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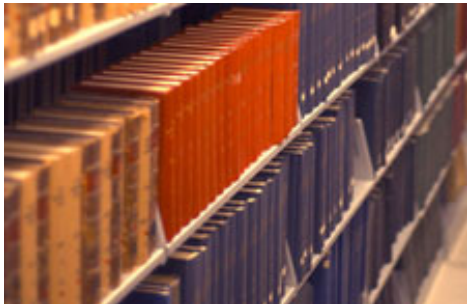


Wastes

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Laws and Regulations



RCRA gave EPA the authority to control hazardous waste from the "cradle-to-grave" including generation, transportation, treatment, storage, and disposal. RCRA also set forth a framework for the management of [nonhazardous wastes](#).

The Resource Conservation and Recovery Act (RCRA) is the public law that creates the framework for the proper management of hazardous and nonhazardous solid waste. This page contains:

- [History of RCRA](#)
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For more information on environmental laws and regulations, visit [EPA's Laws and Regulations page](#).

History of RCRA

The [Resource Conservation and Recovery Act](#)—commonly referred to as RCRA—is our nation's primary law governing the disposal of solid and hazardous waste. Congress passed RCRA on October 21, 1976 to address the increasing problems the nation faced from our growing volume of municipal and industrial waste. RCRA, which amended the Solid Waste Disposal Act of 1965, set national goals for:

- Protecting human health and the environment from the potential hazards of waste disposal.
- Conserving energy and natural resources.
- Reducing the amount of waste generated.
- Ensuring that wastes are managed in an environmentally-sound manner.

To achieve these goals, RCRA established three distinct, yet interrelated, programs:

- The [solid waste program](#), under RCRA Subtitle D, encourages states to develop comprehensive plans to manage nonhazardous industrial solid waste and municipal solid waste, sets criteria for municipal solid waste landfills and other solid waste disposal facilities, and prohibits the open dumping of solid waste.
- The [hazardous waste program](#), under RCRA Subtitle C, establishes a system for controlling hazardous waste from the time it is generated until its ultimate disposal – in effect, from "cradle to grave".
- The underground storage tank (UST) program, under RCRA Subtitle I, regulates [underground storage tanks](#) containing hazardous substances and petroleum products.

RCRA banned all open dumping of waste, encouraged [source reduction](#) and [recycling](#), and promoted the [safe disposal of municipal waste](#). RCRA also mandated strict controls over the [treatment, storage, and disposal of hazardous waste](#). The first RCRA regulations, "Hazardous Waste and Consolidated Permit Regulations," published in the Federal Register on May 19, 1980 (45 FR 33066; May 19, 1980), established the basic "cradle to grave" approach to [hazardous waste management](#) that exists today.

RCRA was amended and strengthened by Congress in November 1984 with the passing of the Federal Hazardous and Solid Waste Amendments (HSWA). These amendments to RCRA required the phasing out [land disposal of hazardous waste](#). Some of the other mandates of this strict law include increased [enforcement authority](#) for EPA, more stringent hazardous waste management standards, and a comprehensive [underground storage tank program](#).

You will need Adobe Reader to view some of the files on this page. See [EPA's PDF page](#) to learn more.

RCRA has been amended on two occasions since HSWA:

1. [Federal Facility Compliance Act of 1992](#) — strengthened enforcement of RCRA at Federal facilities.
2. [Land Disposal Program Flexibility Act of 1996 \(PDF\)](#) (5 pp, 24K) —provided regulatory flexibility for land disposal of certain wastes.

RCRA focuses only on active and future facilities and does not address abandoned or historical sites which are managed under the Comprehensive Environmental Response, Compensation, and Liability Act ([CERCLA](#))—commonly known as Superfund.

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RCRA Regulations



Title 40 – Protection of the Environment Subchapter I - Solid Wastes

[Parts 239 through 259](#)

[Parts 260 through 265](#)

[Parts 266 through 299](#)

RCRA provides, in broad terms, the general guidelines for the waste management program envisioned by Congress. It includes a Congressional mandate directing EPA to develop a comprehensive set of regulations to implement the law. These regulations, or rulemakings, issued by EPA, translate the general mandate of the law into a set of requirements for the Agency and the regulated community.

When a regulation is formally proposed, it is published in the [Federal Register](#) to notify the public of EPA's intent to create new regulations or modify existing ones. EPA provides the public, including the potentially regulated community, with an opportunity to submit comments. Following an established comment period, EPA may revise the proposed rule based on both internal review and public comments. All final rules are compiled annually and incorporated into the Code of Federal Regulations.

The RCRA regulations are contained in Title 40 of the Code of Federal Regulations (CFR) Parts 239 through 299. The CFR is a collection of all federal regulations codified and enforced by all federal agencies. [Title 40 – Protection of the Environment](#) contains all of the regulations governing EPA's programs.

40 CFR Parts 239 through 259 contain the regulations for solid waste, while Parts 260 through 279 contain the hazardous waste regulations. The requirements for underground storage tanks, which are also regulated under RCRA, are located in 40 CFR Part 280. A list of all regulations with links to the regulatory text is provided below:

Solid Waste Regulations

RCRA Docket

The RCRA docket provides users with all the materials critical to each stage in the development of a rule, such as Federal Register notices and technical documents. [Regulations.gov](#)—the government-wide centralized docket management system— allows users to search the Agency's rulemaking dockets online, view the indices, and access those materials that are available online. Users may also submit comments online when a docket is open for public comment.

