§ 27-0907. Standards applicable to generators of hazardous waste.

Not later than eighteen months after the effective date of this title, in a manner consistent with the state administrative procedure act, the commissioner shall promulgate regulations establishing standards which shall be applicable to generators of hazardous waste identified or listed under this title, necessary to protect human health and the environment. Such standards shall establish requirements respecting:

1. Recordkeeping practices that accurately identify the quantities of such hazardous waste generated, the constituents thereof which are significant in quantity or in potential harm to human health or the environment, and the disposition of such wastes;

2. Labeling practices for any containers used for the storage, transport, or disposal of hazardous waste which will identify accurately such wastes, and be in conformance with federal transportation requirements;

3. Use of appropriate containers for hazardous waste;

4. Furnishing of information on the chemical composition of such hazardous waste to persons transporting, treating, storing, or disposing of such wastes;

5. Use of the manifest system established under section 27-0905 of this title to assure that all such waste generated is designated for treatment, storage, or disposal in treatment, storage or disposal facilities (other than facilities on the plant site where the waste is generated) for which a permit has been issued as provided in section 27-0913 of this title; and

5-a. Each manifest shall contain a certification by the generator that:

a. the generator of the hazardous waste has in place a program to reduce the volume or quantity and toxicity of such waste to the degree

determined by the generator to be economically practicable or, if a hazardous waste reduction plan is required by and reviewable under section 27-0908 of this title, a program that meets the requirements of that section; and

b. the proposed method of treatment, storage or disposal is that practicable method currently available to the generator which minimizes the present and future threat to human health and the environment.

6. Submission of an annual report to the commissioner, and additional reports at such times as the commissioner deems necessary, respecting

a. the quantities and composition of hazardous wastes identified or listed under this title, generated during a specified time period;

b. the disposition of all hazardous wastes reported under paragraph a of this subdivision;

c. for each waste reported under paragraph a of this subdivision, the efforts undertaken during the year to reduce the volume or quantity and toxicity of waste generated;

d. for each waste reported under paragraph a of this subdivision, the changes in volume or quantity and toxicity of waste actually achieved during the year in question in comparison with previous years;

e. certification on the part of the generator that it has in place a program to reduce the volume or quantity and toxicity of hazardous wastes to the degree determined by the generator to be economically practicable or, if a hazardous waste reduction plan is required by and reviewable under section 27-0908 of this title, a program that meets the requirements of that section; and

f. certification that the treatment, storage or disposal method utilized by the generator is that practicable method currently available which minimizes present and future threats to human health and the environment.

7. The commissioner shall, within eighteen months after the effective date of regulations promulgated by the department pursuant to section 27-0905 of this chapter and annually thereafter, prepare and submit a report on the generating of hazardous wastes to the governor and legislature. Such report shall include, but not be limited to, the identity of generators within the state and the quantities, composition and disposition of hazardous wastes generated in the preceding year. Such information regarding quantities, composition and disposition shall be presented in aggregated form by waste type as generated in each of the department's administrative regions. The commissioner shall withhold information on hazardous wastes pursuant to section 27-0919 of this title in order to protect trade secrets.