



METRA

Metropolitan Environmental
TRaining Alliance

HAZARDOUS WASTE MANAGEMENT

GENERATOR IMPROVEMENTS RULE

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Surgeon General's Warning

This presentation may cause a lack of oxygen to the brain which may lead to bouts of yawning and fatigue.



What is the GIR?

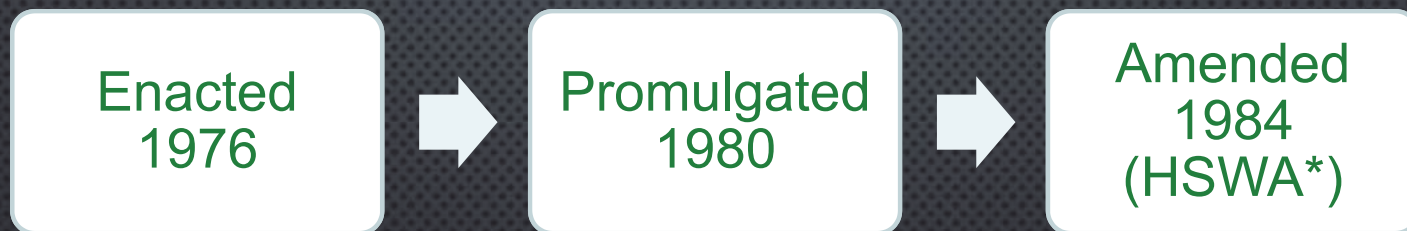
Over 60 revisions and new provisions to the federal hazardous waste rules.

Primary intent is to foster improved compliance and improve protection of human health and the environment.



Background

Resource Conservation and Recovery Act



* Hazardous and Solid Waste Amendments



Background

Proposed 9/25/15



Finalized 10/28/16



Effective 5/30/17



Adopted by Florida 6/18/18



Key Revisions

- Reorganization of Generator Regulations
- Clarification of Regulatory Structure
- Increased Flexibility
- Increased Stringency
- General/Technical Clarifications



New Provision	VSQG	SQG	LQG
Reorganization	X	X	X
LQG Consolidation of VSQG Wastes	X		X
Episodic Generation	X	X	
50 Foot Waiver			X
Marking & Labeling		X	X
SQG Re-Notification		X	
Quick Reference Guide			X
Closure Notification			X
Landfill Closure			X
Recycler BR (Non-Storage)		X	X



Key Revisions

- **Reorganization of Generator Regulations**
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Reorganization Of Generator Regulations

Provision	Previous Citation	New Citation
Generator Category Determination	261.5(c)-(e)	262.13
VSQG* Standards	261.5(a),(b),(f)-(g)	262.14
Satellite Accumulation Area Standards	262.34(c)	262.15
SQG Standards	262.34(d)-(f)	262.16
LQG Standards	262.34(a),(b),(g)-(i),(m)	262.17

* Formerly CESQG



Reorganization Of Generator Regulations

Provision	Previous Citation	New Citation
Definitions of Generator Categories	§§ 260.10, 261.5 and 262.34	§ 260.10
HW Limits for VSQGs	§ 261.5(a) and (e)	§ 260.10
HW Determination and Recordkeeping	§§ 262.11 and 262.40(c)	§ 262.11
EPA Identification Numbers	§ 262.12	§ 262.18
Landfill Ban for Liquids	§ 258.28	§ 262.35



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Clarification of Regulatory Structure

§262.10 defines/clarifies:

- Generators' Conditions for Exemption
- Independent Requirements



Clarification of Regulatory Structure

Conditions for Exemption

Exempt from what???

TSD Permitting Requirements!



Conditions for Exemption

- TSD Permitting Requirements
 - All generator classes are “conditionally exempt”
 - Note name change from CESQG to VSQG
 - Conditions provided in:
 - §262.14, §262.16, §262.17
 - Violation of the conditions
 - Subject to larger generator standards
 - Operating without a permit



Conditions for Exemption

Conditions include the following:

- HW accumulation limits
- HW storage time limits
- Container management*
- Emergency Preparedness and Prevention*



Clarification of Regulatory Structure

Independent Requirements

So What Are Independent Requirements?