- [Part 239 – Requirements For State Permit Program Determination Of Adequacy](#)
- [Part 240 – Guidelines For The Thermal Processing Of Solid Wastes](#)
- [Part 243 – Guidelines For The Storage And Collection Of Residential, Commercial, And Institutional Solid Waste](#)
- [Part 246 – Source Separation For Materials Recovery Guidelines](#)

- [Part 247 – Comprehensive Procurement Guideline For Products Containing Recovered Materials](#)
- [Part 254 – Prior Notice Of Citizen Suits](#)
- [Part 255 – Identification Of Regions And Agencies For Solid Waste Management](#)
- [Part 256 – Guidelines For Development And Implementation Of State Solid Waste Management Plans](#)
- [Part 257 – Criteria For Classification Of Solid Waste Disposal Facilities And Practices](#)
- [Part 258 – Criteria For Municipal Solid Waste Landfills](#)
- Part 259 [Reserved]

Hazardous Waste Regulations

What is a Hazardous Waste?

Hazardous waste is a waste with properties that make it dangerous or potentially harmful to human health or the environment. In regulatory terms, a RCRA hazardous waste is a waste that appears on one of the four hazardous wastes lists (F-list, K-list, P-list, or U-list), or exhibits at least one of four characteristics: ignitability, corrosivity, reactivity, or toxicity. For more information, see [What is a Hazardous Waste?](#)

- [Part 260 – Hazardous Waste Management System: General](#)
- [Part 261 – Identification And Listing Of Hazardous Waste](#)
- [Part 262 – Standards Applicable To Generators Of Hazardous Waste](#)
- [Part 263 – Standards Applicable To Transporters Of Hazardous Waste](#)
- [Part 264 – Standards For Owners And Operators Of Hazardous Waste Treatment, Storage, And Disposal Facilities](#)
- [Part 265 – Interim Status Standards For Owners And Operators Of Hazardous Waste Treatment, Storage, And Disposal Facilities](#)
- [Part 266 – Standards For The Management Of Specific Hazardous Wastes And Specific Types Of Hazardous Waste Management Facilities](#)
- [Part 267 – Standards For Owners And Operators Of Hazardous Waste Facilities Operating Under A Standardized Permit](#)
- [Part 268 – Land Disposal Restrictions](#)
- [Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program](#)
- [Part 271 – Requirements For Authorization Of State Hazardous Waste Programs](#)
- [Part 272 – Approved State Hazardous Waste Management Programs](#)
- [Part 273 – Standards For Universal Waste Management](#)
- [Part 279 – Standards For The Management Of Used Oil](#)
- [Part 280 – Technical Standards And Corrective Action Requirements For Owners And Operators Of Underground](#)

[Storage Tanks \(UST\)](#)

- [Part 281 – Approval Of State Underground Storage Tank Programs](#)
- [Part 282 – Approved Underground Storage Tank Programs](#)
- Parts 283 to 299 [Reserved]

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RCRA Guidance, Policy, and Resources

EPA develops and issues guidance documents to provide instructions for implementing and complying with regulations. Guidance documents also elaborate on the Agency's interpretation of the requirements of the Act.

Policy statements outline a position on a topic or specify procedures that should generally be followed. In many cases, policy statements are addressed to EPA staff, but some are addressed to the regulated community.



[RCRA Online](#) is an electronic database that indexes thousands of letters, memoranda, publications, and questions and answers issued by EPA's Office of Solid Waste (OSW). These documents include EPA interpretations of the RCRA regulations governing the management of solid, hazardous, and medical waste. RCRA Online allows users to locate documents through topical, full text, and advanced search functions. RCRA Online also allows users to view the actual text of the documents identified in a search.

[Policy Database for Waste Management and Emergency Programs](#) provides the public with online access to EPA policy documents from the Office of Solid Waste and Emergency Response (OSWER) and the EPA Regional waste and emergency response programs. This database contains the policy, guidance, and interpretive documents that the Agency intends to use or rely on for the implementation and enforcement of its statutes and regulations.

[RCRA Orientation Manual](#) provides introductory information on the solid and hazardous waste management programs under the Resource Conservation and Recovery Act (RCRA). Designed for EPA and state staff, members of the regulated community, and the general public who wish to better understand RCRA, this document constitutes a review of the RCRA program and is not a substitute for RCRA or its implementing regulations.

[RCRA Training Modules](#) provide overviews of specific RCRA regulatory topics, for example, corrective action, exclusions, financial assurance, and permits. Two modules in particular provide a [statutory overview of RCRA \(PDF\)](#) (34 pp, 83K) and an [overview of other laws that interface with RCRA \(PDF\)](#) (27 pp, 114K)

[RCRA in Focus \(RIF\)](#) is a series of publications providing overviews of the RCRA regulations affecting specific industry sectors. Intended as a guide for small businesses, RIF presents the life cycle of a typical waste for each industry and focuses on recycling and pollution prevention options. Each issue contains a hazardous waste table of RCRA requirements for small businesses and answers frequently asked questions.

[RCRA: Reducing Risk from Waste](#) provides an overview of the RCRA solid and hazardous waste regulations. The document describes the history of RCRA, the role of EPA and the states, and hazardous waste definitions and management requirements (including the roles of generators, transporters, and treatment, storage, and disposal facilities). Information on hazardous waste minimization is also provided.

[25 Years of RCRA: Building on Our Past to Protect Our Future \(PDF\)](#) (21 pp, 838K) provides an historical overview of the evolution of RCRA and its major accomplishments.

[Beyond RCRA: Prospects for Waste & Materials Management in the Year 2020](#) is a discussion paper developed jointly by EPA and state environmental agencies to open and inspire discussion on the future for the RCRA program during the next 20 years. It identifies a number of trends that could affect the future of waste and materials management, resource conservation, and human and environmental health, and suggests general strategies and tools that might be used to build a new vision for the future of the RCRA program.

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