

# WEBINAR AT 10:00 MST

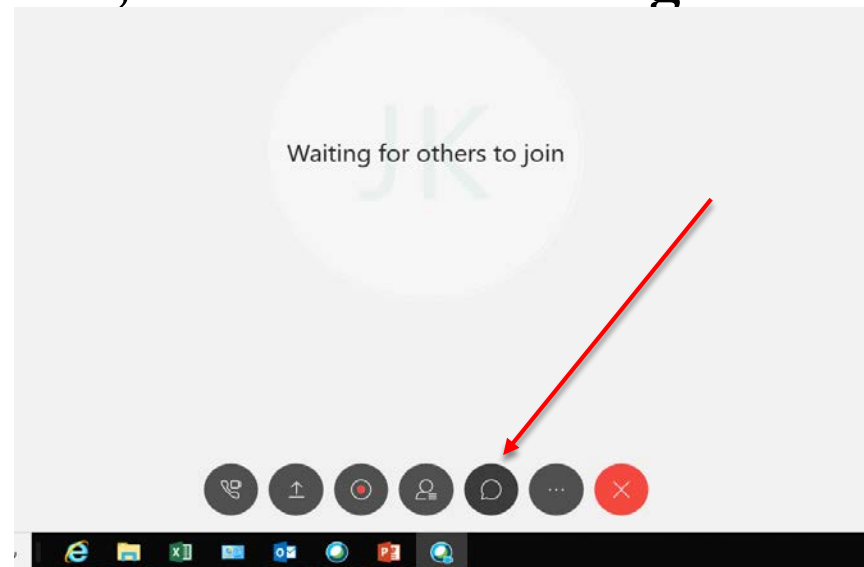
## GENERATOR IMPROVEMENT RULE

### Housekeeping Issues:

**PLEASE PUT YOUR phone on “MUTE”** background noise **IS VERY** disruptive. Papers shuffling, keyboard clicks, etc. are picked up on phones.

**PLEASE DO NOT** put your phone on “hold” during the webinar, as much as we all love music, it’s a bit distracting while conducting a webinar.

**Please save all your questions until the end and use the chat bubble on the bottom of the screen to ask questions.**



# NMED

New  
Mexico  
Environment  
Department



## GENERATOR IMPROVEMENT RULE (GIR)

Janine Kraemer-Program Manager  
Compliance & Technical Assistance Program  
Hazardous Waste Bureau

# **New Mexico Environment Department Hazardous Waste Bureau**

- **Hazardous Waste Act (HWA),  
New Mexico Statutory Authority (NMSA) 1978,  
74-4-1 through 74-4-14**
- **Hazardous Waste Management Regulations,  
20.4.1 New Mexico Administrative Code (NMAC)**
- **Annual Hazardous Waste Fee Regulations,  
20.4.3 NMAC**
- **EPA Promulgated Generator Improvement Rule  
May 30, 2017**
- **NMED Adopted Generator Improvement Rule  
December 1, 2018**



# Hazardous Waste Counting

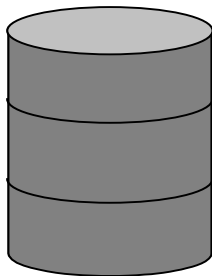
**TABLE 1 to § 262.13—Generator Categories Based on Quantity of Waste Generated in a Calendar Month**

Quantity of acute hazardous waste generated in a calendar month	Quantity of non-acute hazardous waste generated in a calendar month	Quantity of residues from a cleanup of acute hazardous waste generated in a calendar month	Generator Category
> 1 kg	Any amount	Any amount	<b>Large quantity generator</b>
Any amount	≥ 1,000 kg	Any amount	<b>Large quantity generator</b>
Any amount	Any amount	> 100 kg	<b>Large quantity generator</b>
≤ 1 kg	> 100 kg and < 1,000 kg	≤ 100 kg	<b>Small quantity generator</b>
≤ 1 kg	≤ 100 kg	≤ 100 kg	<b>Very small quantity generator</b>



# Very Small Quantity Generators

- **Generates no more than 100 kg (220 lbs) of hazardous waste per month. Approximately half of a 55-gallon drum, or about 25 gallons.**
- **Generates less than 1kg (2.2 lbs) of acutely toxic hazardous wastes (P-listed) i.e. arsenic and cyanide compounds) per month**
- **Never accumulates more than 1000 kg (2200 lbs) of hazardous waste at any time.**



$\frac{1}{2}$  drum

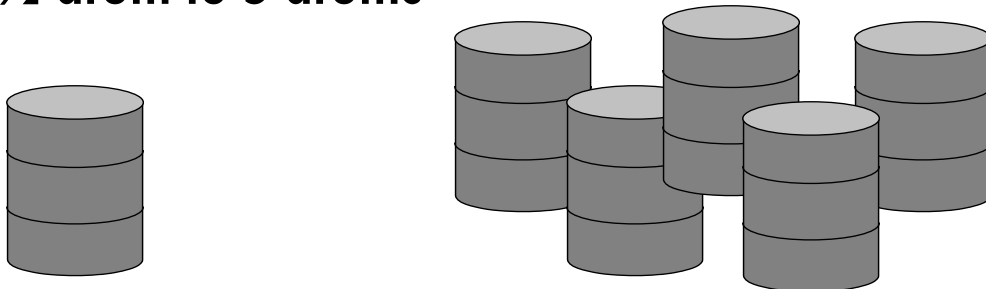
VSOQG



# Small Quantity Generators

- **Generates more than 100 kg (220 lbs), but less than 1000 kg (2200 lbs) of hazardous waste per month. Approximately one half of a drum to 5 drums, or 25 to 250 gallons.**
- **Generates less than 1kg (2.2 lbs) of acutely toxic hazardous wastes per month.**
- **Never exceeds the 6000 kg (13,200 lbs)/ 180 day storage time limit.**

1/2 drum to 5 drums



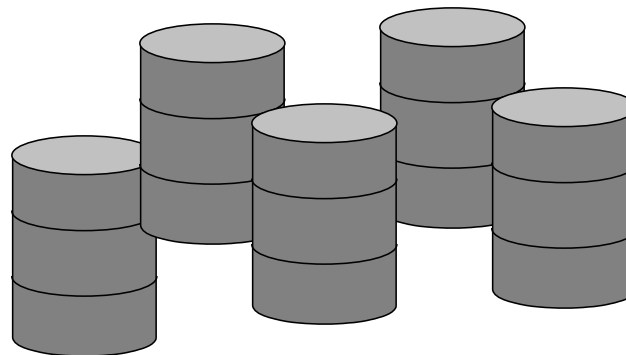
**SQGG**



# Large Quantity Generators

- **Generates more than 1000 kg (2200 lbs) of hazardous waste per month. Approximately greater than 5 drums.**
- **Generates more than 1 kg (2.2 lbs) of acutely hazardous waste per month.**
- **Never stores hazardous waste greater than 90 days.**

Over 5 drums



LQG



# REORGANIZATION OF GENERATOR RULES

Provision	Previous Citation	New Citation
Generator Category Determination	§ 261.5(c)-(e)	§ 262.13
VSQG Provisions	§ 261.5(a), (b), (f), (g) (261.5 now Reserved status)	§ 262.14
SQG Provisions	§ 262.34(d)-(f) (All 262.34 Reserved status)	§ 262.16
LQG Provisions	§ 262.34(a), (b), (g)-(i), (m)	§ 262.17
EPA Identification Numbers	§ 262.12 (now Reserved status)	§ 262.18 (includes SQG Re-Notification)





# Crosswalk of “Old” Regulations to Reorganized Regulations

**Table 1-Definitions and General Standards**

Regulation	Previous Citation	New Citation	Comment
Definitions of Generator Categories	§ 260.10, § 261.5 and § 262.34	§ 260.10	Previous definition of SQG in § 260.10 was outdated. Generator categories were based on § 261.5 and § 262.34.
Hazardous Waste Limits for VSQG	§ 261.5(a) and (e)	§ 260.10	Included in the new definition of VSQG
Purpose Scope, and Applicability	§ 262.10	§ 262.10	Not moved but expanded significantly
Hazardous Determination and Recordkeeping	§ 262.11 and § 262.40(c)	§ 262.11	Content in § 262.11 is expanded and § 262.40(c) is incorporated
Generator Category Determination	§ 261.5(c), (d), and (h)-(j)	§ 262.13	New section that explains how to count hazardous waste to determine generator category
EPA Identification Numbers	§ 262.12	§ 262.18	Re-notification requirements are also in this section
Landfill Ban for Liquids	§ 258.28	§ 262.35	For SQGs and LQGs

