

Instructions for Completing Notification of Regulated Waste Activity Form (RCRA Subtitle C Site Identification Form) Forms KDHE 8700-12 and 8700-23

INITIAL NOTIFICATION

If you do not currently have an EPA (Environmental Protection Agency) Identification (ID) Number and you conduct a regulated waste activity at your site, you must submit an Initial Notification to obtain an EPA ID Number. An initial notification must be submitted if you conduct one or more of the following activities at your site:

1. If you generate, transport, treat, store, or dispose of regulated hazardous wastes;
2. If you recycle hazardous wastes. (Hazardous wastes that are recycled are called recyclable materials). The recycling process itself is exempt from regulation, but you must notify the Kansas Department of Health And Environment (KDHE) and obtain an EPA ID Number if you manage hazardous wastes prior to recycling;
3. If you are a large quantity handler of universal waste;
4. If you transport, process, or re-refine used oil; burn off-specification used oil for energy recovery; or market used oil; or
5. If your business moves to another location and you are still conducting regulated waste activities.

If you have questions about any regulated waste activity, please call the KDHE Bureau of Waste Management (BWM) at 785-296-1600. Additional information, including this form and its instructions, is also available on BWM's website: www.kdheks.gov/waste

SUBSEQUENT NOTIFICATION

Even if you have submitted an initial notification and have received an EPA ID Number, you may be required to submit a Subsequent Notification. Kansas Administrative Regulations (K.A.R.) 28-31-4(c) requires that **anytime there is a change in the information used to obtain the EPA ID Number, the generator shall submit these changes to KDHE, no more than 60 days after the change occurs.** In general, you should submit a Subsequent Notification under the following circumstances:

1. If your business name changes;
2. If the contact person for your site changes;
3. If the ownership of your site changes;
4. If an additional owner has been added or replaced since you submitted your initial notification; or
5. If your generator classification changes;
6. If the type of regulated waste activity you conduct changes or
7. If your business moves to another location.

HOW TO FILL OUT THIS FORM

Please read and follow all instructions. Pay particular attention to information contained in the **NOTE** boxes or information that is **bolded** and/or underlined. If you need assistance, please call the Bureau of Waste Management at 785-296-1600.

For subsequent notifications, write your site's EPA ID Number in Item 2. Use the space for Comments in Item 12 to clarify or provide additional information for any item. When entering information in the Comments section, please identify the item number and box letter to which the comment refers. If you must use additional sheets, please write your site's EPA ID Number on each additional sheet provided.

ITEM-BY-ITEM INSTRUCTIONS

Item 1 – Reason for Submittal:

Place an "X" in the appropriate box to indicate whether this form is your Initial Notification to obtain an EPA ID Number for this location; a Subsequent Notification to update your site identification information; a component of a First or a Revised Hazardous Waste Part A Permit Application; or a component of the Hazardous Waste Report.

- **For Initial Notification of Regulated Waste Activity to provide site identification information and obtain an EPA ID Number for hazardous waste, universal waste, or used oil activities.** If your waste activity is regulated under Subtitle C of the Resource Conservation and Recovery Act (RCRA) and the Kansas regulations enacted pursuant to RCRA, you must submit this form to notify KDHE of your regulated waste activities and obtain an EPA ID Number.
- **For Subsequent Notification of Regulated Waste Activity to update site identification information.** You must use this form to submit a subsequent notification if your site already has an EPA ID Number and you need to update your original information (e.g., generator status, new owner, new mailing address).
- **As a component of the First RCRA Hazardous Waste Part A Permit Application.** If your site is planning to treat, store, or dispose of hazardous waste on site in a unit that is not exempt from obtaining a hazardous waste permit, you must submit this form as part of the Part A Permit Application. Also, if the activity at this site (treatment, storage, or disposal) became newly regulated under RCRA Subtitle C (specifically 40 CFR Parts 260-299), you must submit this form as part of the Part A Permit Application.
- **As a component of a Revised RCRA Hazardous Waste Part A Permit Application.** If you must submit a Revised Part A Permit Application to reflect changes that have occurred at your site, you must submit this form as part of your Revised Part A Permit Application. Examples of site changes requiring a Revised Part A Permit Application include managing new wastes not identified in the first submission of the form or changes to existing waste treatment processes. When submitting a Revised Part A Permit Application, please include the Amendment number in the appropriate space.
- **As a component of the Hazardous Waste Report.** If you are required to submit a Hazardous Waste Report indicating the amount of hazardous waste you generate, treat, ship off-site, or receive from off-site, you must fill out this form.
 - **Site was a TSD (treatment, storage, or disposal) facility and/or generator of $\geq 1,000$ kilograms (kg) of hazardous waste, >1 kg of acute hazardous waste, or >100 kg of acute hazardous waste spill cleanup in one or more months of the report year. Only place an "X" in this box if the facility is reporting TSD facility and/or Large Quantity Generator activities.)**

