

## **Hazardous Waste Generator Requirements for Small Quantity Generators**

This fact sheet is one in a series designed to help Pennsylvania businesses understand the requirements that apply to hazardous waste-related activities. This fact sheet addresses the requirements applicable to Small Quantity Generators (SQGs) of hazardous waste.

Federal hazardous waste regulations (40 CFR) cited in this fact sheet have been incorporated by reference as Pennsylvania regulations in Title 25 of the Pa. Code. Additions or modifications to the federal regulations incorporated by reference appear in the Pa. Code and are appropriately referenced in this document.

SQGs generate or import greater than 100 kilograms (220 pounds) but less than 1,000 kilograms (2,200 pounds) of hazardous waste in a calendar month. The requirements that apply to SQGs are found primarily in 40 CFR Part 262 and 25 Pa. Code Chapter 262a.

### **Hazardous Waste Determination**

- Under 40 CFR 262.11, SQGs are required to determine whether the waste generated are hazardous waste, as defined in 40 CFR Part 261. For details on how to make this determination, consult DEP's fact sheet, *Determining Whether the Hazardous Waste Generator Requirements Apply to You (2510-FS-2514)* or DEP's *Hazardous Waste Regulation Compliance Guide – Hazardous Waste Generator Requirements (2510-BK-DEP2504)*.

### **EPA Identification Numbers**

- SQGs must submit a RCRA Subtitle C Site Identification Form (EPA Form 8700-12) to DEP to obtain an EPA identification number (40 CFR 262.18). In addition, SQGs must submit a subsequent notification if:
  - generator activity moves to another location
  - the designated contact person for the facility changes
  - the ownership of the facility changes
  - the type of regulated activity that takes place at the facility changes
  - generator status changes, except when the generator status change is temporary and/or the name of the facility changes (25 Pa Code 262a.18)
- Notifications and subsequent notifications should be sent to PADEP, to the attention of the Hazardous Waste Management Division.

### **SQG Renotification**

- The 2016 Hazardous Waste Generator Improvements Rule (GIR), adopted by Pennsylvania on May 30, 2017, finalized a regulation for SQGs to renotify using EPA Form 8700-12 of their hazardous waste activities every four years. The first renotification was due by September 1, 2021 and then every four years thereafter e.g., September 1, 2025, September 1, 2029, etc. Submitting EPA form 8700-12 anytime within the four years before the deadline will meet the SQG renotification requirement (40 CFR 262.18(d)).

### **Accumulating Hazardous Waste Onsite**

- SQGs may accumulate hazardous waste onsite for 180 days or less without a permit or interim status if conditions in 40 CFR 262.16 are met. This time limit is extended to 270 days if hazardous waste is transported 200 miles or more for offsite treatment, storage or disposal. The amount of waste accumulated onsite must never exceed 6,000 kilograms and all requirements of 40 CFR 262.16(b) must be met. A brief overview of these requirements is provided below. For additional detail regarding these requirements, consult DEP's *Hazardous Waste Regulation Compliance Guide - Hazardous Waste Generator Requirements (2510-BK-DEP2504)*.

### **Accumulation Units**

- SQGs may accumulate hazardous waste in tanks, containers, containment buildings or on drip pads. In so doing, SQGs must ensure that these units are operated and maintained in accordance with applicable requirements of 40 CFR Part 265 Subparts I and J and 25 Pa. Code Chapter 265a as listed in 40 CFR 262.16(b).

### **Satellite Accumulation**

- In accordance with 40 CFR 262.15, SQGs may accumulate up to 55 gallons of hazardous waste or one quart of acutely hazardous waste in containers at or near any point of generation where waste initially accumulate without complying with the accumulation time requirements of 40 CFR 262.15(a)(6).

## **Preparing for Emergencies**

- SQGs accumulating hazardous waste onsite must be prepared to take appropriate actions in response to an emergency at the facility e.g., a spill or explosion. SQGs must comply with the requirements of 40 CFR 262.16(b)(8) and (9), which include: maintaining the necessary emergency response equipment and an internal alarm or emergency communications system; maintaining adequate aisle space to facilitate response; and attempting to make arrangements with local police and fire departments and emergency response teams.

In addition, 40 CFR 262.16(b)(9) requires SQGs to: post emergency response information next to the telephone; ensure that all facility personnel are thoroughly familiar with proper waste handling and emergency procedures; and ensure that at least one employee is available at all times as the emergency coordinator. The emergency coordinator must respond to any emergencies by taking appropriate immediate control measures; contacting appropriate response authorities; and notifying DEP and the National Response Center.

