

Code of federal regulations

Protection of
Environment

009801

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PARTS 190 TO 299
Revised as of July 1, 1989



PLEASE RETURN TO:
ENVIRONMENTAL DIVISION
RESOURCE CENTER

Group 1-A	Group 1-B
	Spent sulfuric acid

Potential consequences: Heat generation; violent reaction.

Group 2-A	Group 2-B
Aluminum Beryllium Calcium Lithium Magnesium Potassium Sodium Zinc powder Other reactive metals and metal hydrides	Any waste in Group 1-A or 1-B

Potential consequences: Fire or explosion; generation of flammable hydrogen gas.

Group 3-A	Group 3-B
Alcohols Water	Any concentrated waste in Groups 1-A or 1-B Calcium Lithium Metal hydrides Potassium SO ₂ Cl ₂ , SOCl ₂ , PCl ₅ , CH ₃ SiCl ₃ Other water-reactive waste

Potential consequences: Fire, explosion, or heat generation; generation of flammable or toxic gases.

Group 4-A	Group 4-B
Alcohols Aldehydes Halogenated hydrocarbons Nitrated hydrocarbons Unsaturated hydrocarbons Other reactive organic compounds and solvents	Concentrated Group 1-A or 1-B wastes Group 2-A wastes

Potential consequences: Fire, explosion, or violent reaction.

Group 5-A	Group 5-B
Spent cyanide and sulfide solutions	Group 1-B wastes

Potential consequences: Generation of toxic hydrogen cyanide or hydrogen sulfide gas.

Group 6-A	Group 6-B
Chlorates Chlorine Chlorites Chromic acid Hypochlorites Nitrates Nitric acid, fuming Perchlorates Permanganates Peroxides Other strong oxidizers	Acetic acid and other organic acids Concentrated mineral acids Group 2-A wastes Group 4-A wastes Other flammable and combustible wastes

Potential consequences: Fire, explosion, or violent reaction.

Source: "Law, Regulations, and Guidelines for Handling of Hazardous Waste." California Department of Health, February 1975.

PART 266—STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES

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Subpart G—Spent Lead-Acid Batteries Being Reclaimed

- 266.80 Applicability and requirements.

AUTHORITY: Secs. 1006, 2002(a), 3004, and 3014 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6905, 6912(a), 6924, and 6934).

SOURCE: 50 FR 666, Jan. 4, 1985, unless otherwise noted.

Subparts A—B [Reserved]

Subpart C—Recyclable Materials Used in a Manner Constituting Disposal

- § 266.20 Applicability.

(a) The regulations of this subpart apply to recyclable materials that are applied to or placed on the land:

- (1) Without mixing with any other substance(s); or
- (2) After mixing or combination with any other substance(s). These materials will be referred to throughout this subpart as "materials used in a manner that constitutes disposal."

(b) Products produced for the general public's use that are used in a manner that constitutes disposal and that contain recyclable materials are not presently subject to regulation if the recyclable materials have undergone a chemical reaction in the course of producing the products so as to become inseparable by physical means and if such products meet the applicable treatment standards in Subpart D of Part 268 (or applicable prohibition levels in § 268.32 or RCRA section 3004(d), where no treatment standards

have been established) for each recyclable material (i.e., hazardous waste constituent) that they contain. However, zinc-containing fertilizers using hazardous waste K061 that are produced for the general public's use are not presently subject to regulation.

[50 FR 666, Jan. 4, 1985, as amended at 52 FR 21307, June 5, 1987; 53 FR 31212, Aug. 17, 1988]

- § 266.21 Standards applicable to generators and transporters of materials used in a manner that constitute disposal.

Generators and transporters of materials that are used in a manner that constitutes disposal are subject to the applicable requirements of Parts 262 and 263 of this chapter, and the notification requirement under section 3010 of RCRA.

- § 266.22 Standards applicable to storers of materials that are to be used in a manner that constitutes disposal who are not the ultimate users.

