residues that exceed the quantity limits for “empty” containers set forth in 40 CFR 261.7(b).	40 CFR 265.72(a) (3) Container residues, which are residues that exceed the quantity limits for “empty” containers set forth in 40 CFR 261.7(b) <u>and 266.507.</u>

40 CFR 266		
Rule Updated	Old – 266.100(c)(3)	Technical Corrections – 266.100(c)(3)
HW Pharmaceutical Rule	40 CFR 266.100(c) (3) Hazardous wastes that are exempt from regulation under §§ 261.4 and 261.6(a)(3) (iii) and (iv) of this chapter, and hazardous wastes that are subject to the <u>special requirements for conditionally exempt</u> small quantity generators under <u>§ 261.5</u> of this chapter; and	40 CFR 266.100(c) (3) Hazardous wastes that are exempt from regulation under §§261.4 and 261.6(a)(3)(iii) and (iv) of this <u>subchapter</u> , and hazardous wastes that are subject to the <u>conditions for exemption</u> for <u>very</u> small quantity generators under <u>§262.14</u> of this <u>subchapter</u> ; and
	Old – 266.108(c) (note after (c))	Technical Corrections – 266.108(c) (note after (c))
HW Pharmaceutical Rule	40 CFR 266.108(c) Note: Hazardous wastes that are subject to the <u>special requirements</u> for small quantity generators under <u>§ 261.5</u> of this chapter may be burned in an off-site device under the exemption provided by <u>§ 266.108</u> , but must be included in the quantity determination for the exemption.	40 CFR 266.108(c) Note <u>1</u> to paragraph (c): Hazardous wastes that are subject to the <u>conditions for exemption</u> for <u>very</u> small quantity generators under <u>§262.14</u> of this <u>subchapter</u> may be burned in an off-site device under the exemption provided by <u>this section</u> but must be included in the quantity determination for the exemption.
	Old – 266.501(d)(2)	Technical Corrections – 266.501(d)(2)
HW Pharmaceutical Rule	40 CFR 266.501(d) (2) Sections 262.502(a), 266.503, 266.505 through 266.507, and 266.509 <u>of this subpart</u> with respect to the management of potentially creditable hazardous waste pharmaceuticals that are prescription pharmaceuticals and are destined for a reverse distributor.	40 CFR 266.501(d) (2) Sections 266.502(a), 266.503, 266.505 through 266.507, and 266.509 with respect to the management of potentially creditable hazardous waste pharmaceuticals that are prescription pharmaceuticals and are destined for a reverse distributor.
	Old – 266.502(d)(4)	Technical Corrections – 266.502(d)(4)
HW Pharmaceutical Rule	40 CFR 266.502(d) (4) A healthcare facility may accumulate non-creditable hazardous waste pharmaceuticals and non-hazardous non-creditable waste pharmaceuticals in the same container, except that non-creditable hazardous waste pharmaceuticals prohibited from being combusted because of the dilution prohibition of § 268.3(c) must be accumulated in separate containers and labeled with all applicable hazardous waste numbers (i.e., hazardous waste codes).	40 CFR 266.502(d) (4) A healthcare facility may accumulate non-creditable hazardous waste pharmaceuticals and non- hazardous non-creditable waste pharmaceuticals in the same container, except that non-creditable hazardous waste pharmaceuticals prohibited from being combusted because of the dilution prohibition of <u>§268.3(c) of this subchapter (i.e., metal-bearing waste codes listed in appendix XI of part 268 of this subchapter, unless one or more criteria in §268.3(c)(1) through (6) are met), or because it is prohibited from being lab packed due to §268.42(c) (i.e., waste codes listed in appendix IV of part 268),</u> must be accumulated in separate containers, and labeled with all applicable <u>EPA</u> hazardous waste numbers (i.e., hazardous waste codes).