# Crosswalk of “Old” Regulations to Reorganized Regulations

**Table 2-Very Small Quantity Generator Regulations**

Regulations	Previous Citation	New Citation	Comment
<b>VSQG Definition</b>	§ 261.5(a)	§ 260.10	Moved into new definition of VSQG
<b>VSQG Mixtures</b>	§ 261.5(h)-(i)	§ 262.13(f)	Moved into Generator category determination
<b>Conditions for Exemption for a Very Small Quantity Generator</b>	§ 261.5(b), (f), and (g)	§ 262.14	Included in VSQG conditions for exemption
<b>VSQG Consolidation by LQGs within the Same Company</b>	N/A	§ 262.14(a)(5)(viii)	New provision
<b>Landfill Ban for Liquids</b>	§ 258.28	§ 262.14(b)	Specific citation for VSQGs
<b>Episodic Generation</b>	N/A	Part 262 subpart L	New provision

# Crosswalk of “Old” Regulations to Reorganized Regulations

**Table 3-Satellite Accumulation Area Regulations**

Regulations	Previous Citation	New Citation	Comment
Satellite Accumulation Area Provisions	§ 262.34(c)	§ 262.15	Moved from § 262.34
Selected Part 265 Subpart I Provisions	§ 265.171	§ 262.15(a)(1)	Duplicated from part 265
Selected Part 265 Subpart I Provisions	§ 265.172	§ 262.15(a)(2)	Duplicated from part 265
Selected Part 265 Subpart I Provisions	§ 265.173(a)	§ 262.15(a)(4)	Duplicated from part 265

# Crosswalk of “Old” Regulations to Reorganized Regulations

**Table 4-Small Quantity Generator (SQG) Regulations**

Regulations	Previous Citation	New Citation	Comment
Definition of SQG	§ 262.34(d)	§ 260.10	Moved into new definition of SQG
Accumulation Time Limit	§ 262.34(d)	§ 262.16(b)	Moved
Accumulation Limit	§ 262.34(d)(1)	§ 262.16(b)(1)	Moved
Accumulation in Containers-open, inspections, condition	§ 262.34(d)(2) references 265 subpart I	§ 262.16(b)(2)	Duplicated from part 265
Accumulation in Tanks	§ 262.34(d)(3) references 265 subpart J	§ 262.16(b)(3)	Duplicated from part 265
Accumulation on Drip Pads	--	§ 262.16(b)(4) references 265 subpart W	No previous regulatory reference for SQGs using drip pads
Accumulation in Containment Buildings	--	§ 262.16(b)(5) references 265 subpart DD	No previous regulatory reference for SQGs using containment buildings
Marking of Tanks and Containers	§ 262.34(d)(4) references § 262.34(a)(2) and (3)	§ 262.16(b)(6)	Copied from § 262.34 with some changes
Preparedness and Prevention	§ 262.34(d)(4) references 265 subpart C and §262.34(d)(5)	§ 262.16(b)(8) and (9)	Duplicated from part 265 and moved from § 262.34
Land Disposal Restrictions	§262.34(d)(4) references 268	§ 262.16(b)(7)	There is still a cross reference to part 268
Transporting Over 200 Mi	§ 262.34(e)	§ 262.16(c)	Moved from § 262.34
Accumulation Time Extension	§ 262.34(f)	§ 262.16(d)	Moved from § 262.34

# Crosswalk of “Old” Regulations to Reorganized Regulations

**Table 5-Large Quantity Generator (LQG) Regulations**

Regulations	Previous Citation	New Citation	Comment
Definition of LQG	N/A	§ 260.10	New definition
Accumulation Time Limit	§ 262.34(a)	§ 262.17(a)	Moved from § 262.34
Accumulation in Containers-open, inspections, condition, etc.	§ 262.34(a)(1)(ii) references part 265 subparts I, AA, BB, & CC	§ 262.17(a)(1) which also references part 265 subparts AA, BB, CC	Cross-reference to part 265 subparts AA, BB, and CC because of the length of these regulations
Accumulation in Tanks	§ 262.34(a)(1)(ii) references part 265 subparts J, AA, BB, & CC	§ 262.17(a)(2) references part 265 subparts J, AA, BB, CC	Cross-reference to part 265 subparts J, AA, BB, CC because of the length of these regulations
Accumulation on Drip Pads	§ 262.34(a)(1)(iii) which also references part 265 subpart W	§ 262.17(a)(3) which also references part 265 subpart W	Accumulation times and recordkeeping in § 262.17. Technical standards remain in part 265.
Accumulation in Containment Buildings	§ 262.34(a)(1)(iv) which also references part 265 subpart DD	§ 262.17(a)(4) which also references part 265 subpart DD	Accumulation times, labeling, and recordkeeping in § 262.17. Technical standards remain in part 265
Marking and Labeling	§ 262.34(a)(2) and (3)	§ 262.17(a)(5)	Moved from § 262.34
Preparedness, Prevention, and Emergency Procedures	§ 262.34(a)(4) references 265 subparts C&D	§ 262.17(a)(6) references part 262 subpart M	Cross-references but to a new subpart of the generator regulations

# Crosswalk of “Old” Regulations to Reorganized Regulations

**Table 5-Large Quantity Generator (LQG) Regulations  
(continued)**

Regulations	Previous Citation	New Citation	Comment
Personnel Training	§ 262.34(a)(4)	§ 262.17(a)(7)	Moved from § 262.34
Closure	§ 262.34(a)(l)(iv)(B) references § 265.111 and § 265.114. § 265.111 references other parts in 265	§ 262.17(a)(8)	Duplicated from § 265.111 and 114 with some revisions
Land Disposal Restrictions	§ 262.34(a)(4) references part 268	§ 262.17(a)(9)	There is still a cross-reference to part 268
Extension of Accumulation Times	§ 262.34(b)	§ 262.17(b)	Moved from § 262.34
Accepting waste from VSQGs under control of the same person	N/A	§ 262.17(f)	New provision
Rejected Loads	§ 262.34(m)	§ 262.17(g)	Moved from § 262.34

# Major Changes:

## More stringent provisions:

- **SQG re-notification starting in 2021 every 4 years**
- **LQG renotification every 2 years**
- **SAA's subject to emergency preparedness & prevention requirements**
- **Identifying hazards of wastes being accumulated on containers**
- **RCRA waste codes added to labels prior to shipment**
- **Notification of closure**
- **Closure as a landfill for LQGs accumulating hazardous wastes in containers that cannot meet closure performance standards**
- **Biennial reporting for whole year, not just months the generator is an LQG**
- **Quick Reference guide for contingency plans**
- **Placement of any liquids in a landfill is **prohibited****



# Major Changes (continued):

## Less stringent provisions:

- **VSQG consolidation**
- **Episodic generation**
- **Waiver from 50-foot rule for ignitable or reactive waste storage from the authority having jurisdiction over the fire code (e.g., fire marshal or fire department).**



## Misc. changes:

- **Conditionally Exempt Small Quantity Generator (CESQG) renamed Very Small Quantity Generator (VSQG)**
- **Conduct proper waste determination and document it**
- **Central Accumulation Areas (CAA) = 90-day or 180-day Storage Areas**
- **LQGs can use on-line/computer based training**





# § 262.35

## Liquids in a Landfill

**The placement of bulk or non-containerized liquid hazardous waste or hazardous waste containing free liquids (whether or not sorbents have been added) in any landfill is prohibited.**



# Hazardous Waste Determinations

## 40 CFR § 262.11



# Hazardous Waste Determinations: What Changed?

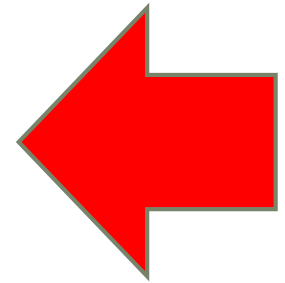
- Clarifies and emphasizes that waste determinations must be accurate!
- Confirms when a generator's hazardous waste determination must be made
- Elaborates on how to determine if a solid waste is either a listed and/or characteristic hazardous waste
- Reiterates what waste determination records must be kept
- Small quantity generators and large quantity generators must identify all applicable EPA hazardous waste codes in subparts C and D of § 261



# § 262.11(a):

## Hazardous Waste Determination

The hazardous waste determination must be made at the point of waste generation.



RCRA Statute is clear:

The term “hazardous waste generation” means the act or process of producing hazardous waste.

Why at the point of waste generation?

