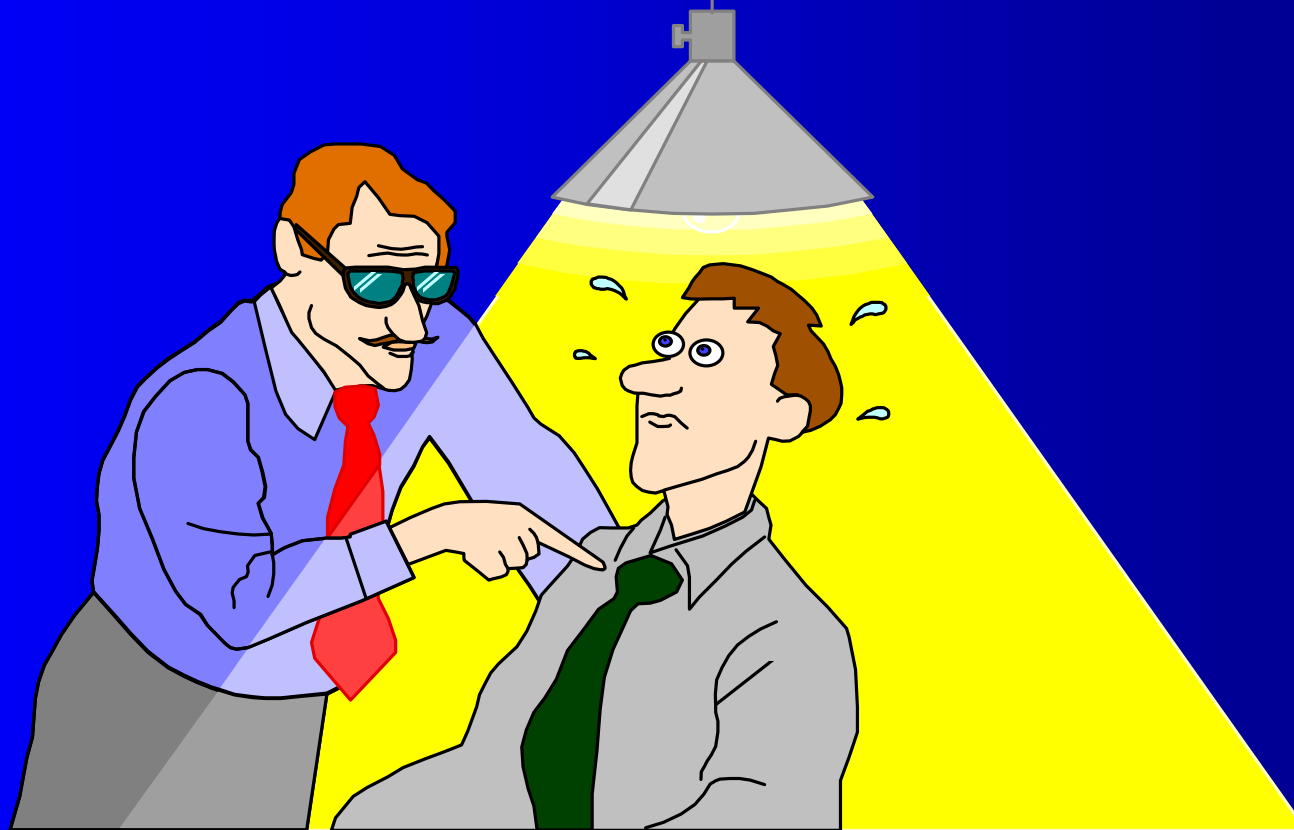
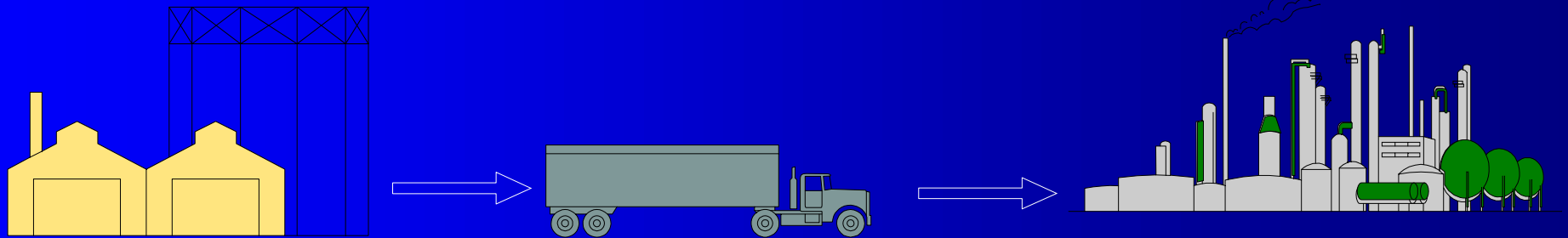


Subtitle C Program Overview

What are the components of a “cradle-to-grave” management system?



