

## PART 115 GENERATOR/BROKER/PROCESSOR/END USER OBLIGATIONS

(5/29/09)

Rule	Generator Obligations	Broker Obligations	Product Producer Obligations	End User Obligations
111 - AUA	Tests the material according to Rule 118 and submits petition. Complies with conditions of designation. <b>Gives copy of designation to broker/processor/end user.</b>	<b>Gives copy of designation to end user. Reports to generator on yearly basis volume reused or transferred.</b>		<b>Uses in compliance with designation.</b>
114(c) - excavated soil	Makes a determination that the material meets the inert criteria. <b>Certifies to broker/end user that the material meets the inert criteria.</b>			
114 (d) – construction brick, masonry, asphalt and concrete pavement, and broken pavement	Makes a determination that the material meets the inert criteria. Ensures that the material does not include other C&D waste. <b>Notifies department on volume of material diverted from a landfill. Certifies to broker/end user that the material meets the inert criteria.</b>	<b>Ensures that the stockpiling and processing does not violate Parts 55, 201, and 31 and the material is not speculatively accumulated.</b>	<b>Ensures that the stockpiling and processing does not violate Parts 55, 201, and 31 and the material is not speculatively accumulated.</b>	Notifies the department if the site receives over 1,000 cubic yards of material. Ensures that use does not violate Part 301 or 303.

114(1)(g) – low-hazard waste	Makes a determination that the material meets the inert criteria. Notifies department of reuse. Maintains characterization records. <b>Retests on an annual basis. Reports on yearly basis volume reused. Certifies to broker/producer/end user that the material meets the inert criteria.</b>	<b>Ensures that the stockpiling and processing does not violate Parts 55, 201, and 31 and the material is not speculatively accumulated. Gives copy of generator certification to the processor/end user.</b>	<b>Ensures that the stockpiling and processing does not violate Parts 55, 201, and 31 and the material is not speculatively accumulated. Gives copy of generator certification to the end user or provided label with use directions/restrictions.</b>	<b>Uses according to label directions.</b>
115 – Inert for general reuse	Tests the material according to Rule 118 and submits petition. Complies with conditions of designation. <b>Gives copy of designation to broker/processor/end user.</b>	<b>Gives copy of designation to processor/end user. Reports on yearly basis to the generator on volume reused or transferred.</b>	<b>Gives copy of designation to end user. Reports on yearly basis to the generator on volume reused or transferred.</b>	<b>Uses in compliance with designation.</b>
116 – Site specific inert	Tests the material according to Rule 118 and submits petition. Complies with conditions of petition. <b>Gives copy of designation to broker/processor/end user.</b>	<b>Notifies department that they will comply with conditions of designation. Gives copy of designation to processor/end user. Reports on yearly basis volume reused or transferred. (Not likely involved)</b>		<b>Uses in compliance with designation. Maintains cap or required controls. Provides department with deed restriction.</b>

117 – Inert instead of a virgin material	Tests the material according to Rule 118 and submits petition. Complies with conditions of petition. <b>Gives copy of designation to broker/processor/end user.</b>	<b>Gives copy of designation to processor/end user. Reports on yearly basis to generator volume reused or transferred.</b>	<b>Provides end user with label or use directions/restrictions. Reports on yearly basis to generator volume reused or transferred.</b>	<b>Uses in compliance with label or directions/restriction</b>
119 – Listed site/source separated materials	<b>Notifies processor/broker/end user of conditions contained in rule. . Reports on yearly basis volume reused.</b>	<b>Notifies processor/end user of conditions contained in rule.</b>	<b>Notifies end user of conditions contained in rule.</b>	<b>Uses in compliance with label or directions/restriction</b>
119 – site/source separated materials	Tests the material according to Rule 118 and submits petition. Complies with conditions of petition. <b>Gives copy of designation to broker/processor/end user.</b>	<b>Gives copy of designation to processor/end user. Reports on yearly basis to generator volume reused or transferred.</b>	<b>Gives copy of designation to end user or provides label with use directions/restrictions.</b>	<b>Uses in compliance with designation or label.</b>
120b – Category 1	<b>Makes a determination that the material is not a regulated hazardous waste. Notifies department of reuse. Maintains characterization records. Retests on an annual basis. Reports on yearly basis volume reused. Certifies to broker/producer/end user that the material meets the Category 2 criteria.</b>	<b>Notifies department that they will comply with conditions of the rules. Gives copy of conditions to processor/end user. Reports on yearly basis to department volume reused or transferred.</b>	<b>Notifies department that they will comply with conditions of the rules. Gives copy of conditions or provides label with use directions/restrictions to end user. Reports on yearly basis to department volume reused or transferred.</b>	<b>Complies with use directions/restriction</b>

120b – Category 2	<b>Makes a determination that the material meets the Category 2 criteria. Notify department of reuse. Maintains characterization records. Retests on an annual basis. Report on yearly basis to department volume reused. Certifies to broker/producer/end user that the material meets the Category 2 criteria.</b>	<b>Notifies department that they will comply with conditions of the rules. Gives copy of conditions to processor/end user. Reports on yearly basis to department volume reused or transferred.</b>	<b>Notifies department that they will comply with conditions of the rules. Gives copy of conditions or provides label with use directions/restrictions to end user. Reports on yearly basis to department volume reused or transferred.</b>	<b>Complies with use directions/restrictions</b>
120b – Category 3	<b>Makes a determination that the material meets the Category 3 criteria. Notifies department of reuse. Maintains characterization records. Retests on an annual basis. Reports on yearly basis volume reused. Certifies to broker/producer/end user that the material meets the Category 3 criteria.</b>	<b>Gives copy of conditions to processor. Reports on yearly basis to generator volume reused or transferred.</b>	<b>Provides information sheet with use directions/restrictions to end user. Reports on yearly basis to generator volume reused or transferred.</b>	<b>Complies with use directions/restrictions</b>

120b – Category 4	<p><b>Makes a determination that the material meets the Category 4 criteria. Notifies department of reuse. Maintains characterization records. Retests on an annual basis. Reports on yearly basis volume reused. Certifies to broker/producer/end user that the material meets the Category 4 criteria and provides information sheet with use directions/restrictions.</b></p>	<p><b>Provides information sheet with use directions/restrictions to processor/end user. Reports on yearly basis to generator volume reused or transferred.</b></p>	<p><b>Provides information sheet with use directions/restrictions to end user. Reports on yearly basis to generator volume reused or transferred.</b></p>	<p><b>Complies with use directions/restrictions</b></p>
<p><b>Class 1 Compostable Material</b></p>	<p><b>Petitions department to declare a waste as a class 1 compostable material or ensures that their organic material only contains listed class 1 compostable materials and that the material is delivered to a registered class 1 or class 2 composting facility. Since department is not permitting or licensing composting facilities, company performs “due diligence” review of registered the site.</b></p>		<p><b>Registers as a class 1 or class 2 composting facility. Complies with the conditions in the rules. Develops label or use direction sheet that is given to the end user.</b></p>	<p><b>Complies with label/use directions.</b></p>

<p><b>Class 2 Compostable Material</b></p>	<p>Determines that their organic material is not a regulated hazardous waste. Ensures that material is delivered to registered class 2 composting facility. Since department is not permitting or licensing composting facilities, company performs “due diligence” review of the registered site.</p>		<p>Registers as a class 2 composting facility. Complies with the conditions in the rules. Petitions department to have finished compost declared “general use compost” or to have it land applied under an agricultural use approval. Develops label or use direction sheet that is given to the end user.</p>	<p>Complies with label/use directions.</p>