To Ensure:

- Proper waste identification
- Proper handling & management from “cradle to grave”
- Compliance with LDRs



# § 262.11(a):

## Hazardous Waste Determination

- The hazardous waste determination for each solid waste must be made at the point of waste generation, **before any dilution, mixing, or other alteration of the waste occurs ...**
- The hazardous waste determination for each solid waste must be made at the point of waste generation, before any dilution, mixing, or other alteration of the waste occurs, **and at any time in the course of its management that it has, or may have, changed its properties as a result of exposure to the environment or other factors that may change the properties of the waste such that the RCRA classification of the waste may change.**



# § 262.11(b):

## Hazardous Waste Determination

A person must determine whether the solid waste is excluded from regulation under 40 CFR 261.4, which has three sections that exclude or exempt certain secondary materials from being either a SW or HW\*

- 40 CFR 261.4(a) identifies secondary materials that are not SW
- 40 CFR 261.4(b) identifies SW but are not HW
- 40 CFR 261.4(c) identifies HW which are exempted from certain regulations until the HW exits the unit(s) in which it was generated

**\*This language has not changed**

**HAZARDOUS WASTE**

STATE AND FEDERAL LAW PROHIBIT IMPROPER DISPOSAL.  
IF FOUND, CONTACT THE NEAREST POLICE OR PUBLIC SAFETY  
AUTHORITY, THE U.S. ENVIRONMENTAL PROTECTION AGENCY  
OR THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL.

GENERATOR INFORMATION:

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

MANIFEST TRACKING NO. \_\_\_\_\_

EPA ID NO. \_\_\_\_\_  
WASTE NO. \_\_\_\_\_ CA \_\_\_\_\_ ACCUMULATION \_\_\_\_\_  
WASTE NO. \_\_\_\_\_ START DATE \_\_\_\_\_

CONTENTS COMPOSITION: \_\_\_\_\_

PHYSICAL STATE: [ ] SOLID [ ] LIQUID [ ] COMPRESSIVE [ ] FLAMMABLE [ ] TOXIC  
[ ] REACTIVITY [ ] OTHER

HANDLE WITH CARE!



# § 262.11(c):

## Hazardous Waste Determination

### Have You Generated a Listed Hazardous Waste?

- If the waste is not excluded under 40 CFR 261.4, the person must then use knowledge of the waste to determine if the waste meets any of the listing descriptions under subpart D of 40 CFR 261.
- Acceptable generator knowledge that may be used in making an accurate determination as to whether the waste is listed may include:
  - waste origin
  - composition
  - the process producing the waste
  - feedstock, and
  - other reliable and relevant information; e.g., the regulatory language of the listing, the regulatory intent of the original listing



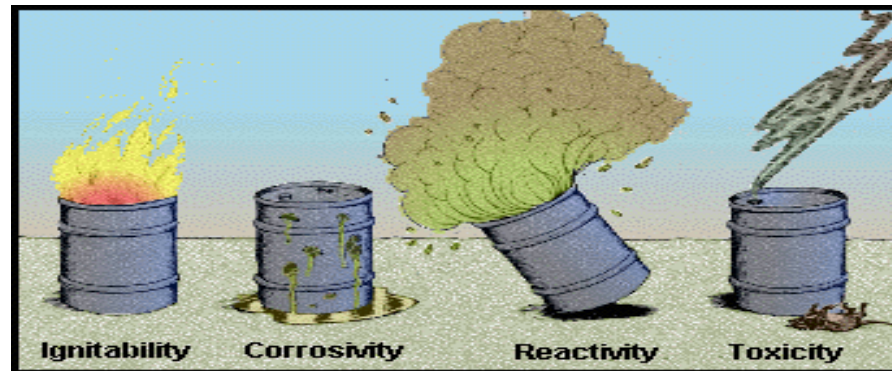


# § 262.11(d):

## Hazardous Waste Determination

Have you generated a characteristically hazardous waste?

There are four hazardous waste characteristics



- Determine whether the waste exhibits one or more hazardous characteristics as identified in subpart C of 40 CFR 261.
- The person must apply knowledge of the hazard characteristic of the waste in light of the materials or the processes used to generate the waste.





# § 262.11(d):

## Hazardous Waste Determination

**Apply knowledge of the hazard characteristic of the waste in light of the materials or the processes used to generate the waste. Acceptable knowledge may include:**

- **process knowledge (e.g., information about chemicals and other inputs to the production process);**
- **knowledge of products, by-products, and intermediates produced by the manufacturing process;**
- **chemical or physical characterization of wastes;**
- **information on the chemical and physical properties of the chemicals used or produced by the process or otherwise contained in the waste;**
- **testing that illustrates the properties of the waste; or other reliable and relevant information about the properties of the waste or its constituents.**



# Hazardous Waste Determinations (continued):

Ask the following six questions to determine whether a waste is hazardous:

1. Is it "solid waste"? (Does it meet the regulatory definition of a "solid waste"?)
2. Is it excluded? (Does it fall under a regulatory exemption?)
3. Is it listed? (Is it included in a specific list of wastes?)
4. Is it characteristic? (Does it have a specific set of properties?)
5. Is it a mixture? (Even if not itself hazardous, is it mixed with hazardous wastes?)
6. Is it derived from a hazardous waste?



# Hazardous Waste Determinations (continued):

Using “Tests” as part of “Knowledge” for Making a Characteristic HW Determination. The results of non-regulatory tests may also provide relevant information:

- Total concentration in the waste may show the waste is not TC hazardous
- Tests that evaluate properties similar to the characteristic may be relevant, even if they do not define the waste as hazardous by themselves.
- SW-846 includes several guidance tests



# **Hazardous Waste Determinations (continued):**

- **Generators may also take conservative approach and manage non-HW as HW if they so choose**
- **For waste where they are awaiting test results, the generator needs to manage as HW until they get confirmation**
  - **If it's not HW, they can simply remove the labels and manage as non-hazardous solid waste**

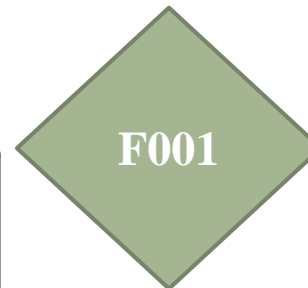
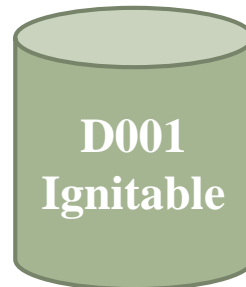


# § 262.11(g):

## Hazardous Waste Determination

### RCRA Waste Codes

- If the waste is determined to be hazardous, small quantity generators and large quantity generators must identify all applicable EPA hazardous waste codes in subparts C and D of § 261.
- Prior to shipping the waste off site, the generator also must mark its containers with all applicable EPA hazardous waste codes or use electronic means (such as bar coding) according to § 262.32.



# Marking and Labeling

**SQGs: 40 CFR § 262.16(b)(6)**  
**LQGs: 40 CFR § 262.17(a)(5)**



# Marking and Labeling

## What Changed?

**Containers and tanks labels must have the words “Hazardous Waste” and also indicate the hazards of the contents of the accumulation units**

- **Flexibility in how to comply with this new provision; can indicate the hazards of the contents of the accumulation unit using any of several established methods (e.g., DOT hazard communication, OSHA hazard statement or pictogram, NFPA chemical hazard label, or RCRA characteristic)**



# Marking and Labeling: Examples that indicate the “Hazards”

**Global Harmonizing System labels:  
(OSHA 29 CFR 1910.1200)**

HAZARDOUS WASTE

ACCUMULATION START DATE:  
\_\_\_\_\_



TOXIC



HAZARDOUS WASTE

ACCUMULATION START DATE:  
\_\_\_\_\_



CORROSIVE

**Use applicable hazardous waste characteristic labels  
(i.e., ignitable, corrosive, reactive, toxic)**





# Marking and Labeling:

## Examples that indicate the “Hazards”

### Department of Transportation labels

(49 CFR 172 subpart E – labeling/subpart F – placarding)



Use applicable hazardous waste characteristic labels  
(i.e., ignitable, corrosive, reactive, toxic)



