



Key Changes to the Hazardous Waste Generator Improvement Rule for Very Small Quantity Generators and Small Quantity Generators

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The EPA finalized a rule revising the hazardous waste generator regulations. This new rule went into effect in Alaska and Iowa on May 30, 2017. The new rules will go into effect in the 48 authorized states when each state adopts equivalent state requirements. The State of Georgia will adopt the new rules, effective October 2017. This document provides a summary of some of the key changes for Very Small Quantity Generators (VSQGs) and Small Quantity Generators (SQGs). If you would like to read further, the applicable citation is in parenthesis (40 CFR 262). The following table provides you with your hazardous waste generator category for the hazardous waste you generate in a calendar month:

Generator category	Quantity of acute hazardous waste generated in a calendar month	Quantity of non-acute hazardous waste generated in a calendar month	Quantity of residues from a cleanup of acute hazardous waste generated in a calendar month
Large quantity generator (LQG)	> 1 kg (> 2.2 lbs.)	Any amount	Any amount
Large quantity generator (LQG)	Any amount	≥ 1,000 kg (≥ 2,200 lbs.)	Any amount
Large quantity generator (LQG)	Any amount	Any amount	> 100 kg (> 220 lbs.)
Small quantity generator (SQG)	≤ 1 kg (≤ 2.2 lbs.)	> 100 kg and < 1,000 kg (> 220 lbs. and < 2,200 lbs.)	≤ 100 kg (≤ 220 lbs.)
Very small quantity generator (VSQG)	≤ 1 kg (≤ 2.2 lbs.)	≤ 100 kg (≤ 220 lbs.)	≤ 100 kg (≤ 220 lbs.)

VSQGs ([40 CFR 262.14](#))

The term “Conditionally Exempt Small Quantity Generators” (CESQGs) was replaced with “Very Small Quantity Generators” (VSQGs) to provide consistency with the other generator categories.

VSQGs Shipping to LQGs ([40 CFR 262.14\(a\)\(5\)](#)) and [40 CFR 262.17\(f\)](#)

VSQGs can ship hazardous waste to an LQG that is under the “control” of the same person as the VSQG. If shipping between states, ensure both states have adopted this provision. Label the containers with the words “Hazardous Waste” and an indication of the hazards of the contents.

VSQGs and SQGs Hazardous Waste Determination ([40 CFR 262.11](#))

Hazardous waste determination for each solid waste must be made at the point of waste generation prior to mixing, dilution or other alteration. Mixing hazardous wastes with solid wastes could change your generator status. A new hazardous waste determination would be required after mixing. SQGs must identify applicable waste codes based on the hazardous waste determinations. If the solid waste is not excluded under 40 CFR 261.4, then the following must be determined:

- Using knowledge of the waste, determine if it is a listed hazardous waste;
- Using testing or knowledge of the waste, determine if it exhibits one or more hazardous waste characteristics.

While awaiting laboratory results, generator must manage waste as a hazardous waste and continue to do so, if the determination is hazardous. Document the solid waste and hazardous waste determination with records supporting these determinations. Maintain these records for at least three years from the date the waste was last sent to an on-site or off-site treatment, storage or disposal facility.

VSQGs and SQGs Episodic Generation (40 CFR 262 Subpart L)

VSQGs and SQGs can keep their generator status in the event of a planned or unplanned episodic generation of hazardous waste. In this case, they would not have to count this additional hazardous waste generated towards the monthly hazardous waste generation. This is allowed once per calendar year. If a facility has a planned episodic event, they can petition for a second unplanned episodic event in a calendar year and vice versa. Conditions must be met in order to receive relief for an episodic event.

SQGs Satellite Accumulation Area Requirements (40 CFR 262.15)

- As much as 55 gallons of a non-acute hazardous waste and/or either 1 quart of liquid acute hazardous waste or 1 kg (2.2 lbs.) of physically solid acute hazardous waste can be stored in a satellite accumulation area.
- Label containers with the words “hazardous waste” and with an indication of the hazards of the contents.
- Containers must be closed at all times except when adding, removing or consolidating waste. Containers may also be opened when temporary venting of the container is necessary for the proper operation of the equipment or to prevent dangerous situations, such as build-up of extreme pressure.
- Incompatible wastes cannot be stored in the same container unless you meet the requirements in 40 CFR 265.17(b). Hazardous wastes cannot be placed in an unwashed container that previously held an incompatible waste. Containers holding incompatible wastes in close vicinity have to be separated by any

practical means (i.e., dike, berm, wall, or other device).

- Wastes in a satellite accumulation area must be moved to central accumulation area within three consecutive calendar days of being filled. Satellite accumulation areas can be converted to a central accumulation area when maximum volumes are exceeded by complying with central accumulation area requirements within three consecutive calendar days.

SQGs Labeling and Marking of Containers (40 CFR 262.16(b)(6)(i))

- Label central accumulation area (90/180/270 day) containers with the words “Hazardous Waste,” an indication of the hazards of the contents and the accumulation start date.
- Before transport SQG must label/mark their containers with the following:
 1. Required Department of Transportation (DOT) labeling and marking;
 2. Containers having 119 gallons or less must be labeled with *HAZARDOUS WASTE – Federal Law Prohibits Improper Disposal. If found, contact the nearest police or public safety authority or the US Environmental Protection Agency.* They must also have the generator’s name, address and EPA ID number, manifest tracking number and EPA hazardous waste codes.

SQGs Labeling and Marking of Tanks (40 CFR 262.16(b)(6)(ii))

- Label tanks with the words “Hazardous Waste” and an indication of the hazards of the contents. Use records such as inventory logs or monitoring equipment to show that hazardous waste has been emptied within 180 days of first entering the tank.
- With a continuous flow process show that estimated volumes of hazardous waste entering the tank daily exit the tank within 180 days of first entering.
- Maintain records so they are readily available.

SQG Emergency Planning and Procedures (40 CFR 262.16(b)(8)(vi))

- SQGs must attempt to make arrangements, as appropriate, with its local fire department, police, emergency response teams, emergency response contractors, equipment suppliers, local hospitals and the Local Emergency Planning Committee (LEPC). SQGs would provide facility layout as well as hazardous wastes at the facility.

SQG Notification Requirements (40 CFR 262.18)

- SQGs must re-notify EPA every four years using EPA form 8700-12 beginning September 1, 2021.

Where can I go for more information?

- EPA website <https://www.epa.gov/hwgenerators/final-rule-hazardous-waste-generator-improvements>
- EPA Fact Sheet <https://www.epa.gov/hwgenerators/fact-sheet-about-hazardous-waste-generator-improvements-final-rule>
- Where is the new rule in effect? <https://www.epa.gov/hwgenerators/where-hazardous-waste-generator-improvements-rule-effect>
- Contact the Georgia EPD at 404-362-2692
- <http://www.gecap.org> or call GECAP personnel at 404-407-8082

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