“Cradle-to-Grave” Management

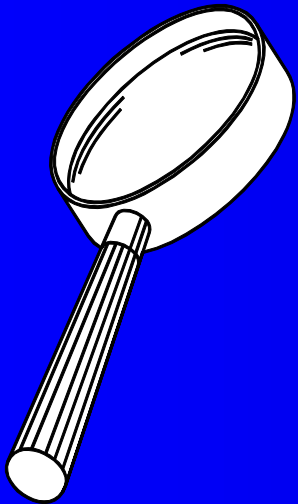


Generator

Transporter

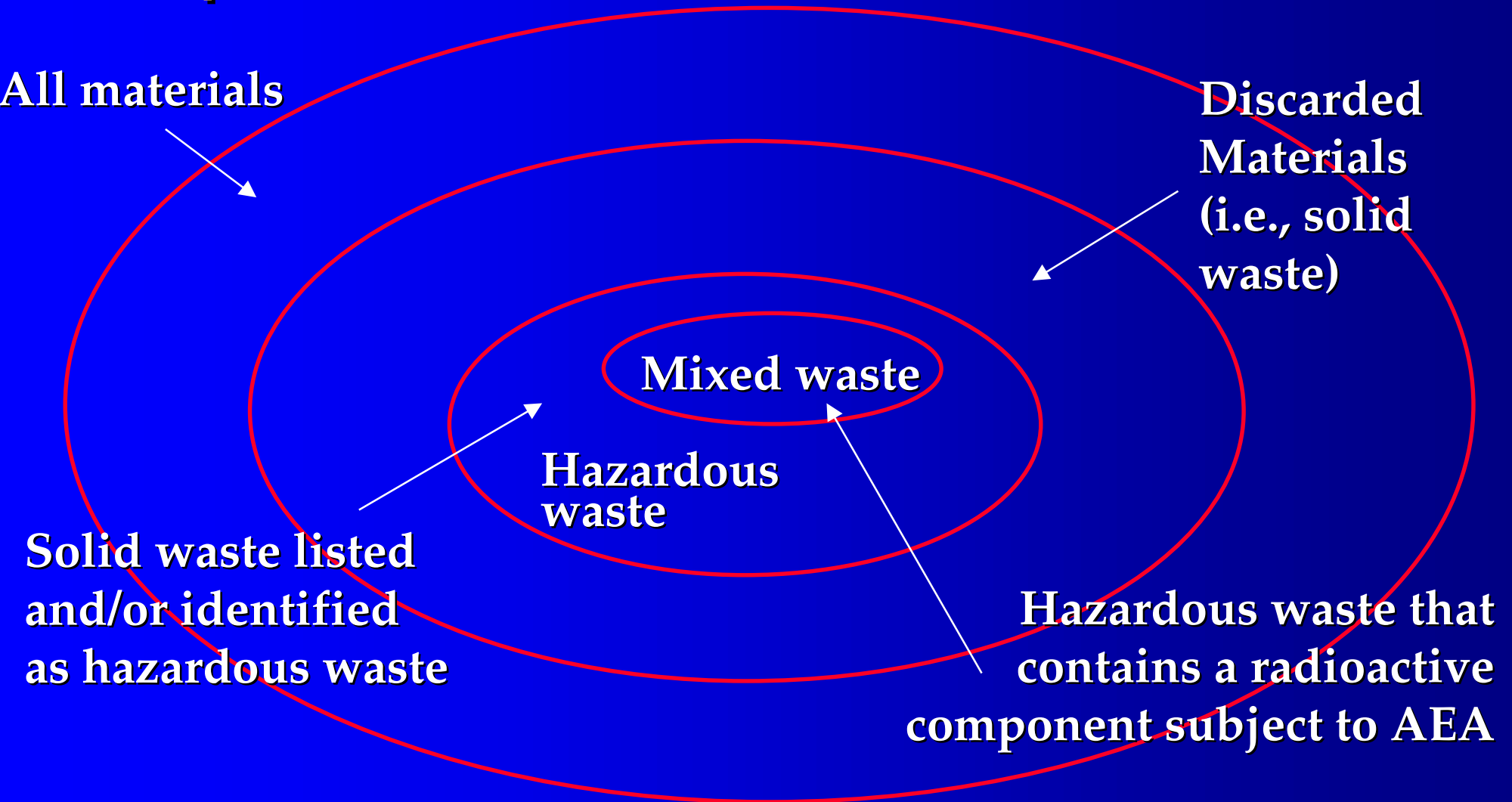
Treatment
Storage
Disposal
Facility

A Closer Look at Subtitle C: Hazardous Waste Management



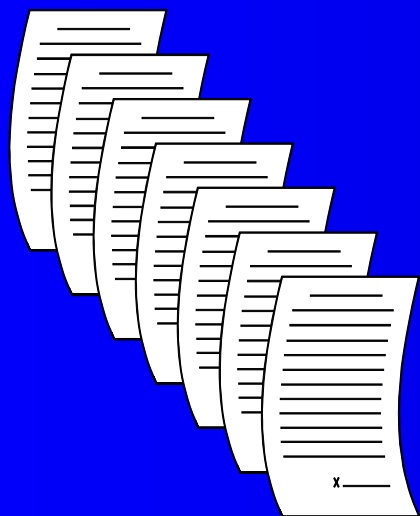
- ✓ **First, determine what is regulated.**
- ✓ **Then, identify applicable requirements.**

How does the universe of materials compare with hazardous/mixed waste?



Generators Must

(40 *CFR* 262)

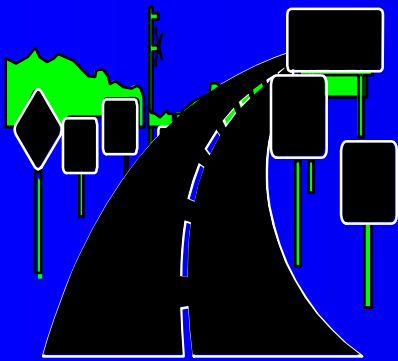


- **Determine whether solid waste is hazardous**
- **Obtain an EPA identification number**
- **Have waste transported, treated, stored, or disposed of only by other persons with EPA identification numbers**
- **Submit reports of hazardous waste activities**
- **Retain records**

Transporters Must

(40 CFR 263)

- **Comply with DOT standards under the Hazardous Materials Transportation Act**
