



**Draft Rule Language and Comments**  
**Proposed revisions to requirements for packaging, marking, and labeling**  
**October 5, 2011**

**Based on stakeholder comments, the department is willing to make the changes noted in the draft rule below. An additional comment is also noted where further discussion may be needed before making any further change to the draft.**

**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. During the entire time hazardous waste is accumulated in storage on-site, generators shall package, mark, and label hazardous waste containers in compliance with the requirements of 40 CFR 262.32 and 40 CFR part 262 subpart C, as incorporated and modified within these regulations. The generator is not required to mark the manifest document number for the shipment on the container until it is prepared for off-site shipment.

A. – Small Quantity Generators or Large Quantity Generators may request an exemption from the requirement to package, mark, and label hazardous waste containers during the entire on-site storage period. To qualify for the exemption, in addition to complying with all other current state and federal regulations applicable to its status, a generator shall:

(I) Submit a generator registration form declaring themselves a PML Exempt Generator; and

(II) Clearly mark each container in storage with the date upon which accumulation begins and the words “Hazardous Waste” as specified in 40 CFR 262.34(a)(2) and 262.34(a)(3); and

(III) 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 ~~sealed~~ closed container; ~~and~~

(IV) Have a method to identify the contents of each hazardous waste container in storage and the associated hazards, ~~and incompatibilities associated with the contents.~~ The generator must ~~Whether the information is on the container or in documentation, the generator must, at a minimum,~~ be able to immediately make accessible to facility personnel, inspectors, and emergency responders the following information for each container:

- (a) ~~Composition~~ Description of contents and whether the waste is solid, semi-solid, liquid or contained gaseous material; ~~physical state of the wastes;~~ and
- (b) Statement or statements which call attention to the particular hazardous properties of the waste (e.g., ~~ignitable~~ flammable, reactive, corrosive or toxic etc.); and
- (c) Hazardous waste codes pursuant to 40 CFR part 261 Subpart C and Subpart D (i.e., a maximum of 6 that are most applicable to the waste).

B. Generators who claim the exemption specified in 10 CSR 25-5.262(C)1.A. shall comply with the requirements in this subparagraph in lieu of the requirements for packaging, marking and labeling hazardous waste during the entire onsite storage period as specified in 10 CSR 25-5.262(2)(C)1.

**Comment [n1]:** Need to discuss container size in forum (i.e., one gallon or less exempt from this requirement)?