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# **Environmental Guidelines**

## **Hazardous Waste Generator Status Levels and Requirements**

## Hazardous Waste Generator Status Levels and Requirements

### Definition of a Generator of Hazardous Waste

A generator is any person, by site; whose act or process produces hazardous waste identified or listed in 40 CFR, Part 261 or whose act first causes a hazardous waste to become subject to regulation. This means a person, business, owner/operator of a business, etc., who generates a waste stream as a result of any process in that business and that waste stream is deemed to be hazardous as defined in CFR 40 or by the state in which the business is located. *Many states define generators differently, and it is important to check your state contact listed in the State Contact List (See Attached RCRA State Contact List and/or click on ) <http://www.epa.gov/epaoswer/hotline/states.txt> to see an continually updated List) to determine the differences between the Federal Regulations and the State Regulations in the state the facility is located.*

For additional information go to <http://www.epa.gov/> and click on "Browse EPA Topics"

### Categories of Generators

The **Federal Regulations** set standards for three categories of generators of hazardous waste. Each category is determined by the total quantity of hazardous waste generated by the facility in a **Calendar Month** and by **the total amount of hazardous waste the facility accumulates on-site at any one time**. *The State Regulations vary from the Federal Standards. It is important to check with your State Regulatory Office, using the contact list where the facility is located and then determine the differences between the Federal Regulations and the State Regulations.*

- **Large Quantity Generator (LQG)** – Generates more than 2200 pounds (~275 gallons) of hazardous waste in any calendar month
- **Small Quantity Generator (SQG)** – Generates more than 220 pounds (~28 gallons), but less than 2200 pounds (~275 gallons) in any calendar month
- **Conditionally Exempt Small Quantity Generator (CESQG)** – Generates less than 220 pounds (~28 gallons) in any calendar month

Note: See Attached Tables for Generator Level Requirements

### Notification

All handlers/generators of hazardous waste must obtain an EPA ID#. This number is assigned by the Administrator of the EPA through the Regional/State Offices Each handler must complete the Notification of Regulated Waste Activity form (EPA Form 8700-12) and submit the form to the appropriate Regional/State Office. Once a number is assigned, the handler/generator will be notified and the number must then be used in conjunction with all hazardous waste management activities.

## On-Site Storage

If there is no RCRA (Resource Recovery Act) storage permit for extended storage, generators can accumulate hazardous waste at their facility for limited periods of time.

- **Large Quantity Generator (LQG)** – Can accumulate hazardous waste for up to **90 days**
- **Small Quantity Generator (SQG)** – Can accumulate hazardous waste for up to **180 days** (or 270 days if the disposal facility is located further than 200 miles from the generation site), provided that no more than 13000 pounds is accumulated.
- **Conditionally Exempt Small Quantity Generator (CESQG)** – Has no maximum accumulation time, but cannot accumulate more than 2200 pounds (~275 gallons) without being subject to the SQC regulations

## Safeguarding Hazardous Waste during Accumulation Time

Hazardous waste must be kept in containers that are in good condition, and the containers must be marked with the words "Hazardous Waste", and must have accumulation start dates marked on them. Additional information must be maintained including the names, addresses and phone numbers of the emergency coordinator, fire department, local law enforcement agency, and other emergency response personnel. Fire extinguishers must be located near the storage location along with spill containment equipment.

## Records Maintenance

Hazardous waste manifests (and any other associated paperwork such as Land Disposal Restriction (LDR) documents) which are created for the shipment of hazardous waste to a treatment, storage, or disposal facility must be maintained for three or five years.

An Exception is that these requirements do not apply to hazardous waste produced by generators of greater than 220 pounds (~28 gallons) but less than 2200 pounds (~275 Gallons) in a calendar month where:

- The waste is reclaimed under contractual agreement where:
  1. The type of waste and frequency of shipments are specified; and
  2. The vehicle used to transport the waste to the recycling facility and to deliver regenerated material back to the generator is owned and operated by the reclaimer of the waste; and
  3. The generator maintains a copy of the reclamation agreement in his files for a period of at least three years after termination or expiration of the agreement

Note: The above regulation may apply if the facility uses a solvent reclamation company to service their solvent needs.

