PART 99 - NOTIFICATION

(a) **NOTIFICATION OF REGULATED WASTE ACTIVITY**. Any person who generates or transports, or owns or operates a facility for treatment, storage, or disposal of, any hazardous wastes subject to these regulations shall file a Colorado Hazardous Waste Notification Form with the Department stating the location and general description of such activity and the identified or listed hazardous wastes handled by such person, prior to such activity.

(b) Not later than ninety days after revision of regulations under Part 261 identifying by its characteristics or listing any substance as hazardous waste subject to these regulations, any person generating or transporting such substance or owning or operating a facility for treatment, storage, or disposal of such substance shall file with the Department a notification stating the location and general description of such activity and the identified or listed hazardous wastes handled by such person. Not more than one such notification shall be required to be filed with respect to the same substance.

(c) For the purposes of this part, the Department shall accept a notification of hazardous waste activity filed with EPA (Form 8700-12) prior to November 4, 1984 as an equivalent state notification.

(d) No identified or listed hazardous waste subject to these regulations may be generated, transported, treated, stored, or disposed unless notification has been given as required under this part.

(e) Persons who have previously filed a notification of regulated waste activity with the Department or EPA are required to file an updated notification with the Department whenever the generator status, location and/or general description of activities of such persons change. No updated notification shall be required solely for changes in the identified or listed hazardous wastes handled by such person.

Statement of Basis and Purpose
Part 99 - Notification

PURPOSE

The fundamental purpose of the Part 99 regulations which are promulgated pursuant to C.R.S 25-15-301 is to require hazardous waste generators, transporters, and treatment, storage, and disposal facilities to notify the Department that they are handling hazardous wastes.

Additionally, regulations concerning the notification of hazardous waste activity are a necessary and required component in conducting a hazardous waste management program; the State intends to obtain EPA authorization for a hazardous waste management program pursuant to C.R.S. 1973, 25-15-102. Such full state authorization to conduct the hazardous waste regulatory program can be granted only upon the determination that the State program is equivalent to that of the EPA.

BASIS

Generators, transporters, and treatment, storage, and disposal facilities managing hazardous wastes are required to file a notification of hazardous waste activity in order that the Department can track hazardous wastes from their point of generation to their point of disposal, and to identify those persons who are subject to the State hazardous waste regulatory program.