



Draft Rule Language and Comments
Proposed revisions to requirements for packaging, marking, and labeling
November 25, 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, 262.31, 262.32, and 262.33, the ~~phrase words~~ “Before transporting hazardous waste or offering hazardous waste for transportation off-site” ~~is 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. In lieu of those requirements, during the entire time hazardous waste is accumulated in storage on site, generators shall:

~~A. Package the waste in accordance with applicable Department of Transportation regulations on packaging under 49 CFR parts 173, 178, and 179;~~

~~—B. Label and mark each package in accordance with the applicable Department of Transportation regulations on hazardous materials under 49 CFR part 172; and~~

~~—C. Placard or offer the initial transporter the appropriate placards according to Department of Transportation regulations for hazardous materials under 49 CFR part 172, subpart F.~~

~~—D. 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.~~

2. In lieu of (C)1-A-C above, generators Small Quantity Generators or Large Quantity Generators may comply with this section as follows:

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 ~~is requirement does not apply to~~ 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, to inspectors during an inspection, and to emergency responders upon their request:

(I) Description of contents; and

(II) Statement or statements which call attention to the particular hazardous properties of the waste (e.g., ignitable, reactive, corrosive [and whether acidic or alkaline], 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; and

(III) 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).

~~(IV) In lieu of (II) of this section, the generator may place applicable Department of Transportation label(s) on the container or tank during the storage period to identify the particular hazardous properties of the waste.~~

DRAFT