

**CHAPTER 266a. MANAGEMENT OF SPECIFIC HAZARDOUS
WASTES AND SPECIFIC TYPES OF HAZARDOUS WASTE
MANAGEMENT FACILITIES**

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C. RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL	266a.20
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Authority

The provisions of this Chapter 266a issued under sections 105, 401—403 and 501 of the Solid Waste Management Act (35 P. S. §§ 6018.105, 6018.401—6018.403 and 6018.501); sections 105, 402 and 501 of The Clean Streams Law (35 P. S. §§ 691.105, 691.402 and 691.501); amended under section 105(a) of the Solid Waste Management Act (35 P. S. § 6018.105(a)); sections 5(b) and 402 of The Clean Streams Law (35 P. S. §§ 691.5(b) and 691.402); section 302 of the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. § 4000.302); section 480(e) of the Pennsylvania Used Oil Recycling Act (58 P. S. § 480(e)); and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20), unless otherwise noted.

Source

The provisions of this Chapter 265a adopted April 30, 1999, effective May 1, 1999, 29 Pa.B. 2367, unless otherwise noted.

Cross References

This chapter cited in 25 Pa. Code § 252.3 (relating to scope); 25 Pa. Code § 261a.6 (relating to requirements for recyclable materials); 25 Pa. Code § 264a.1 (relating to incorporation by reference, purpose, scope and reference); and 25 Pa. Code § 265a.1 (relating to incorporation by reference, purpose, scope and applicability).

**Subchapter C. RECYCLABLE MATERIALS USED IN A MANNER
CONSTITUTING DISPOSAL**

Sec.
266a.20. Incorporation by reference and applicability.

Cross References

This section cited in 25 Pa. Code § 264a.1 (relating to incorporation by reference, purpose, scope and applicability); 25 Pa. Code § 265a.1 (relating to incorporation by reference, purpose, scope and applicability); and 25 Pa. Code § 266b.31 (relating to waste management for universal waste mercury-containing devices).

§ 266a.20. Incorporation by reference and applicability.

Except as expressly provided in this chapter, 40 CFR Part 266 and its appendices (relating to standards for the management of specific hazardous wastes; and specific types of hazardous waste management facilities) are incorporated by reference.

Subchapter E. [Reserved]**Source**

The provisions of this Subchapter E reserved June 1, 2001, effective June 2, 2001, 31 Pa.B. 2873. Immediately preceding text appears at serial pages (272734) to (272740).

Cross References

This subchapter cited in 25 Pa. Code § 264a.1 (relating to incorporation by reference, purpose, scope and reference); 25 Pa. Code § 265a.1 (relating to incorporation by reference, purpose, scope and applicability); 25 Pa. Code § 266b.31 (relating to waste management for universal waste mercury-containing devices); and 25 Pa. Code § 298.10 (relating to applicability).

§ 266a.40—266a.44. [Reserved].**Subchapter F. RECYCLABLE MATERIALS UTILIZED
FOR PRECIOUS METAL RECOVERY**

Sec.
266a.70. Applicability and requirements.

Cross References

This subchapter cited in 25 Pa. Code § 264a.1 (relating to incorporation by reference, purpose, scope and reference); 25 Pa. Code § 265a.1 (relating to incorporation by reference, purpose, scope and applicability); and 25 Pa. Code § 266b.31 (relating to waste management for universal waste mercury-containing devices).

§ 266a.70. Applicability and requirements.

In addition to the requirements incorporated by reference:

- (1) A transporter transporting recyclable materials utilized for precious metal recovery in accordance with 40 CFR Part 266, Subpart F (relating to recyclable materials utilized for precious metal recovery) is deemed to have a license for the transportation of those materials if the transporter complies with:
 - (i) The EPA identification number requirements of 40 CFR 263.11 (relating to EPA identification number).
 - (ii) The hazardous waste transporter fee requirements of § 263a.23 (relating to hazardous waste transportation fee).

(2) An owner or operator of facilities that treat recyclable materials to make the materials suitable for reclamation of economically significant amounts of the precious metals identified in 40 CFR Part 266, Subpart F is subject to § 261a.6(c) (relating to requirements for recyclable materials) unless the owner or operator is eligible for a permit by rule for the treatment under § 270a.60(b)(5) (relating to permits by rule).

Authority

The provisions of this § 266a.70 amended under sections 105, 402 and 501 of the Solid Waste Management Act (35 P. S. §§ 6018.105, 6018.402 and 6018.501); sections 303 and 305(e)(2) of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.303 and 6020.305(e)(2)); section 5, 402 and 501 of The Clean Streams Law (35 P. S. §§ 691.5, 691.402 and 691.501); and section 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-20).

Source

The provisions of this § 266a.70 amended January 9, 2009, effective January 10, 2009, 39 Pa.B. 201. Immediately preceding text appears at serial pages (317328) and (280193).

Cross References

This section cited in 25 Pa. Code § 263a.13 (relating to licensing); 25 Pa. Code § 264a.11 (relating to identification number and transporter license); and 25 Pa. Code § 265a.11 (relating to identification number and transporter license).

Subchapter G. SPENT LEAD-ACID BATTERIES BEING RECLAIMED

Sec.

266a.80. Applicability and requirements.

Cross References

This section cited in 25 Pa. Code § 264a.1 (relating to incorporation by reference, purpose, scope and reference); 25 Pa. Code § 265a.1 (relating to incorporation by reference, purpose, scope and applicability); and 25 Pa. Code § 266b.31 (relating to waste management for universal waste mercury-containing devices).

§ 266a.80. Applicability and requirements.

(a) In addition to the requirements incorporated by reference, the owner or operator of a facility treating spent, lead-acid batteries prior to the reclamation of spent lead-acid batteries is subject to the requirements of § 261a.6(c) (relating to requirements for recyclable materials) unless the owner or operator is eligible for a permit by rule for the treatment of the batteries under § 270a.60(b)(3) (relating to permits by rule).

(b) Sections 264a.82, 265a.82 and 270a.3 (relating to administration fees; and payment of fees) § 270a.3, do not apply to a facility that stores spent batteries before reclaiming them.

**Subchapter H. HAZARDOUS WASTE BURNED IN BOILERS
AND INDUSTRIAL FURNACES**

Sec.
266a.100. Applicability.

Cross References

This section cited in 25 Pa. Code § 266b.31 (relating to waste management for universal waste mercury-containing devices).

§ 266a.100. Applicability.

The reference to “Part 279 of this chapter” in 40 CFR 266.100(b)(1) (relating to applicability) is replaced with Chapter 298 (relating to management of waste oil).

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