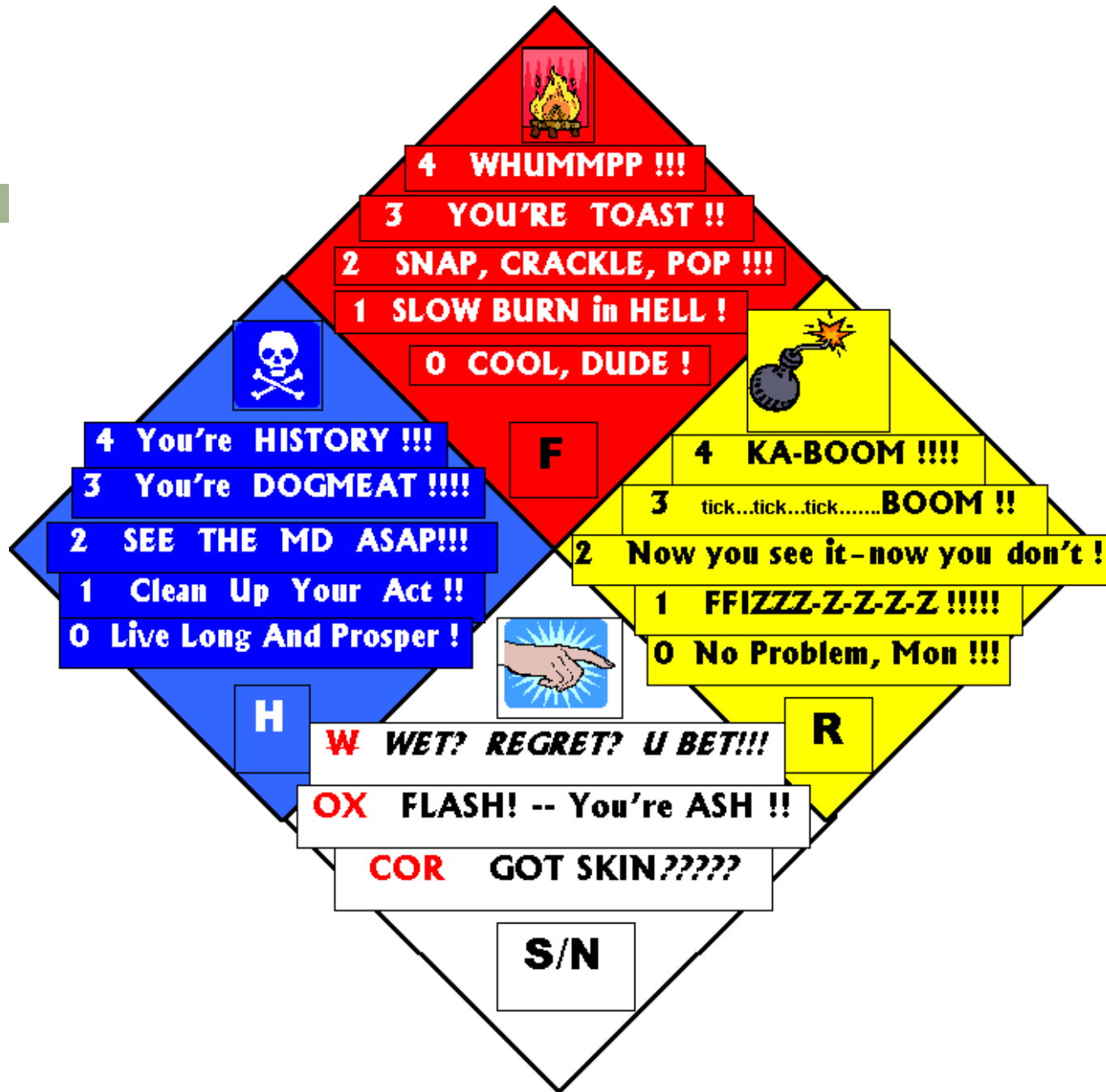
# Marking and Labeling: Examples that indicate the “Hazards”

## National Fire Protection Association labels (Code 704)



**Use applicable hazardous waste characteristic labels  
(i.e., ignitable, corrosive, reactive, toxic)**





# Marking and Labeling (continued)

## Some clarifications:

- Labeling should occur at the initial point of generation
- For containers with small containers inside (e.g., tubes, vials, etc.), generators can mark the outer/ secondary container or attach a tag with the required information
- For wastes that are in a container that already has appropriate marking and labeling (e.g., a commercial chemical product (CCP) in its original container with an intact label), the existing labeling is sufficient, provided it indicates the hazards of the chemical and the words “Hazardous Waste”



# Satellite Accumulation Areas

“SAA”

40 CFR § 262.15



# Satellite Accumulation Area

## What Changed?

- **SAA standards are now in own part of the rule - §262.15**
- **Hazardous wastes cannot be mixed or placed in a container with other hazardous wastes that are incompatible**
- **Allow containers to remain open temporarily under limited circumstances, when necessary for safe operations**
- **Provides maximum weight (1 kg) in addition to volume (1 quart) for acute hazardous waste**
- **Required safety equipment and testing**
- **Labeled with the words “Hazardous Waste” and indicate the hazards**



# Satellite Accumulation Area

## What Changed (continued)?

- **Emergency Coordinator (EC) posting**
- **Training required for proper waste handling and emergency procedures**
- **Internal communications, alarms, phones, hand-held radios**
- **Clarifies “three days” means three consecutive calendar days for when waste must be moved to CAA**
- **Rescinds memo allowing reactive hazardous waste to be stored away from the point of generation. If waste is so dangerous it needs to be stored separately, then it needs to go directly to the CAA**
- **Basically, manage SAA like the central accumulation area**



# Preamble Clarifications for SAAs

## **“Under the Control of the Operator” means:**

- **The operator is someone familiar with the operations generating the HW**
- **Is aware of and able to attend to these operations, if needed**
- **Provides some measure of controlled access**

## **Examples of under the control of an operator:**

- **The operator controls access to SAA by access card, key, or lock box**
  - **The operator accumulates waste in a locked cabinet and controls access to the key (even if access to the room is not controlled)**
  - **The operator is regularly in view of the SAA**
  - **The operator is able to see if anyone enters or exits the SAA**
- \* There can be more than one operator having control of the SAA**





**Unplanned**

**NEW**

**Planned**

**Episodic Generation**

**40 CFR Subpart L**

**262.230-262.233**

**Planned**

**Unplanned**

**Unplanned**

**Planned**



# 40 CFR Subpart L: Episodic Generation

- **Applicable to VSQGs and SQGs.**
- **§ 262.13(c)(8) states that hazardous waste managed as part of an episodic event does not have to be counted toward a generator's category**
- **Allows generators that temporarily change their generator category as a result of an episodic event to operate under streamlined regulations.**
- **All hazardous waste from episodic events must be shipped by hazardous waste transporter with a hazardous waste manifest to a RCRA-designated facility.**



# Part 262 Subpart L:

## Episodic Generation

### What is an Episodic Event (§ 262.231)?

**An activity or activities, either planned or unplanned, that does not normally occur during generator operations, resulting in an increase in the generation of hazardous wastes that exceeds the calendar month quantity limits for the generator's usual category.**

- **Planned episodic event: means an event that the generator planned and prepared for, including regular maintenance, tank cleanouts, short-term projects, and removal of excess chemical inventory**
- **Unplanned episodic event: means an event that the generator did not plan or reasonably did not expect to occur, including production process upsets, product recalls, accidental spills, or “acts of nature,” such as tornado, hurricane, or flood**



# Part 262 Subpart L: Episodic Generation

## Events Per Year

- **One episodic event per year + one opportunity to petition EPA/ authorized state for a second event**
- **A generator can complete multiple projects during the time limit for the episodic event**
- **Petition process allows a total of 1 unplanned and 1 planned event per year. For example:**
  - **A generator conducts a clean out in the spring and then has an unexpected recall in October**
  - **A generator plans a small episodic project for the fall but a hurricane causes facility damage in July**



# Part 262 Subpart L:

## Episodic Generation

### Duration of an Episodic Event

- **The first day of an episodic event is the first day of generation of waste for the event - for an unplanned event, this is the first day of the storm, spill, other unexpected event. An episodic event can last 60 days**
- **All hazardous waste must be shipped off site by the end of 60 days or that waste counts toward the generator's category and must be managed under the regulations for that category of generator**
- **Time frame should allow waste from unplanned events to be characterized and allow arrangements for disposal to be made**



# Part 262 Subpart L: Episodic Generation

## Notification

- **Both VSQGs and SQGs must notify about episodic events using Site ID form (EPA form 8700-12)**
- **Planned event: notify 30 or more days prior to the episodic event on Site ID form**
- **Unplanned event: notify within 72 hours of the event by phone or email and follow up with Site Id form**



# Part 262 Subpart L: Episodic Generation

## Notification elements

- **A VSQG must get an EPA ID number**
- **Start and end dates of the episodic event (no more than 60 calendar days)**
- **Reason for the event**
- **Types of hazardous waste**
- **Estimated quantities of hazardous waste**
- **Emergency coordinator contact information**



**12. Eligible Academic Entities with Laboratories**—Notification for opting into or withdrawing from managing laboratory hazardous wastes pursuant to 40 CFR 262 Subpart K.

<input type="checkbox"/> Y <input type="checkbox"/> N	A. Opting into or currently operating under 40 CFR 262 Subpart K for the management of hazardous wastes in laboratories—If “Yes”, mark all that apply. Note: See the item-by-item instructions for definitions of types of eligible academic entities.
<input type="checkbox"/>	1. College or University
<input type="checkbox"/>	2. Teaching Hospital that is owned by or has a formal written affiliation with a college or university
<input type="checkbox"/>	3. Non-profit Institute that is owned by or has a formal written affiliation with a college or univer-
<input type="checkbox"/> Y <input type="checkbox"/> N	B. Withdrawing from 40 CFR 262 Subpart K for the management of hazardous wastes in laboratories.

