

KY DWM – Hazardous Waste Generator Requirements Summary

Regulatory Provision	40 CFR	401 KAR/KRS	LQG	SQG	VSQG
Hazardous waste generation rate	§260.10 & §262.13	KAR 39:080 Sec 1(1) *Not defined in KRS 224.1-010(12) defer to federal definitions	Generates any of the following amounts in a calendar month: (1) Greater than or equal to 1,000 kg (2200 lbs) of non-acute hazardous waste; or (2) Greater than 1 kg (2.2 lbs) of acute hazardous waste (3) Greater than 100 kg (220 lbs) of acute cleanup residue	Generates the following amounts in a calendar month: (1) Greater than 100 kg (220 lbs) but less than 1,000 kg (2200 lbs) of non-acute hazardous waste; and (2) Less than or equal to 1 kg (2.2 lbs) of acute hazardous waste (3) Less than or equal to 100 kg (220 lbs) of acute cleanup residue	Generates less than or equal to the following amounts in a calendar month: (1) 100 kg (220 lbs) of non-acute hazardous waste; and (2) 1 kg (2.2 lbs) of acute hazardous waste (3) 100 kg (220 lbs) of acute cleanup residue
Notify EPA/State of hazardous waste activity and obtain EPA ID #	§262.18(a)	KAR 39:080 Sec 1(2)	Required with Annual Report Addendum DWM 7072A	Required with Annual Report Addendum DWM 7072A	Not required except for Episodic Generation or transport
Allowable accumulation units	§265 Subparts J, I, W & DD	KAR 39:090 Sec 2(1)	Tanks: Subpart J, Containers: Subpart I, Drip Pads: subpart W, Buildings: subpart DD	Tanks: Subpart J, Containers: Subpart I	Any (as long as no placement on the land occurs)
Allowable accumulation period	§262.14-17	KAR 39:080 Sec 1(1)	90 days	180 days (270 days if the waste is transported 200+ miles)	None up to 1,000 kg (2,200 lbs) then 180 days
Hazardous waste label	§262.17(a)(5)	KAR 39:080 Sec 1(1)	Required on each tank and container	Required on each tank and container	No requirement

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Accumulation start date marking	§262.17(a)(5)(C)	KAR 39:080 Sec 1(1)	Date labeled on each container, recorded in facility log for tanks, drip pads, and containment buildings	Date labeled on each container, recorded in facility log for tanks	No requirement
Maximum onsite waste accumulation	§262.14 & §262.16	KAR 39:080 Sec 1(1)	No quantity limit	6,000kg (13,200 lbs)	1,000kg (2,200 lbs)
Container location standards	§265.176 & §262.16(b)(3)(vii)(B) & §262.17(a)(1)(vi)	KAR 39:090 Sec 2(1)	At least 15 meters (50 ft) from the property line for ignitable or reactive	1/6 th sum of adjacent tank diameters not less than 3 ft for ignitable or reactive	None
Treatment allowed in accumulation units	§262.16 §265.17(b)	KAR 39:080 Sec 1(7)	Permitted with cabinet approval	Permitted with cabinet approval	Permitted with cabinet approval
Meet subparts AA-CC organic air emission standards	§265 subparts AA & CC	KAR 39:090 Sec 2(1)	Required for tanks and containers	No requirement	No requirement
Use a manifest to ship waste offsite	§262.24 §265 subpart E	KAR 39:090 Sec 2(1)	Required signed and dated by owner, operator or agent	Required signed and dated by owner, operator or agent	No requirement
Allowable classes of facilities to receive offsite shipment	§262.14(a)(5) & §262.18(a)-(c)	KAR 39:080 Sec 1(9)-(10)	Permitted or interim hazardous waste facilities Hazardous waste recycling facilities	Permitted or interim hazardous waste facilities Hazardous waste recycling facilities	Permitted or interim hazardous waste facilities Hazardous waste recycling facilities State-permitted, licensed, or registered municipal/industrial waste facilities

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Use transporters and offsite facilities with EPA ID #'s	§262.18(c)	KAR 39:080 Sec 1(9)	Required	Required	No requirement
Prepare LDR notifications/certification	§262.16(7) & §262.17(9)	KAR 39:080 Sec 1(1)	Required	Required	No requirement
Personnel training	§262.16 §262.17	KAR 39:090 Sec 1 & KRS 224.50-130(3)(c)	Required	Required	No requirement
Preparedness and prevention	§262.16 §262.17 §262 Subpart M	KAR 39:090 Sec 2(1)	Required	Required	No requirement
Contingency plan and emergency procedures	§262.16 §262.17 §262 Subpart M	KAR 39:090 Sec 2(1) & KAR 39:080 Sec 1(1)	Required	Required	No requirement
Waste Minimization Plan certification	§262.27	KAR 39:090 Sec 2(1)	Required	Required	No requirement
Prepare/file records	§262.40-44	KAR 39:080 Sec 1(1) & KRS 224.46-510	Required to keep records for 3 years	Required to keep records for 3 years	No requirement but should keep hazardous identification records

These guidelines have been drafted under the provisions of KRS Chapter 224 and regulations promulgated pursuant thereto. Adherence to these guidelines does not supersede any requirement to comply with 401 KAR regulations nor relieve the permittee from the responsibility of obtaining any other permits or licenses required by this Cabinet and other state, federal, and local agencies.