## **Shipping Hazardous Waste Offsite**

- SQGs may prepare hazardous waste for shipment offsite or may rely on a transporter to do so. In either case, SQGs must ensure that the hazardous waste shipped offsite are properly prepared for shipment before leaving the site. This includes proper packaging, labeling and marking, and placarding of waste shipments to meet the requirements of 40 CFR 262.30 through 262.33 and the U.S. Department of Transportation (DOT) regulations in 49 CFR Parts 172 through 179, where applicable. Thus, SQGs preparing hazardous waste for transport will need to review the DOT regulations.

## **Hazardous Waste Manifest**

- SQGs shipping hazardous waste offsite must use the Uniform Hazardous Waste Manifest form. This document tracks hazardous waste from the generating facility until it reaches the designated offsite facility that will treat, store and/or dispose of the hazardous waste. The manifest must accompany any hazardous waste shipment offsite, regardless of the mode of transport. SQGs shipping hazardous waste offsite must complete a manifest (either electronic or paper) with the shipment and ensure that a licensed hazardous waste transporter delivers the manifested shipment to the facility that has been designated on the manifest to receive the waste. Instructions for completing the Uniform Hazardous Waste Manifest (either electronic or paper) may be obtained through the EPA website [<https://www.epa.gov/e-manifest>]. [Note: verify that the most current version of the Uniform Hazardous Waste Manifest is being used.] SQG Manifesting Requirements are found at 40 CFR Part 262, Subparts B and D, and 25 Pa. Code Chapter 262a, Subchapter B.

## **Recordkeeping Requirements**

Under 40 CFR 262.40 and 262.44, SQGs must keep the following information at the facility for at least three years:

- Each signed manifest that is provided to the transporter when the transporter picks up the hazardous waste shipment. This copy must be kept in the files for at least three years from the date of shipment, or until a signed copy from the designated facility is received.
- Each signed manifest from the designated facility. The copy must be kept in the files for at least three years from the date the hazardous waste was transported from your site.
- Each exception report submitted under 40 CFR 262.42(a) or (b) for at least three years from the due date of the report.
- Test results, waste analyses or other determinations made under 40 CFR 262.11 for at least three years from the date the waste was last sent to onsite or offsite treatment, storage or disposal.

## **Source Reduction**

- SQGs generating more than 1,000 kilograms in any given month of the year must prepare a source reduction strategy (25 Pa. Code 262a.100(b)(3)) that includes:
  - A waste stream characterization;
  - A description of potential source reduction options;
  - A description of how the options were evaluated; and
  - An explanation of why each option was not selected.

- For each type of waste generated, SQGs must describe the source reduction activities conducted in the five years prior to the date the strategy is required and submit a statement on if a source reduction strategy program was established. The program must identify the methods and procedures that will be implemented to reduce the weight or toxicity of wastes and quantify the projected waste reduction (in weight or toxicity) achievable using the methods and procedures. The program must also specify when each method or procedure will be implemented. Ideas for waste reduction strategy include:
  - Substituting raw materials.
  - Modifying or redesigning end products.
  - Reformulating or redesigning production processes.
  - Changing material usage, handling, or storage practices.
  - Using closed-loop reclamation, reuse, or recycling.
  - Using onsite or offsite recycling technologies.
- SQGs are responsible for signing the strategy, keeping it on site and making it available to DEP during an inspection or whenever requested. SQGs must update the strategy when there is a significant change in a type of waste generated or in the manufacturing process, as well as every five years, except as otherwise specified.

#### **Compliance with the Land Disposal Restrictions Program**

- If hazardous waste will be disposed in a land-based unit (e.g., a landfill or surface impoundment), SQGs are subject to the Land Disposal Restrictions (LDR) program in 40 CFR Part 268. The LDR program requires that hazardous waste meet specified hazardous constituent levels or that waste be treated using a specified treatment technology prior to being disposed on the land. If the waste does not meet the applicable standard without treatment, the waste must be treated to meet the standard(s) prior to disposal. SQGs must also comply with LDR requirements for tracking and recordkeeping.

#### **International Shipments of Hazardous Waste**

- SQGs exporting shipments of hazardous waste out of the United States must comply with the requirements of 40 CFR Part 262, Subpart H. Note, however, that any person who imports or exports hazardous waste to or from a designated member country of the Organization for Economic Cooperation and Development (OECD) for purposes of recovery is subject to Subpart H of 40 CFR Part 262. Subpart H establishes requirements for international shipments of hazardous waste destined for recovery operations in OECD countries. The United States is a designated member country of the OECD. See 40 CFR 262.81 for a list of other designated OECD member countries.

#### **Additional Information**

Additional information, including the applicable regulations, is available from DEP's Hazardous Waste Management Division at 717-787-6239.

Pa. Regulations website: <http://www.pacodeandbulletin.gov/Home/Pacode> (Environmental Protection is Title 25)

U.S. Environmental Protection Agency website: [www.epa.gov](http://www.epa.gov).

For more information, visit [www.dep.pa.gov](http://www.dep.pa.gov), keywords: Hazardous Waste, Small Quantity Generator, SQG.