Owners or operators of facilities that store recyclable materials that are to be used in a manner that constitutes disposal, but who are not the ultimate users of the materials, are regulated under all applicable provisions of Subparts A through L of Parts 264 and 265 and Parts 270 and 124 of this chapter and the notification requirement under section 3010 of RCRA.

- § 266.23 Standards applicable to users of materials that are used in a manner that constitutes disposal.

(a) Owners or operators of facilities that use recyclable materials in a manner that constitutes disposal are regulated under all applicable provisions of Subparts A through N of Parts 264 and 265 and Parts 270 and 124 of this chapter and the notification requirement under section 3010 of RCRA. (These requirements do not apply to products which contain these recyclable materials under the provisions of § 266.20(b) of this chapter.)

(b) The use of waste or used oil or other material, which is contaminated with dioxin or any other hazardous waste (other than a waste identified solely on the basis of ignitability), for

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[50 FR 666, Jan. 4, 1985, as amended at 50 FR 28750, July 15, 1985]

Subpart D—Hazardous Waste Burned for Energy Recovery

SOURCE: 50 FR 49204, Nov. 29, 1985, unless otherwise noted.

§ 266.30 Applicability.

(a) The regulations of this subpart apply to hazardous wastes that are burned for energy recovery in any boiler or industrial furnace that is not regulated under Subpart O of Part 264 or 265 of this chapter, except as provided by paragraph (b) of this section. Such hazardous wastes burned for energy recovery are termed "hazardous waste fuel". Fuel produced from hazardous waste by processing, blending, or other treatment is also hazardous waste fuel. (These regulations do not apply, however, to gas recovered from hazardous waste management activities when such gas is burned for energy recovery.)

(b) The following hazardous wastes are not subject to regulation under this subpart:

(1) Used oil burned for energy recovery that is also a hazardous waste solely because it exhibits a characteristic of hazardous waste identified in Subpart C of Part 261 of this chapter. Such used oil is subject to regulation under Subpart E of Part 266 rather than this subpart; and

(2) Hazardous wastes that are exempt from regulation under §§ 261.4 and 261.6(a) (3) (v) through (ix) of this chapter, and hazardous wastes that are subject to the special requirements for small quantity generators under § 261.5 of this chapter.

§ 266.31 Prohibitions.

(a) A person may market hazardous waste fuel only:

(1) To persons who have notified EPA of their hazardous waste fuel activities and have a U.S. EPA Identification Number; and

(2) If the fuel is burned, to persons who burn the fuel in boilers or industrial furnaces identified in paragraph (b) of this section.

(b) Hazardous waste fuel may be burned for energy recovery in only the following devices:

(1) Industrial furnaces identified in § 260.10 of this chapter;

(2) Boilers, as defined in § 260.10 of this chapter, that are identified as follows:

(i) Industrial boilers located on the site of a facility engaged in a manufacturing process where substances are transformed into new products, including the component parts of products, by mechanical or chemical processes; or

(ii) Utility boilers used to produce electric power, steam, or heated or cooled air or other gases or fluids for sale.

(c) No fuel which contains any hazardous waste may be burned in any cement kiln which is located within the boundaries of any incorporated municipality with a population greater than 500,000 (based on the most recent census statistics) unless such kiln fully complies with regulations under this chapter that are applicable to incinerators.

[50 FR 49204, Nov. 29, 1985, as amended at 52 FR 11821, Apr. 13, 1987]

§ 266.32 Standards applicable to generators of hazardous waste fuel.

(a) Generators of hazardous waste that is used as a fuel or used to produce a fuel are subject to Part 262 of this chapter.

(b) Generators who market hazardous waste fuel to a burner also are subject to § 266.34.

(c) Generators who are burners also are subject to § 266.35.

§ 266.33 Standards applicable to transporters of hazardous waste fuel.

Transporters of hazardous waste fuel (and hazardous waste that is used to produce a fuel) are subject to Part 263 of this chapter.

