

State Hazardous Waste Regulations Generators

Generators of hazardous waste are not only subject to the federal Hazardous Materials Regulations (HMR) and Resource Conservation and Recovery Act (RCRA), but are also required to follow individual state regulations. The Environmental Protection Agency (EPA) delegates primary responsibility of implementing RCRA's hazardous waste program to individual states. States which receive final authorization from EPA under RCRA must maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal program. As the Federal program changes, states must change their programs and ask EPA to authorize the changes. In addition, many states are authorized to implement additional parts of RCRA including corrective action and land disposal restrictions. State requirements that go beyond the scope of the Federal program are not part of the authorized program and EPA cannot enforce them. Although generators must comply with these requirements under state law, they are not RCRA requirements.

With regard to the transportation of hazardous waste under the HMR, states are expressly preempted from promulgating any regulation that is substantively different from the federal packaging, labeling, marking, and placarding requirements. In almost all cases, states require generators to comply with the federal requirements when preparing waste for transport. However, like states under RCRA, states are free to include more stringent pre-transport requirements.

The following chart is intended to illustrate examples wherein a state provides a more stringent regulatory requirement on generators. It is for information only and is not intended to be, nor is it, legal advice or an exhaustive review of all law, regulations, procedures, and policies applicable to the subject matter thereof. It is not intended to create, and receipt of it does not constitute, a lawyer-client relationship.

State	Hazardous Waste State Statute or Code	Specific Citation to Additional Requirements	Summary of Additional Requirements
Alabama	Ala. Code § 22-30-1 et. seq. Ala. Admin. Code r. 335-14-1 et. seq.	Ala. Admin. Code r. 335-14-2-.01(5) Ala. Admin. Code r. 335-14-2-.01(5)(b) Ala. Admin. Code r. 335-14-3-.01 Ala. Admin. Code r. 335-14-3-.03 Ala. Admin. Code r. 335-14-3-.04 Ala. Admin. Code r. 335-14-3-.08-	Conditionally Exempt Small Quantity Generator (CESQG) Responsibilities Generator Disposal Plan Requirements Generator Disposal Plans, Annual Registration, and Fees Closure Report, Waste Generation Records, and Small Quantity Generator (SQG) Training Requirements Cessation of Operations, Waste Minimization Plan, and Biennial Reporting Requirements Preapproval of Waste Disposal
Alaska	Alaska Stat. § 46.03.299 Alaska Admin. Code tit. 18, § 62.020	Alaska Stat. § 46.03.299(b)	Mining Waste Exceptions
Arizona	Ariz. Rev. Stat. Ann. § 49-701 et. seq. Ariz. Admin. Code § 18-8-260 et. seq.	Ariz. Admin. Code § 18-8-260(N) Ariz. Admin. Code §§ 18-8-261(E)-(H) Ariz. Admin. Code § 18-8-262	Generator Fee Requirements CESQG Special Requirements Large Quantity Generator (LQG) and SQG manifest, registration, fee, annual reports, on-site storage, and special facility requirements
Arkansas	Ark. Code Ann. § 8-7-201 et. seq. Ark. Reg. No. 23	Ark. Reg. No. 23	Identification of Hazardous Waste Standards for Generators

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California	Cal. Health & Safety Code §§ 25100.-25257.1 Cal. Code Regs. tit. 22, § 66250 et. seq	Cal. Code Regs. tit. 22 § 66262.12(d) Cal. Code Regs. tit. 22 §§ 66262.20-23 Cal. Code Regs. tit. 22 § 66262.34 Cal. Code Regs. tit. 22 § 66263.32 Cal. Code Regs. tit. 22 § 66263.40 Cal. Health & Safety Code §§ 117600-118360	Generators of Silver Hazardous Waste Manifest Requirements Accumulation Requirements Hazardous Waste of Concern Reporting Regulatory Exemptions Medical Waste Management Act
Colorado	Colo. Rev. Stat. §§ 25-15-101-515 6 Colo. Code Regs. § 1007-3	6 Colo. Code Regs. § 1007-3-261.5 6 Colo. Code Regs. § 1007-3-262.13 6 Colo. Code Regs. § 1007-3-262.20(e) 6 Colo. Code Regs. § 1007-3-262.34(d)(5)(iii) 6 Colo. Code Regs. § 1007-3-262.43 6 Colo. Code Regs. § 1007-3-262.44	CESQG Special Requirements, Including Disposal Restrictions, Facility Maintenance and Operation, and Notification Requirements Generator Fees Manifest Exception SQG Training Requirements Additional Reporting Requirements SQG Special Requirements

