

Rule	Citation Type	Citation
H	261.A	261 . 5(f)
H	261.A	261 . 5(g)
H	262.A	262 . 11
H	262.A	262 . 12(a)
H	262.A	262 . 12(c)
H	262.B	262 . 20(a)(1)
H	262.B	262 . 20(a)(1)
H	262.B	262 . 20(b)
H	262.B	262 . 20(d)
H	262.B	262 . 21(g)(1)
H	262.B	262 . 21(g)(2)
H	262.B	262 . 23(a)(1)
H	262.B	262 . 23(a)(2)
H	262.B	262 . 23(a)(3)
H	262.B	262 . 23(b)
H	262.B	262 . 23(c)

H	262.B	262 . 23(d)
H	262.B	262 . 27
H	262.C	262 . 30
H	262.C	262 . 31
H	262.C	262 . 32(a)
H	262.C	262 . 32(b)
H	262.C	262 . 33
H	262.C	262 . 34(a)
H	262.C	262 . 34(a)(1)
H	262.C	262 . 34(a)(2)
H	262.C	262 . 34(a)(3)
H	262.C	262 . 34(c)(1)
H	262.C	262 . 34(c)(1)(ii)
H	262.C	262 . 34(c)(2)
H	262.C	262 . 34(d)
H	262.C	262 . 34(d)(5)
H	262.C	262 . 34(e)
H	262.C	262 . 34(g)
H	262.C	262 . 34(h)
H	262.C	262 . 34(m)

H	262.D	262 . 40(a)
H	262.D	262 . 40(b)
H	262.D	262 . 40(c)
H	262.D	262 . 40(d)
H	262.D	262 . 41(a)
H	262.D	262 . 41(b)
H	262.D	262 . 42(a)
H	262.D	262 . 42(b)
H	262.E	262 . 52
H	262.E	262 . 53(a)
H	262.E	262 . 54
H	262.E	262 . 55
H	262.E	262 . 56
H	262.E	262 . 57
H	262.F	262 . 60
H	263.A	263 . 11
H	263.B	263 . 20(a)1

H	263.B	263 . 20(a)2
H	263.B	263 . 20(b)1
H	263.B	263 . 20(b)2
H	263.B	263 . 20(c)
H	263.B	263 . 20(d)(1)
H	263.B	263 . 20(d)(3)
H	263.B	263 . 20(f)(1)(i)
H	263.B	263 . 20(f)(1)(ii)
H	263.B	263 . 20(f)(1)(iii)
H	263.B	263 . 20(f)(2)
H	263.B	263 . 20(f)(3)(i)
H	263.B	263 . 20(f)(4)(i)
H	263.B	263 . 20(f)(5)
H	263.B	263 . 20(g)
H	263.B	263 . 21(a)
H	263.B	263 . 21(b)1
H	263.B	263 . 21(b)2
H	263.B	263 . 22(a)
H	263.B	263 . 22(b)
H	263.B	263 . 22(c)
H	263.B	263 . 22(d)
H	263.B	263 . 22(e)

H	263.C	263 . 30(a)
H	263.C	263 . 30(c)
H	263.C	263 . 31
H	264.B	264 . 11
H	264.B	264 . 12(a)
H	264.B	264 . 12(b)
H	264.B	264 . 12(c)
H	264.B	264 . 13(a)(1)

Rule Summary	Base Penalty or Matrix
HAZARDOUS WASTE	
FEDERAL REGULATIONS	
N.J.A.C. 7:26G-5, IDENTIFICATION AND LISTING OF HAZARDOUS WASTE	
40 C.F.R. Part 261 Subpart A-General	
Failure of generator of acute hazardous waste to comply with the requirements of 40 C.F.R. 261.5(f).	Matrix
Failure of conditionally exempt small quantity generator of hazardous waste to comply with the requirements of 40 C.F.R. 261.5(g).	Matrix
N.J.A.C. 7:26G-6, STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE	
40 C.F.R. Part 262 Subpart A-General	
Failure of generator of solid waste to determine if waste is hazardous.	\$5,000
Failure of generator to have EPA identification number before it treats, stores, transports, offers for transportation, or disposes of hazardous waste.	\$5,000
Failure of generator to offer hazardous waste to a hazardous waste transporter or TSD facility that has received an EPA ID number.	\$5,000
40 C.F.R. Part 262 Subpart B-The Manifest	
Failure of generator, who transports, or offers for transport a hazardous waste for offsite treatment, storage, or disposal, or a treatment, storage, and disposal facility who offers for transport a rejected hazardous waste load, to prepare a manifest before	\$5,000
Failure of generator to properly complete the manifest.	\$3,000
Failure of generator to designate an authorized facility on the manifest.	\$5,000
Failure of generator to designate alternate facility or instruct transporter to return waste when transporter is unable to deliver the waste.	\$5,000
Failure of generator to use EPA approved manifest forms.	\$3,000
Failure of generator to determine if generator or consignment state regulates additional wastes or requires generator to submit copies of the manifest.	\$3,000
Failure of generator to sign manifest.	\$3,000
Failure of generator to obtain signature of initial transporter and date of acceptance on the manifest.	\$3,000
Failure of generator to retain one copy of manifest.	\$3,000
Failure of generator to supply transporter with remaining copies of manifest.	\$3,000
Failure of generator shipping hazardous waste within the U.S. solely by water to send 3 copies of manifest form signed and dated to owner or operator of designated facility or last water transporter in the United States.	\$3,000