§ 266.34 Standards applicable to marketers of hazardous waste fuel.

Persons who market hazardous waste fuel are termed "marketers", and are subject to the following requirements. Marketers include generators who market hazardous waste fuel

directly to a burner, persons who receive hazardous waste from generators and produce, process, or blend hazardous waste fuel from these hazardous wastes, and persons who distribute but do not process or blend hazardous waste fuel.

(a) *Prohibitions.* The prohibitions under § 266.31(a);

(b) *Notification.* Notification of hazardous waste fuel activities. Even if a marketer has previously notified EPA of his hazardous waste management activities and obtained a U.S. EPA Identification Number, he must renotify to identify his hazardous waste fuel activities.

(c) *Storage.* The applicable provisions of § 262.34, and Subparts A through L of Part 264, Subparts A through L of Part 265, and Part 270 of this chapter;

(d) *Off-site shipment.* The standards for generators in Part 262 of this chapter when a marketer initiates a shipment of hazardous waste fuel;

(e) *Required notices.* (1) Before a marketer initiates the first shipment of hazardous waste fuel to a burner or another marketer, he must obtain a one-time written and signed notice from the burner or marketer certifying that:

(i) The burner or marketer has notified EPA and identified his waste-as-fuel activities; and

(ii) If the recipient is a burner, the burner will burn the hazardous waste fuel only in an industrial furnace or boiler identified in § 266.31(b).

(2) Before a marketer accepts the first shipment of hazardous waste fuel from another marketer, he must provide the other marketer with a one-time written and signed certification that he has notified EPA under section 3010 of RCRA and identified his hazardous waste fuel activities; and

(f) *Recordkeeping.* In addition to the applicable recordkeeping requirements of Parts 262, 264, and 265 of this chapter, a marketer must keep a copy of each certification notice he receives or sends for three years from the date he last engages in a hazardous waste fuel marketing transaction with the person who sends or receives the certification notice.

(The notification requirements contained in paragraph (b) of this section were approved by the Office of Management and Budget under control number 2050-0028. The storage requirements contained in paragraph (c) of this section were approved by the Office of Management and Budget under control number 2050-0009. The manifest and invoice requirements contained in paragraph (d) of this section were approved by the Office of Management and Budget under control numbers 2050-0039 and 2050-0047, respectively. The certification requirements contained in paragraph (e) were approved by the Office of Management and Budget under control number 2050-0047. The recordkeeping requirements contained in paragraph (f) were approved by the Office of Management and Budget under control number 2050-0047.)

[50 FR 49204, Nov. 29, 1985, as amended at 52 FR 11821, Apr. 13, 1987]

§ 266.35 Standards applicable to burners of hazardous waste fuel.

Owners and operators of industrial furnaces and boilers identified in § 266.31(b) that burn hazardous waste fuel are "burners" and are subject to the following requirements:

(a) *Prohibitions.* The prohibitions under § 266.31(b);

(b) *Notification.* Notification of hazardous waste fuel activities. Even if a burner has previously notified EPA of his hazardous waste management activities and obtained a U.S. EPA Identification Number, he must renotify to identify his hazardous waste fuel activities.

(c) *Storage.* (1) For short term accumulation by generators who burn their hazardous waste fuel on site, the applicable provisions of § 262.34 of this chapter;

(2) For existing storage facilities, the applicable provisions of Subparts A through L of Part 265, and Parts 270 and 124 of this chapter; and

(3) For new storage facilities, the applicable provisions of Subparts A through L of Part 264, and Parts 270 and 124 of this chapter;

(d) *Required notices.* Before a burner accepts the first shipment of hazardous waste fuel from a marketer, he must provide the marketer a one-time written and signed notice certifying that:

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- (1) He has notified EPA and identified his waste-as-fuel activities; and
- (2) He will burn the fuel only in a boiler or furnace identified in § 266.31(b).

