



An Outline of the New Requirements for Hazardous Waste Generators.

All references are to 40 CFR, based on the new Haz Waste Generator Improvement Rule.
Note: State requirements for hazardous waste generators may vary from these rules.

VSQG = Very Small Quantity Generator. **SQG** = Small Quantity Generator. **LQG** = Large Quantity Generator.

| | VSQG | SQG | LQG |
|---|--|---|--|
| Independent Requirements | | | |
| Hazardous Waste Determination and Recordkeeping | All hazardous waste generators must accurately determine if their wastes are “hazardous”. For each waste, the generator must a) Know if any exclusions apply, b) Know if any it is a Listed Waste, c) Know if it is a Characteristic Waste, d) Documentation and Recordkeeping (for SQG’s and LQG’s only). 262.11(a) – (g) | | |
| Application of EPA Waste Codes | Not Required 262.11(f) | Identification of ALL applicable EPA Waste Codes. 262.11(g) | Identification of ALL applicable EPA Waste Codes. 262.11(g) |
| Obtaining EPA Identification Numbers | Not Required. Required for Episodic Events 262.14(a) 262.232(a)(2) | Required. | Required. |
| Determination of Generator Category | Generators must count all hazardous and acutely hazardous wastes, reduce those amounts by wastes not included (262.13(c) – (d)), and calculate the monthly rates of generation. Compare to Table 1 of 262.13 to determine the generator category. | | |
| Mixing Hazardous Wastes with Solid Wastes | VSQG hazardous waste may be mixed with solid waste. The character of the mixture determines management requirements. 262.13(f)(1) | SQG and LQG hazardous waste may be mixed with solid waste. The mixtures are subject to the Mixture Rule and Dilution Prohibition. Management requirements found at 262.13(f)(2) | |

| Conditions for Exemption | | | |
|--|--|---|--|
| | VSQG Link to Section 262.14 HERE | SQG Link to Section 262.16 HERE | LQG Link to Section 262.17 HERE |
| Quantity Limits for Hazardous Waste Generation 262.13 Table 1 | ≤100 kg/month of Haz Waste ≤1 kg/month of acute hazardous waste ≤100 kg/month of acute spill residue or soil | Between 100 - 1,000 kg/month ≤1 kg/month of acute haz. waste ≤100 kg/month of acute spill residue or soil 262.16(a) | ≥1,000 kg/month, and/or >1 kg/month of acute haz. waste, and/or >100 kg/month of acute spill residue or soil. |
| Waste Accumulation Limits for Acutely Hazardous Waste | If accumulation for acute hazardous wastes exceeds limits, exception maintained only if: a) All such waste is disposed within 90 days, b) Comply with all conditions for exemption for a LQG. 262.14(a)(3) | / | / |
| Waste Accumulation Limits for Hazardous Waste | If accumulation for hazardous wastes exceeds 1000 kg, exception is maintained only if: a) All such waste is disposed within 180 days, b) Total quantity does not exceed 6000 kg, c) Comply with other conditions. 262.14(a)(4) | Hazardous waste may be accumulated on-site without a permit if a) Waste is shipped off-site within 180 days, b) Total waste accumulation never exceeds 6000 kg. 262.16(b) | Hazardous waste may be accumulated on-site without a permit if a) Waste is shipped off-site within 90 days, b) Special arrangements for F006 wastes. 262.17(a) |
| Acceptable Destination Facilities | VSQG waste can be sent to various facilities. 262.14(a)(5)(i)-(vii) VSQG waste can be sent to a LQG under control of same company. 262.14(a)(5)(viii) | Not Specified, but all hazardous waste from SQG’s must be shipped to permitted disposal facilities. | Not Specified, but all hazardous waste from LQG’s must be shipped to permitted disposal facilities. |

Conditions for Exemption (cont.)