Failure of generator to send at least three copies of signed and dated manifest for rail shipments of hazardous waste within the United States to next non-rail transporter, designated facility, or last rail transporter in the United States.	\$3,000
Failure of generator who initiates a shipment of hazardous waste to certify to one of the statements in Item 15 of the uniform hazardous waste manifest.	\$3,000
40 C.F.R. Part 262 Subpart C-Pre-Transport Requirements	
Failure of generator to package hazardous waste in accordance with 49 C.F.R. Parts 173, 178, and 179.	\$4,500
Failure of generator to label each package of hazardous waste in accordance with 49 C.F.R. Part 172.	\$4,500
Failure of generator to mark packages of hazardous waste in accordance with 49 C.F.R. Part 172.	\$4,500
Failure of generator to mark each container of hazardous waste with the proper wording or to display the wording in accordance with 49 C.F.R. 172.304.	\$4,500
Failure of generator to placard or offer appropriate placard for a vehicle containing hazardous waste in accordance with 49 C.F.R. Part 172, Subpart F.	\$4,500
Failure of generator to ship waste off site within 90 days.	\$3,000
Failure of generator to place waste in containers, in tanks, on drip pads, or in containment buildings in accordance with 40 C.F.R. 262.34(a)(1).	\$4,500
Failure of generator to clearly mark container with date when accumulation period begins or to make mark visible for inspection.	\$3,000
Failure of generator to clearly mark each container or tank with the words "Hazardous Waste".	\$4,500
Failure of generator to ensure that the quantity of waste in each area is no more than 55 gallons of hazardous waste or no more than one quart of acutely hazardous waste or to have area at or near any point of generation where wastes initially accumulate	\$3,000
Failure of generator to mark satellite containers with the words "Hazardous Waste" or other words which identify the contents of the container.	\$4,500
Failure of generator accumulating waste in excess of the amounts listed in 40 C.F.R. 262.34(c)(1) to mark container holding the excess accumulation of hazardous waste with the date the excess amount began accumulating.	\$3,000
Failure of generator of greater than 100 kg but less than 1000 kg of hazardous waste to ship waste off site within 180 days.	\$3,000
Failure of generator of greater than 100 kg but less than 1000 kg of hazardous waste to comply with emergency response requirements.	\$4,500
Failure of generator of greater than 100 kg but less than 1000 kg of hazardous waste, who transports his waste over 200 miles, to ship waste off site within 270 days.	\$3,000
Failure of generator of 1000 kg or greater of hazardous waste to ship F006 hazardous waste off site within 180 days.	\$3,000
Failure of generator of 1000 kg or greater of hazardous waste, who transports F006 hazardous waste over 200 miles, to ship the F006 hazardous waste off site within 270 days.	\$3,000
Failure of generator to properly sign the manifest upon receipt of a returned shipment of hazardous	\$3,000

40 C.F.R. Part 262 Subpart D-Recordkeeping and Reporting	
Failure of generator to keep copy of manifest for 3 years.	\$3,000
Failure of generator to keep copy of hazardous waste report or exception report for 3 years.	\$3,000
Failure of generator to keep records of any test results, waste analyses, or other determinations for 3 years.	\$3,000
Failure of generator to keep copy of required records during the course of unresolved enforcement action or as requested by the Department.	\$4,500
Failure of generator to submit hazardous waste report of manifest activities by March 1.	\$3,000
Failure of generator who treats, stores or disposes of hazardous waste on-site to submit hazardous waste report covering those wastes.	\$3,000
Failure of generator of greater than 1000 kg of hazardous waste to comply with exception reporting requirements.	\$3,000
Failure of generator of greater than 100 kg but less than 1000 kg of hazardous waste to comply with exception reporting requirements.	\$3,000
40 C.F.R. Part 262 Subpart E-Exports of Hazardous Waste	
Failure of generator to comply with the receiving country's consent requirements or to obtain the EPA Acknowledgment of Consent prior to exporting hazardous waste.	\$5,000
Failure of generator to comply with the EPA notification requirements prior to offering hazardous waste for export.	\$3,000
Failure of generator exporting hazardous waste to comply with the special manifest requirements.	\$3,000
Failure of generator exporting hazardous waste to file an exception report.	\$3,000
Failure of generator exporting hazardous waste to comply with the annual reporting requirements.	\$3,000
Failure of generator exporting hazardous waste to comply with the record keeping requirements.	\$3,000
40 C.F.R. Part 262 Subpart F-Imports of Hazardous Waste	
Failure of generator importing hazardous waste to comply with the special manifest requirements and 40 C.F.R. 262.	\$3,000
N.J.A.C. 7:26G-7, STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE	
40 C.F.R. Part 263 Subpart A-General	
Failure of transporter transporting hazardous wastes to have EPA identification number.	\$5,000
40 C.F.R. Part 263 Subpart B-Compliance with the Manifest System and Recordkeeping	
Failure of transporter accepting hazardous waste from a generator to ensure it is accompanied by a manifest signed in accordance with the provisions of 40 C.F.R. 262.23.	\$3,000