(e) **Recordkeeping.** In addition to the applicable recordkeeping requirements of Parts 264 and 265 of this chapter, a burner must keep a copy of each certification notice that he sends to a marketer for three years from the date he last receives hazardous waste fuel from that marketer.

(The notification requirements contained in paragraph (b) of this section were approved by the Office of Management and Budget under control number 2050-0028. The storage requirements contained in paragraph (c) of this section were approved by the Office of Management and Budget under control number 2050-0009. The certification requirements contained in paragraph (d) of this section were approved by the Office of Management and Budget under control number 2050-0047. The recordkeeping requirements contained in paragraph (e) of this section were approved by the Office of Management and Budget under control number 2050-0047.)

[50 FR 49204, Nov. 29, 1985, as amended at 52 FR 11821, Apr. 13, 1987]

Subpart E—Used Oil Burned for Energy Recovery

SOURCE: 50 FR 49205, Nov. 29, 1985, unless otherwise noted.

§ 266.40 Applicability.

(a) The regulations of this subpart apply to used oil that is burned for energy recovery in any boiler or industrial furnace that is not regulated under Subpart O of Part 264 or 265 of this chapter, except as provided by paragraphs (c) and (e) of this section. Such used oil is termed "used oil fuel". Used oil fuel includes any fuel produced from used oil by processing, blending, or other treatment.

(b) "Used oil" means any oil that has been refined from crude oil, used, and, as a result of such use, is contaminated by physical or chemical impurities.

(c) Except as provided by paragraph (d) of this section, used oil that is mixed with hazardous waste and burned for energy recovery is subject to regulation as hazardous waste fuel under Subpart D of Part 266. Used oil

containing more than 1000 ppm of total halogens is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste listed in Subpart D of Part 261 of this chapter. Persons may rebut this presumption by demonstrating that the used oil does not contain hazardous waste (for example, by showing that the used oil does not contain significant concentrations of halogenated hazardous constituents listed in Appendix VIII of Part 261 of this chapter).

(d) Used oil burned for energy recovery is subject to regulation under this subpart rather than as hazardous waste fuel under Subpart D of this part if it is a hazardous waste solely because it:

(1) Exhibits a characteristic of hazardous waste identified in Subpart C of Part 261 of this chapter, provided that it is not mixed with a hazardous waste; or

(2) Contains hazardous waste generated only by a person subject to the special requirements for small quantity generators under § 261.5 of this chapter.

(e) Except as provided by paragraph (c) of this section, used oil burned for energy recovery, and any fuel produced from used oil by processing, blending, or other treatment, is subject to regulation under this subpart unless it is shown not to exceed any of the allowable levels of the constituents and properties in the specification shown in the following table. Used oil fuel that meets the specification is subject only to the analysis and recordkeeping requirements under § 266.43(b) (1) and (6). Used oil fuel that exceeds any specification level is termed "off-specification used oil fuel".

USED OIL EXCEEDING ANY SPECIFICATION LEVEL IS SUBJECT TO THIS SUBPART WHEN BURNED FOR ENERGY RECOVERY *

Constituent/property	Allowable level
Arsenic	5 ppm maximum.
Cadmium.....	2 ppm maximum.
Chromium.....	10 ppm maximum.
Lead	100 ppm maximum.
Flash Point	100 °F minimum.

USED OIL EXCEEDING ANY SPECIFICATION LEVEL IS SUBJECT TO THIS SUBPART WHEN BURNED FOR ENERGY RECOVERY ^a—Continued

Constituent/property	Allowable level
Total Halogens.....	4,000 ppm maximum. ^b

^a The specification does not apply to used oil fuel mixed with a hazardous waste other than small quantity generator hazardous waste.

^b Used oil containing more than 1,000 ppm total halogens is presumed to be a hazardous waste under the rebuttable presumption provided under § 266.40(c). Such used oil is subject to Subpart D of this part rather than this subpart when burned for energy recovery unless the presumption of mixing can be successfully rebutted.