| | VSQG Link to Section 262.14 HERE | SQG Link to Section 262.16 HERE | LQG Link to Section 262.17 HERE |
|---|---|---|---|
| Additional Conditions for Accumulation in Containers | None Specified, but reasonable management methods are recommended. | Hazardous waste in containers must be managed according to several standard practices. 262.16(b)(2) | Hazardous waste in containers must be managed according to several standard practices. 262.17(a)(1) |
| Inspection and Storage for Containers | None Specified, but reasonable storage methods are recommended. | Central Accumulation areas must be inspected weekly. 262.16(b)(2)(iv) Physical separation of incompatible wastes. 262.16(b)(2)(v)(C) | Central Accumulation areas must be inspected weekly. 262.17(a)(1)(v) Physical separation of incompatible wastes. 262.17(a)(1)(vii) |
| Labeling and Marking of Containers | Not Required, but labeling of containers is always recommended. | All containers of hazardous waste must be labeled with specific information. 262.16(b)(6)(i) | All containers of hazardous waste must be labeled with specific information. 262.17(a)(5)(i) |
| Additional Conditions for Accumulation in Tanks | / | Numerous requirements for storage of hazardous wastes in tanks. 262.16(b)(3) | Numerous requirements for storage of hazardous wastes in tanks. 262.17(a)(2) |
| Labeling and Marking of Tanks | / | All tanks of hazardous waste must be labeled with specific information. 262.16(b)(6)(ii) | All tanks of hazardous waste must be labeled with specific information. 262.17(a)(5)(ii) |
| Additional Conditions for Accumulation by Other Means | / | Requirements for accumulation of hazardous waste on drip pads or in containment buildings 262.16(b)(4)-(5) | Requirements for accumulation of hazardous waste on drip pads or in containment buildings 262.17(a)(3)-(4) |
| Preparedness and Prevention | Not Required, but having spill control planning is recommended. | SQG's must have several measures in place to prevent fires and spills. 262.16(b)(8) | LQG's must have a large number of extensive measures in place to prevent fires and spills. 262 subpart M |
| Arrangements with Local Authorities | Not Required | SQG's must make arrangements with local emergency responders for assistance. 262.16(b)(9) | LQG's must make arrangements with local emergency responders for assistance. 262.265 |
| Episodic Event Waste Management | VSQG's may manage hazardous waste from an episodic event according to Subpart L . | SQG's may manage hazardous waste from an episodic event according to Subpart L . | / |
| Employee Training | Not Required, but awareness training is recommended. | Ensure all waste handling employees are thoroughly familiar with management and emergency procedures. 262.16(b)(9)(iii) | Very significant training requirements for facility employees. 262.17(a)(7) |
| Closure of Facility or Accumulation Unit | / | / | Notification requirements and performance standards 262.17(a)(8) |
| Receiving Hazardous Waste from VSQG's | / | / | VSQG waste may be sent to a LQG under control of the same organization 262.17(f) |

EPA ID Numbers and Renotification Requirements

| | VSQG | SQG | LQG |
|----------------|------|---|---|
| Renotification | / | A SQG must renotify by submission of a form 8700-12 beginning in 2021 and every 4 years thereafter. 262.18(d)(1) | A LQG must renotify by submission of a form 8700-12 every even numbered year. 262.18(d)(2) |

| Satellite Accumulation Areas (SAA's) | | | |
|--------------------------------------|------|---|-----|
| | VSQG | SQG | LQG |
| Container Condition | / | Containers in SAA's must be maintained free from leaks. 262.15(a)(1) | |
| Incompatible Materials | | Incompatible materials must not be mixed. 262.15(a)(3) | |
| Storage of Incompatible Materials | | Incompatible materials in storage must be separated by any practical means. 262.15(a)(3)(iii) | |
| Container Management and Labeling | | Containers must be kept closed and labeled according to this section. 262.15(4)-(5) | |
| Removal of Excess Waste | | When the amount of waste exceeds limits (1 kg of acutely hazardous waste or 55 gallons of hazardous waste), the excess amount must be removed within 3 days. 262.15(a)(6) | |
| Preparedness and Prevention | | SQG Requirements: a) Communication and fire equipment, b) Testing of equipment, c) Aisle space and alarms, d) Arrangements with local authorities, e) Emergency coordinator, f) Posted Information, g) Response to spills 262.15(a)(7) | |

| Episodic Waste Generation (Link to this section HERE) | | | |
|---|---|--|-----|
| | VSQG | SQG | LQG |
| Event Limits | Limited to one event per year unless petitioning for a second event. 262.232(a)(1) | Limited to one event per year unless petitioning for a second event. 262.232(b)(1) | / |
| Notification | Notification at least 30 days before a planned event or within 72 hours of an unplanned event. 262.232(a)(2) | Notification at least 30 days before a planned event or within 72 hours of an unplanned event. 262.232(b)(2) | |
| EPA ID Number and Accumulation | A VSQG must get an EPA ID Number and can only store episodic waste in containers or tanks. 262.232(a)(3)-(4) | A SQG must get an EPA ID Number and can only store episodic waste in containers or tanks. 262.232(b)(3)-(4) | |
| Waste Containment | Containers and Tanks must be in good condition. Containers kept closed and tanks have other requirements. 262.232(4)(iii)(A)-(B) | Containers must meet the general requirements of 262.16(b)(2) . Tanks must meet the general requirements of 262.16(b)(3) | |
| Waste Labeling and Marking | Episodic waste containers and tanks must be marked as per 262.232(a)(4) | Episodic waste containers and tanks must be marked as per 262.232(a)(4) | |
| Manifest Use | Episodic waste must be shipped on a Uniform Hazardous Waste Manifest. 262.232(a)(5) | Not specified, but obviously required. | |
| Waste Storage Period | Episodic hazardous waste must be shipped for disposal within 60 days of the start of the event. 262.232(a)(6) | Episodic hazardous waste must be shipped for disposal within 60 days of the start of the event. 262.232(b)(5) | |
| Recordkeeping | Detailed records of the event must be maintained for 3 years. 262.232(a)(7) | Detailed records of the event must be maintained for 3 years. 262.232(b)(6) | |

We know that the complexities of the rules for hazardous waste generators make it difficult to comply. If you need help, we would be glad to speak with you about the best way to keep in line with the law.