PREFACE

I had the pleasure of launching the book publications program of the section, serving as editor of its first book, The Environmental Law Manual. As an officer and chair of the section, I was proud to see the section’s book program blossom to encompass a substantial and growing library of publications covering a broad array of environment, energy, and resources law topics.

The RCRA Practice Manual was first published in 1994. It was designed to provide a detailed, practice-oriented overview of the law in this complex and important area.

Numerous judicial developments have occurred since the first edition of the manual, including cases involving the definition of hazardous waste, Environmental Protection Agency over-filing, citizen suits, imminent and substantial endangerment, cost recovery, preemption, and civil and criminal enforcement.

Regulatory developments have similarly been numerous. A review of some of the developments during the past several years illustrates the dynamic nature of this area. In October 2008 EPA published its rule revising the definition of solid waste under RCRA, a rule change designed to promote legitimate recovery and recycling of certain hazardous secondary materials. However, the Sierra Club filed a lawsuit challenging the rule, and in September 2010 the Sierra Club and EPA reached a settlement agreement under which EPA will take comments on the issues raised by the Sierra Club. This rulemaking is still pending. In June 2010 EPA published proposed regulations specifying which non-hazardous secondary materials used as fuels in combustion units are solid wastes. In November 2010 President Obama issued a proclamation expressing the Administration’s growing concerns with electronic waste. The Hazardous Waste Electronic Manifest Establishment Act was signed into law in October 2012.

2. 75 Fed. Reg. 31,844 (June 4, 2010).
The dynamic nature of RCRA warrants this third edition. Indeed, it is overdue. These developments have resulted in numerous changes to *The RCRA Practice Manual*. Every chapter was rewritten to reflect the new judicial and regulatory interpretations of RCRA.

I was fortunate to be able to build on the solid foundation of the first and second editions. I would like to thank all of the authors of chapters of this book for their efforts and expertise. Thanks also to Peter Wright, the Section’s Education Officer, for his work in organizing peer review of the various chapters of the book, and Leslie Keros, Executive Editor at ABA Publishing. Finally, I would like to thank my law firm for its support.

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