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Connecticut	Conn. Gen Stat. § 22a-114 et. seq. Conn. Agencies Regs. §§ 22a-449(c)-100-119	Conn. Agencies Regs. § 22a-449(c)-101(b) Conn. Agencies Regs. § 22a-449(c)-102(a)(2)(A) Conn. Agencies Regs. §§ 22a-449(c)-101(a)(2)(S), (U) Conn. Agencies Regs. § 22a-449(c)-101(a)(2)(V) Conn. Agencies Regs. § 22a-449(c)-102(b)(1) Conn. Agencies Regs. § 22a-449(c)-102(c)	Additional CESQG Requirements Hazardous Waste Determination Requirements Disposal Requirements Mixture Prohibitions Generator Use of Permitted Transporter SQG Accumulation Requirements
Delaware	Del. Code Ann. tit. 7, §§ 6301-09 7-1302-122 Del. Code Regs. § 122.1 et. seq.	7-1302-122 Del. Code Regs. § 122.1 7-1302-122 Del. Code Regs. § 261.5 7-1302-122 Del. Code Regs. § 262.12(c) 7-1302-122 Del. Code Regs. § 262.34	Permit Requirements CESQG Special Conditions Generator Use of Permitted Transporter Generator Accumulation Requirements
District of Columbia	D.C. Code §§8-1301-14 D.C. Mun. Regs. tit. 20, §§ 4200-99	D.C. Mun. Regs. tit. 20 § 4202 D.C. Mun Regs. tit. 20 § 4203 D.C. Mun. Regs. tit. 20 § 4261.7 D.C. Mun. Regs. tit. 20 § 4262.4 D.C. Mun. Regs. tit. 20 § 4262.6	Prohibitions Specific to D.C. District-Only Hazardous Wastes CESQG Special Conditions Satellite Accumulation Modification SQG Additional Requirements

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Florida	Fla. Stat. § 403.721 Fla. Admin. Code Ann. r. 62-730	Fla. Admin. Code Ann. r. 62-730.030(3) Fla. Admin. Code Ann. r. 62-730.150 Fla. Admin. Code Ann. r. 62-730.160 Fla. Admin. Code Ann. r. 62-730.270	CESQG Special Conditions Notification Requirements Inspection Requirements Generator Permit Exemptions
Georgia	Ga. Code Ann. § 12-8-60 Ga. Comp. R. & Regs. 391-3-11	Ga. Comp. R. & Regs. 391-3-11-.04	Notification Requirements
Hawaii	Haw. Rev. Stat. §§ 342J-56 Haw Code R. § 11-260-1 et. seq.	Haw. Code R. § 11-260-40 Haw. Code R. § 11-261-5 Haw. Code R. § 11-262-41 Haw. Code R. § 11-262-44	Additional Regulation of Recycling Activity CESQG Special Conditions Biennial Reporting Requirements SQG Special Requirements
Idaho	Idaho Code Ann. §§ 39-4401-32 Idaho Admin. Code r. 58.01.05.000-.999	Idaho Admin. Code r. 58.01.05.006.02	Emergency Notification Requirements
Illinois	415 Ill. Comp. Stat. 20/ Ill. Admin. Code tit. 35 § 720.101	Ill. Admin. Code tit. 35 § 720.140 Ill. Admin. Code tit. 35 § 721.105 Ill. Admin. Code tit. 35 S 722.144 Ill. Admin. Code tit. 35 § 726	Additional Regulation of Recycling Activity CESQG Special Conditions SQG Reporting Requirements Standards for Specific Hazardous Waste
Indiana	Ind. Code § 13-22 329 Ind. Admin. Code 3.1-1-1	329 Ind. Admin. Code 3.1-1-10-12 329 Ind. Admin. Code 3.1-7-2 329 Ind. Admin. Code 3.1-7-14	Notification Requirements Generator Exceptions and Additions Biennial Reporting Requirements

