

The Hazardous Waste Generator Improvement Rule

IS IT REALLY AN IMPROVEMENT?

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REGFORM

HISTORY

- ✘ EPA was “born” on December 2, 1970 (over 45 years ago).
- ✘ RCRA was “born” on October 21, 1976 (almost 40 years ago).
- ✘ After multiple years of experience and implementation, EPA believes there is an opportunity to improve program efficiency and effectiveness.
- ✘ EPA intends to make these improvements through the creation and implementation of the new Hazardous Waste Generator Improvement Rule

WHAT WOULD CHANGE?

- × Reorganization of rules
- × CESQG (VSQG) consolidation of waste at LQG
- × Episodic generation
- × Emergency planning and preparedness
- × Labeling requirements
- × Reporting
- × Satellite accumulation
- × Closure
- × Hazardous waste determination/documentation
- × 50 foot line exemption

Your Level of Sanity????

REORGANIZATION OF RULES

Provision	Existing Citation	Proposed Citation
Generator Category Determination	§261.5(c)-(e)	§262.13
CESQG Provisions	§261.5(a), (b), (f)-(g)	§262.14
Satellite Accumulation Area Provisions	§262.34(c)	§262.15
SQG Provisions	§262.34(d)-(f)	§262.16
LQG Provisions	§262.34(a), (b), (g)-(i), (m)	§262.17

CESQG/VSQG CONSOLIDATION AT LQG

- ✘ CESQG (Conditionally Exempt Small Quantity Generator) now becomes VSQG (Very Small Quantity Generator)
- ✘ CESQG can now transport waste to LQG **as long as** both CESQG and LQG are under the control of the same person
- ✘ Can decrease generator cost, but can also increase reporting (state notification required) and documentation (shipment records required)
- ✘ No permit required
- ✘ Reporting would be required under the LQG Biennial Report

EPISODIC GENERATION

- ✘ Applies only to CESQG's and SQG's
- ✘ Would allow planned and unplanned "events" of waste generation without bumping to LQG status
- ✘ Could happen 1 time per year (possibly 2 with prior permission)
- ✘ Episodic event would have 45 days to completion (shipping off site) with the possibility of a 30 day extension
- ✘ SQG's would comply with existing regulations
- ✘ CESQGs would be required to:
 - Obtain RCRA ID
 - Use a Hazardous Waste Manifest
 - Label waste
 - Identify an emergency coordinator
 - Maintain associated records

EMERGENCY PLANNING AND PREPAREDNESS

- ✘ Contingency Plan – **New LQG** plans would include an executive summary (most critical information immediately “up front”)
- ✘ Generator’s would be required to keep documentation showing proof of an attempt to make arrangements with responders regarding familiarization of onsite materials
- ✘ Contingency plans apply only to areas where hazardous waste is stored (not the entire facility).
- ✘ Personal information not required in Contingency Plan, only Emergency Contact
- ✘ Allows different methods of communication instead of the traditional landline

LABELING

- ✘ Labels must show container hazards (can be indicated using several established methods)
- ✘ Contents must be identified in “plain English”
- ✘ Applies to containers, tanks, drip pads, satellite accumulation areas, central accumulation areas, transfer facilities and containment buildings
- ✘ Makes emergency responders more comfortable

REPORTING

- ✘ SQG's must re-notify every 2 years
- ✘ Biennial Reports of LQG's must show all hazardous waste generated in a calendar year, even when it's managed in the next calendar year.
- ✘ LQG's have to report waste generated throughout the year, even if they dip into SQG status.
- ✘ CFR regulations will no longer be in conflict with Biennial instructions, but will refer to the instructions instead.
- ✘ Recycling facilities will have to report all wastes that are not in storage before recycling.

SATELLITE ACCUMULATION

- ✘ Incompatible wastes would no longer be allowed in the same container.
- ✘ Container would be allowed to remain open under certain conditions where safety is an issue.
- ✘ Maximum weight would be required (in addition to normal volume) for acute limits
- ✘ Clarification of 3 days to 3 “calendar” days
- ✘ Weight or volume exceedance would require moving to Central Accumulation Area or TSDF.
- ✘ Reactive waste would no longer be stored away from “point of generation”

CLOSURE

- ✘ Requirement for LQG's to close as a landfill if they cannot meet clean closure requirements (prevents abandoned LQG sites)
- ✘ Requirement for LQG's to notify EPA or authorized state at least 30 days prior to closing an accumulation area and within 90 days after closure of unit or facility
 - + What about satellite accumulation areas?

HAZARDOUS WASTE DETERMINATION

- ✘ Only for hazardous wastes found in 40 CFR §261.2
- ✘ Required documentation (LQG's and SQG's) of hazardous or non-hazardous waste determination (EPA believes the number of determinations is “low and often non-recurring”). Generators would have to keep documentation **for the life of the facility**
- ✘ Requires classification at point of generation and during waste management
- ✘ New regulations would explain more completely in 40 CFR §262.11 how a generator will use generator knowledge to evaluate the waste and make a determination
- ✘ Huge problem for laboratories

50 FOOT REQUIREMENT WAIVER

- ✘ Current regulations require a minimum of 50 feet distance from property line for ignitables and reactives
- ✘ Proposed rules would allow a generator to request a waiver from the local fire department to store these wastes within 50 feet of the property line under special conditions.

WHAT NOW?

- ✘ EPA planned on finalizing this month.
- ✘ No updates.
- ✘ Feedback was generally concerning
- ✘ How do we comply?

DISCUSSION

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