Item 2 – Site EPA ID Number:

NOTE: If this is your initial notification for this site, leave this item blank and proceed to Item 3.

Enter the EPA ID Number **assigned to this site location address**. Be sure to include your EPA ID Number on any additional sheets.

Item 3 – Site Name:

Enter the legal name of the facility that is conducting business at this site.

Item 4 – Site Location Information:

Enter the physical address for this site. **The address must be a physical address, not a post office box or route number. (This is your 911 system location address.)**

NOTE: A new EPA ID Number is required if you move to a new location.

- If your new location does not have an EPA ID Number, a new EPA ID Number will be assigned.
- If your new location has a previously assigned EPA ID Number, you will use the existing number.

Item 5 – Site Land Type:

Place an "X" in the box that **best describes** the land type for your site. Select only **one** type: Private, County, District, Federal, Tribal, Municipal, State, or Other. If Other is selected, explain this in Item 12 – Comments.

Item 6 – North American Industry Classification System (NAICS) Code(s):

Box A must be completed. Completing Boxes B-D is recommended, if applicable.

Box A

Enter the NAICS code that **best describes your site’s primary business production process for your products or services**. Use the 6-digit code (most specific description) if available for your business; if not, use the 5-digit code. **Do not enter any codes with less than 5 digits.**

Boxes B - D

List other NAICS codes that describe the primary business production processes for your site. Use the most specific 5- or 6-digit code(s) available. **Do not enter any codes with less than 5 digits.**

You can obtain information about NAICS codes from the following sources:

www.census.gov/eos/www/naics/

Item 7 – Site Mailing Address:

Enter the site’s mailing address. If the site’s mailing address and the site’s location address are the same, you may write “SAME”.

Item 8 – Site Contact Person:

Enter the name, mailing address, email, business phone number and extension, and fax number of the person who should be contacted about information submitted on the form. A Subsequent Notification is required when the Site Contact Person changes.

Item 9 – Legal Owner and Operator of the Site:

Enter the name or names of each legal owner and operator of this site. For the meaning of “owner” and “operator,” see the definitions provided at the end of these instructions. Use Item 12 – Comments and additional sheets, if necessary.

A. Name of Site’s Legal Owner: Enter the name, mailing address, and telephone of each of the

site's legal owners. If this is a Subsequent Notification, enter any additional owner(s) since the last notification.

Date Became Owner: Enter the date on which the person or entity became the legal owner of site. If the owner(s) have changed since the last notification, provide the dates they became an owner.

Owner Type: Place an "X" in the box that **best describes** the owner type of your site. Select only one type: Private, County, District, Federal, Tribal, Municipal, State, or Other. If Other, explain in Item 12 – Comments.

Owner Mailing Address: Write the mailing address and telephone number of the owner(s).

B. Legal Operator: Write the name of your site's operator. If it is the same as the owner, write "SAME".

Date Became Operator: Write the date on which the person or entity became the operator of site. If the operator has changed since the last notification, provide the date they became the operator.

Operator Type: Same as instructions for Owner Type.

NOTE: A Subsequent Notification is required when the owner or operator of a site changes. Because an EPA ID Number is site-specific, the new owner will use the existing EPA ID Number assigned to the site.

Item 10 – Type of Regulated Waste Activity:

Mark the box(es) as appropriate for all current activities at this location; complete any additional boxes as instructed. Current activities means activities that are in effect when the form is submitted or those that the site plans to begin after an EPA ID Number is assigned.

