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RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

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4. Identification Numbers

Corporation A owns a large site. Corporation B, a wholly owned subsidiary of Corporation A, is a permitted treatment facility on the site. Corporation B has an identification number associated with this site activity. Corporation C, another wholly owned subsidiary of Corporation A, is also located on this site and will be generating hazardous waste. Should Corporation C use the identification number which is associated with the site, although a different corporation, or is Corporation C required to obtain its own identification number?

Section 262.12 requires a generator to have an EPA identification number before treating, storing, disposing of, transporting, or offering for transportation, hazardous waste. The definition of generator, in Section 260.10 is keyed to both person and site: "any person by site whose act or process produces hazardous waste...". The definition of person in Section 260.10 is "an individual, trust, firm, joint stock company, Federal agency, corporation (including a government corporation), partnership, association, State, municipality, commission, political subdivision of a State, or any interstate body." The definition of individual generation site in 40 CFR Section 260.10 is "the contiguous site at or on which one or more hazardous wastes are generated." An individual generation site, such as a large manufacturing plant, may have one or more sources of hazardous waste but is considered a single or individual generation site, if the site or property is contiguous.

In this situation Corporation B and Corporation C are two distinct entities (i.e., persons). They must each apply for a separate EPA identification number. Even though identification numbers are usually site-specific, where different people conduct different

regulated activities on a site, a person conducting each regulated activity must obtain an EPA identification number. This does not preclude an EPA Regional office or State from issuing the same number to two persons.

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