Rule Updated	Old – 266.502(h)	Technical Corrections – 266.502(h)
HW Pharmaceutical Rule	<p>40 CFR 266.502</p> <p>(h) Procedures for healthcare facilities for managing rejected shipments of non-creditable hazardous waste pharmaceuticals. A healthcare facility that sends a shipment of non-creditable hazardous waste pharmaceuticals to a designated facility with the understanding that the designated facility can accept and manage the waste, and later receives that shipment back as a rejected load in accordance with the manifest discrepancy provisions of § 264.72 or § 265.72 of this chapter may accumulate the <u>returned</u> non-creditable hazardous waste pharmaceuticals on site for up to an additional 90 days provided the rejected or <u>returned</u> shipment is managed in accordance with paragraphs (d) and (e) of this section. Upon receipt of the <u>returned</u> shipment, the healthcare facility must:</p>	<p>40 CFR 266.502</p> <p>(h) Procedures for healthcare facilities for managing rejected shipments of non-creditable hazardous waste pharmaceuticals. A healthcare facility that sends a shipment of non-creditable hazardous waste pharmaceuticals to a designated facility with the understanding that the designated facility can accept and manage the waste, and later receives that shipment back as a rejected load in accordance with the manifest discrepancy provisions of §264.72 or §265.72 of this <u>subchapter</u> may accumulate the <u>rejected</u> non-creditable hazardous waste pharmaceuticals on site for up to an additional 90 calendar days provided the <u>rejected</u> shipment is managed in accordance with paragraphs (d) and (e) of this section. Upon receipt of the <u>rejected</u> shipment, the healthcare facility must:</p>
	Old – 266.502(h)(3) and (h)(4)	Technical Corrections – 266.502(h)(3) and (h)(4)
HW Pharmaceutical Rule	<p>40 CFR 266.502(h)</p> <p>(3) Within 30 days of receipt of the rejected shipment, send a copy of the manifest to the designated facility that returned the shipment to the healthcare facility; and</p> <p>(4) Within 90 days of receipt of the rejected shipment, transport or offer for transport the returned shipment in accordance with the shipping standards of § 266.508(a).</p>	<p>40 CFR 266.502(h)</p> <p>(3) Within 30 <u>calendar</u> days of receipt of the rejected shipment, send a copy of the manifest to the designated facility that returned the shipment to the healthcare facility; and</p> <p>(4) Within 90 <u>calendar</u> days of receipt of the rejected shipment, transport or offer for transport the returned shipment in accordance with the shipping standards of §266.508(a).</p>
	Old – 266.502(i)(2)(i)(A)	Technical Corrections – 266.502(i)(2)(i)(A)
HW Pharmaceutical Rule	<p>40 CFR 266.502(i)(2)(i)</p> <p>(A) If a healthcare facility does not receive a copy of the manifest with the signature of the owner or operator of the designated facility within 60 days of the date the non-creditable hazardous waste pharmaceuticals were accepted by the initial transporter, the healthcare facility must submit:</p>	<p>40 CFR 266.502(i)(2)(i)</p> <p>(A) If a healthcare facility does not receive a copy of the manifest with the signature of the owner or operator of the designated facility within 60 <u>calendar</u> days of the date the non-creditable hazardous waste pharmaceuticals were accepted by the initial transporter, the healthcare facility must submit:</p>

Rule Updated	Old – 266.502(i)(2)(ii)(A)	Technical Corrections – 266.502(i)(2)(ii)(A)
HW Pharmaceutical Rule	<p>40 CFR 266.502(i)(2)(ii)</p> <p>(A) If a healthcare facility does not receive a copy of the manifest for a rejected shipment of the non-creditable hazardous waste pharmaceuticals that is forwarded by the designated facility to an alternate facility (using appropriate manifest procedures), with the signature of the owner or operator of the alternate facility, within 60 days of the date the non-creditable hazardous waste was accepted by the initial transporter forwarding the shipment of non-creditable hazardous waste pharmaceuticals from the designated facility to the alternate facility, the healthcare facility must submit:</p>	<p>40 CFR 266.502(i)(2)(ii)</p> <p>(A) If a healthcare facility does not receive a copy of the manifest for a rejected shipment of the non-creditable hazardous waste pharmaceuticals that is forwarded by the designated facility to an alternate facility (using appropriate manifest procedures), with the signature of the owner or operator of the alternate facility, within 60 <u>calendar</u> days of the date the non-creditable hazardous waste was accepted by the initial transporter forwarding the shipment of non-creditable hazardous waste pharmaceuticals from the designated facility to the alternate facility, the healthcare facility must submit:</p>
