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RCRA/Superfund/OUST Hotline Monthly Report Question

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Waste Analysis Plan

4. If an owner/operator of an interim status or permitted treatment, storage, or disposal facility (TSDF) accepts hazardous waste from small quantity generators, must he address that waste in his waste analysis plan required under §265.13 (for interim status facilities) or §264.13 (for permitted facilities)?

No; the owner/operator would not have to address the wastes from small quantity generators in his waste analysis plan. Sections 265.1(b) and 264.1(b) state that all of the Part 265 and 264 standards do not apply if otherwise excluded in Sections 265.(1)(c) or 264.(1)(f) and (g) or in Part 261. Section 261.5(b) states that a small quantity generator's hazardous wastes are not subject to regulation under Parts 262-265 and Parts 270 and 124 if the small quantity generator complies with the §261.5 standards. Hence, hazardous wastes from small quantity generators in compliance with §261.5 are not subject to Part 265 or 264 standards, including §§265.13 and 264.13 for waste analysis.