**13. Episodic Generation**

<input type="checkbox"/> Y <input type="checkbox"/> N	Are you an SQG or VSQG generating hazardous waste from a planned or unplanned episodic event, lasting no more than 60 days, that moves you to a higher generator category. If “Yes”, you must fill out the Addendum for Episodic Generator.
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**14. LQG Consolidation of VSQG Hazardous Waste**

<input type="checkbox"/> Y <input type="checkbox"/> N	Are you an LQG notifying of consolidating VSQG Hazardous Waste Under the Control of the Same Person pursuant to 40 CFR 262.17(f)? If “Yes”, you must fill out the Addendum for LQG Consolidation of VSQGs hazardous waste.
---	--

**15. Notification of LQG Site Closure for a Central Accumulation Area (CAA) (optional) OR Entire Facility (required)**

<input type="checkbox"/> Y <input type="checkbox"/> N	LQG Site Closure of a Central Accumulation Area (CAA) or Entire Facility.
A. <input type="checkbox"/> Central Accumulation Area (CAA) <input type="checkbox"/> Entire Facility	
B. Expected closure date: _____ mm/dd/yyyy	
C. Requesting new closure date: _____ mm/dd/yyyy	
D. Date closed : _____ mm/dd/yyyy	
<input type="checkbox"/>	1. In compliance with the closure performance standards 40 CFR 262.17(a)(8)
<input type="checkbox"/>	2. Not in compliance with the closure performance standards 40 CFR 262.17(a)(8)

**16. Notification of Hazardous Secondary Material (HSM) Activity**

<input type="checkbox"/> Y <input type="checkbox"/> N	A. Are you notifying under 40 CFR 260.42 that you will begin managing, are managing, or will stop managing hazardous secondary material under 40 CFR 260.30, 40 CFR 261.4(a)(23), (24), or (27)? If “Yes”, you must fill out the Addendum to the Site Identification Form for Managing Hazardous Secondary Material.
<input type="checkbox"/> Y <input type="checkbox"/> N	B. Are you notifying under 40 CFR 260.43(a)(4)(iii) that the product of your recycling process has levels of hazardous constituents that are not comparable to or unable to be compared to a legitimate product or intermediate but that the recycling is still legitimate? If “Yes”, you may provide explanation in Comments section. You must also document that your recycling is still legitimate and maintain that documentation on site.

**17. Electronic Manifest Broker**

<input type="checkbox"/> Y <input type="checkbox"/> N	Are you notifying as a person, as defined in 40 CFR 260.10, electing to use the EPA electronic manifest system to obtain, complete, and transmit an electronic manifest under a contractual relationship with a hazardous waste generator?
---	--





**ADDENDUM TO THE SITE IDENTIFICATION FORM:  
EPISODIC GENERATOR**

**ONLY fill out this form if:**

- You are an SQG or VSQG generating hazardous waste from a planned or unplanned episodic event, lasting no more than 60 days, that moves the generator to a higher generator category pursuant to 40 CFR 262 Subpart L. Note: Only one planned and one unplanned episodic event are allowed within one year; otherwise, you must follow the requirements of the higher generator category. Use additional pages if more space is needed.

Episodic Event	
<b>1. Planned</b> <input type="checkbox"/> Excess chemical inventory removal <input type="checkbox"/> Tank cleanouts <input type="checkbox"/> Short-term construction or demolition <input type="checkbox"/> Equipment maintenance during plant shutdowns <input type="checkbox"/> Other _____	<b>2. Unplanned</b> <input type="checkbox"/> Accidental spills <input type="checkbox"/> Production process upsets <input type="checkbox"/> Product recalls <input type="checkbox"/> "Acts of nature" (Tornado, hurricane, flood, etc.) <input type="checkbox"/> Other _____
3. Emergency Contact Phone _____	4. Emergency Contact Name _____
5. Beginning Date _____ (mm/dd/yyyy)	6. End Date _____ (mm/dd/yyyy)

**Waste 1**

7. Waste Description	8. Estimated Quantity (in pounds)
9. Federal and/or State Hazardous Waste Codes	

**Waste 2**

7. Waste Description	8. Estimated Quantity (in pounds)
9. Federal and/or State Hazardous Waste Codes	

**Waste 3**

7. Waste Description	8. Estimated Quantity (in pounds)
9. Federal and/or State Hazardous Waste Codes	



# Part 262 Subpart L: Episodic Generation

## VSQGs-Hazardous Waste Accumulation Standards

- **Marking and labeling:**
  - **"Episodic hazardous waste;"**
  - **An indication of the hazards of the contents; and the date the episodic event began**
- **Minimize the possibility of an accident or release**
- **Containers should be in good condition, chemically compatible with contents, and kept closed**
- **Treatment is not allowed by VSQGs (except in an on-site elementary neutralization unit).**

VSQG



# Part 262 Subpart L: Episodic Generation

## SQGs-Hazardous Waste Accumulation Standards

- **Marking and labeling:**
  - **"Episodic Hazardous Waste;"**
  - **An indication of the hazards of the contents and the date the episodic event began**
- **All conditions of § 262.16 (e.g., container and tank standards, employee training, emergency preparedness and prevention)**

**SQGG**



# Part 262 Subpart L: Episodic Generation

## VSQG and SQG-Recordkeeping:

Records must be kept for 3 years from the completion of each event that include the following:

- Beginning and end date of the episodic event
- A description of the episodic event
- Types of hazardous wastes generated
- Quantities of hazardous wastes generated
- The name of the RCRA-designated facility or facilities that received the hazardous waste
- Name of the hazardous waste transporter(s)
- Approval letter from EPA if a petition was submitted and approved for a second event

**Copies of the notification form and the hazardous waste manifest cover most of the elements.**



# Part 262 Subpart L: Episodic Generation

## Petition Requirements for a Second Event

- **Made in writing**
- **Include the following information:**
  - **reason for the event;**
  - **nature of the event;**
  - **estimated amount of hazardous waste to be managed;**
  - **how the waste will be managed;**
  - **estimated length of the episodic event; and**
  - **information about the previous event in the calendar year**



# Part 262 Subpart L: Episodic Generation

## Petition Requirements for a Second Event (continued)

### Planned event

- Petition submitted to NMED 30 or more days prior to the event
- Generator may not manage hazardous waste from a planned second episodic event until approval is received on its petition

### Unplanned event

- NMED must be notified within 72 hours by phone or email, followed by submittal of 8700-12 and an indication that this is a petition for a second event
- Generators can manage hazardous waste from an unplanned second episodic event under subpart L while waiting for approval of its petition
- If petition is denied, generator must manage hazardous waste under the regulations for the applicable generator category.



# Episodic Generation – Example 1

## Planned event:

- In early 2018, SQG plans a tank clean out in the fall and anticipates they are likely to exceed the SQG limit of 1000 kg in October 2018.
- The event starts September 17, 2018, and is scheduled to be completed by November 5, 2018 (completed with sixty days).

**This CAN be an EPISODIC EVENT!**

## Preparation:

- SQG identifies waste codes for waste to be generated and estimates waste amounts
  - SQG notifies state before August 18, 2018, using the Site ID form (30 days before the event begins)
  - SQG sets up contracts and plans for waste transport and management.
- All waste must be off site by November 16th.



# Episodic Generation – Example 2

## Unplanned event:

- In March 2018, a VSQG experiences a storm that causes a spill of product, and they expect the clean up will cause them to exceed the 100 kg limit for March and April, 2018.
- The storm occurs on March 8. This is the first day of the event. The VSQG isn't sure if spilled chemicals are hazardous waste but they suspect they may be.

**This CAN be an EPISODIC EVENT!**

## Arrangements after event:

- VSQG notifies state within 72 hours by email, phone or fax then submits Site ID form
- VSQG identifies waste codes for waste and estimates waste amounts
- VSQG contracts for waste transport and management. All waste must be off site by May 7, 2018.





**NEW**

**VSQG Waste Consolidation at LQGs**  
**§ 262.14(a)(5)(viii)**

VSQG



# § 262.14(a)(5)(viii):

## VSQG Waste Consolidation at LQGs

**Consolidate waste at LQG under the control of the same person:**

- **Person** – as defined under RCRA in § 260.10 - means an individual, trust, firm, joint stock company, Federal Agency, corporation (including a government corporation), partnership, association, State, municipality, commission, political subdivision of a State, or any interstate body
- **Control** – means the power to direct policies at the facility

### **VSQG standards**

- **Marks and labels waste containers with “Hazardous Waste” and the hazards**



# § 262.14(a)(5)(viii):

## VSQG Waste Consolidation at LQGs

### LQG standards

- **Notifies state on Site ID Form that it is participating in this activity and identifies which VSQGs are participating**
- **Recordkeeping for each shipment – normal business records**
- **Adds accumulation start date to VSQG HW labels when arrives at LQG facility**
- **Manages consolidated waste as LQG hazardous waste including ensuring final treatment or disposal is at a RCRA-designated facility**
- **Reports in Biennial Report – there will be a different source code (G51) for the VSQG consolidated waste to distinguish from the LQG's own generated waste**

**Does not allow SQGs to consolidate VSQG waste; however, an SQG can participate if they notify and meet all LQG regulations including getting the VSQG waste off-site in 90 days**



**12. Eligible Academic Entities with Laboratories**—Notification for opting into or withdrawing from managing laboratory hazardous wastes pursuant to 40 CFR 262 Subpart K.