	Old – 266.503(b)(1)	Technical Corrections – 266.503(b)(1)
HW Pharmaceutical Rule	<p>40 CFR 266.503(b)</p> <p>(1) Is under the control of the same person, as defined in § 260.10, as the very small quantity generator healthcare facility that is sending the potentially creditable hazardous waste pharmaceuticals off site, or has a contractual or other documented business relationship whereby the receiving healthcare facility supplies pharmaceuticals to the very small quantity generator healthcare facility;</p>	<p>40 CFR 266.503(b)</p> <p>(1) Is under the control of the same person (as defined in §260.10 <u>of this subchapter</u>) as the very small quantity generator healthcare facility that is sending the potentially creditable hazardous waste pharmaceuticals off site (<u>“control,” for the purposes of this section, means the power to direct the policies of the healthcare facility, whether by the ownership of stock, voting rights, or otherwise, except that contractors who operate healthcare facilities on behalf of a different person as defined in §260.10 of this subchapter shall not be deemed to “control” such healthcare facilities</u>) or has a contractual or other documented business relationship whereby the receiving healthcare facility supplies pharmaceuticals to the very small quantity generator healthcare facility;</p>
	Old – 266.504(b)	Technical Corrections – 266.504(b)
HW Pharmaceutical Rule	<p>40 CFR 266.504</p> <p>(b) Off-site collection of hazardous waste pharmaceuticals generated by a healthcare facility that is a very small quantity generator. A healthcare facility that is a very small quantity generator for both hazardous waste pharmaceuticals and non-pharmaceutical hazardous waste may send its hazardous waste pharmaceuticals off-site to another <u>healthcare facility</u>, provided:</p>	<p>40 CFR 266.504</p> <p>(b) Off-site collection of hazardous waste pharmaceuticals generated by a healthcare facility that is a very small quantity generator. A healthcare facility that is a very small quantity generator for both hazardous waste pharmaceuticals and non- pharmaceutical hazardous waste may send its hazardous waste pharmaceuticals off site to another <u>generator</u>, provided:</p>

Rule Updated	Old – 266.505	Technical Corrections – 266.505
HW Pharmaceutical Rule	40 CFR 266.505 All healthcare facilities—including very small quantity generators operating under § 262.14 in lieu of this subpart —and reverse distributors are prohibited from discharging hazardous waste pharmaceuticals to a sewer system that passes through to a publicly-owned treatment works. Healthcare facilities and reverse distributors remain subject to the prohibitions in 40 CFR 403.5(b)(1).	40 CFR 266.505 All healthcare facilities—including very small quantity generators operating under §262.14 <u>of this subchapter in lieu of this subpart</u> —and reverse distributors are prohibited from discharging hazardous waste pharmaceuticals to a sewer system that passes through to a publicly-owned treatment works. Healthcare facilities and reverse distributors remain subject to the prohibitions in 40 CFR 403.5(b).
	Old – 266.506 (heading)	Technical Corrections – 266.506 (heading)
HW Pharmaceutical Rule	§ 266.506 Conditional exemptions for hazardous waste pharmaceuticals that are also controlled substances and household waste pharmaceuticals collected in a take-back event or program .	§266.506 Conditional exemption for hazardous waste pharmaceuticals that are also controlled substances and household waste pharmaceuticals collected <u>by an authorized collector</u> .
	Old – 266.506(a)(2)	Technical Corrections – 266.506(a)(2)
HW Pharmaceutical Rule	40 CFR 266.506(a) (2) Household waste pharmaceuticals that are collected in a take-back event or program, including those that are collected by an authorized collector (as defined by the Drug Enforcement Administration) registered with the Drug Enforcement Administration that commingles the household waste pharmaceuticals with controlled substances from an ultimate user (as defined by the Drug Enforcement Administration).	40 CFR 266.506(a) (2) Household waste pharmaceuticals that are collected by an authorized collector (as defined by the Drug Enforcement Administration) registered with the Drug Enforcement Administration that commingles the household waste pharmaceuticals with controlled substances from an ultimate user (as defined by the Drug Enforcement Administration).
