

Are You Ready for the Generator Improvements Rule?

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Changes to Hazardous Waste Generator Regulations

- Consolidate regs in Part 262, reduce cross-references to Parts 261 and 265
- VSQGs replaces CESQGs; VSQGs can ship to offsite LQGs controlled by same "person"
- Rules for episodic generation
- Failure to comply with conditions for exemption is considered a TSD facility operating without a permit
- More emphasis on hazardous waste determinations and their documentation
- Additional requirements for satellite and 90/180/270-day accumulation units

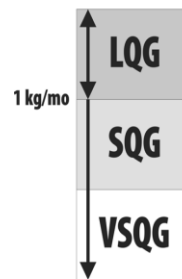
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Categories of Generators

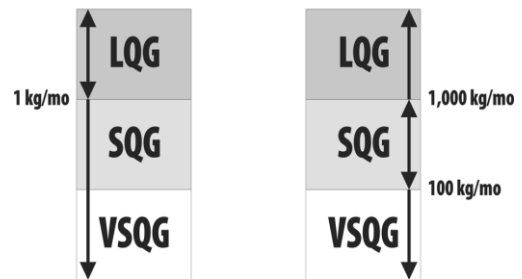
- Three generator categories
 - Large quantity generators (LQGs)
 - Small quantity generators (SQGs)
 - Very small quantity generators (VSQGs)

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Acute waste generation



Nonacute waste generation



VSQGs Shipping to LQGs

- LQG must be under control of the same "person"
- VSQG must mark containers with "Hazardous Waste" and an indication of the hazards
- No manifest required
- LQG must :
 - Notify EPA or the state 30 days prior
 - Mark container with date received
 - Manage along with rest of its hazardous waste
 - Keep records of shipments for 3 years

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Episodic Generation

- New provisions for episodic generation
 - VSQGs and SQGs may maintain their existing generator category
 - Planned vs. unplanned events
 - Notification/recordkeeping requirements
 - Container/tank requirements
 - Manifest waste offsite within 60 days

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Conditions for Exemption vs. Independent Requirements

- Conditions for exemption
 - Must be met for the generator to be exempt from the requirement to obtain a storage permit
 - Mostly associated with satellite and 90/180/270-day accumulation areas (e.g., container standards, contingency plan, training)
- Independent requirements
 - Independent of the conditions for exemption from regulation as a storage facility (e.g., EPA ID number, manifesting)

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Hazardous Waste Determinations

- Must be made at point of generation, before mixing
 - Clarified “acceptable knowledge”
 - Test if knowledge is insufficient
- Must be accurate
 - Test if knowledge is insufficient
- Must be documented—see §262.11(f)

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Satellite Accumulation

- Accumulate small quantities of hazardous waste in containers
 - At or near point of generation
 - Under the control of the operator
- Changes
 - New marking requirement: “Hazardous Waste” and an indication of the hazard(s) of the contents
 - Containers may be open when venting is necessary
 - Satellite accumulation areas must be identified in LOG’s contingency plan

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Examples of Indication of the Hazard



Words identifying an applicable characteristic



DOT label or placard



OSHA hazard statement or pictogram



NFPA Code 704 chemical hazard label

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Satellite Accumulation

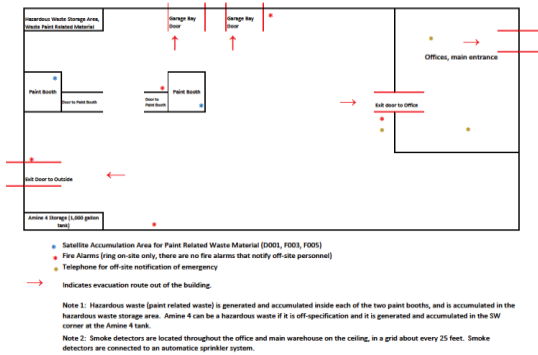
- Accumulate small quantities of hazardous waste in containers
 - At or near point of generation
 - Under the control of the operator
- Changes
 - New marking requirement: “Hazardous Waste” and an indication of the hazard(s) of the contents
 - Containers may be open when venting is necessary
 - Satellite accumulation areas must be identified in LOG’s contingency plan and are subject to preparedness and prevention requirements

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90/180-Day Accumulation

- New marking requirement: "Hazardous Waste" and an indication of the hazard(s) of the contents
- Numerous changes to:
 - Preparedness and prevention requirements
 - Contingency plan/emergency procedures
- New closure notification and recordkeeping requirements (when units or facility are closing)

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When does it go into effect?

- Rule issued November 28, 2016
- Effective May 30, 2017 at the federal level
- Map of adoption status as of August 9, 2018

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EXAMPLE QUICK REFERENCE GUIDE

This example was created by EPA Region 7 to be used as a guide to assist the regulated community with compliance. It does not substitute for or replace any regulatory requirements.

Contingency plan quick reference guide
ABC FACILITY
1000 SW Main Street
Anytown, Iowa 50000

Facility Contacts:

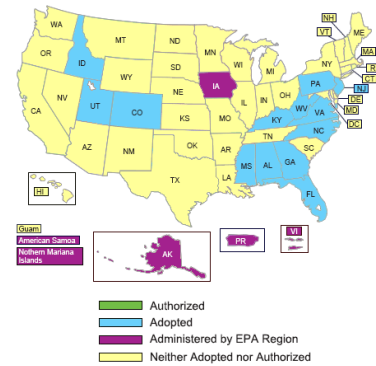
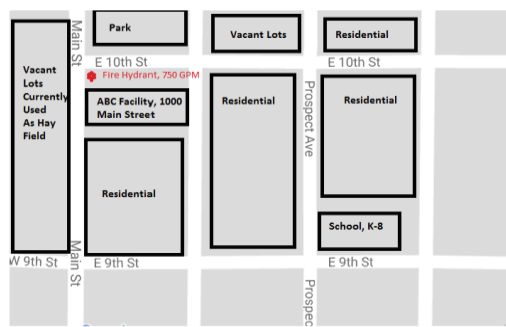
Primary Emergency Coordinator: George Washington Mobile Number (24/7): 515-555-0000
 Secondary Emergency Coordinator: Abraham Lincoln Mobile Number (24/7): 515-555-0001
 Tertiary Emergency Coordinator: Martha Washington Mobile Number (24/7): 515-555-0002

Note: ABC Facility operates 3 shift, 24/7, but the order of contact during an emergency is listed above.

Hazardous Waste Information:

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

Street Map



More information

- McCoy's white paper "Changes to the Hazardous Waste Generator Regulations"
 - McCoyseminars.com>tools>white papers
- <https://www.epa.gov/hwgenerators/frequent-questions-about-implementing-hazardous-waste-generator-improvements-final-rule#closure>
- Region 7 sample quick reference guide

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Thank you!

Say Hello

understandrcra.com>tools>white papers

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