A. Hazardous Waste Activities: Place an "X" in the appropriate box to indicate the hazardous waste activity being conducted **at this site. Only select one of the following: a, b, c, or d.**

NOTE: Do NOT use the federal generator classifications found in 40 CFR. Use the State of Kansas generator classifications described in the following paragraphs to complete this form.

1. Generator of Hazardous Waste: If you generate a hazardous waste that is listed in 40 CFR 261.31 through 261.33 or is identified by one or more hazardous waste characteristic(s) contained in 40 CFR 261.21 through 261.24, place an "X" in the box corresponding to the total quantity of non-acute hazardous waste that is generated in any **single** calendar month. Enter the highest single monthly total; do **NOT** average over months. The definitions for the four classifications of hazardous waste generators in Kansas are found in K.A.R. 28-31-260(c)(2)(E) and K.A.R. 28-31-260a(a)(1), (8), and (9). A brief description of the four classes of hazardous waste generators in Kansas follows.

a. LQG: Large Quantity Generator

This site is classified as a LQG if the site meets **any** of the following criteria:

- i Generates, in any single calendar month, 1,000 kg (2,200 lb) or more of hazardous waste;
or
- ii Generates, in any single calendar month, or accumulates at any time, 1 kg (2.2 lb) or more of acute hazardous waste; **or**
- iii Generates, in any single calendar month, or accumulates at any time, more than 100 kg (220 lb) of any residue or contaminated soil, waste, or other debris resulting from the

cleanup of a spill of any acute hazardous waste

NOTE: If, in addition to being a LQG Generator, you recycle hazardous wastes at your site (without storing the wastes before you recycle them), mark both this box **and** Box A.7.

b. SQG: Small Quantity Generator

This site is classified as a SQG if the site meets **all** of the following criteria:

- i Generates, in any single calendar month, more than 100 kg (220 lb) but less than 1,000 kg (2,200 lb) of hazardous waste; **and**
- ii Generates, in any single calendar month, or accumulates at any time, less than 1 kg (2.2 lb) of acute hazardous waste; **and**
- iii Generates, in any single calendar month, or accumulates at any time, more than 100 kg (220 lb) of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill of any acute hazardous waste.

NOTE: If an SQG accumulates, at any time, more than 6,000 kg (13,200 lb) of hazardous waste on-site, the site becomes classified as a TSD facility.

c. KSQG: Kansas Small Quantity Generator

This site is classified as a KSQG if the site meets **all** of the following criteria:

- i Generates, in any single calendar month, 25 kg (55 lb) or more but less than 100 kg (220 pounds) of hazardous waste; **and**
- iii Generates, in any single calendar month, or accumulates at any time, no more than 1 kg (2.2 lb) of acute hazardous waste; **and**
- iv Generates, in any single calendar month, or accumulates at any time, more than 100 kg (220 lb) of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill of any acute hazardous waste.

NOTE: If a KSQG accumulates, at any time, more than 1,000 kg (2,200 lb) of hazardous waste on-site, the site becomes classified as a TSD facility.

d. CESQG: Conditionally Exempt Small Quantity Generator

This site is classified as a CESQG if the site meets **all** of the following conditions:

- i Generates, in any single calendar month, less than 25 kg (55 lb) of hazardous waste; **and**
- ii Generates, in any single calendar month, or accumulates at any time, no more than 1 kg (2.2 lb) of acute hazardous waste, **and**
- iii Generates, in any single calendar month, or accumulates at any time, more than 100 kg (220 lb) of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill of any acute hazardous waste.

NOTE: If a CESQG accumulates, at any time, more than 1,000 kg (2,200 lb) of hazardous waste on-site, the site becomes classified as a TSD facility.

If you generate acute hazardous wastes listed in 40 CFR 261.31, 261.32 or 261.33(e), please refer to K.A.R. 28-31-261 and 40 CFR 261.5(e) to determine the circumstances under which you must notify the KDHE.

Date Activity Began. Provide the date that the hazardous waste activity began.

If you answered “Yes” for one of the generator classes, above, place an “X” in each appropriate box for Items 2, 3, and 4 to indicate other generator activities occurring **at this site**. Please mark all boxes that apply.