	Old – 266.506(b)(3)(iii) and (iv)	Technical Corrections – 266.506(b)(3)(iii) and (iv)
HW Pharmaceutical Rule	40 CFR 266.506(b)(3) (iii) A permitted hospital, medical and infectious waste incinerator, subject to 40 CFR part 62 subpart HHH or applicable state plan for existing hospital, medical and infectious waste incinerators, or 40 CFR part 60 subpart Ec for new hospital, medical and infectious waste incinerators. (iv) A permitted commercial and industrial solid waste incinerator, subject to 40 CFR part 62 subpart III or applicable state plan for existing commercial and industrial solid waste incinerators, or 40 CFR part 60 subpart CCCC for new commercial and industrial solid waste incinerators.	40 CFR 266.506(b)(3) (iii) A permitted hospital, medical and infectious waste incinerator, subject to 40 CFR part 62, subpart HHH, or applicable state plan for existing hospital, medical and infectious waste incinerators, or 40 CFR part 60, subpart Ec, for new hospital, medical and infectious waste incinerators; <u>or</u> (iv) A permitted commercial and industrial solid waste incinerator, subject to 40 CFR part 62, subpart III, or applicable state plan for existing commercial and industrial solid waste incinerators, or 40 CFR part 60, subpart CCCC, for new commercial and industrial solid waste incinerators; <u>or</u>

Rule Updated	Old – 266.507(b), (c), and (d)	Technical Corrections – 266.507(b), (c), and (d)
HW Pharmaceutical Rule	<p>40 CFR 266.507</p> <p>(b) Syringes. A syringe is considered empty and the residues are not regulated as hazardous waste under this subpart provided the contents have been removed by fully depressing the plunger of the syringe. If a syringe is not empty, the syringe must be placed with its remaining hazardous waste pharmaceuticals into a container that is managed and disposed of as a non-creditable hazardous waste pharmaceutical under this subpart and any applicable federal, state, and local requirements for sharps containers and medical waste.</p> <p>(c) Intravenous (IV) bags. An IV bag is considered empty and the residues are not regulated as hazardous waste provided the pharmaceuticals in the IV bag have been fully administered to a patient. If an IV bag is not empty, the IV bag must be placed with its remaining hazardous waste pharmaceuticals into a container that is managed and disposed of as a non-creditable hazardous waste pharmaceutical under this subpart, unless the IV bag held non-acute hazardous waste pharmaceuticals and is empty as defined in § 261.7(b)(1).</p> <p>(d) Other containers, including delivery devices. Hazardous waste pharmaceuticals remaining in all other types of unused, partially administered, or fully administered containers must be managed as non-creditable hazardous waste pharmaceuticals under this subpart, unless the container held non-acute hazardous waste pharmaceuticals and is empty as defined in § 261.7(b)(1) or (2). This includes, but is not limited to, residues in inhalers, aerosol cans, nebulizers, tubes of ointments, gels, or creams.</p>	<p>40 CFR 266.507</p> <p>(b) Syringes. A syringe is considered empty and the residues are not regulated as hazardous waste under this subpart provided the contents have been removed by fully depressing the plunger of the syringe. <u>At healthcare facilities operating under this subpart,</u> if a syringe is not empty, the syringe must be placed with its remaining hazardous waste pharmaceuticals into a container that is managed and disposed of as a non-creditable hazardous waste pharmaceutical under this subpart and any applicable federal, state, and local requirements for sharps containers and medical waste.</p> <p>(c) Intravenous (IV) bags. An IV bag is considered empty and the residues are not regulated as hazardous waste provided the pharmaceuticals in the IV bag have been fully administered to a patient, <u>or if the IV bag held non-acute hazardous waste pharmaceuticals and is empty as defined in §261.7(b)(1) of this subchapter.</u> <u>At healthcare facilities operating under this subpart,</u> if an IV bag is not empty, the IV bag must be placed with its remaining hazardous waste pharmaceuticals into a container that is managed and disposed of as a non-creditable hazardous waste pharmaceutical under this subpart.</p> <p>(d) Other containers, including delivery devices. <u>At healthcare facilities operating under this subpart,</u> hazardous waste pharmaceuticals remaining in all other types of unused, partially administered, or fully administered containers must be managed as non-creditable hazardous waste pharmaceuticals under this subpart, unless the container held non-acute hazardous waste pharmaceuticals and is empty as defined in §261.7(b)(1) or (2) <u>of this subchapter.</u> This includes, but is not limited to, residues in inhalers, aerosol cans, nebulizers, tubes of ointments, gels, or creams.</p>

Rule Updated	Old – 266.508(a)(1)(iii)(C)	Technical Corrections – 266.508(a)(1)(iii)(C)
HW Pharmaceutical Rule	40 CFR 266.508(a)(1)(iii) (C) Lab packs that will be incinerated in compliance with § 268.42(c) are not required to be marked with EPA Hazardous Waste Number(s) , except D004, D005, D006, D007, D008, D010, and D011, where applicable. A nationally recognized electronic system, such as bar coding or radio frequency identification, may be used to identify the EPA Hazardous Waste Number(s) .	40 CFR 266.508(a)(1)(iii) (C) Lab packs that will be incinerated in compliance with §268.42(c) <u>of this subchapter</u> are not required to be marked with EPA <u>hazardous waste numbers (i.e., hazardous waste codes)</u> , except D004, D005, D006, D007, D008, D010, and D011, where applicable. A nationally recognized electronic system, such as bar coding or radio frequency identification <u>tag</u> , may be used to identify the <u>applicable</u> EPA <u>hazardous waste numbers (i.e., hazardous waste codes)</u> .