- **Comply with manifest system requirements and retain records for 3 years**
- **Be responsible for cleanup in event of a hazardous waste discharge.**



RCRA Requires A Permit/Interim Status For TSD Facilities (40 CFR Part 264/265)

- **Treatment:** Changing physical, chemical, or biological character or composition.
- **Storage:** Holding waste temporarily before treatment, disposal, or storage elsewhere.
- **Disposal:** Discharging, depositing, injecting, dumping, spilling, leaking, or placing any solid or hazardous waste into or on land or water.

“Cradle-to-Grave” Also Includes Closure And Post-Closure Care

**Closure and post-closure care requirements
are imposed in the permitting process.**

Have cradle-to-grave provisions changed?

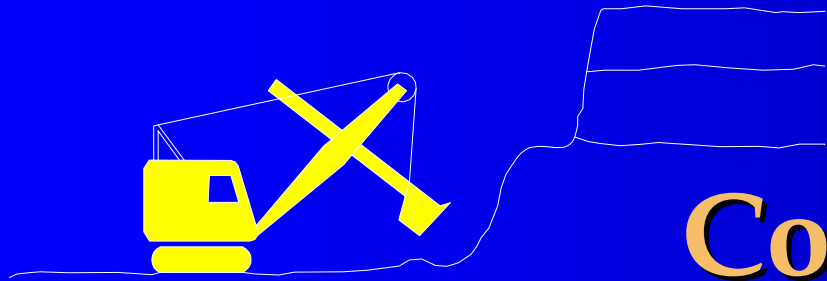


HSWA Highlights

- **Land Disposal Restrictions**
- **Corrective Action**
- **Air Emissions from TSDs**
- **Used Oil Management**

