

**Section 66262.12. Identification Numbers for the Generator.**

(a) Except as specified in (e), a generator shall not treat, store, dispose of, transport or offer for transportation, hazardous waste without having received an Identification Number.

(b) A generator who has not received an Identification Number may obtain one by applying to the Department using EPA form 8700-12. Following receipt of the request, the generator will be assigned an Identification Number.

(c) A generator shall not offer the hazardous waste to transporters or to transfer, treatment, storage or disposal facilities that have not received an Identification Number.

(d) A recognized trader shall not arrange for import or export of hazardous waste without having received a U.S. EPA Identification Number.

(e) Generators who generate no more than 100 kilograms of waste per month that is hazardous solely due to the presence of silver in the waste pursuant to Health and Safety Code section 25143.13 are not required to obtain an Identification Number.

Note: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25143.13, 25159, 25159.5 and 25160.2, Health and Safety Code; and 40 CFR Sections 261.5 and 262.12.

**Section 66262.34. Accumulation Time.**

(a) Except as provided in subsections (c) and (d) of this section and section 66262.35, a generator may accumulate hazardous waste on-site for 90 days or less without a permit or grant of interim status, provided that:

(1)(A) the waste is placed in containers and the generator complies with the applicable requirements of articles 9, 27, 28 and 28.5 of chapter 15 of this division, or the waste is placed in tanks and the generator complies with articles 10, 27, 28, and 28.5 of chapter 15 of this division, except sections 66265.197(c) and 66265.200. In addition, such a generator is exempt from all the requirements in articles 7 and 8 of chapter 15 of this division, except for sections 66265.111 and 66265.114; or

(B) the waste is placed on drip pads and the generator complies with the applicable requirements of articles 17.5, 27, 28 and 28.5 of chapter 15 and maintains the following records at the facility:

1. a description of procedures that will be followed to ensure that all wastes are removed from the drip pad and associated collection system at least once every 90 days; and
2. documentation of each waste removal, including the quantity of waste removed from the drip pad and the sump or collection system and the date and time of removal; and/or

(C) the waste is placed in containment buildings and the generator complies with article 29 of Chapter 15 of this division, has placed its professional engineer (PE) certification that the building complies with the design standards specified in 66265.1101 in the facility's operating record no later than 60 days after the date of initial operation of the unit. After February 18, 1993, PE

certification will be required prior to operation of the unit. The owner or operator shall maintain the following records at the facility:

1. a written description of procedures to ensure that each waste volume remains in the unit for no more than 90 days, a written description of the waste generation and management practices for the facility showing that they are consistent with respecting the 90 day limit, and documentation that the procedures are complied with; or

2. documentation that the unit is emptied at least once every 90 days; and

(2) the date upon which each period of accumulation begins is clearly marked and visible for inspection on each container; and

(3) the generator complies with the requirements of subsection (f) of this section; and

(4) the generator complies with the requirements for owners or operators in articles 3 and 4 of chapter 15 of this division and with section 66265.16, and with section 66268.7(a)(5).

(b) The beginning of the 90 day period specified in subsections (a) and (c) of this section is determined as follows:

(1) if the generator does not generate more than 100 kilograms of hazardous waste or one kilogram of acutely hazardous waste (listed in section 66261.33(e)) or one kilogram of extremely hazardous waste during any calendar month, the 90 day period begins on the date the generator has accumulated 100 kilograms of hazardous waste or one kilogram of acutely hazardous waste or one kilogram of extremely hazardous waste;

(2) if the generator generates more than 100 kilograms of hazardous waste or one kilogram of acutely hazardous waste or one kilogram of extremely hazardous waste during any calendar month, the 90-day period begins on the first date on which any amount of hazardous waste begins to accumulate during that month.

(c) A generator who accumulates hazardous waste for more than 90 days is an operator of a storage facility and is subject to the requirements of chapters 14 and 15 of this division and the permit requirements of chapter 20 of this division, unless the generator has been granted an extension to the 90-day period or meets the requirements of subsection (d) or (e) of this section. An extension may be granted pursuant to section 66262.35 if non-RCRA or RCRA exempt hazardous wastes must remain on-site for longer than 90 days. An extension may be granted by the Department if RCRA hazardous wastes must remain onsite for longer than 90 days due to unforeseeable, temporary, and uncontrollable circumstances. An extension of up to 30 days for RCRA hazardous waste may be granted at the discretion of the Department on a case-by-case basis.

(d) Notwithstanding subsections (a) and (c) of this section and section 66262.35, a generator of less than 1,000 kilograms of hazardous waste in any calendar month who accumulates hazardous waste onsite for 180 days or less, or 270 days or less if the generator transports the generator's own waste, or offers the generator's waste for transportation, over a distance of 200 miles or more, for offsite treatment, storage, or disposal, is not a storage facility if all of the following apply:

(1) The quantity of hazardous waste accumulated onsite never exceeds 6,000 kilograms.

(2) The generator complies with the requirements of 40 Code of Federal Regulations section 262.34(d), (e) and (f).

(3) The generator does not hold acutely hazardous waste or extremely hazardous waste in an amount greater than one kilogram for more than 90 days.

