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A&WMA GC Chapter
20th Annual Conference

February 2017

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

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