## Manifests and Land Disposal Restrictions (LDR)

- **Manifests** – A generator must designate on the manifest one facility, which is permitted to handle the waste described on the manifest. A generator may also designate on the manifest one alternative facility, which is permitted to handle the waste in the event of an emergency that prevents delivery to the primary facility. If the transporter is unable to deliver the hazardous waste to the designated facility or the alternate facility, the generator must either designate another facility or instruct the transporter to return the waste.
- **Obtaining Manifests** – If the State to which the shipment is manifested (consignment state) supplies the manifest and requires its use, then the generator must use that manifest. If the Consignment State does not supply the manifest, but the State in which the generator is located (generator state) supplies the manifest and requires its use, then the generator must use that State's manifest. If neither supplies the manifest then the generator may obtain the manifest from any source.
- **Land Disposal Restrictions (LDR)** – The Land Disposal Restriction program was first implemented in 1986. This program requires that certain waste streams be identified for the disposal facility and that the facility acknowledge their special handling requirements for determining treatment standards. The LDR program does not directly affect most generators.

## Hazardous Waste Generator Status Level Guides

### Quantity of Hazardous Waste Determines which Regulations Apply

<b>Generator</b>	<b>Quantity</b>	<b>Regulation</b>
<b>Large Quantity Generator (LQG)</b>	2200 lbs (275 gal) per month or Greater  > 2.2 lbs per month of Acute (Hazard codes "H" and "P" wastes)	All Parts of Regulation 262
<b>Small Quantity Generator (SQG)</b>	Between 220 lbs (28 gal) & 2200 lbs (275 gal) per month	Part 262, Subparts A, B, C (262.34 (d) is specific to SQG's; and subparts E, F, G, H if applicable; and portions of subpart D as specified in 262.44
<b>Conditionally Exempt Small Quantity (CESQG)</b>	Less than 220 lbs (28 gal) per month  < or = 2.2 lbs per month of Acute (Hazard codes "H" and "P" wastes)	261.5 Requirements CESQG's are exempt from parts 262 through 270 if they comply with 261.5

# Hazardous Waste Generator Summary Chart

Description	CESQG	SQG	LQG
<b>Quantity Limits</b>	Less than 220 lbs (28 gal) per month  < or = 2.2 lbs per month of Acute (Hazard codes "H" and "P" wastes)  261.5(a) and (b)	Between 220 lbs (28 gal) & 2200 lbs (275 gal) per month  262.34(d)	2200 lbs (275 gal) per month or Greater  > 2.2 lbs per month of Acute (Hazard codes "H" and "P" wastes)  Part 262 and 261.5 (e)
<b>EPA ID Number</b>	Not Required  261.5	Required  262.12	Required  262.12
<b>On-Site Accumulations Quantity</b>	2200 lbs (275 gal)  2.2 lbs Acute  261.5(f) and (g)(2)	< or = 13200 lbs  262.34(d)(1)	No Limit
<b>Accumulation Time Limits</b>	None  261.5	-180 Days -270 Days (if > 200 miles)  262.34(d) and (e)	90 Days  262.34
<b>Storage Requirements</b>	None  261.5	Basic requirements with technical standards for tanks or containers 262.34(d)(2) and (3)	Full compliance for management of tanks, containers, drip pads, or containment Bldgs 262.34(a)
<b>Off-Site Management of Waste</b>	State approved or RCRA Permitted / Interim status facility  261.5(f)(3) and (g)(3)	RCRA Permitted / Interim status facility  262.20(b)	RCRA Permitted / Interim status facility  262.20(b)
<b>Manifest</b>	Not Required  261.5	Required  262.20	Required  262.20
<b>Biennial Report</b>	Not Required  261.5 Not Required	Not Required  262.44	Required  262.41
<b>Personnel Training</b>	Not Required  261.5	Basic Training Required  262.34(d)(5)(iii)	Required  262.34(a)(4)
<b>Contingency Plan</b>	Not Required  261.5	Basic Plan  262.34(d)(5)(i)	Full Plan Required  262.34(a)(4)
<b>Emergency Procedures</b>	Not Required  261.5	Required  262.34(d)(5)(iv)	Required  262.34(a)(4)
<b>DOT Transport Requirements</b>	Yes (If Required by the DOT)	Yes 262.30-262.33	Yes 262.30-262.33