(e)(1) A generator may accumulate as much as 55 gallons of hazardous waste, one quart of acutely hazardous waste (listed in section 66261.33(e)) or one quart of extremely hazardous waste at or near any point of generation, without a permit or grant of interim status, without complying with subsections (a), (b) and (c) of this section, if all of the following requirements are met with respect to this waste:

(A) the waste is accumulated in containers, other than tanks, at the initial accumulation point which is at or near the area where the waste is generated and which is under the control of the operator of the process generating the waste;

(B) the generator does not hold the waste onsite for more than one year from the initial date of accumulation, or for longer than the applicable accumulation period specified in subdivision (a) or (d), whichever occurs first. For purposes of this subdivision, the applicable accumulation period specified in subdivision (a) or (d) shall start on the date the quantity limitation specified in paragraph 1 of subsection (e) of this section is reached:

(C) the initial date of waste accumulation is clearly marked and visible for inspection on each container used for accumulation of hazardous waste;

(D) the generator complies with sections 66265.171, 66265.172, and 66265.173(a) of this division; and

(E) the generator complies with subsections (e)(2), (e)(3) and (f)(3) of this section.

(2) Except as provided in subsections (e)(2)(A) and (e)(2)(B) of this section, a process or group of processes meeting the requirements of subsection (e)(1) of this section, shall be subject to a single 55 gallon or one quart accumulation limit for that process or group of processes.

(A) If not all of the wastestreams generated by a single process or group of processes located within the same physical area are compatible, a separate 55 gallon or one quart limit shall apply to each group of wastestreams that are compatible.

(B) If the generator determines that using only one 55-gallon or one-quart container to initially accumulate specific compatible wastestreams is not practical (e.g., prevents recycling or requires unreasonable accumulation procedures) or safe from an environmental or worker/public health and safety standpoint, the generator may use a separate 55-gallon or one-quart container for those specific compatible wastestreams. The generator's determination shall be subject to review and approval by the Department at any time.

(3) A generator who has accumulated an amount of hazardous waste, acutely hazardous waste or extremely hazardous waste equal to any applicable quantity limitation listed in subsection (e)(1) of this section at or near any point of generation shall, with respect to that waste, comply within three days with subsection (a) of this section and other applicable provisions of this division. During the

three day period the generator shall continue to comply with subsection (e)(1) of this section. Within the three day period, the generator shall mark the container holding the hazardous waste with the date the applicable quantity limitation was reached.

(f) Generators who accumulate hazardous waste on site without a permit or grant of interim status shall comply with the following requirements:

(1) the date upon which each period of accumulation begins shall be clearly marked and visible for inspection on each container and portable tank;

(2) the date the applicable accumulation period specified in subsection (a) or (d) of this section begins, for purposes of subsections (a) and (b) of this section, shall be clearly marked and visible for inspection on each container and tank; and

(3) each container and tank used for onsite accumulation of hazardous waste shall be labeled or marked clearly with the words, "Hazardous Waste." Additionally, all containers and portable tanks shall be labeled with the following information:

(A) composition and physical state of the wastes;

(B) statement or statements which call attention to the particular hazardous properties of the waste (e.g., flammable, reactive, etc.);

(C) name and address of the person producing the waste.

(g) This subsection takes effect on September 5, 2006. Except as provided in Health and Safety Code section 25160.6, subdivision (e), a generator who sends a shipment of hazardous waste to a designated facility with the understanding that the designated facility can accept and manage the waste and later receives that shipment back as a rejected load or residue in accordance with the manifest discrepancy provisions of sections 66264.72 or 66265.72 may accumulate the returned waste onsite for 90 days or less, in accordance with the requirements of paragraph (1) of subsection (a) of this section. Upon receipt of the returned shipment, the generator shall:

(1) sign Item 18c of the manifest, if the transporter returned the shipment using the original manifest; or

(2) sign Item 20 of the manifest, if the transporter returned the shipment using a new manifest;

(3) submit a copy of the signed manifest to the department within 30 days of receipt. Mail the legible manifest copy, specifically the Designated Facility-to- Destination State manifest copy (Page 1 of the manifest as provided in section 66262.21, subsection (d)) to:

DTSC FACILITY MANIFESTS  
P.O. BOX 3000, SACRAMENTO, CA  
95812-3000

(h) The generator of the rejected hazardous waste shall label or mark the hazardous waste in a manner that indicates that it is rejected hazardous waste and shall include the date it was received by the generator. If the generator of the rejected hazardous waste commingles it with other

hazardous wastes, the shorter of any applicable accumulation time limits shall apply to the commingled hazardous waste.

(i) When making the quantity determinations for purposes of this section, a generator shall include all hazardous waste that it has generated in any month, except for hazardous wastes that are managed as universal wastes pursuant to the requirements of Chapter 23 of this Division.

Note: Authority cited: Sections 25150, 25159, 25159.5, 25160.6, 25179.6 and 58012, Health and Safety Code. Reference: Sections 25123.3, 25150, 25158.1, 25159, 25159.5, 25160.6 and 58012, Health and Safety Code; and 40 Code of Federal Regulations Section 262.34.