	Old – 266.508(a)(2)(i)	Technical Corrections – 266.508(a)(2)(i)
HW Pharmaceutical Rule	40 CFR 266.508(a)(2) (i) A healthcare facility shipping non-creditable hazardous waste pharmaceuticals is not required to list all applicable hazardous waste numbers (i.e., hazardous waste codes) in Item 13 of EPA Form 8700-22.	40 CFR 266.508(a)(2) (i) A healthcare facility shipping non-creditable hazardous waste pharmaceuticals is not required to list all applicable <u>EPA</u> hazardous waste numbers (i.e., hazardous waste codes) in Item 13 of EPA Form 8700-22.
	Old – 266.508(a)(2)(ii)	Technical Corrections – 266.508(a)(2)(ii)
HW Pharmaceutical Rule	40 CFR 266.508(a)(2) (ii) A healthcare facility shipping non-creditable hazardous waste pharmaceuticals must write the word “PHARMS” in Item 13 of EPA Form 8700–22.	40 CFR 266.508(a)(2) (ii) A healthcare facility shipping non-creditable hazardous waste pharmaceuticals must write the word <u>“PHRM” or “PHARMS”</u> in Item 13 of EPA Form 8700–22. <u>A healthcare facility may also include the applicable EPA hazardous waste numbers (i.e., hazardous waste codes) in Item 13 of EPA Form 8700–22.</u> <i>Update effective 02/07/2025 with 89 FR 99731; December 11, 2024.</i>
	Old – 266.510(a)(9)(i)(C)	Technical Corrections – 266.510(a)(9)(i)(C)
HW Pharmaceutical Rule	40 CFR 266.510(a)(9)(i) (C) The EPA identification number, name, and address of the healthcare facility that shipped the unauthorized waste, if available;	40 CFR 266.510(a)(9)(i) (C) The EPA identification number, name, and address of the healthcare facility <u>(or other entity)</u> that shipped the unauthorized waste, if available;

Rule Updated	Old – 266.510(b)(1) and (2)	Technical Corrections – 266.510(b)(1) and (2)
HW Pharmaceutical Rule	<p>40 CFR 266.510(b)</p> <p>(1) A reverse distributor that receives potentially creditable hazardous waste pharmaceuticals from a healthcare facility must send those potentially creditable hazardous waste pharmaceuticals to another reverse distributor within 180 days after the potentially creditable hazardous waste pharmaceuticals have been evaluated or follow paragraph (c) of this section for evaluated hazardous waste pharmaceuticals.</p> <p>(2) A reverse distributor that receives potentially creditable hazardous waste pharmaceuticals from another reverse distributor must send those potentially creditable hazardous waste pharmaceuticals to a reverse distributor that is a pharmaceutical manufacturer within 180 days after the potentially creditable hazardous waste pharmaceuticals have been evaluated or follow paragraph (c) of this section for evaluated hazardous waste pharmaceuticals.</p>	<p>40 CFR 266.510(b)</p> <p>(1) A reverse distributor that receives potentially creditable hazardous waste pharmaceuticals from a healthcare facility must send those potentially creditable hazardous waste pharmaceuticals to another reverse distributor within 180 <u>calendar</u> days after the potentially creditable hazardous waste pharmaceuticals have been evaluated or follow paragraph (c) of this section for evaluated hazardous waste pharmaceuticals.</p> <p>(2) A reverse distributor that receives potentially creditable hazardous waste pharmaceuticals from another reverse distributor must send those potentially creditable hazardous waste pharmaceuticals to a reverse distributor that is a pharmaceutical manufacturer within 180 <u>calendar</u> days after the potentially creditable hazardous waste pharmaceuticals have been evaluated or follow paragraph (c) of this section for evaluated hazardous waste pharmaceuticals.</p>
	Old – 266.510(c)(2)	Technical Corrections – 266.510(c)(2)
HW Pharmaceutical Rule	<p>40 CFR 266.510(c)</p> <p>(2) Inspections of on-site accumulation area. A reverse distributor must inspect its on-site accumulation area at least once every seven days, looking at containers for leaks and for deterioration caused by corrosion or other factors, as well as for signs of diversion.</p>	<p>40 CFR 266.510(c)</p> <p>(2) Inspections of on-site accumulation area. A reverse distributor must inspect its on-site accumulation area at least once every seven <u>calendar</u> days, looking at containers for leaks and for deterioration caused by corrosion or other factors, as well as for signs of diversion.</p>