Independent Requirements

Defined in 262.10(a)(1):

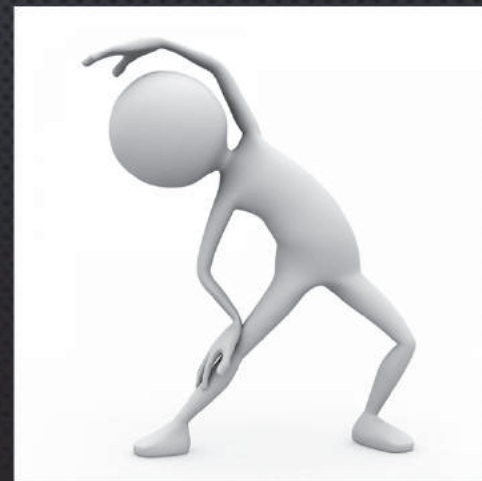
- HW determination and recordkeeping* (§262.11);
- Generator category determination* (§262.13);
- EPA ID No.'s and re-notification* (§262.18);
- Manifest requirements (262 Subpart B);
- Pre-transport requirements (262 Subpart C);
- Recordkeeping (262.44 - SQGs; Subpart D - LQGs)
- Transboundary movements of HW (262 Subpart H)





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Increased Flexibility

- VSQG consolidation at LQG
 - Manifest/transporter not required
 - LQG under control of same person
 - VSQG containers labelled:
 - “Hazardous Waste”
 - Description of the hazards of waste



Increased Flexibility

- VSQG consolidation at LQG
 - LQGs:
 - Manage VSQG waste as LQG waste
 - Notification to FDEP
 - Prior to shipments
 - Form 8700-12 (Federal Form)
 - Records for each shipment
 - Include in the Biennial Report
 - Source code G51



Increased Flexibility

- VSQG shipments to an LQG - §262.14(a)(5)
- 50' Rule Waiver - §262.17(a)(1)
- Allowance for episodic generation – 262 Subpart L
 - Occasional spikes in the generation of HW which exceed the amounts allowed for by the facility's normal generator category.
 - VSQG and SQG
 - Facility maintains normal generator status without needing to meet all standards of a higher status



Increased Flexibility

- Episodic Generation Events
 - One per calendar year
 - Can petition for second event
 - Can be up to 60 days



Increased Flexibility

- Episodic Generation Events
 - Planned
 - Regular maintenance
 - Tank clean-outs
 - Excess inventory removal
 - Unplanned
 - Spills
 - Product recalls
 - Production Upsets
 - Acts of God



Increased Flexibility

- Episodic Generation Events
 - Conditions:
 - Have all waste removed by day 60
 - EPA ID #
 - Notification
 - Planned Events
 - 8700-12FL 30 days prior
 - Unplanned Events:
 - Email/phone call within 72 hours of event; and
 - 8700-12FL



Increased Flexibility

- Episodic Generation Events
 - Conditions
 - No management in drip pads or containment buildings
 - No treatment by VSQGs
 - Accumulation in tanks or containers in good condition
 - Label:
 - “Episodic Hazardous Waste”
 - Indication of the hazards of contents
 - Date event began – clearly visible
 - Inspect tanks daily and have overflow protection



Increased Flexibility

- Petition for 2nd Event
 - Total one planned and one unplanned event per year
 - Make request in writing, include the following information:
 - Reason for event
 - Nature of event
 - Anticipated duration
 - Estimate amount of HW
 - Info about the previous event



Planned Event

Submit petition 30 days prior

No Subpart L management until approved

Unplanned Event

Notify by phone/email within 72 hours

Petition for 2nd event and file 8700-12FL

Manage HW per Subpart L while awaiting approval

If denied, comply with applicable generator standards

Increased Flexibility

**Episodic Generation
Petition for 2nd Event**



Increased Flexibility

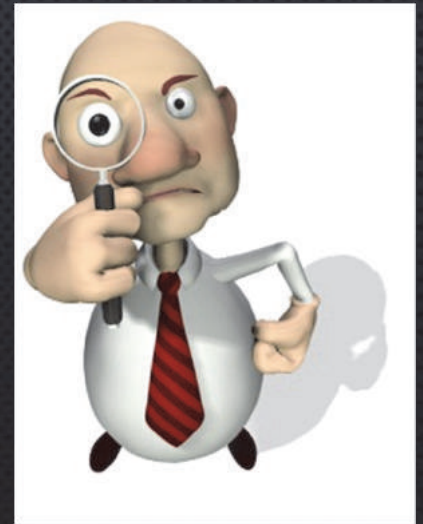
- Episodic Generation
 - Recordkeeping
 - Description of event
 - Beginning/end dates of event
 - Types/quantities of waste
 - Info on TSD and transporter
 - EPA/FDEP approvals for second event petitions
 - Retain 3 years on-site





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Increased Stringency

- Marking and Labelling:
 - Tanks/containers
 - “Hazardous Waste”
 - Description of hazards of the waste
- Containment Building:
 - Conspicuous Sign
 - “Hazardous Waste”
 - Hazards of the waste



HAZARDOUS WASTE

FEDERAL LAW PROHIBITS IMPROPER DISPOSAL

IF FOUND CONTACT THE NEAREST POLICE OR PUBLIC SAFETY
AUTHORITY OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY

GENERATOR INFORMATION: **Joe's Shop**

NAME _____

ADDRESS **123 Main St.** PHONE _____

CITY _____ STATE _____ ZIP _____

EPA / MANIFEST
ID NO. / DOCUMENT NO.