2. **Short-Term Generator.** Place an “X” in the box if you currently generate hazardous waste only as a result of a one-time, non-recurring, temporary event that is not related to normal product processes. If you mark “Yes”, you must provide an explanation of the short-term or one-time event in Item 12 – Comments.
3. **United States Importer of Hazardous Waste.** Place an "X" in the box if you import hazardous waste from a foreign country into the United States. Refer to 40 CFR 262.60 for additional information.
4. **Mixed Waste Generator:** Place an "X" in the box if you are a generator of mixed waste. Mixed waste is waste that contains both hazardous waste and radioactive waste. Radioactive waste includes source, special nuclear, and by-product material subject to the Atomic Energy Act (AEA). Refer to RCRA Section 1004(41), 42 U.S.C. 6903 (63 FR 17414; April 9, 1998).
5. **Transporter of Hazardous Waste:** Mark “Yes” if you transport hazardous waste. If “Yes,” place an “X” in each box, as applicable, to indicate if you transport hazardous waste within the United States and/or own or operate a hazardous waste transfer facility. The Kansas regulations for hazardous waste transporters are found in K.A.R. 28-31-6, K.A.R. 28-31-263, and K.A.R. 28-31-263a.
6. **Treater, Storer, or Disposer of Hazardous Waste (at your site):** Mark “Yes” if you treat, store, or dispose of hazardous waste at your site. If “Yes,” place an “X” in the box if you treat, store, or dispose of regulated hazardous waste at your site that is subject to a permit or interim status. A hazardous waste permit is required for these activities. **NOTE:** Burning hazardous wastes in boilers and industrial furnaces and storing hazardous wastes before recycling fall into this category. For permitted activities, contact KDHE at 785-296-1600 to request a Hazardous Waste Part A Permit Application in addition to this notification.

NOTE: If your site is a destination facility for universal wastes in addition to being a treatment, storage, or disposal facility for other hazardous wastes, mark both this box **and** Box B.2.

7. **Recycler of Hazardous Waste (at your site):** Place an “X” in the box if you recycle regulated hazardous wastes (recyclable materials) at your site. The regulations for owners or operators of sites that recycle hazardous waste are found in 40 CFR 261.6. A hazardous waste permit may be required for this activity.

NOTE: If your site, in addition to being a recycling site for hazardous waste, treats, stores, or disposes of hazardous waste, mark both this box **and** Box A.6. If your site is a destination facility for universal wastes in addition to being a recycling site for other hazardous wastes, mark both this box **and** Box B.2.

8. **Exempt Boiler and/or Industrial Furnace (at your site):** Mark “Yes” if your boiler and/or industrial furnace is exempt in accordance with 40 CFR 266 Subpart H. If “Yes:”
 - a. Place an “X” in this box to indicate that you qualify for the Small Quantity On-Site Burner Exemption if you burn small quantities of hazardous waste in an on-site boiler or industrial furnace in accordance with the conditions in 40 CFR 266.108.

b. Place an "X" in this box to indicate that you qualify for the Smelting, Melting, and Refining Furnace Exemption if you process hazardous wastes in a smelting, melting, or refining furnace solely for metals recovery, as described in 40 CFR 266.100(d), or to recover economically significant amounts of precious metals, as described in 40 CFR 266.100(g), or if you process hazardous wastes in a lead recovery furnace to recover lead, as described in 40 CFR 266.100(h).

9. **Underground Injection Control (at your site):** Place an "X" in the box if you generate, treat, store, or dispose of hazardous waste and place the waste or its residuals into an underground injection well (e.g., a Class I well) located at your site. The regulations for owners or operators of underground injection wells are found in 40 CFR Part 148.

10. **Receives Hazardous Waste From Off-site (at your site):** Place an "X" in the box if you receive hazardous waste from another site, whether this waste is received as a commercial transaction or waste received from a restricted group of off-site generators.

B. Universal Waste Activities: Refer to K.A.R. 28-31-273, 40 CFR 261.9, and 40 CFR Part 273 for the regulations covering universal waste.

1. **Large Quantity Handler of Universal Waste (LQHUW):** Place an "X" in the box if you are an LQHUW. An LQHUW accumulates a total of 5,000 kg (11,000 pounds) or more of universal wastes (calculated collectively) at any time. In addition, place an "X" in the appropriate box(es) to indicate the type(es) of universal wastes you generate and/or accumulate at your site.