	Old – 266.510(c)(4)(vi)	Technical Corrections – 266.510(c)(4)(vi)
HW Pharmaceutical Rule	<p>40 CFR 266.510(c)(4)</p> <p>(vi) Accumulate evaluated hazardous waste pharmaceuticals that are prohibited from being combusted because of the dilution prohibition of § 268.3(c) (e.g., arsenic trioxide (P012)) in separate containers from other evaluated hazardous waste pharmaceuticals at the reverse distributor.</p>	<p>40 CFR 266.510(c)(4)</p> <p>(vi) Accumulate evaluated hazardous waste pharmaceuticals that are prohibited from being combusted because of the dilution prohibition of §268.3(c) <u>of this subchapter (i.e., metal-bearing waste codes listed in appendix XI of part 268 of this subchapter, unless one or more criteria in §268.3(c)(1) through (6) are met), or because it is prohibited from being lab packed due to §268.42(c) of this subchapter (i.e., waste codes listed in appendix IV of part 268 of this subchapter)</u>, in separate containers from other evaluated hazardous waste pharmaceuticals at the reverse distributor.</p>

Rule Updated	Old – 266.510(c)(5)	Technical Corrections – 266.510(c)(5)
HW Pharmaceutical Rule	<p>40 CFR 266.510(c)</p> <p>(5) Hazardous waste numbers. Prior to shipping evaluated hazardous waste pharmaceuticals off site, all containers must be marked with the applicable hazardous waste numbers (i.e., hazardous waste codes). A nationally recognized electronic system, such as bar coding or radio frequency identification, may be used to identify the EPA Hazardous Waste Number(s).</p>	<p>40 CFR 266.510(c)</p> <p>(5) Hazardous waste numbers. Prior to shipping evaluated hazardous waste pharmaceuticals off site, all containers must be marked with the applicable <u>EPA</u> hazardous waste numbers (i.e., hazardous waste codes), <u>except as provided in §266.508(a)(1)(iii)(C)</u>. A nationally recognized electronic system, such as bar coding or radio frequency identification <u>tag</u>, may be used to identify the <u>applicable EPA hazardous waste numbers (i.e., hazardous waste codes)</u>.</p>
	Old – 266.510(c)(7) (intro)	Technical Corrections – 266.510(c)(7) (intro)
HW Pharmaceutical Rule	<p>40 CFR 266.510(c)</p> <p>(7) Procedures for a reverse distributor for managing rejected shipments. A reverse distributor that sends a shipment of evaluated hazardous waste pharmaceuticals to a designated facility with the understanding that the designated facility can accept and manage the waste, and later receives that shipment back as a rejected load in accordance with the manifest discrepancy provisions of § 264.72 or § 265.72 of this chapter, may accumulate the returned evaluated hazardous waste pharmaceuticals on site for up to an additional 90 days in the on-site accumulation area provided the rejected or returned shipment is managed in accordance with § 266.510(a) and (c). Upon receipt of the returned shipment, the reverse distributor must:</p>	<p>40 CFR 266.510(c)</p> <p>(7) Procedures for a reverse distributor for managing rejected shipments. A reverse distributor that sends a shipment of evaluated hazardous waste pharmaceuticals to a designated facility with the understanding that the designated facility can accept and manage the waste, and later receives that shipment back as a rejected load in accordance with the manifest discrepancy provisions of §264.72 or §265.72 of this <u>subchapter</u>, may accumulate the <u>rejected</u> evaluated hazardous waste pharmaceuticals on site for up to an additional 90 calendar days in the on-site accumulation area provided the <u>rejected shipment is managed in accordance with paragraphs (a) and (c) of this section</u>. Upon receipt of the <u>rejected</u> shipment, the reverse distributor must:</p>
	Old – 266.510(c)(7)(iii) and (iv)	Technical Corrections – 266.510(c)(7)(iii) and (iv)
