

**§ 262.32**

**§ 262.32 Marking.**

(a) Before transporting or offering hazardous waste for transportation off-site, a generator must mark each package of hazardous waste in accordance with the applicable Department of Transportation regulations on hazardous materials under 49 CFR part 172;

(b) Before transporting hazardous waste or offering hazardous waste for transportation off site, a generator must mark each container of 119 gallons or less used in such transportation with the following words and information in accordance with the requirements of 49 CFR 172.304:

(1) HAZARDOUS WASTE—Federal Law Prohibits Improper Disposal. If found, contact the nearest police or public safety authority or the U.S. Environmental Protection Agency.

(2) Generator's Name and Address \_\_\_\_\_.

(3) Generator's EPA Identification Number \_\_\_\_\_.

(4) Manifest Tracking Number \_\_\_\_\_.

(5) EPA Hazardous Waste Number(s) \_\_\_\_\_.

(c) A generator may use a nationally recognized electronic system, such as bar coding, to identify the EPA Hazardous Waste Number(s), as required by paragraph (b)(5) or paragraph (d).

(d) Lab packs that will be incinerated in compliance with §268.42(c) are not required to be marked with EPA Hazardous Waste Number(s), except D004, D005, D006, D007, D008, D010, and D011, where applicable.

[45 FR 33142, May 19, 1980, as amended at 70 FR 10817, Mar. 4, 2005; 81 FR 85818, Nov. 28, 2016]

**§ 262.33 Placarding.**

Before transporting hazardous waste or offering hazardous waste for transportation off-site, a generator must placard or offer the initial transporter the appropriate placards according to Department of Transportation regulations for hazardous materials under 49 CFR part 172, subpart F.

[70 FR 35037, June 16, 2005]

**40 CFR Ch. I (7–1–23 Edition)**

**§ 262.34 [Reserved]**

**§ 262.35 Liquids in landfills prohibition.**

The placement of bulk or non-containerized liquid hazardous waste or hazardous waste containing free liquids (whether or not sorbents have been added) in any landfill is prohibited. Prior to disposal in a hazardous waste landfill, liquids must meet additional requirements as specified in §§ 264.314 and 265.314.

[81 FR 85818, Nov. 28, 2016]

**Subpart D—Recordkeeping and Reporting Applicable to Small and Large Quantity Generators**

**§ 262.40 Recordkeeping.**

(a) A generator must keep a copy of each manifest signed in accordance with §262.23(a) for three years or until he receives a signed copy from the designated facility which received the waste. This signed copy must be retained as a record for at least three years from the date the waste was accepted by the initial transporter.

(b) A generator must keep a copy of each Biennial Report and Exception Report for a period of at least three years from the due date of the report.

(c) See §262.11(f) for recordkeeping requirements for documenting hazardous waste determinations.

(d) The periods or retention referred to in this section are extended automatically during the course of any unresolved enforcement action regarding the regulated activity or as requested by the Administrator.

[45 FR 33142, May 19, 1980, as amended at 48 FR 3981, Jan. 28, 1983; 82 FR 85818, Nov. 28, 2016]

**§ 262.41 Biennial report for large quantity generators.**

(a) A generator who is a large quantity generator for at least one month of an odd-numbered year (reporting year) who ships any hazardous waste off-site to a treatment, storage or disposal facility within the United States must complete and submit EPA Form 8700–13 A/B to the Regional Administrator by March 1 of the following