LDR: Purpose

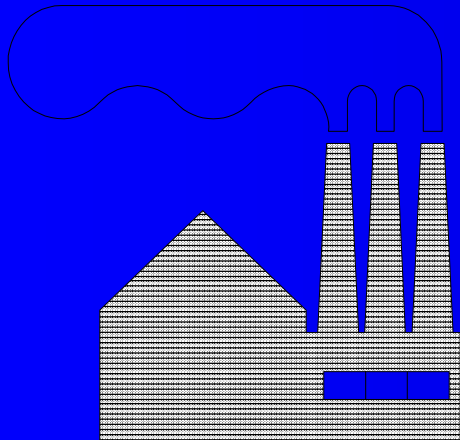
HSWA established deadlines for EPA to determine the conditions under which the land disposal of hazardous waste is protective of human health and the environment. Without determinations, HSWA prohibited land disposal.



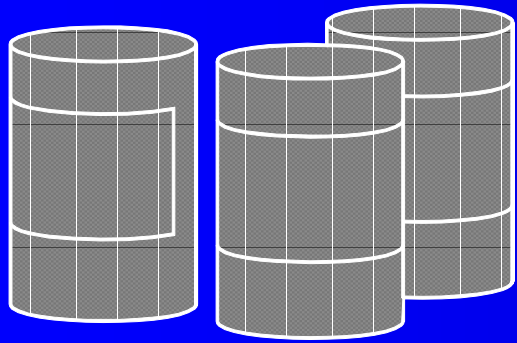
Corrective Action

- **3004(u): Compels permitted facilities to clean up past activities**
- **3004(v): Compels cleanup for release beyond the facility boundary**
- **3008(h): Compels cleanup at interim-status facilities**

Air Emissions From TSDs



- **Phase I: Air emissions from process vents and equipment leaks**
- **Phase II: Volatile organic emissions from hazardous waste containers, tanks, surface impoundments, and miscellaneous units**



Used Oil Management

- **Used oil is a large waste stream at DOE facilities.**
- **EPA has determined that used oil will not be listed as a hazardous waste.**
- **EPA established management standards under 40 *CFR* 279 for used oil destined for recycle.**

What if I can't comply with the
cradle-to-grave system?

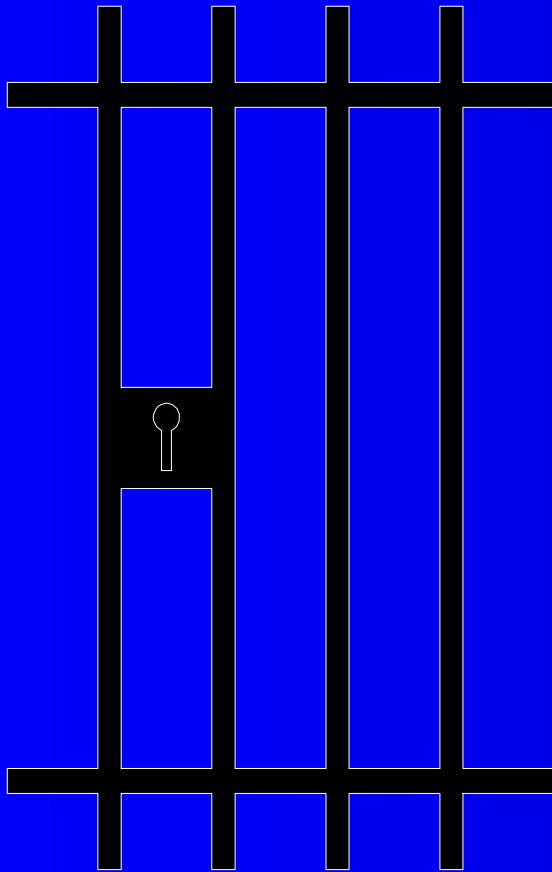


Federal Enforcement (Civil)



- **Suspend or revoke permit**
- **Fine up to \$25,000/day**

“Knowingly” Provisions



EPA provides for criminal sanctions for knowingly:

- **Transporting without a manifest**
- **Treating, storing, or disposing without a permit**
- **Falsifying records**

