

Resource Conservation and Recovery Act (RCRA)

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

Superfund Amendments and Reauthorization Act (SARA)

Toxic Substance Control Act (TSCA)

The Resource Conservation and Recovery Act (RCRA) was signed into law in 1976. This Act gives the Federal Environmental Protection Agency (EPA) broad authority to control hazardous waste from “cradle to grave” - including the generation, treatment, storage, transportation, and disposal of hazardous waste. Today RCRA is a combination of the original Act as well as numerous amendments, regulations, policies and guidance documents issued by EPA over the past 45 years.

Two main components of RCRA are Subpart D which deals with non-hazardous waste and Subpart C which deals with hazardous waste. Over the years, much of the authority for non-hazardous waste management has devolved to the states while EPA has retained much of the authority to regulate hazardous waste at the federal level. In NJ, the NJ Department of Environmental Protection (NJDEP) maintains a RCRA program and implementation of the RCRA statute is shared between federal and state authorities.

The main goal of RCRA was and continues to be the protection of human health and the environment from potential hazards associated with waste disposal. Other goals of RCRA are conservation of energy and natural resources, reducing the amount of waste generated, and ensuring that wastes are managed in an environmentally sound manner.

An outgrowth of RCRA has been the 1980 Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund. This act provided broad Federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA established requirements concerning closed and abandoned hazardous waste sites; provided for liability of persons responsible for releases of hazardous waste at these sites; and established a trust fund to provide for cleanup when no responsible party is identified.

In 1986 Congress passed the Superfund Amendments and Reauthorization Act (SARA) which strengthened CERCLA's enforcement provisions; encouraged voluntary settlements instead of litigation; stressed the importance of permanent remedies and innovative treatment technologies; increased state involvement in every phase of the Superfund program; increased the focus on human-health problems posed by hazardous waste sites; and encouraged greater citizen participation in how sites are cleaned up.

The Toxic Substances Control Act of 1976 provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics and pesticides. TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

The environmental regulations described above have differing levels of impact on a variety of NJIT operations. Most significantly the RCRA statute provides the regulatory framework by which NJIT manages regulated waste materials generated by laboratory and shop operations. NJIT utilizes the Satellite Accumulation Area (SAA) method by which regulated waste materials are segregated by hazard class and stored in a designated waste accumulation area which is located at or near the point of waste generation (meaning within the lab or shop). Waste generators utilize a variety of waste labels and forms found on the Environmental Health and Safety (EHS) website to first characterize their waste and request pick up and removal the waste by EHS. EHS maintains several 90-day waste holding areas where regulated waste materials are segregated by hazard class and stored temporarily (for no more than 90 days); awaiting removal by a licensed and insured hazardous waste management vendor. Specific information concerning regulated waste management at NJIT is included in the various annual training programs offered by EHS. Additional information concerning regulated waste management may be found on the EHS website: <https://www.njit.edu/environmentalsafety/waste-management>