

9453.1985(06)

RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

DECEMBER 85

Satellite Accumulation

3. Section 262.34(c) codifies the satellite accumulation provision promulgated in the December 20, 1984, Federal Register (49 FR 49568). This provision allows a generator to accumulate up to 55 gallons of hazardous waste (or one quart of acutely hazardous waste) in containers at or near any point of generation without a storage permit of interim status, and without complying with the provisions of §262.34(a) and (b). Does this provision allow the generator three days after the accumulation limit is exceeded to transport the excess waste to the designated 90-day storage area? When does the 90-day storage period begin, the day the accumulation limit is exceeded or the day the waste arrives in the designated §262.34 storage area?

The satellite accumulation provision in §262.34(c) allows the generator three days after the 55-gallon accumulation limit is exceeded to transport the excess waste to the §262.34(a) storage area. Section 262.34(c) states that a generator who accumulates waste in excess of the accumulation limits "must, with respect to the amount of excess waste, comply within three days with paragraph (a) of this section or other applicable provisions of this chapter." Section 262.34(a) states that "a generator may accumulate hazardous waste on-site for 90 days or less without a permit or interim status provided that the requirements of §262.34 (a)(1)-(4) are met." Thus, within three days of accumulating over 55 gallons, the generator is required to comply with all applicable RCRA requirements with regard to that excess, including §262.34(a). The 90-day storage period begins as soon as the three day period has expired when the excess amount becomes subject to the §262.34(a) requirements.

Source: Chaz Miller (202) 382-2220