

A&WMA GC Chapter 20th Annual Conference

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Hazardous Waste Generator Improvement Rule

Emerging Regulatory Issues



Timeline : Changes to HW Generator Rule

- The previous rule had been in place for 35 years! EPA started reviewing 2004.
- On November 28th, 2016, the final Hazardous Waste Generator Improvements Rule was published in the Federal Register. This Rule updates specific hazardous waste generator regulations (*i.e.*, 40 CFR Parts 260-265).
- Enforcement of the new hazardous waste regulations goes into effect on May 30th, 2017.
- Disclaimer – New Administration



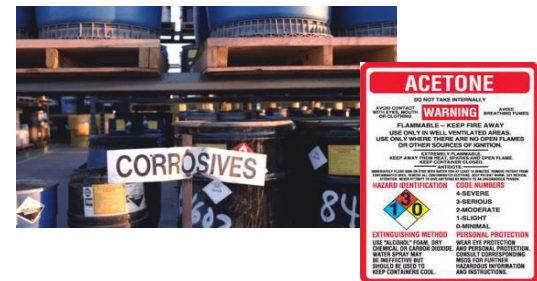
Upcoming Changes to HW Generator Rule

- The EPA introduces the concept of a Very Small Quantity Generator (≤ 220 lb.)
 - VSQGs can send their hazardous waste to a LQG under control of the same person
 - Allowing episodic waste generation (*i.e.*, LQG status for one month) to avoid increased burden of higher generator status
 - New rule allows VSQGs or SQGs to have one episodic event per year (30 days/72 hours)
 - Generators will be required to make accurate hazardous waste determinations at the point of generation.
- What constitutes as “accurate?”



Upcoming Changes to HW Generator Rule

- Biennial Reporting requirements for LQGs. Must report for entire calendar year, even if.....
- First time, LQGs would be required to notify EPA no later than 30 days prior to closing any hazardous waste storage unit and 90 days for compliance
- In addition to "Hazardous Waste" and accumulation start date, generators must include additional descriptions such as:
 - ❑ Other words identifying the contents of the container, such as the name of the chemical (e.g., acetone); and
 - ❑ An indication of the hazards of the contents (e.g., corrosive).



Upcoming Changes to HW Generator Rule

- SQGs and LQGs
 - ❑ Both must continue to attempt to make certain arrangements to familiarize local responders with the hazardous waste handled.
 - ❑ Both must document arrangements, which requires generators to follow-up with emergency providers **if no response is received.**
 - ❑ LQGs must review and provide to LEPCs, quick guidance reference of the site's hazardous waste inventory.
 - ❑ LQGs must provide LEPCs a copy of the facility's SOPs regarding release control measures and reporting.
 - ❑ Revised Rule allows an LQG to apply for a site specific approval from the AHJ over the fire code.



Upcoming Changes to HW Generator Rule

- Requiring re-notification for SQGs every four years (previously SQGs only had a onetime notification).
- Miscellaneous Items
 - Continued ban for liquids in landfills from SQGs and LQGs.
 - The former CESQG requirements under 40 CFR 261.5 have now been moved and renamed VSQG under 40 CFR Part 262.14.
 - New rule will not be effective in states that are authorized to administer the RCRA Program until adopted by those states



What's Next

- Review this final rule carefully, especially with regard to your specific generator status. You can find the fact sheet on the Rule at

<https://www.epa.gov/hwgenerators/frequent-questions-about-hazardous-waste-generator-improvements-final-rule>.

- Enforcement of the new hazardous waste regulations could go in to effect as early as May 2017.
- New Administration!
- Provided copies of an abbreviated fact sheet for your use.



Thank You

If you have any further questions, please feel free to contact me:



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