§ 264.2 [Reserved]

§ 264.3 Relationship to interim status standards.

A facility owner or operator who has fully complied with the requirements for interim status—as defined in section 3005(e) of RCRA and regulations under §270.70 of this chapter—must comply with the regulations specified in part 265 of this chapter in lieu of the regulations in this part, until final administrative disposition of his permit application is made, except as provided under 40 CFR part 264 subpart S.

[Comment: As stated in section 3005(a) of RCRA, after the effective date of regulations under that section, i.e., parts 270 and 124 of this chapter, the treatment, storage, or disposal of hazardous waste is prohibited except in accordance with a permit. Section 3005(e) of RCRA provides for the continued operation of an existing facility which meets certain conditions until final administrative disposition of the owner’s or operator’s permit application is made.]


§ 264.4 Imminent hazard action.

Notwithstanding any other provisions of these regulations, enforcement actions may be brought pursuant to section 7003 of RCRA.

[45 FR 33221, May 19, 1980, as amended at 71 FR 40272, July 14, 2006]

Subpart B—General Facility Standards

§ 264.10 Applicability.

(a) The regulations in this subpart apply to owners and operators of all hazardous waste facilities, except as provided in §264.1 and in paragraph (b) of this section.

(b) Section 264.18(b) applies only to facilities subject to regulation under subparts I through O and subpart X of this part.


§ 264.11 Identification number.

Every facility owner or operator must apply to EPA for an EPA identification number in accordance with the EPA notification procedures (45 FR 12746).