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## RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

MAY 88

### 3. Land Disposal Restrictions - Manifest Requirements

The EPA regulations that prohibit land disposal of spent solvent hazardous waste, specified in 40 CFR Section 261.31 (F001-F005), became effective on November 8, 1986. These restricted wastes must meet applicable treatment standards in 40 CFR Section 268.41 prior to land disposal. A two year nationwide variance from the effective date of the prohibition was provided to small quantity generators of 100-1,000 kilograms of hazardous waste per month, as per 40 CFR Section 268.30(a)(1).

These small quantity generators are still required, however, to determine if their spent solvent hazardous wastes are restricted using waste analysis test methods described in 40 CFR Section 268.7(a). If the wastes are restricted, a notice stating that the waste is exempt from the land disposal restrictions must be sent with the shipment of waste to the receiving land disposal facility as per 40 CFR Section 268.7(a)(3).

At the end of the two-year nationwide variance period, (November 8, 1988) the small quantity generator's restricted spent solvent wastes will be required to meet the appropriate treatment standards prior to land disposal. As well, when the restricted waste is now spent to a treatment facility prior to land disposal, the applicable notification requirements are detailed in 40 CFR Section 268.7(a)(1) (i-iv).

As required by 40 CFR Section 268.7(a)(1)(iii) the notice must include the manifest number associated with the shipment of the waste. Under certain conditions; (in example 40 CFR Section 262.20(e)) small quantity generators of 100-1,000 kilograms of hazardous waste are not subject to the manifest requirements in 40 CFR Part 262, Subpart B. Specifically when the generator's wastes are being reclaimed under a contractual agreement with a recycling facility. When these conditions apply and the waste shipment is a restricted waste being sent to a treatment facility, will a manifest be required to comply with 40 CFR Section 268.7?

When a manifest is not required to be sent with a shipment of hazardous waste (e.g., 100-1,000 small quantity generators having their wastes reclaimed under contractual agreement with a recycling facility as per Section 262.20(e)), a manifest number will not be associated with those

shipments of hazardous waste. Therefore, the manifest number information that is required in the notification requirements in 40 CFR Section 268.7(a)(1)(iii), is not applicable to shipments of restricted hazardous waste that do not require a manifest. Shipments of hazardous waste previously not required to have a manifest will not become subject to manifesting solely due to information required by the land disposal restriction regulations.

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