ACCUMULATION **9/29/18** EPA **D002**
START DATE WASTE NO.

Waste corrosive liquids, NOS 8, UN1760
III (sulfuric acid)

D.O.T. PROPER SHIPPING NAME AND UN OR NA NO. WITH PREFIX

HANDLE WITH CARE!





94-9475 SOLVENTS
HAZARDOUS WASTE
DO NOT OVERFILL
LEAVE 3"-8" HEADSPACE
UN1993
U.S. DOT DESCRIPTION:
WASTE FLAMMABLE LIQUID,
N.O.S. (1-PROPANOL, N-
PROPYL ACETATE), 3, III
9-5-18
FLAMMABLE LIQUID
3



HAZARDOUS WASTE

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S-369, ULINE, 1-800-295-5510



Increased Stringency

- Satellite Containers
 - Provisions are conditional permit exemptions
 - Subject to new marking requirements
 - Incompatible wastes prohibited
 - Reactive wastes must be “at or near” POG
 - Subject to all SQG/LQG emergency preparedness provisions.
 - LQG – 262 Subpart M; SQG - 262.16(b)(8) and (9)
 - 1 kg limit added for acute waste



Increased Stringency

LQGs:

- Closure notification
- Landfill closure if not clean closed
- Contingency plan quick reference guide
- Biennial Report must include entire year
- Re-notification
- Recordkeeping



Increased Stringency

- LQG Closure Notification
 - Waste Accumulation Unit/Area
 - Within 30 days of closure - notice to operating record identifying the location; OR
 - Clean close and notify FDEP/EPA



Increased Stringency

- LQG Closure Notification
 - Facility
 - Minimum 30 days prior to closing; AND
 - No longer than 90 days after closing whether or not able to clean close
 - Form 8700-12FL



Increased Stringency

- LQG Closure
 - Facility must:
 - Eliminate/minimize post-closure escape of contaminants to the environment
 - Decon or remove equipment, structures, soils
 - Remove any HW generated in closure process
 - Subject to post-closure care standards if unable to meet closure standards









Increased Stringency

- LQG Quick Reference Guide
 - Submit to local emergency responders
 - Include:
 - Types/names of HW and their hazards
 - Estimated max amounts of HW
 - Identify HW requiring special medical treatment
 - Map showing locations and access routes to HW generation, treatment, accumulation areas



Increased Stringency

- LQG Quick Reference Guide
 - Include
 - Street map showing best access to and evacuation routes from facility
 - Water supply locations
 - On-site notification systems (i.e. alarms)
 - Name and 24/7 phone number of emergency coordinator



Increased Stringency

- LQG Re-notification
 - March 1 even-numbered years
 - Form 8700-12FL, or
 - As part of biennial reporting



Increased Stringency

- LQG Recordkeeping
 - 50' Rule Waiver from AHJ
 - VSQG consolidation
 - Closure of waste units
 - Emergency arrangements (or attempts) with local authorities



Increased Stringency

- SQGs
 - Re-notification
 - 2021
 - Every 4 years
 - September 1
 - Form 8700-12FL





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General/Technical Clarifications

- Acute vs. non-acute – §260.10
- Central Accumulation Area - §260.10
- Three *consecutive* days (SAA) - §262.15
- Mixing waste - §262.13
- Counting waste - §262.13
- Generator category determination
- *Accurate* Determination - §262.11



General/Technical Clarifications

- Accurate Determination
 - At the point of generation
 - Generator knowledge is “reliable and relevant”
 - Testing must use representative samples
 - Use all applicable waste codes
 - Supporting documentation
 - Test methods and results
 - Explanation and support of knowledge basis
 - Keep records for 3 years



We Did Not Cover:

Revisions to:

- BR for non-storage recyclers
- Imports
- Exports



Clear as Mud?

Resources

GIR

[HTTPS://WWW.EPA.GOV/HWGENERATORS/FINAL-RULEHAZARDOUS-WASTE-GENERATOR-IMPROVEMENTS](https://www.epa.gov/hwgenerators/final-rule-hazardous-waste-generator-improvements)

[HTTPS://WWW.EPA.GOV/HWGENERATORS/FREQUENTQUESTIONS-ABOUT-IMPLEMENTING-HAZARDOUS-WASTE-GENERATOR-IMPROVEMENTS-FINAL-RULE](https://www.epa.gov/hwgenerators/frequent-questions-about-implementing-hazardous-waste-generator-improvements-final-rule)

HW Generators

[HTTPS://WWW.EPA.GOV/HWGENERATORS](https://www.epa.gov/hwgenerators)



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QUESTIONS?