<input type="checkbox"/> Y <input type="checkbox"/> N	A. Opting into or currently operating under 40 CFR 262 Subpart K for the management of hazardous wastes in laboratories—If “Yes”, mark all that apply. Note: See the item-by-item instructions for definitions of types of eligible academic entities.
<input type="checkbox"/>	1. College or University
<input type="checkbox"/>	2. Teaching Hospital that is owned by or has a formal written affiliation with a college or university
<input type="checkbox"/>	3. Non-profit Institute that is owned by or has a formal written affiliation with a college or univer-
<input type="checkbox"/> Y <input type="checkbox"/> N	B. Withdrawing from 40 CFR 262 Subpart K for the management of hazardous wastes in laboratories.

**13. Episodic Generation**

<input type="checkbox"/> Y <input type="checkbox"/> N	Are you an SQG or VSQG generating hazardous waste from a planned or unplanned episodic event, lasting no more than 60 days, that moves you to a higher generator category. If “Yes”, you must fill out the Addendum for Episodic Generator.
---	---

**14. LQG Consolidation of VSQG Hazardous Waste**

<input type="checkbox"/> Y <input type="checkbox"/> N	Are you an LQG notifying of consolidating VSQG Hazardous Waste Under the Control of the Same Person pursuant to 40 CFR 262.17(f)? If “Yes”, you must fill out the Addendum for LQG Consolidation of VSQGs hazardous waste.
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**15. Notification of LQG Site Closure for a Central Accumulation Area (CAA), (CAA), or Entire Facility (required)**

<input type="checkbox"/> Y <input type="checkbox"/> N	LQG Site Closure of a Central Accumulation Area (CAA) or Entire Facility.
<input type="checkbox"/>	A. <input type="checkbox"/> Central Accumulation Area (CAA) <input type="checkbox"/> Entire Facility
	B. Expected closure date: _____ mm/dd/yyyy
	C. Requesting new closure date: _____ mm/dd/yyyy
	D. Date closed : _____ mm/dd/yyyy
<input type="checkbox"/>	1. In compliance with the closure performance standards 40 CFR 262.17(a)(8)
<input type="checkbox"/>	2. Not in compliance with the closure performance standards 40 CFR 262.17(a)(8)

**16. Notification of Hazardous Secondary Material (HSM) Activity**

<input type="checkbox"/> Y <input type="checkbox"/> N	A. Are you notifying under 40 CFR 260.42 that you will begin managing, are managing, or will stop managing hazardous secondary material under 40 CFR 260.30, 40 CFR 261.4(a)(23), (24), or (27)? If “Yes”, you must fill out the Addendum to the Site Identification Form for Managing Hazardous Secondary Material.
<input type="checkbox"/> Y <input type="checkbox"/> N	B. Are you notifying under 40 CFR 260.43(a)(4)(iii) that the product of your recycling process has levels of hazardous constituents that are not comparable to or unable to be compared to a legitimate product or intermediate but that the recycling is still legitimate? If “Yes”, you may provide explanation in Comments section. You must also document that your recycling is still legitimate and maintain that documentation on site.

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<input type="checkbox"/> Y <input type="checkbox"/> N	Are you notifying as a person, as defined in 40 CFR 260.10, electing to use the EPA electronic manifest system to obtain, complete, and transmit an electronic manifest under a contractual relationship with a hazardous waste generator?
---	--



**ADDENDUM TO THE SITE IDENTIFICATION FORM:  
LQG CONSOLIDATION OF VSQG HAZARDOUS WASTE**



**ONLY fill out this form if:**

- You are an LQG receiving hazardous waste from VSQGs under the control of the same person. Use additional pages if more space is needed.

<b>VSQG 1</b>		
1. EPA ID Number (if assigned)	2. Name	
3. Street Address		
4. City, Town, or Village	5. State	6. Zip Code
7. Contact Phone Number	8. Contact Name	
9. Email		

<b>VSQG 2</b>		
1. EPA ID Number (if assigned)	2. Name	
3. Street Address		
4. City, Town, or Village	5. State	6. Zip Code
7. Contact Phone Number	8. Contact Name	
9. Email		

<b>VSQG 3</b>		
1. EPA ID Number (if assigned)	2. Name	
3. Street Address		
4. City, Town, or Village	5. State	6. Zip Code
7. Contact Phone Number	8. Contact Name	
9. Email		



# § 262.14(a)(5)(viii):

## VSQG Waste Consolidation at LQGs

### FAQs about New Consolidation Provision

- **When does the 90-day clock start for VSQG consolidated waste?**
  - **When the VSQG waste gets to the LQG**
- **Is there any accumulation limit for how much waste can be consolidated at an LQG?**
  - **No, but the waste must be sent off-site to a RCRA TSDF within 90 days**
- **Does the LQG add the VSQG waste to its annual generation amount?**
  - **The LQG would report both its own generated waste and the waste consolidated from its VSQGs on the Biennial Report. However, there is a different source code (G51) for the VSQG waste**
- **Do you have to use a hazardous waste manifest and a hazardous waste transporter to transfer waste from VSQG to LQG?**
  - **No**



# § 262.14(a)(5)(viii):

## VSQG Waste Consolidation at LQGs

### FAQs about New Consolidation Provision (continued)

- Can an LQG consolidate VSQG waste within the same container as their own HW?
  - Yes, if the waste is compatible. The LQG would need to use the earlier accumulation state date on the combined HW.
- When transporting the waste from a VSQG to a LQG, what requirements must be met?
  - Only applicable DOT requirements
- Can the VSQG and the LQG be in different states?
  - Yes, if both states have adopted the consolidation provision. If the HW is transported through other states, the generator should check with the transit state to see if they can pass through.



# **VSQG Waste Consolidation at LQGs - Example**

**Army reserve facilities that are VSQGs could consolidate their HW at an Army base that is an LQG**

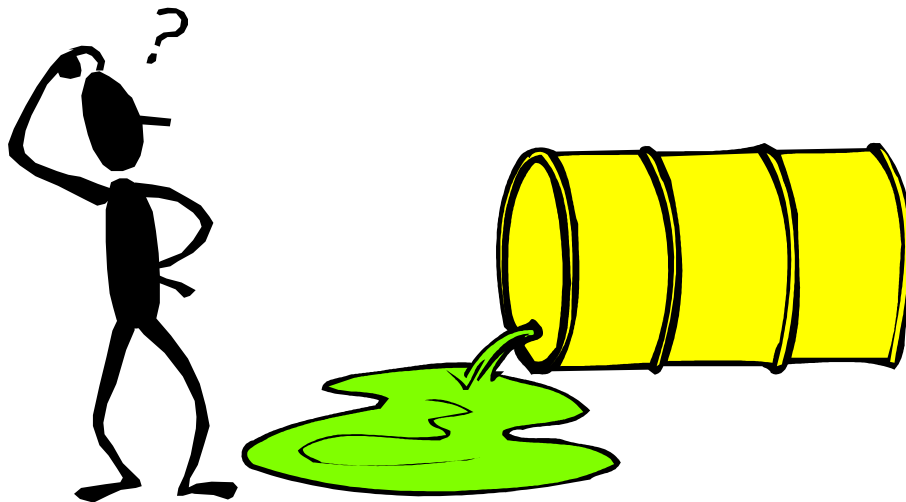
- **They could transport the waste themselves and would not need to manifest it as long as the LQG has notified, including listing the participating VSQGs on the Site ID form**
- **The Army reserve sites (the VSQGs) would need to mark the containers with the words “Hazardous Waste” and the hazards of the waste in the containers.**
- **Once the VSQG waste arrives at the Army base, the accumulation start date would be added and the waste managed as LQG waste**
- **Army Base would also keep the shipping records of the waste received from the VSQG for 3 years, which includes:**
  - **the name, address, and contact info for the VSQG, and**
  - **a description of the waste received, including the quantity and date the VSQG waste was received**





# Emergency Preparedness & Planning

**SQG regulations: § 262.16(b)(8) & (9)**  
**LQG regulations: § 262.17(a)(6) refers**  
**generators to Part 262 Subpart M**