§ 266.41 Prohibitions.

(a) A person may market off-specification used oil for energy recovery only:

(1) To burners or other marketers who have notified EPA of their used oil management activities stating the location and general description of such activities, and who have an EPA identification number; and

(2) To burners who burn the used oil in an industrial furnace or boiler identified in paragraph (b) of this section.

(b) Off-specification used oil may be burned for energy recovery in only the following devices:

(1) Industrial furnaces identified in § 260.10 of this chapter; or

(2) Boilers, as defined in § 260.10 of this chapter, that are identified as follows:

(i) Industrial boilers located on the site of a facility engaged in a manufacturing process where substances are transformed into new products, including the component parts of products, by mechanical or chemical processes;

(ii) Utility boilers used to produce electric power, steam, or heated or cooled air or other gases or fluids for sale; or

(iii) Used oil-fired space heaters provided that:

(A) The heater burns only used oil that the owner or operator generates or used oil received from do-it-yourself oil changers who generate used oil as household waste;

(B) The heater is designed to have a maximum capacity of not more than 0.5 million Btu per hour; and

(C) The combustion gases from the heater are vented to the ambient air.

§ 266.42 Standards applicable to generators of used oil burned for energy recovery.

(a) Except as provided in paragraphs (b) and (c) of this section, generators of used oil are not subject to this subpart.

(b) Generators who market used oil directly to a burner are subject to § 266.43.

(c) Generators who burn used oil are subject to § 266.44.

§ 266.43 Standards applicable to marketers of used oil burned for energy recovery.

(a) Persons who market used oil fuel are termed "marketers". Except as provided below, marketers include generators who market used oil fuel directly to a burner, persons who receive used oil from generators and produce, process, or blend used oil fuel from these used oils (including persons sending blended or processed used oil to brokers or other intermediaries), and persons who distribute but do not process or blend used oil fuel. The following persons are not marketers subject to this subpart:

(1) Used oil generators, and collectors who transport used oil received only from generators, unless the generator or collector markets the used oil directly to a person who burns it for energy recovery. However, persons who burn some used oil fuel for purposes of processing or other treatment to produce used oil fuel for marketing are considered to be burning incidentally to processing. Thus, generators and collectors who market to such incidental burners are not marketers subject to this subpart;

(2) Persons who market only used oil fuel that meets the specification under § 266.40(e) and who are not the first person to claim the oil meets the specification (i.e., marketers who do not receive used oil from generators or initial transporters and marketers who neither receive nor market off-specification used oil fuel).

(b) Marketers are subject to the following requirements:

(1) *Analysis of used oil fuel.* Used oil fuel is subject to regulation under this subpart unless the marketer obtains analyses or other information documenting that the used oil fuel meets the specification provided under § 266.40(e).

(2) *Prohibitions.* The prohibitions under § 266.41(a);

(3) *Notification.* Notification to EPA stating the location and general description of used oil management activities. Even if a marketer has previously notified EPA of his hazardous waste management activities under section 3010 of RCRA and obtained a U.S. EPA Identification Number, he must renotify to identify his used oil management activities.

(4) *Invoice system.* When a marketer initiates a shipment of off-specification used oil, he must prepare and send the receiving facility an invoice containing the following information:

- (i) An invoice number;
- (ii) His own EPA identification number and the EPA identification number of the receiving facility;
- (iii) The names and addresses of the shipping and receiving facilities;
- (iv) The quantity of off-specification used oil to be delivered;
- (v) The date(s) of shipment or delivery; and
- (vi) The following statement: "This used oil is subject to EPA regulation under 40 CFR Part 266";

NOTE: Used oil that meets the definition of combustible liquid (flash point below 200 °F but at or greater than 100 °F) or flammable liquid (flash point below 100 °F) is subject to Department of Transportation Hazardous Materials Regulations at 49 CFR Parts 100 through 177.