Failure of transporter accepting an exported waste to ensure that the waste was accompanied by, and conformed to the EPA Acknowledgement of Consent.	\$3,000
Failure of transporter to contact generator for instructions and to revise manifest in accordance with generator's instructions in case of undeliverable shipment.	\$5,000
Failure of transporter to comply with the requirements of 40 C.F.R. 263.21(b)2 when hazardous waste is rejected by the designated facility while the transporter is on the facility's premises.	\$5,000
Failure of transporter to ensure that manifest accompanies hazardous waste.	\$5,000
Failure of transporter to obtain date of delivery and handwritten signature of other transporter or of owner or operator of designated facility.	\$3,000
Failure of transporter to give remaining copies of manifest to the accepting transporter or designated facility.	\$3,000
Failure of rail transporter accepting hazardous waste from non-rail transporter to sign or date manifest.	\$3,000
Failure of rail transporter accepting hazardous waste from non-rail transporter to return a signed copy of manifest to non-rail transporter.	\$3,000
Failure of rail transporter accepting hazardous waste from non-rail transporter to forward at least 3 copies of the manifest to next non-rail transporter, designated facility, or last rail transporter in United States.	\$3,000
Failure of rail transporter to ensure appropriate shipping paper accompanies hazardous waste at all times.	\$5,000
Failure of rail transporter delivering hazardous waste to designated facility to obtain date of delivery or handwritten signature of owner or operator of designated facility.	\$3,000
Failure of rail transporter delivering hazardous waste to non-rail transporter to obtain date of delivery or handwritten signature of non-rail transporter.	\$3,000
Failure of non-rail transporter accepting hazardous waste from rail transporter to sign or date manifest or to provide signed copy of manifest to rail transporter.	\$3,000
Failure of transporter transporting waste out of U.S. to comply with requirements at 40 C.F.R. 263.20(g)(1)-(4).	\$4,500
Failure of transporter to deliver entire quantity to designated facility, alternate designated facility, next designated transporter, or place outside U.S.	\$10,000
Failure of transporter to contact generator for instructions and to revise manifest in accordance with generator's instructions in case of undeliverable shipment.	\$5,000
Failure of transporter to comply with the requirements of 40 C.F.R. 263.21(b)2 when hazardous waste is rejected by the designated facility while the transporter is on the facility's premises.	\$5,000
Failure of transporter to maintain signed copy of manifest for three years.	\$3,000
Failure of water bulk shipment transporter to maintain copy of shipping paper for three years.	\$3,000
Failure of rail transporter to maintain copy of manifest and shipping paper for three years.	\$3,000
Failure of transporter to maintain copy of manifest indicating shipment left U.S. for three years.	\$3,000
Failure of transporter to maintain copy of manifest during the course of unresolved enforcement action or as requested by the Department.	\$4,500

40 C.F.R. Part 263 Subpart C-Hazardous Waste Discharges	
Failure of transporter to take appropriate immediate action to protect human health and the environment from a discharge of hazardous waste during transportation.	Matrix
Failure of transporter who has discharged hazardous waste to comply with State and Federal notice and report requirements.	\$5,000
Failure of transporter to clean up the discharge and take action as may be required or approved.	Matrix
N.J.A.C.7:26G-8, STANDARDS APPLICABLE TO OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES	
40 C.F.R. Part 264 Subpart B-General Facility Standards	
Failure of facility owner or operator to obtain EPA identification number.	\$5,000
Failure of facility owner or operator importing hazardous waste from a foreign country to notify EPA at least 4 weeks in advance of expected delivery.	\$3,000
Failure of facility owner or operator to inform generator in writing that he has the appropriate permit(s) for the waste the generator is shipping or to keep copy of notice in operating record.	\$3,000
Failure of facility owner or operator when transferring operation of the facility to inform the new owner or operator of the requirements of 40 CFR 264 and 270.	\$3,000
Failure of facility owner or operator to obtain detailed chemical analysis of representative sample before treating, storing, or disposing of any hazardous waste.	\$5,000

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