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Iowa	Iowa Code § 455B Iowa Admin. Code r. 567-141.1-.16	Iowa Admin. Code r. 567-140.3 Iowa Admin. Code r. 567-140.6 Iowa Admin. Code r. 567-141.3	Notification Requirements Generator Disposal Fees Exception Reporting Requirements
Kansas	Kan. Stat. Ann. §§ 65-3401-174 Kan. Admin. Regs. § 28-31 Kan. Admin. Regs. § 28-31-260	Kan. Admin. Regs. § 28-31-2(d) Kan. Admin. Regs. § 28-31-4(c)(2) Kan. Admin. Regs. § 28-31-4(f)(2)(A) Kan. Admin. Regs. § 28-31-4 Kan. Admin. Regs. § 28-31-260 Kan. Admin. Regs. § 28-31-261a Kan. Admin. Regs. § 28-31-262a	Generator Definitions Generator Use of Permitted Transporter Biennial Reporting Requirements Generator Accumulation Requirements Generator Definitions CESQG Additional Requirements Generator Additional Requirements
Kentucky	Ky. Rev. Stat. Ann. § 224.46 Ky. Admin. Regs. ch. 30-32	Ky. Admin. Regs. 31:005 Ky. Admin. Regs. 31:010:05 Ky. Admin. Regs. 32:030:06 Ky. Admin. Regs. 32:040:06 Ky. Admin. Regs. 32:050	Generator Definition CESQG Special Requirements On-Site Treatment Requirements SQG Reporting Requirements Special Generator Requirements

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Louisiana	La. Rev. Stat. Ann. §§ 2171-2206 La. Admin. Code tit. 33, § 101	La. Admin. Code tit. 33, § 108 La. Admin. Code tit. 33 § 1105 La. Admin. Code tit. 33 § 1107 La. Admin. Code tit. 33 § 1109 La. Admin. Code tit. 33 § 1111	Exempt Small Quantity Generators EPA Identification Number Requirements Manifest Requirements Additional Pre-Transport Requirements SQG Reporting Requirements
Maine	Me. Rev. Stat. Ann. tit. 38, §§ 1301-19 06-096-850 Me. Code R. § 1	06-096-850 Me. Code R. § 3(A)(5) 06-096-851 Me. Code R. § 6(A) 06-096-851 Me. Code R. § 7 06-096-851 Me. Code R. § 8(B) 06-096-851 Me. Code R. § 9 06-096-851 Me. Code R. § 11 06-096-851 Me. Code R. § 12 06-096-801 Me. Code R. § 3 06-096-857 Me. Code R. § 7	State Generator Classifications Identification Number Requirements Off-Site Shipment Requirements Accumulation Requirements Reporting and Recordkeeping Requirements Closure Requirements Generator Prohibitions Spill Reporting Requirements Manifest Requirements

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Maryland	Md. Code Ann., Envir. § 7-201 et. seq. Md. Code Regs. §§ 26.13.01-.13	Md. Code Regs. § 26.13.02.05 Md. Code Regs. § 26.13.02.05(C) Md. Code Regs. § 26.13.03.05(E) Md. Code Regs. § 26.13.03.06 Md. Code Regs. § 26.13.12	Generator Classifications Generation and Storage Limitations Accumulation Requirements Reporting Requirements Standards Applicable to Generators of Medical Waste
Massachusetts	Mass. Gen. Laws ch. 21C, §§ 1-30 310 Mass. Code Regs. 30	310 Mass. Code Regs. 30.061-.64 310 Mass. Code Regs. 30.340-.43 310 Mass. Code Regs. 30.351-.52 310 Mass. Code Regs. 30.353	Notification Requirements Large Quantity Generator (LQG) Requirements SQG Requirements Very Small Generator Requirements
Michigan	Mich. Comp. Laws §§ 324.11101-.53 Mich. Admin. Code r. 299.9101-.11007	Mich. Admin. Code r. 299.9205 Mich. Admin. Code r. 299.9303 Mich. Admin. Code r. 299.9304 Mich. Admin. Code r. 299.9306 Mich. Admin. Code r. 299.9307(7) Mich. Admin. Code r. 299.9308 Mich. Comp Laws. § 333.13801	CESQG Special Requirements Site Identification Requirements Manifest Requirements Accumulation Requirements SQG Recordkeeping Exception Generator Reporting Requirements Medical Waste Regulatory Act