2. **Destination Facility:** Place an "X" in the box if you treat, dispose of, or recycle universal wastes on-site. A hazardous waste permit is required if you treat or dispose of universal wastes. A permit may be required if you recycle universal wastes.

NOTE: If your site, in addition to being a destination facility for universal wastes, is also a treatment, storage, or disposal facility for hazardous wastes, mark both this box and Box A.6. In addition, if your site recycles hazardous wastes, in addition to being a destination facility for universal wastes, mark both this box and Box A.7.

C. Used Oil Activities: Place an "X" in each appropriate box to indicate all used oil management activities taking place **at this site**. The Kansas regulations for used oil management are found in K.A.R. 28-31-6, K.A.R. 28-31-279 and K.A.R. 28-31-279(a).

1. **Used Oil Transporter:** Places an "X" in each box, as applicable, if you transport used oil and/or own or operate a used oil transfer facility.

2. **Used Oil Processor/Re-Refiner:** Places an "X" in each box, as applicable, if you process and/or re-refine used oil.

3. **Off-Specification Used Oil Burner:** Place an "X" in the box if you burn off-specification used oil fuel, place an "X" in this box to indicate this used oil management activity.

4. **Used Oil Fuel Marketer:** Place an "X" in the box if you market used oil. If "Yes:"

a. Place an "X" in this box if you direct shipments of off-specification used oil to an off-specification used oil burner.

b. Place an "X" in this box if you are the first to claim the used oil meets the used oil specification listed in 40 CFR 279.11.

NOTE: If the answer to either 4. A or 4.b is “Yes,” you also must notify (or must have previously notified) as a used oil transporter, used oil processor/re-refiner, or off-specification used oil fuel burner. If you are only a used oil generator, you are not required to notify unless you conduct any of the previously described used oil activities.

Item 11 – Description of Hazardous Wastes:

You will need to refer to K.A.R. 28-31-261, K.A.R. 28-31-261a, and 40 CFR 261 to complete this item. Part 261 identifies those solid wastes which are defined as hazardous and regulated under the hazardous waste regulations. You may obtain information regarding the types of regulated hazardous waste by contacting the Bureau of Waste Management at 785-296-1600. This information is also available on BWM’s website: www.kdheks.gov/waste A helpful document is the Hazardous Waste Generator Handbook, which may be downloaded electronically and printed from the website. The link for the handbook is located under the Hazardous Waste Program section.

Regulated Hazardous Waste Codes: If you manage hazardous wastes that are described in 40 CFR Part 261, write each appropriate 4-digit code in the boxes provided.

NOTE: If you need to list more than will fit under Item 11, please continue listing the hazardous waste codes either under Item 12 – Comments or on an extra sheet. If you use an extra sheet, include your EPA ID number on the top of the sheet and attach it to the form.

Item 12 – Comments:

Use this section, as needed, to provide additional information for Items 1 through 11. You may attach additional sheets if necessary. Please enter your EPA ID Number on any additional sheets.

Item 13 – Certification:

This certification must be signed by owner(s), operator(s), or authorized representative(s) for the site.

NOTE: All notification forms must include this signed and dated certification to be considered complete.

Return the Completed Notification Form To:

**Stacey Smith
Bureau of Waste Management
1000 SW Jackson St Ste 320
Topeka KS 66612-1366**

ADDITIONAL INFORMATION

Transporters:

Hazardous Waste and Used Oil Transporters must also complete a Transporter Registration form. The forms can be found on the BWM website or by using the following link:

www.kdheks.gov/waste/forms_hazwaste.html#hwgen

Fee Payment:

K.A.R. 28-31-10 sets the monitoring fees for hazardous waste activities. A listing of the fees can be found on the BWM website or by using the following link:

www.kdheks.gov/waste/p_hwfees.html

Transporters will submit the fee with the Transporter Registration form. Generators will receive an invoice for the fee.

DEFINITIONS

This section contains definitions helpful for completing the form.