# § 262.16(b)(8) & (9):

## Emergency Preparedness & Planning

### SQG regulations:

- Same requirements as § 262.34 but regulations now located in § 262.16(b)(8) & (9)
- SAA regulations also include same emergency preparedness & planning requirements

**SQG**



# 262 Subpart M

## Emergency Preparedness & Planning

### LQG Regulations:

- The **Quick Reference Guide** is a new part of an LQG's contingency plan designed to provide easy access for emergency responders to the most critical information for an immediate response to an event
  - New LQGs submitting contingency plans must also include a Quick Reference Guide
  - Existing LQGs to include a Quick Reference Guide when they otherwise update and submit their contingency plan
- LQGs can eliminate unnecessary employee personal information in the contingency plan (§ 262.261(d))
  - No home addresses or phone numbers of ECs with an emergency telephone number as long as the number is staffed at all times



# 262 Subpart M

## Emergency Preparedness & Planning

### Quick Reference Guide:

#### Eight elements:

- **Types/names of hazardous waste and associated hazards**
- **Estimated maximum amounts of hazardous wastes**
- **Hazardous wastes requiring unique/special treatment**
- **Map showing where hazardous wastes are generated, accumulated or treated at the facility**
- **Map of facility and surroundings to identify routes of access and evacuation**
- **Location of water supply**
- **Identification of on-site notification systems**
- **Name of emergency coordinator(s) or listed staffed position(s) and 7/24-hour emergency telephone number(s)**

**Check with local emergency authorities to identify additional information that could be included**



# Quick Reference Guide

## Example (pg 1)

### Contingency Plan - Quick Reference Guide

ABC FACILITY

1000 SW Main Street

Anytown, NM 87000

#### **Facility Contacts:**

Primary Emergency Coordinator: George Washington

Mobile Number: 505-555-0000

Secondary Emergency Coordinator: Abraham Lincoln

Mobile Number: 505-555-0001

Tertiary Emergency Coordinator: Martha Washington

Mobile Number: 505-555-0002

**Note:** ABC Facility operates 24/7, but the order of contact during an emergency is above.



# Quick Reference Guide

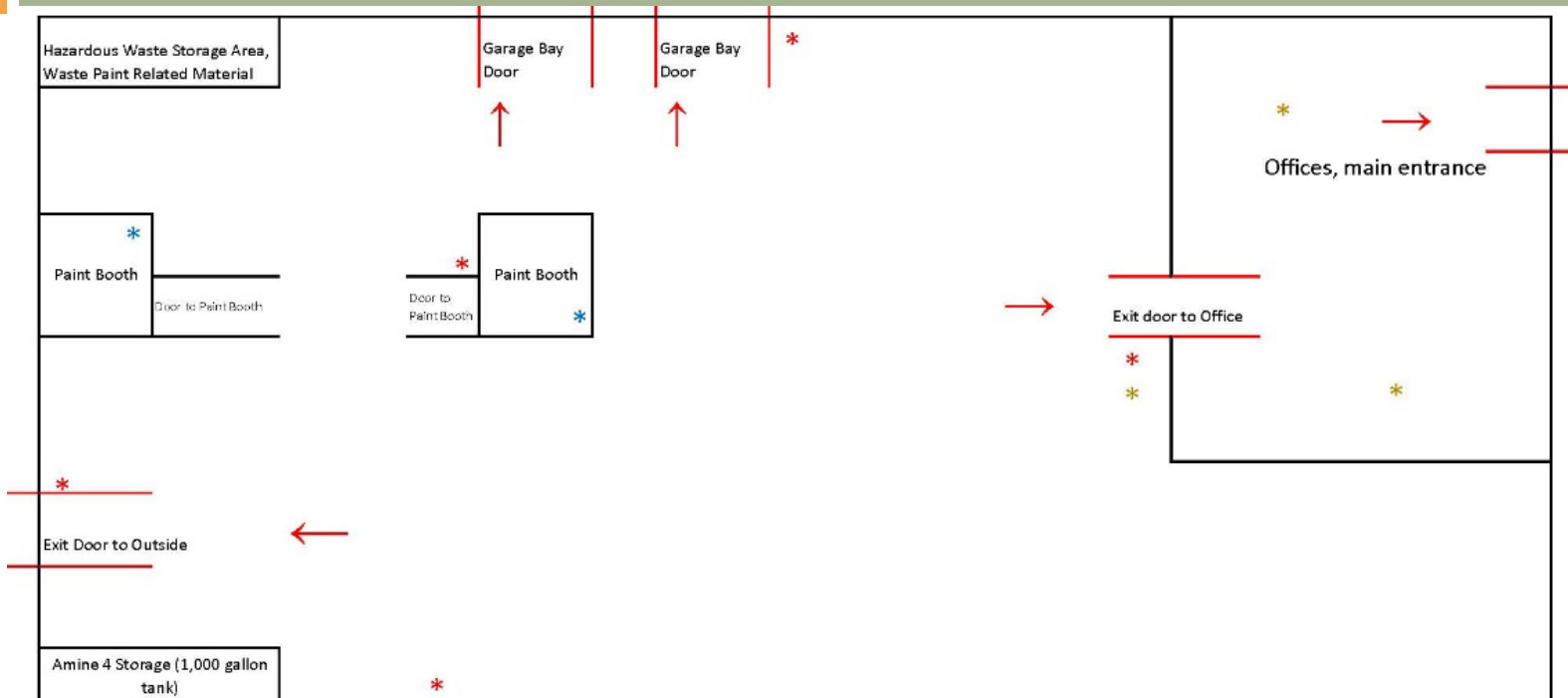
## Example (pg 1) (continued)

Waste	Waste Codes/Hazards	Location Accumulated	Maximum Amounts Present	Response Notes	Special Notes to Hospital personnel
Paint Related Wastes (liquid)	D001 (ignitability, flash point <140 °F); F003, F005 (Benzene, Methyl Ethyl Ketone, Toluene, Toxicity)	NW corner of Warehouse, hazardous waste storage area	Five, 55-gallon drums (2,065 pounds)	If personnel come into contact with material, decontamination at the hospital may be required prior to treatment.	None
Paint Related Wastes (liquid)	D001 (ignitability, flash point <140 °F); F003, F005 (Benzene, Methyl Ethyl Ketone, Toluene, Toxicity)	Two Satellite Accumulation Areas as noted with asterisks on the attached map.	One, 55-gallon drum (440 pounds)	If personnel come into contact with material, decontamination at the hospital may be required prior to treatment.	None
Off-spec 2, 4-D , a herbicide, (brand name is Amine 4) (liquid)	D016 (toxicity); Flashpoint 190 °F.	SW corner of warehouse near new product storage of Amine.	Off-Spec – 1 tank, 1,000 gallons New product – 1 tank, 1,000 gallons	Use PPE to prevent contact with skin and eyes. Prevent spills from entering drains and waterways. Prevent sources of ignition and open flames.	Contact Chemtrac for emergency treatment information at 800-424-9300. If in eyes, wash eyes for several minutes.



# Quick Reference Guide

## Example (pg 2)



- \* Satellite Accumulation Area for Paint Related Waste Material (D001, F003, F005)
- \* Fire Alarms (ring on-site only, there are no fire alarms that notify off-site personnel)
- \* Telephone for off-site notification of emergency

→ Indicates evacuation route out of the building.

Note 1: Hazardous waste (paint related waste) is generated and accumulated inside each of the two paint booths, and is accumulated in the hazardous waste storage area. Amine 4 can be a hazardous waste if it is off-specification and it is generated and accumulated in the SW corner at the Amine 4 tank.