(5) *Required notices.* (i) Before a marketer initiates the first shipment of off-specification used oil to a burner or other marketer, he must obtain a one-time written and signed notice from the burner or marketer certifying that:

(A) The burner or marketer has notified EPA stating the location and general description of his used oil management activities; and

(B) If the recipient is a burner, the burner will burn the off-specification used oil only in an industrial furnace or boiler identified in § 266.41(b); and

(ii) Before a marketer accepts the first shipment of off-specification used oil from another marketer subject to the requirements of this section, he must provide the marketer with a one-time written and signed notice certifying that he has notified EPA of his used oil management activities; and

(6) *Recordkeeping*—(i) *Used oil fuel that meets the specification.* A marketer who first claims under paragraph (b)(1) of this section that used oil fuel meets the specification must keep copies of analysis (or other information used to make the determination) of used oil for three years. Such marketers must also record in an operating log and keep for three years the following information on each shipment of used oil fuel that meets the specification. Such used oil fuel is not subject to further regulation, unless it is subsequently mixed with hazardous waste or unless it is mixed with used oil so that it no longer meets the specification.

(A) The name and address of the facility receiving the shipment;

(B) The quantity of used oil fuel delivered;

(C) The date of shipment or delivery; and

(D) A cross-reference to the record of used oil analysis (or other information used to make the determination that the oil meets the specification) required under paragraph (b)(6)(i) of this section.

(ii) *Off-specification used oil fuel.* A marketer who receives or initiates an invoice under the requirements of this section must keep a copy of each invoice for three years from the date the invoice is received or prepared. In addition, a marketer must keep a copy of each certification notice that he receives or sends for three years from the date he last engages in an off-specification used oil fuel marketing transaction with the person who sends or receives the certification notice.

(The analysis requirements contained in paragraph (b)(1) of this section were approved by OMB under control number 2050-0047. The notification requirements contained in paragraph (b)(3) of this section were approved by OMB under control number 2050-0028. The invoice requirements contained in paragraph (b)(4) of this

section were approved by OMB under control number 2050-0047. The certification requirements contained in paragraph (b)(5) of this section were approved by OMB under control number 2050-0047. The recordkeeping requirements contained in paragraph (b)(6) of this section were approved by OMB under control number 2050-0047.)

[50 FR 49205, Nov. 29, 1985, as amended at 52 FR 11822, Apr. 13, 1987]

§ 266.44 Standards applicable to burners of used oil burned for energy recovery.

Owners and operators of facilities that burn used oil fuel are "burners" and are subject to the following requirements:

(a) *Prohibition.* The prohibition under § 266.41(b);

(b) *Notification.* Burners of off-specification used oil fuel, and burners of used oil fuel who are the first to claim that the oil meets the specification provided under § 266.40(e), except burners who burn specification oil that they generate, must notify EPA stating the location and general description of used oil management activities. Burners of used oil fuel that meets the specification who receive such oil from a marketer that previously notified EPA are not required to notify. Owners and operators of used oil-fired space heaters that burn used oil fuel under the provisions of § 266.41(b)(2) are exempt from this notification requirement. Even if a burner has previously notified EPA of his hazardous waste management activities under section 3010 of RCRA and obtained an identification number, he must renotify to identify his used oil management activities.

(c) *Required notices.* Before a burner accepts the first shipment of off-specification used oil fuel from a marketer, he must provide the marketer a one-time written and signed notice certifying that:

(1) He has notified EPA stating the location and general description of his used oil management activities; and

(2) He will burn the used oil only in an industrial furnace or boiler identified in § 266.41(b); and

(d) *Used oil fuel analysis.* (1) Used oil fuel burned by the generator is subject to regulation under this subpart unless the burner obtains analysis (or other information) documenting that

the used oil meets the specification provided under § 266.40(e).

(2) Burners who treat off-specification used oil fuel by processing, blending, or other treatment to meet the specification provided under § 266.40(e) must obtain analyses (or other information) documenting that the used oil meets the specification.