Act or RCRA means the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended by the Hazardous and Solid Waste Amendments of 1984, 42 U.S.C. Section 6901 *et seq.*

Acutely Hazardous Waste means wastes that are highly toxic commercial chemical products, off-specification chemicals, or container residues and residues from the spillage of these chemicals that are discarded or intended to be discarded. They include the following hazardous wastes:

- Any hazardous wastes with an EPA hazardous waste code that begins with the letter “P” (40 CFR 261.33(e)); or
- Any hazardous wastes with the following “F” codes: F020, F021, F022, F023, F026, and F027 (40 CFR 261.31)

P-listed chemicals include commercially pure grades of the chemicals, any technical grades of these chemicals that are produced or marketed, and all formulations in which only one of the P-listed chemicals is the sole active ingredient. An example of an acutely hazardous waste would be a P-listed pesticide such as parathion (P089) that must be disposed of. Examples of generators that generate acutely hazardous wastes are pesticide applicators, laboratories, and chemical formulators.

NOTE: Acutely hazardous wastes are subject to stringent quantity standards for accumulation and generation (40 CFR 261.5(e)).

Authorized Representative means the person responsible for the overall operation of the RCRA site or an operational unit (i.e., part of a RCRA site), e.g., superintendent or plant manager, or person of equivalent responsibility.

Boiler means an enclosed device using controlled flame combustion and having the following characteristics:

1. The unit has physical provisions for recovering and exporting energy in the form of steam, heated fluids, or heated gases;
2. The unit's combustion chamber and primary energy recovery section(s) are of integral design (i.e., they are physically formed into one manufactured or assembled unit);
3. The unit continuously maintains an energy recovery efficiency of at least 60 percent, calculated in terms of the recovered energy compared with the thermal value of the fuel;
4. The unit exports and utilizes at least 75 percent of the recovered energy, calculated on an annual basis (excluding recovered heat used internally in the same unit, for example, to preheat fuel or combustion air or drive fans or feed water pumps); or
5. The unit is one which KDHE has determined, on a case-by-case basis, to be a boiler, after considering the standards in 40 CFR 260.32.

Disposal means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or

discharged into any waters, including ground waters.

EPA Identification (ID) Number means the number assigned by KDHE to each hazardous waste generator, hazardous waste transporter, and treatment, storage, or disposal RCRA site; large quantity handler of universal wastes; used oil transporter, used oil processor/re-refiner, off-specification used oil fuel burner, and used oil fuel marketer.

Hazardous Waste means a hazardous waste as defined in 40 CFR 261.3.

Hazardous Waste Generator means any person, by site, whose act or process produces hazardous waste identified or listed in 40 CFR Part 261 or whose act first causes a hazardous waste to become subject to regulation.

Hazardous Waste Storage means the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of, or stored elsewhere.

Hazardous Waste Transporter means a person engaged in the off-site transportation of hazardous waste by air, rail, highway, or water.

Hazardous Waste Transfer Facility means a site that holds manifested hazardous wastes at their site for a period of ten (10) days or less while the waste is in transit. The Federal regulations for hazardous waste transfer facilities are found in 40 CFR Part 263.12.

Hazardous Waste Treatment means any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize such hazardous waste, or so as to recover energy or material resources from the hazardous waste, or so as to render such hazardous waste nonhazardous, or less hazardous; safer to transport, store or dispose of; or amenable for recovery, amenable for storage, or reduced in volume. Such term includes any activity or processing designed to change the physical form or composition of hazardous waste so as to render it nonhazardous.

Industrial Furnace means any of the following enclosed devices that are integral components of manufacturing processes and that use thermal treatment to accomplish recovery of materials or energy: cement kilns; lime kilns; aggregate kilns; phosphate kilns; coke ovens; blast furnaces; smelting, melting, and refining furnaces; titanium dioxide chloride process oxidation reactors; methane reforming furnaces; pulping liquor recovery furnaces; combustion devices used in the recovery of sulfur values from spent sulfuric acid; halogen acid furnaces, as defined under industrial furnace in 40 CFR 260.10; and such other devices as the KDHE may add to this list.

Large Quantity Handler of Universal Waste means a universal waste handler (as defined in 40 CFR 273.6) who accumulates 5,000 kilograms (11,000 pounds) or more total of universal waste (batteries, pesticides, or thermostats, collectively) at any time. This designation is retained through the end of the calendar year in which 5,000 kilograms or more of universal wastes are accumulated.

Municipality means a city, village, town, borough, county, parish, district, association, Indian tribe or authorized Indian tribal organization, designated and approved management agency under Section 208 of the Clean Water Act, or any other public body created by or under State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

Off-Specification Used Oil Burner means a site where used oil not meeting the specification requirements in 40 CFR 279.11 (off-specification used oil) is burned for energy recovery in devices identified in Section 279.61(a).