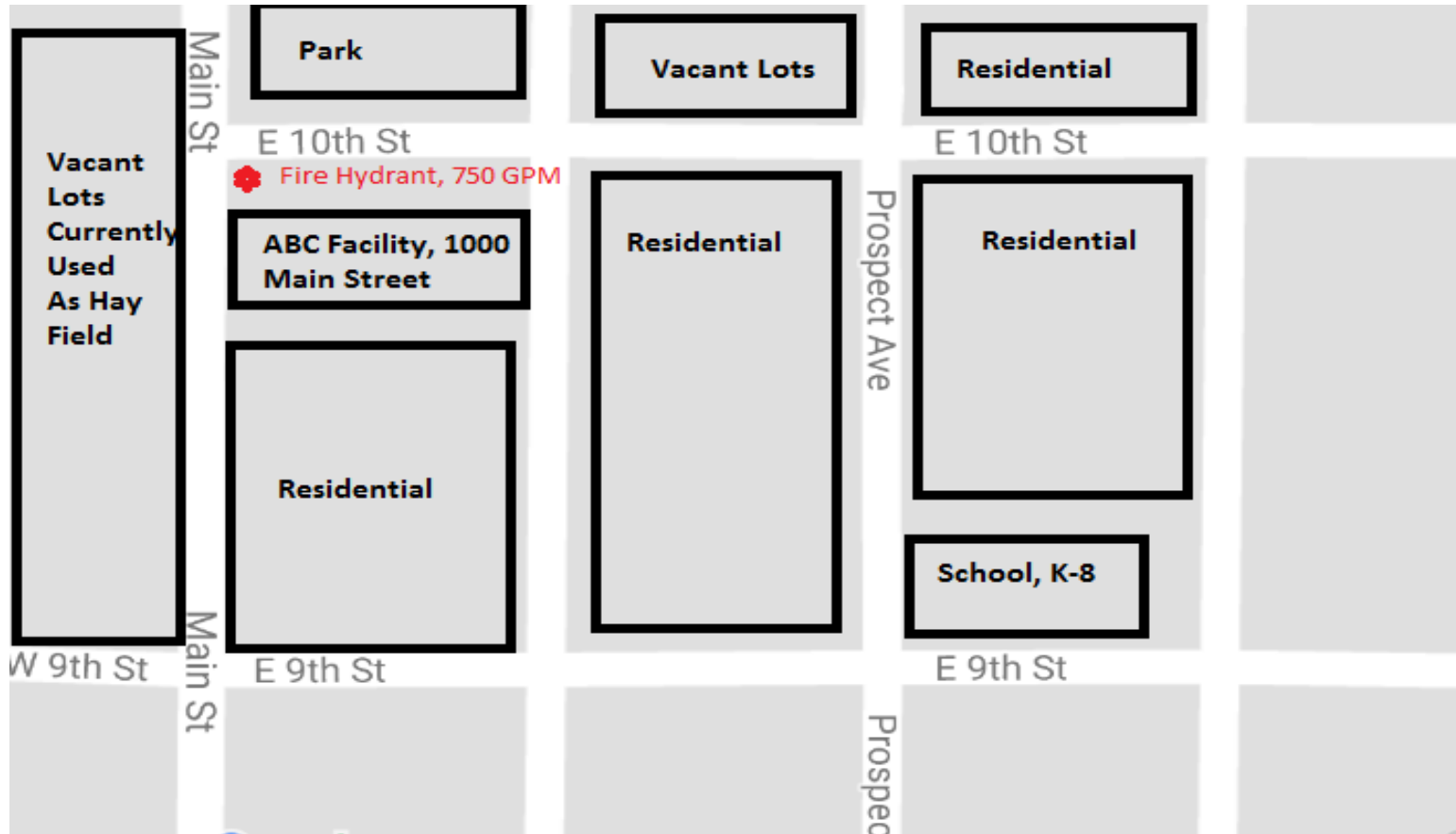
Note 2: Smoke detectors are located throughout the office and main warehouse on the ceiling, in a grid about every 25 feet. Smoke detectors are connected to an automatic sprinkler system.



# Quick Reference Guide

## Example (pg 3)

### Street Map





# Emergency Preparedness & Planning

- **SQGs and LQGs may determine the most appropriate locations for emergency equipment, when it is not possible or unsafe to have the equipment located immediately next to the generating equipment (§ 262.16(b)(8)(ii)/262.252)**
- **Facilities with internal response capabilities may seek a waiver from entering into arrangements with local authorities (§ 262.16(b)(8)(vi)(C)/262.256(c)**



**Closure Notification:**  
**LQGs accumulating hazardous waste in containers, tanks, drip pads and containment buildings, prior to closing a unit a facility or prior to closing the facility, must meet closure conditions in § 262.17(a)(8)**

**CLOSED**



# Closure:

## What Changed?

- **Consolidates closure standards in one place**
- **Requires LQGs to notify EPA or the state when closing a facility and/or accumulation unit**
- **Requires LQGs accumulating hazardous wastes in containers to close as a landfill if unable to meet closure performance standards (i.e., they can't clean close)**
- **Clarifies that closure does not apply to SAAs**

LQG



# § 262.17(a)(8): Closure Notification

- **Requires LQGs to notify EPA or state when closing a facility via Site ID form**
  - **30 days *prior* to closing facility and**
  - **90 days *after* closing facility to certify that they met closure performance standards**
  - **Extension requests must be submitted within 75 days after closing**
- **Provides option of LQG closing waste accumulation unit to:**
  - **Place a notice in operating record within 30 days *after* closing waste accumulation unit and address closure when facility closes (notice can be removed from the operating record if unit going back into service), OR**
  - **Notify EPA or state they have met closure performance standards for their waste accumulation units**
    - **90 days *after* closure via Site ID form 8700-12**



**12. Eligible Academic Entities with Laboratories**—Notification for opting into or withdrawing from managing laboratory hazardous wastes pursuant to 40 CFR 262 Subpart K.

<input type="checkbox"/> Y <input type="checkbox"/> N	A. Opting into or currently operating under 40 CFR 262 Subpart K for the management of hazardous wastes in laboratories—If “Yes”, mark all that apply. Note: See the item-by-item instructions for definitions of types of eligible academic entities.
<input type="checkbox"/>	1. College or University
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<input type="checkbox"/>	3. Non-profit Institute that is owned by or has a formal written affiliation with a college or univer-
<input type="checkbox"/> Y <input type="checkbox"/> N	B. Withdrawing from 40 CFR 262 Subpart K for the management of hazardous wastes in laboratories.

**13. Episodic Generation**

<input type="checkbox"/> Y <input type="checkbox"/> N	Are you an SQG or VSQG generating hazardous waste from a planned or unplanned episodic event, lasting no more than 60 days, that moves you to a higher generator category. If “Yes”, you must fill out the Addendum for Episodic Generator.
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<input type="checkbox"/> Y <input type="checkbox"/> N	Are you an LQG notifying of consolidating VSQG Hazardous Waste Under the Control of the Same Person pursuant to 40 CFR 262.17(f)? If “Yes”, you must fill out the Addendum for LQG Consolidation of VSQGs based on waste.
---	---

**15. Notification of LQG Site Closure for a Central Accumulation Area (CAA) (optional) OR Entire Facility (required)**

<input type="checkbox"/> Y <input type="checkbox"/> N	LQG Site Closure of a Central Accumulation Area (CAA) or Entire Facility.
A. <input type="checkbox"/>	Central Accumulation Area (CAA) <input type="checkbox"/> Entire Facility
B.	Expected closure date: _____ mm/dd/yyyy
C.	Requesting new closure date: _____ mm/dd/yyyy
D.	Date closed : _____ mm/dd/yyyy
<input type="checkbox"/>	1. In compliance with the closure performance standards 40 CFR 262.17(a)(8)
<input type="checkbox"/>	2. Not in compliance with the closure performance standards 40 CFR 262.17(a)(8)

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<input type="checkbox"/> Y <input type="checkbox"/> N	A. Are you notifying under 40 CFR 260.42 that you will begin managing, are managing, or will stop managing hazardous secondary material under 40 CFR 260.30, 40 CFR 261.4(a)(23), (24), or (27)? If “Yes”, you must fill out the Addendum to the Site Identification Form for Managing Hazardous Secondary Material.
<input type="checkbox"/> Y <input type="checkbox"/> N	B. Are you notifying under 40 CFR 260.43(a)(4)(iii) that the product of your recycling process has levels of hazardous constituents that are not comparable to or unable to be compared to a legitimate product or intermediate but that the recycling is still legitimate? If “Yes”, you may provide explanation in Comments section. You must also document that your recycling is still legitimate and maintain that documentation on site.

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---	--



# § 262.17(a)(8): Closure Notification

**LQGs for containers, tanks, and containment buildings must:**

- **Minimize and control post-closure care releases of hazardous waste and constituents to the environment**
- **Remove or decontaminate all contaminated structures, equipment, and soils**
- **Manage any hazardous waste generated in the process of performing closure according to Subtitle C**
- **If the LQG cannot clean close, then they must close as a landfill and meet the requirements of Subparts G and H of 40 CFR 265**



# EPA resources



Main generator website: <https://www.epa.gov/hwgenerators>

Generator Improvements Rule website:  
<https://www.epa.gov/hwgenerators/final-rule-hazardous-waste-generator-improvements>

Link to the map of states that have adopted the new rule:  
<https://www.epa.gov/hwgenerators/where-hazardous-waste-generator-improvements-rule-effect>

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



# QUESTIONS??

**Janine Kraemer, CHMM**  
**Program Manager**  
**Compliance & Technical Assistance Program**  
**Hazardous Waste Bureau**  
**505-476-4372**  
**[Janine.Kraemer@state.nm.us](mailto:Janine.Kraemer@state.nm.us)**





# Future Webinars

**Generator Improvement Rule:**

**April 18, 2019 at 1:30 pm**

**RCRA 101:**

**May 10, 2019 at 10:00 am**

**PowerPoint slides will be located on website at:**

**<https://www.env.nm.gov/hazardous-waste/>**