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Minnesota	Minn. Stat. §§ 115A.152-.31 Minn. R. 7045.0010-.1400	Minn. R. 7045.0206 Minn. R. 7045.0208 Minn. R. 7045.0210 Minn. R. 7045.0255 Minn. R. 7045.0225 Minn. R. 7045.0261 Minn. R. 7045.0275 Minn. R. 7045.0292 Minn. R. 7045.0320	Generator Size Determination Hazardous Waste Management Financial Responsibility Requirement Onetime Disposal Requirements Generator Licensing Requirements Manifest Requirements Hazardous Waste Spill Requirements Accumulation Requirements Very Small Quantity Generator Requirements
Mississippi	Miss. Code Ann. §§ 49-31-1-43 HW-1-260-279 Miss. Code R.	HW-1-262 Miss. Code R. § S1 HW-1-270 Miss. Code R. § S1	Annual Reporting Requirements Additional General Requirements
Missouri	Mo. Rev. Stat. § 260.365 Mo. Code Regs. Ann. tit. 10, §§ 25-1.010-19.010	Mo. Code Regs. Ann. tit. 10, § 25-3.260(1)(A)(25) Mo. Code Regs. Ann. tit. 10, § 25-4-261(2)(A)(12) Mo. Code Regs. Ann. tit. 10, § 25-5.262(B) Mo. Code Regs. Ann. tit. 10, § 25-5.262(C)(2)	Generator Status Determination CESQG Requirements Additional Manifest Requirements Generator Classification

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Montana	Mont. Code. Ann. §§ 75-10-401-51 Mont. Admin. R. 17.53.101-1502	Mont. Admin. R. 17.53.111 Mont. Admin. R. 17.53.113 Mont. Admin. R. 17.53.602 Mont. Admin. R. 17.53.603	Registration Requirements Generator Fees Generator Exceptions and Additions Reporting Requirements
Nebraska	Neb. Rev. Stat. §§ 1521.08-.23 128 Neb. Admin. Code §§1-001-27-002	128 Neb. Admin. Code §§ 4-001-005.05 128 Neb. Admin. Code § 8 128 Neb. Admin. Code § 9 128 Neb. Admin. Code § 10	Notification, Reporting, and Recordkeeping Requirements. CESQG Requirements SQG Requirements LQG Requirements
Nevada	Nev. Rev. Stat. §§ 459.400-.600 Nev. Admin. Code §§ 444.850-.8746	Nev. Admin. Code § 444.8509 Nev. Admin. Code § 444.8655 Nev. Admin. Code § 444.8671 Nev. Admin. Code § 444.8677	CESQG Requirements Manifest Requirements Labeling Accumulated Waste Inspection Record Requirements

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New Hampshire	N.H. Rev. Stat. Ann. § 147-A:1 N.H. Code Admin. R. Ann. Env-Hw 100-1114.04	N.H. Code Admin. R. Ann. Env-Hw 501.02(c) N.H. Code Admin. R. Ann. Env-Hw 503.02 N.H. Code Admin. R. Ann. Env-Hw 503.03 N.H. Code Admin. R. Ann. Env-Hw 504.02 N.H. Code Admin. R. Ann. Env-Hw 505.04 N.H. Code Admin. R. Ann. Env-Hw 507.01 N.H. Code Admin. R. Ann. Env-Hw 507.03 N.H. Code Admin. R. Ann. Env-Hw 508 N.H. Code Admin. R. Ann. Env-Hw 509 N.H. Code Admin. R. Ann. Env-Hw 511 N.H. Code Admin. R. Ann. Env-Hw 512.02	CESQG Requirement Full Quantity Generator Classification Hazardous Waste Calculation Notification Requirements State Identification Number Storage Requirements Pre-Transport Requirements SQG Requirements Full Quantity Generator Requirements Delivery Requirements Quarterly Reporting Requirements
New Jersey	N.J. Stat. Ann. § 13:1E-49 N.J. Admin. Code §§ 7:26G-1.1-16.12	N.J. Admin. Code § 7:26G-3.3	Generator Fees
New Mexico	N.M. Stat. §§ 74-4-1-14 N.M. Code R. §§ 20.4-1.1-5.21	N.M. Code R. § 20.4.1.101 N.M. Code R. § 20.4.1 N.M. Code R. § 20.4.4	Incident Reporting Requirements Modifications, Exceptions, and Omissions Accident Response Training Requirements