Off-Specification Used Oil Fuel means used oil fuel that does not meet the specification provided under 40 CFR 279.11.

On-Specification Used Oil Fuel means used oil fuel that meets the specification provided under 40 CFR 279.11.

Operator means the person responsible for the overall operation of a site. See **Person**.

Owner means a person who owns a site or part of a site, including the property owner. See **Person**.

Person means 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.

RCRA Subtitle C Site (Site) means the physical plant or location at which one or more of the following regulated waste activities occurs: the generation, transportation, treatment, storage, or disposal of hazardous wastes; recycling of hazardous wastes; the accumulation of 5,000 kg (11,000 pounds) or more of universal wastes; and the transportation (and temporary storage during transportation), processing/re-refining, burning, or marketing of used oil. A site may consist of several treatment, storage, or disposal operational units. A site also may consist of an area undergoing corrective action. (For entities that only transport regulated wastes, the term site refers to the headquarters of that entity's operations.)

Small Quantity On-Site Burner Exemption means that persons who burn small quantities of hazardous waste in an on-site boiler or industrial furnace, in accordance with 40 CFR 266.108, are conditionally exempt from regulation for that activity.

Smelting, Melting, and Refining Furnace Exemption means that: owners or operators of smelting, melting, and refining furnaces that process hazardous waste solely for metal recovery are conditionally exempt from regulation, except for 40 CFR 266.101 and 266.112, provided they comply with the requirements in Section 266.100(d); owners or operators of smelting, melting, and refining furnaces that process hazardous waste for recovery of precious metals are conditionally exempt from regulation, except for 40 CFR 266.112, provided they comply with the requirements in Section 266.100(g); and owners or operators of lead recovery furnaces that process hazardous waste for recovery of lead and that are subject to regulation under the Secondary Lead Smelting NESHAP are conditionally exempt from regulation, except for 40 CFR 266.101, provided they comply with the requirements in Section 266.100(h).

Underground Injection Control means the subsurface emplacement of fluids through a bored, drilled or driven well; or through a dug well, where the depth of the dug well is greater than the largest surface dimension. Underground injection wells are regulated under both the Safe Drinking Water Act and the Resource Conservation and Recovery Act (see 40 CFR Part 148).

Used Oil means any oil that has been refined from crude oil, or any synthetic oil, that has been used, and as a result of such use, is contaminated by physical or chemical impurities.

Used Oil Fuel Marketer means any person who conducts either of the following activities:

1. Directs a shipment of off-specification used oil from their site to an off-specification used oil burner; or
2. First claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in 40 CFR 279.11.

Used Oil Activities, for the purposes of EPA Form 8700-12, include used oil transporter and transfer facility; used oil processing and re-refining; off-specification used oil burner; and used oil fuel marketing.

Used Oil Processing means chemical or physical operations designed to produce from used oil, or to make used oil more amenable for production of, fuel oils, lubricants, or other used oil-derived products. Processing includes, but is not limited to: blending used oil with virgin petroleum products, blending used oils to meet the fuel specification, filtration, simple distillation, chemical or physical separation, and re-refining.

Used Oil Processor means a site that processes on- or off-specification used oil.

Used Oil Re-Refiner means a site that produces lubricating oils and greases, industrial fuel, asphalt extender, gasoline, and other products from on- or off-specification used oil.

Used Oil Transfer Facility means any transportation-related facility, including loading docks, parking areas, storage areas, and other areas where shipments of used oil are held for more than 24 hours during the normal course of transportation and not longer than 35 days. Transfer facilities that store used oil for more than 35 days are subject to regulation under 40 CFR Part 279, Subpart F.

Used Oil Transporter means any person who transports used oil, any person who collects used oil from more than one generator and transports the collected oil, and owners and operators of used oil transfer facilities. Used oil transporters may consolidate or aggregate loads of used oil for purposes of transportation but, with the following exception, may not process used oil. Used oil transporters may conduct incidental processing operations that occur in the normal course of used oil transportation (e.g., settling and water separation), but that are not designed to produce (or make more amenable for production of) used oil-derived products or used oil fuel.