

# The Florida Handbook of Solid and Hazardous Waste Regulation: Federal Agencies<sup>1</sup>

Michael T. Olexa, Damian C. Adams, and Kathleen Maurer<sup>2</sup>

## What is the Environmental Protection Agency (EPA)?

The Environmental Protection Agency (EPA) was established as an independent agency in the executive branch of the United States (US) government in 1970. EPA was created to regulate all aspects of the environment, especially pollution of our natural resources. EPA has been empowered to fulfill its purpose through many laws, such as the Resource and Conservation and Recovery Act (RCRA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); Emergency Planning and Community Right-to-Know Act (EPCRA); Ocean Dumping Act (ODA); Clean Air Act (CAA), and Clean Water Act (CWA). These environmental regulations are as follows: RCRA (regulates the disposal of solid and hazardous waste), CERCLA (regulates the cleanup of sites that pose a threat to human health and the environment), FIFRA (regulates the use and disposal of pesticides), EPCRA (regulates compliance and enforcement of hazardous waste

and chemical spills), ODA (regulates disposal of wastes into US oceans and territorial waters), CAA (regulates the release of pollutants into the atmosphere), and CWA (regulates disposal of wastes into US water bodies). While many of these laws provide the foundation for EPA regulations, please be aware that EPA can also promote regulations on its own, as long as they are related to these laws. Therefore even if an action is not against the letter of the law, it may be against a regulation promulgated by EPA to ensure compliance with the spirit of the law.

EPA has 10 regional offices located throughout the United States. Florida falls within the jurisdiction of the Region 4 Office, headquartered in Atlanta, Georgia. You may wish to contact this office about permitting for the disposal of waste into the ocean and other bodies of water; the use, application, and disposal of pesticides; or the disposal of hazardous wastes (see [FE786](#), Contact Agencies, for contact information).

1. This is EDIS document FE771, a publication of the Food and Resource Economics Department, UF/IFAS Extension, Gainesville, FL. Published November 2008, revised December 2013. Please visit the EDIS website at <http://edis.ifas.ufl.edu>.
2. Michael T. Olexa, professor, Food and Resource Economics Department; director, Center for Agricultural and Natural Resource Law, UF/IFAS Extension, Gainesville, FL; and member, The Florida Bar. Damian C. Adams, assistant professor, Natural Resource Economics and Policy, School of Forest Resources and Conservation, UF/IFAS Extension, Gainesville, FL. Kathleen Maurer, law student, Levin College of Law and Hough Graduate School of Business, University of Florida, Gainesville, FL. This handbook is edited by Carol Fountain, editor, Food and Resource Economics Department, UF/IFAS Extension, Gainesville, FL.

**Disclaimer:** This handbook is distributed with the understanding that the authors are not engaged in rendering legal or other professional advice and that the information contained herein should not be regarded or relied on as a substitute for professional advice. This handbook is not all-inclusive in providing information to achieve compliance with laws and regulations governing the practice of agriculture. For these reasons, using these materials constitutes an agreement to hold harmless the authors, the Center for Agricultural and Natural Resource Law, the Institute of Food and Agricultural Sciences, and the University of Florida for any liability claims, damages, or expenses that may be incurred by any person or party as a result of reference to or reliance on the information contained in this handbook.

The Institute of Food and Agricultural Sciences (IFAS) is an Equal Opportunity Institution authorized to provide research, educational information and other services only to individuals and institutions that function with non-discrimination with respect to race, creed, color, religion, age, disability, sex, sexual orientation, marital status, national origin, political opinions or affiliations. For more information on obtaining other UF/IFAS Extension publications, contact your county's UF/IFAS Extension office. U.S. Department of Agriculture, UF/IFAS Extension Service, University of Florida, IFAS, Florida A & M University Cooperative Extension Program, and Boards of County Commissioners Cooperating. Nick T. Place, dean for UF/IFAS Extension.

## **What is the United States Coast Guard (USCG)?**

The United States Coast Guard (USCG) is a branch of the US military that serves and protects America's coastlines and waterways. In concert with EPA, USCG is responsible for enforcing the Ocean Dumping Act (ODA) and the Clean Water Act (CWA). Anyone found in violation of these statutes by USCG may be subject to severe penalties.

## **What is the United States Army Corps of Engineers (USACE)?**

The United States Army Corps of Engineers (USACE), under the leadership of the Secretary of the Army, investigates, develops, and maintains America's infrastructure, including its water and related environmental resources. USACE is responsible for dredge-and-fill permitting pursuant to the Clean Water Act (CWA). Note: EPA has the authority to veto any dredge-and-fill permits.

## **What is the Department of Transportation (DOT)?**

The Department of Transportation (DOT) regulates all aspects of transportation in the United States, including the transportation of hazardous wastes and materials. You should be very careful to comply with DOT regulations because the penalties may be severe. DOT and EPA work together to develop laws regulating the transportation of hazardous wastes. As a result, the rules of the two agencies often refer to each other. Violating the regulations of either agency may subject you to penalties from both (see [FE786](#), Contact Agencies, for contact information).