HW Pharmaceutical Rule	<p>40 CFR 266.510(c)(7)</p> <p>(iii) Within 30 days of receipt of the rejected shipment of the evaluated hazardous waste pharmaceuticals, send a copy of the manifest to the designated facility that returned the shipment to the reverse distributor; and</p> <p>(iv) Within 90 days of receipt of the rejected shipment, transport or offer for transport the returned shipment of evaluated hazardous waste pharmaceuticals in accordance with the applicable shipping standards of § 266.508(a) or (b).</p>	<p>40 CFR 266.510(c)(7)</p> <p>(iii) Within 30 <u>calendar</u> days of receipt of the rejected shipment of the evaluated hazardous waste pharmaceuticals, send a copy of the manifest to the designated facility that returned the shipment to the reverse distributor; and</p> <p>(iv) Within 90 <u>calendar</u> days of receipt of the rejected shipment, transport or offer for transport the returned shipment of evaluated hazardous waste pharmaceuticals in accordance with the applicable shipping standards of §266.508(a) or (b).</p>

Rule Updated	Old – 266.510(c)(9)(ii)(A)(1) and (2)	Technical Corrections – 266.510(c)(9)(ii)(A)(1) and (2)
HW Pharmaceutical Rule	<p>40 CFR 266.510(c)(9)(ii)(A)</p> <p>(1) If a reverse distributor does not receive a copy of the manifest with the signature of the owner or operator of the designated facility within 35 days of the date the evaluated hazardous waste pharmaceuticals were accepted by the initial transporter, the reverse distributor must contact the transporter or the owner or operator of the designated facility to determine the status of the evaluated hazardous waste pharmaceuticals.</p> <p>(2) A reverse distributor must submit an exception report to the EPA Regional Administrator for the Region in which the reverse distributor is located if it has not received a copy of the manifest with the signature of the owner or operator of the designated facility within 45 days of the date the evaluated hazardous waste pharmaceutical was accepted by the initial transporter. The exception report must include:</p>	<p>40 CFR 266.510(c)(9)(ii)(A)</p> <p>(1) If a reverse distributor does not receive a copy of the manifest with the signature of the owner or operator of the designated facility within 35 <u>calendar</u> days of the date the evaluated hazardous waste pharmaceuticals were accepted by the initial transporter, the reverse distributor must contact the transporter or the owner or operator of the designated facility to determine the status of the evaluated hazardous waste pharmaceuticals.</p> <p>(2) A reverse distributor must submit an exception report to the EPA Regional Administrator for the Region in which the reverse distributor is located if it has not received a copy of the manifest with the signature of the owner or operator of the designated facility within 45 <u>calendar</u> days of the date the evaluated hazardous waste pharmaceutical was accepted by the initial transporter. The exception report must include:</p>

Rule Updated	Old – 266.510(c)(9)(ii)(B)(1), (2), & (2)(i)	Technical Corrections – 266.510(c)(9)(ii)(B)(1), (2), & (2)(i)
HW Pharmaceutical Rule	<p>40 CFR 266.510(c)(9)(ii)(B)</p> <p>(1) A reverse distributor that does not receive a copy of the manifest with the signature of the owner or operator of the alternate facility within 35 days of the date the evaluated hazardous waste pharmaceuticals were accepted by the initial transporter must contact the transporter or the owner or operator of the alternate facility to determine the status of the hazardous waste. The 35-day time frame begins the date the evaluated hazardous waste pharmaceuticals are accepted by the transporter forwarding the hazardous waste shipment from the designated facility to the alternate facility.