

## **HAZARDOUS WASTE NOTIFICATIONS**

### **REGION VIII GUIDANCE ON POTW AND INDUSTRIAL USER RESPONSIBILITIES**

**July 7, 1999**

EPA promulgated rules for Industrial User notification of hazardous waste discharges on July 24, 1990 (55 FR 30082). In general, the rule requires the industrial user to notify the POTW, State and EPA, in writing, of >15 kg/month of hazardous waste or any amount of acute hazardous waste discharged to the sewerage system.

#### **The notification shall include:**

- the name of the hazardous waste (40 CFR Part 261)
- EPA hazardous waste number
- type of discharge (batch, continuous, etc.)
- certification that the IU has a pollution reduction (volume and toxicity) in-place

#### **If the IU discharges > 100 kg/month to the POTW the notification shall include, in addition to that listed above:**

- identification of the hazardous constituents
- estimation of mass and concentration of the constituents discharged
- estimation of mass and concentration of the constituents expected to be discharged during the next 12 months

#### **An IU has to report:**

- existing industries: within 180 days of July 24, 1990 final rule
- new industries: within 180 days of discharge of the hazardous waste

The IU only has to provide a one-time notification for each hazardous waste. It is the responsibility of the Control Authority and/or Approval Authority to follow-up on the information.

If new pollutants are added to Section 3001 of RCRA, it is the IUs responsibility to provide notification to the POTW, EPA and state within 90 days of the effective date of the regulation.

### **POTW Notification to IU of RCRA Reporting Requirements**

Under 40 CFR 403.8(f)(2)(iii) the POTW shall notify all Industrial Users of applicable requirements under Subtitle C and D of RCRA. For SIUs the POTW shall notify each SIU of its reporting requirements.

For Industrial Users in business as of July 24, 1990: No notification is necessary. The Federal Register notice covering this rule is the notification. For SIUs, individual notification should be made.

For Industrial Users in business after July 24, 1990: All SIUs should be individually notified and all IUs should be generally notified.

### **Procedures for notification based upon existing POTW practices and regulatory requirements :**

#### **1. To SIUs that have not received prior notification (as new SIUs come on line or are designated as such by POTW):**

- Language in permit (Recommended for SIUs)
- By letter
- By inclusion of notice in a mailing by the POTW (billing, etc).
- Provided by POTW during inspection, meetings, etc.

#### **2. To IUs that have not received prior notification (should be performed once per six months to allow IU to meet the 180 day requirement):**

- A public notice in a paper of general circulation that serves all IUs in the service area of the POTW.
- By inclusion of notice in mailing by the POTW (billing, etc.)