Maximum Criminal Penalties

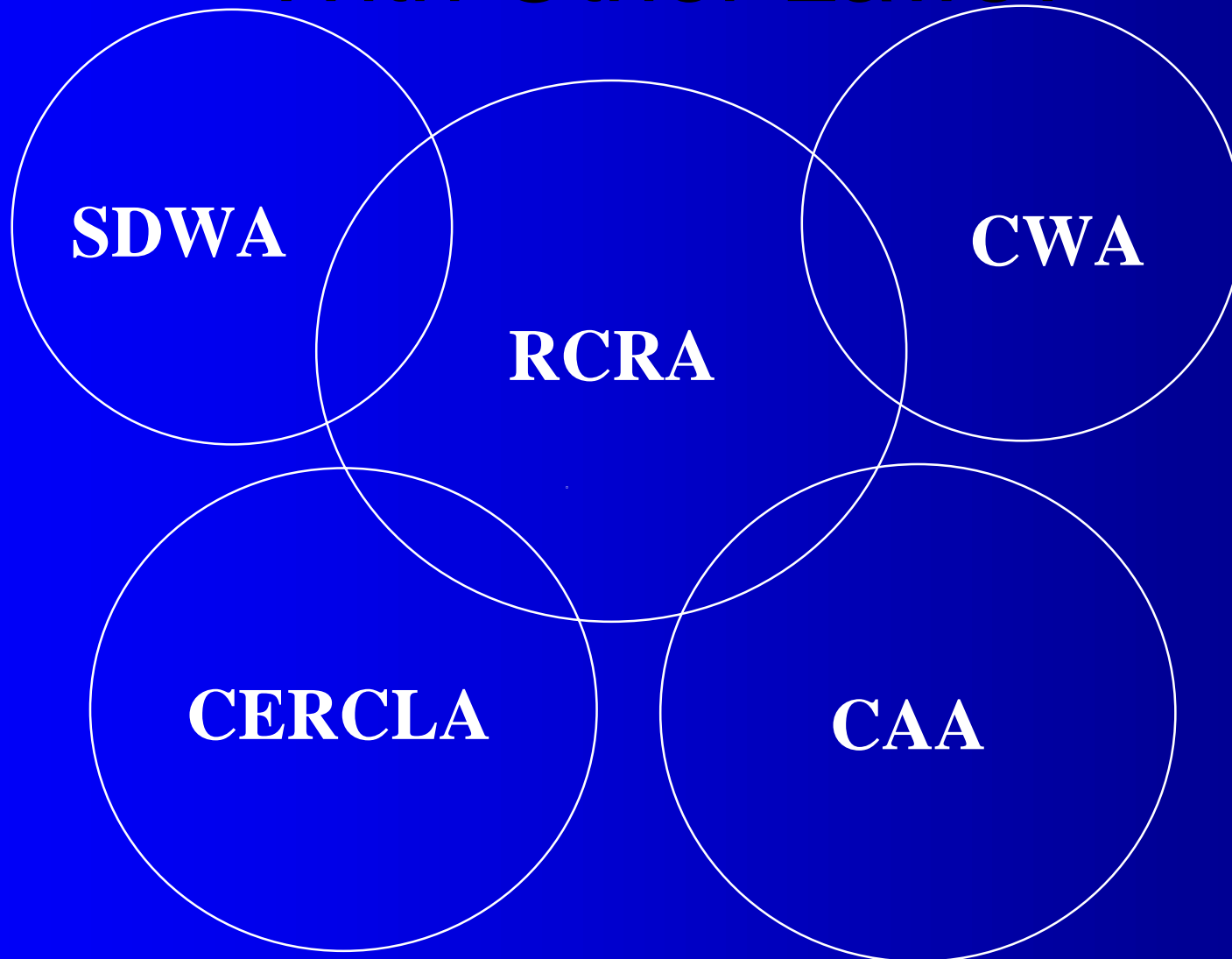


- **First Offense: \$50,000 per day; 2 to 5 years**
- **Second Offense: double penalties**
- **“Knowing Endangerment”:
\$250,000/day; 15 years**

Who Has Enforcement Authority?

- **Authorized states manage the hazardous waste program in lieu of EPA.**
- **To gain authority, states must have:**
 - a permitting mechanism and a manifest system
 - adequate administrative and enforcement resources
 - a program consistent with the federal program.
- **To gain full authority, states must be authorized for base program and HSWA provisions**

What Is RCRA's Relationship With Other Laws?



Summary

- ✓ Regulations establish criteria for solid wastes that are regulated as hazardous wastes
- ✓ Hazardous wastes must be managed in compliance with generator, transporter, and TSD requirements
- ✓ Noncompliance may result in civil or criminal sanctions