(e) *Recordkeeping.* A burner who receives an invoice under the requirements of this section must keep a copy of each invoice for three years from the date the invoice is received. Burners must also keep for three years copies of analyses of used oil fuel as may be required by paragraph (d) of this section. In addition, he must keep a copy of each certification notice that he sends to a marketer for three years from the date he last receives off-specification used oil from that marketer.

(The notification requirements contained in paragraph (b) of this section were approved by OMB under control number 2050-0028. The certification requirements contained in paragraph (c) of this section were approved by OMB under control number 2050-0047. The analysis requirements contained in paragraph (d) of this section were approved by OMB under control number 2050-0047. The recordkeeping requirements contained in paragraph (e) of this section were approved by OMB under control number 2050-0047.)

[50 FR 49205, Nov. 29, 1985, as amended at 52 FR 11822, Apr. 13, 1987]

Subpart F—Recyclable Materials Utilized for Precious Metal Recovery

§ 266.70 Applicability and requirements.

(a) The regulations of this subpart apply to recyclable materials that are reclaimed to recover economically significant amounts of gold, silver, platinum, palladium, iridium, osmium, rhodium, ruthenium, or any combination of these.

(b) Persons who generate, transport, or store recyclable materials that are regulated under this subpart are subject to the following requirements:

(1) Notification requirements under section 3010 of RCRA;

(2) Subpart B of Part 262 (for generators), §§ 263.20 and 263.21 (for transporters), and §§ 265.71 and 265.72

(for persons who store) of this chapter;

(c) Persons who store recycled materials that are regulated under this subpart must keep the following records to document that they are not accumulating these materials speculatively (as defined in § 261.1(c) of this chapter);

(1) Records showing the volume of these materials stored at the beginning of the calendar year;

(2) The amount of these materials generated or received during the calendar year; and

(3) The amount of materials remaining at the end of the calendar year.

(d) Recyclable materials that are regulated under this subpart that are accumulated speculatively (as defined in § 261.1(c) of this chapter) are subject to all applicable provisions of Parts 262 through 265, 270 and 124 of this chapter.

Subpart G—Spent Lead-Acid Batteries Being Reclaimed

§ 266.80 Applicability and requirements.

(a) The regulations of this subpart apply to persons who reclaim spent lead-acid batteries that are recyclable materials (“spent batteries”). Persons who generate, transport, or collect spent batteries, or who store spent batteries but do not reclaim them are not subject to regulation under Parts 262 through 266 or Part 270 or 124 of this chapter, and also are not subject to the requirements of section 3010 of RCRA.

(b) Owners or operators of facilities that store spent batteries before reclaiming them are subject to the following requirements.

(1) Notification requirements under section 3010 of RCRA;

(2) All applicable provisions in Subparts A, B (but not § 264.13 (waste analysis)), C, D, E (but not § 264.71 or § 264.72 (dealing with the use of the manifest and manifest discrepancies)), and F through L of Part 264 of this chapter;

[50 FR 666, Jan. 4, 1985, as amended at 50 FR 33543, Aug. 20, 1985]

PART 267—INTERIM STANDARDS FOR OWNERS AND OPERATORS OF NEW HAZARDOUS WASTE LAND DISPOSAL FACILITIES

Subpart A—General

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- 267.1 Purpose, scope and applicability.
- 267.2 Applicability of Part 264 standards.
- 267.3 Duration of Part 267 standards and their relationship to permits.
- 267.4 Imminent hazard action.
- 267.5 Additional permit procedures applicable to Part 267.
- 267.6 Definitions.

Subpart B—Environmental Performance Standard

- 267.10 Environmental performance standard.

Subpart C—Landfills

- 267.20 Applicability.
- 267.21 General design requirements.
- 267.22 General operating requirements.
- 267.23 Closure and post-closure.
- 267.24 Treatment of waste.
- 267.25 Additional requirements.

Subpart D—Surface Impoundments

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