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New York	N.Y. Env'tl. Conserv. Law § 27-0101 N.Y. Comp. Codes R. & Regs. tit. 6, § 370.1	N.Y. Comp. Codes R. & Regs. tit. 6, § 371.1(f) N.Y. Comp. Codes R. & Regs. tit. 6, § 372.2(a)(1) N.Y. Comp. Codes R. & Regs. tit. 6, § 372.2(a)(8) N.Y. Comp. Codes R. & Regs. tit. 6, § 372.2(b) N.Y. Comp. Codes R. & Regs. tit. 6, § 372.2(c)(2) N.Y. Comp. Codes R. & Regs. tit. 6, § 372.2(c)(3)	CESQG Requirements Notification Requirements On-Site Storage Requirements Manifest Requirements Annual Reporting Requirements Exception Reporting Requirements
North Carolina	N.C. Gen. Stat. § 130A-290 15A N.C. Admin. Code 13A.0101	15A N.C. Admin. Code 13A.0107(d)	Inspection Recordkeeping Requirement
North Dakota	N.D. Cent. Code § 23-20.3 N.D. Admin. Code 33-24-01	N.D. Admin. Code 33-24-02-05 N.D. Admin. Code 33-24-03-03 N.D. Admin. Code 33-24-03-14	CESQG Requirements Identification Requirements SQG Biennial Reporting Requirements
Ohio	Ohio Rev. Code Ann. § 3734.01 Ohio Admin. Code § 3745:50-01	Ohio Admin. Code § 3745:51-05 Ohio Admin. Code § 3745:52-12 Ohio Admin. Code § 3745:53-41 Ohio Admin. Code § 3745-52-44	CESQG Requirements Identification Requirements Annual Reporting Requirements SQG Reporting Requirements

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Oklahoma	Okla. Stat. tit. 27A § 2-7-101 Okla. Admin. Code § 252:205-1-1	Okla. Admin. Code § 252:205-5-1 Okla. Admin. Code § 252:205-5-2 Okla. Admin. Code § 252:205-5-3 Okla. Admin. Code § 252:205-5-4 Okla. Admin. Code § 252:205-5-5	Disposal Plan Requirements SQG Exemption from Disposal Plan Quarterly Reporting Requirements No Endangerment Provision Manifest Requirements
Oregon	Or. Rev. Stat. § 459.005 Or. Admin. R. 340-100-0001	Or. Admin. R. 340-101-0007 Or. Admin. R. 340-102-0012 Or. Admin. R. 340-102-0034 Or. Admin. R. 340-102-0040 Or. Admin. R. 340-102-0041 Or. Admin. R. 340-102-0065	CESQG Requirements Identification Requirements On-Site Accumulation Requirements Recordkeeping Requirements Reporting Requirements Generator Fees
Pennsylvania	27 Pa. Cons. Stat. § 6201 25 Pa. Code § 260a.1	25 Pa. Code § 261a.5 25 Pa. Code § 262a.12 25 Pa. Code § 262a.34 25 Pa. Code § 262a.43	CESQG Requirements Identification Requirements Accumulation Requirements Reporting Requirements

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Rhode Island	R.I. Gen. Laws § 23-19.1-1 12.030.003 R.I. Code R. § 1.0	12.030.003 R.I. Code R. § 3.0 12.030.003 R.I. Code R. § 5.1 12.030.003 R.I. Code R. § 5.2 12.030.003 R.I. Code R. § 5.3 12.030.003 R.I. Code R. § 5.4 12.030.003 R.I. Code R. § 5.9 12.030.003 R.I. Code R. § 5.10 12.030.003 R.I. Code R. § 5.12	Generator Classifications Identification Requirements On- Site Storage Requirements Waste Shipment Requirements Labeling Requirements Authorized Agent Requirement Spill Notification Requirements Generator Fees
South Carolina	S.C. Code Ann. § 44-56-10 S.C. Code Ann. Regs. 61-79	S.C. Code Ann. Regs. 61-79.261.5 S.C. Code Ann. Regs. 61-79.262.12 S.C. Code Ann. Regs. 61-79.262.13 S.C. Code Ann. Regs. 61-79.262.30 S.C. Code Ann. Regs. 61-79.262.33 S.C. Code Ann. Regs. 61-79.262.41 S.C. Code Ann. Regs. 61-79.262.44	CESQG Requirements Identification Requirements Notification Requirements Packaging Requirements Placarding Requirements Quarterly Reporting Requirements SQG Special Requirements
South Dakota	S.D. Codified Laws § 34A-11-1 S.D. Admin. R. 74:28:21	S.D. Admin. R. 74:28:26:01	Permit Requirements

