

Final Draft Rule Language
Proposed revisions to requirements for packaging, marking, and labeling
December 9, 2011

10 CSR 25-5.262 Standards Applicable to Generators of Hazardous Waste

(2) A generator located in Missouri, except as conditionally exempted in accordance with 10 CSR 25-4.261, shall comply with the requirements of this section in addition to the requirements incorporated in section (1). Where contradictory or conflicting requirements exist in 10 CSR 25, the more stringent shall control. (Comment: This section has been organized so that all Missouri additions, changes, or deletions to any subpart of the federal regulations are noted within the corresponding subsection of this section. For example, the additional storage standards which are added to 40 CFR part 262 subpart C are found in subsection (2)(C) of this rule.)

(C) Pretransport, Containerization, and Labeling Requirements.

1. In 40 CFR 262.30, 262.32, and 262.33, the phrase “Before transporting hazardous waste or offering hazardous waste for transportation off-site”, and in 40 CFR 262.31 and 262.32, the phrase “Before transporting or offering hazardous waste for transportation off-site” are not incorporated by reference. The generator shall meet all other requirements of these regulations during the entire time hazardous waste is accumulated on site, except that the manifest document number need not be marked on the container until it is prepared for off-site shipment. As an alternative to packaging, marking, and labeling hazardous waste during the entire time hazardous waste is accumulated on site, generators may comply with the following requirements:

A. Clearly mark each container in storage with the date upon which accumulation begins visible for inspection, and mark each container and tank clearly with the words “Hazardous Waste”; and

B. Clearly mark each container in storage with the generator’s name and address or clearly mark this information on the outermost container when multiple containers are stored in a larger closed container. The outermost container shall be kept closed unless adding or removing the smaller containers from it. The generator’s name and address is not required on containers smaller than one gallon; and

C. Have a method to identify the contents of each hazardous waste container in storage and the associated hazards. The method shall include the following information and must be accessible to facility personnel upon their request for their own purposes, to inspectors prior to or during an inspection, and to emergency responders upon their request:

(I) Description of contents, which may include product trade names, chemical names, or hazardous waste codes pursuant to 40 CFR part 261 Subpart C and Subpart D; and

(II) Statement or statements which call attention to the particular hazardous properties of the waste (e.g., ignitable, reactive, corrosive, and toxic). As an option to meet this requirement, the generator may place applicable U.S. Department of Transportation label(s) on the container or tank during the storage period to identify these properties.