</p> <p>(2) A reverse distributor must submit an Exception Report to the EPA Regional Administrator for the Region in which the reverse distributor is located if it has not received a copy of the manifest with the signature of the owner or operator of the alternate facility within 45 days of the date the evaluated hazardous waste pharmaceuticals were accepted by the initial transporter. The 45-day timeframe begins the date the evaluated hazardous waste pharmaceuticals are accepted by the transporter forwarding the hazardous waste pharmaceutical shipment from the designated facility to the alternate facility. The Exception Report must include:</p> <p>(i) A legible copy of the manifest for which the generator does not have confirmation of delivery; and</p>	<p>40 CFR 266.510(c)(9)(ii)(B)</p> <p>(1) A reverse distributor that does not receive a copy of the manifest with the signature of the owner or operator of the alternate facility within 35 <u>calendar</u> days of the date the evaluated hazardous waste pharmaceuticals were accepted by the initial transporter must contact the transporter or the owner or operator of the alternate facility to determine the status of the hazardous waste. The 35- day timeframe begins the date the evaluated hazardous waste pharmaceuticals are accepted by the transporter forwarding the hazardous waste shipment from the designated facility to the alternate facility.</p> <p>(2) A reverse distributor must submit an Exception Report to the EPA Regional Administrator for the Region in which the reverse distributor is located if it has not received a copy of the manifest with the signature of the owner or operator of the alternate facility within 45 <u>calendar</u> days of the date the evaluated hazardous waste pharmaceuticals were accepted by the initial transporter. The 45-day timeframe begins the date the evaluated hazardous waste pharmaceuticals are accepted by the transporter forwarding the hazardous waste pharmaceutical shipment from the designated facility to the alternate facility. The Exception Report must include:</p> <p>(i) A legible copy of the manifest for which the <u>reverse distributor</u> does not have confirmation of delivery; and</p>

40 CFR 270		
Rule Updated	Old – 270.1(c)(2)(ix)	Technical Corrections – 270.1(c)(2)(ix)
Not Applicable to North Carolina	<p>40 CFR 370.1(c)(2)</p> <p>(ix) A New York State Utility central collection facility consolidating hazardous waste in accordance with 40 CFR 262.90.</p>	<p>40 CFR 270.1 is amended by removing and reserving paragraph (c)(2)(ix).</p>

40 CFR 271		
Rule Updated	Old – 271.1 Table 1	Technical Corrections – 271.1 Table 1
HW Pharmaceutical Rule	40 CFR 271.1 Table 1 (Regulations Implementing the Hazardous and Solid Waste Amendments of 1984) does not have any entry for the Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine: §266.50.	40 CFR 271.1 Table 1 is amended by adding an entry for “February 22, 2019” in chronological order to read as follows: Promulgation date: February 22, 2019 Title of regulation reference: Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine: §266.505 Federal Register: 84 FR 5816 Effective date: August 21, 2019.
	Old – 271.10(c)	Technical Corrections – 271.10(c)
HWGIR	40 CFR 271.10 (c) The State program must require that generators who accumulate hazardous wastes for short periods of time comply with requirements that are equivalent to the requirements for accumulating hazardous wastes for short periods of time under 40 CFR 262.16 or 262.17.	40 CFR 271.10 (c) The State program must require that generators who accumulate hazardous wastes for short periods of time comply with requirements that are equivalent to the requirements for accumulating hazardous wastes for short periods of time under <u>40 CFR 262.15</u> , 262.16, or 262.17.

40 CFR PART 441—DENTAL OFFICE POINT SOURCE CATEGORY
 (Under NCDEQ Division of Water Resources Regulatory Jurisdiction)

Rule Updated	Old – 441.50(b)(3)	Technical Corrections – 441.50(b)(3)
HWGIR	40 CFR 441.50(b) (3) Documentation of all dates that collected dental amalgam is picked up or shipped for proper disposal in accordance with 40 CFR 261.5(g)(3) , and the name of the permitted or licensed treatment, storage or disposal facility receiving the amalgam retaining containers.	40 CFR 441.50(b) (3) Documentation of all dates that collected dental amalgam is picked up or shipped for proper disposal in accordance with <u>40 CFR 262.14(a)(5)</u> , and the name of the permitted or licensed treatment, storage or disposal facility receiving the amalgam retaining containers.