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Tennessee	Tenn. Code Ann. § 68-212-101 Tenn. Comp. R. & Regs. 1200-01-11-.01	Tenn. Comp. R. & Regs. 1200-01-11-.02(1)(e) Tenn. Comp. R. & Regs. 1200-01-11-.03(2) Tenn. Comp. R. & Regs. 1200-01-11-.03(3) Tenn. Comp. R. & Regs. 1200-01-11-.03(5)(b) Tenn. Comp. R. & Regs. 1200-01-11-.05(d) Tenn. Comp. R. & Regs. 1200-01-11-.06	CESQG Requirements Notification Requirements Manifest Requirements Annual Reporting Requirements SQG Reporting Requirements Hazardous Waste Reduction Plan
Texas	Tex. Health & Safety Code Ann. § 361.001 30 Tex. Admin. Code § 335.1	30 Tex. Admin. Code § 335.74 30 Tex. Admin. Code § 335.75 30 Tex. Admin. Code § 335.78	SQG Special Requirements Interstate Notification Requirements CESQG Special Requirements
Utah	Utah Code Ann. § 19-6-105 Utah Admin. Code r. 315-1-1	Utah Admin. Code r. 315-2-5 Utah Admin. Code r. 315-5-4	CESQG Special Requirements Recordkeeping and Reporting Requirements
Vermont	Vt. Stat. Ann. tit. 10, § 6607 12-032-001 Vt. Code R. § 7-101	12-032-001 Vt. Code R. § 7-304 12-032-001 Vt. Code R. § 7-305 12-032-001 Vt. Code R. § 7-306 12-032-001 Vt. Code R. §§ 7-307-08 12-032-001 Vt. Code R. § 7-309 12-032-001 Vt. Code R. § 7-311	Identification Requirements Determining Generator Status Conditionally Exempt Generators Small and Large Generator Requirements General Management Standards Short-Term Storage Standards

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Virginia	Va. Code Ann. § 10.1-1400 9 Va. Admin. Code § 20-60	9 Va. Admin. Code § 20-60-261(B)(5) 9 Va. Admin. Code § 20-60-262 9 Va. Admin. Code § 20-60-262(B)(4) 9 Va. Admin. Code § 20-60-315	CESQG Requirements Identification Requirements Accumulation Requirements Notification Requirements
Washington	Wash. Rev. Code § 70.105.005 Wash Admin. Code § 173-303-010	Wash. Admin. Code § 173-303-060 Wash. Admin. Code § 173-303-073 Wash. Admin. Code § 173-303-180 Wash. Admin. Code § 173-303-201 Wash. Admin. Code § 173-303-202 Wash. Admin. Code § 173-303-220	Notification and Identification Requirements Exclusion of Special Wastes Manifest Requirements Special Accumulation Standards Special Generator Requirements Reporting Requirements
West Virginia	W. Va. Code § 22-18-1 W. Va. Code R. § 33-20-1	W. Va. Code R. § 33-20-3 W. Va. Code R. § 33-20-4	Identification Requirements Notification Requirements
Wisconsin	Wis. Stat. § 291.001 Wis. Admin. Code NR § 660	Wis. Admin. Code NR § 662.012 Wis. Admin. Code NR §§ 662.190-.194 Wis. Admin. Code NR § 662.220	Identification Requirements SQG Special Requirements Very Small Quantity Generator Special Requirements
Wyoming	Wyo. Stat. Ann. § 35-11-516 1 Wyo. Code R. § 1	8 Wyo. Code R. § 1(c) 8 Wyo. Code R. § 3(e) 8 Wyo. Code R. § 4(e)	Identification Requirements Accumulation Requirements SQG Reporting Requirements

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