

Generator Improvements Rule

Hazardous Waste Program

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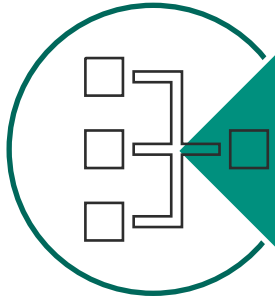
Generator Improvements Rule



Impacts anyone who generates hazardous waste.

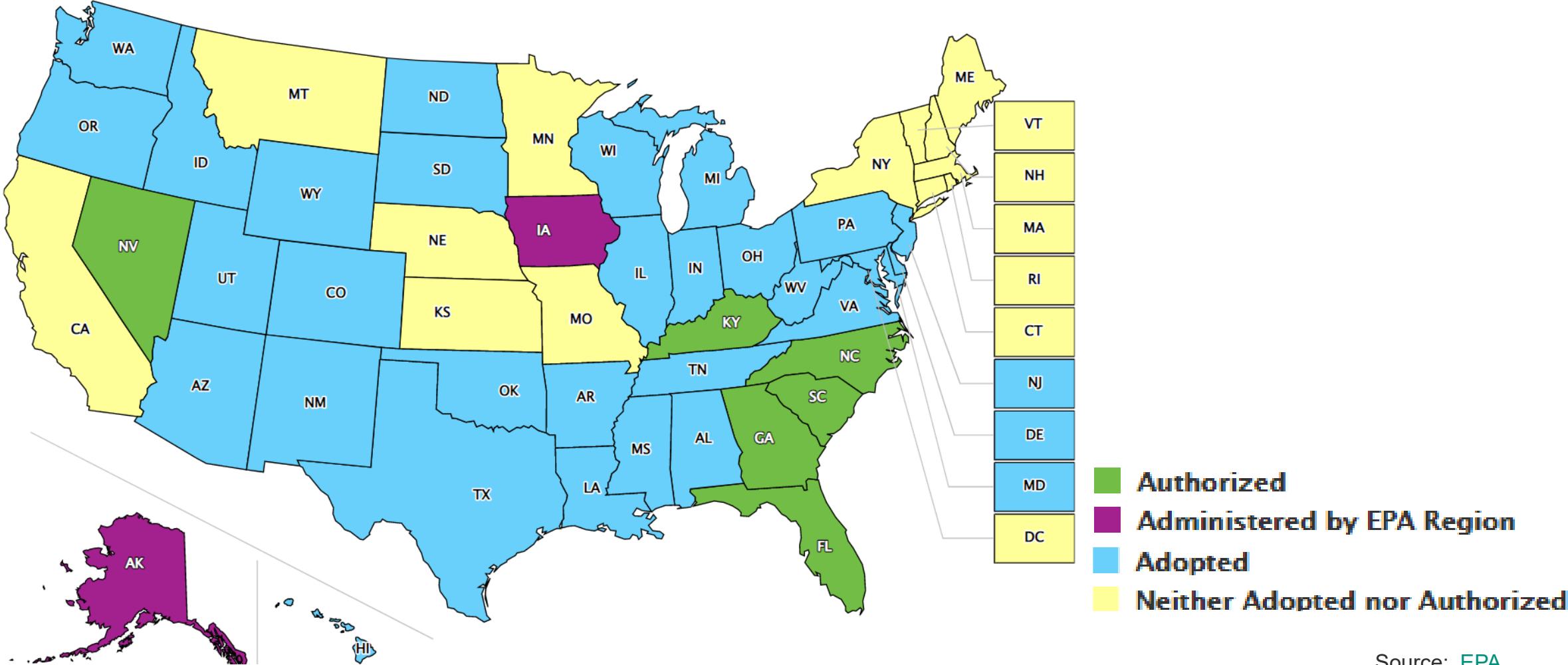


Updates regulations to make rules easier to understand, facilitate better compliance, provide clarification, close gaps in regulations, provide greater flexibility.



Includes “more stringent” regulations for generators that require changes to operating practices.

Where is GIR in effect?



Source: [EPA](#)



Background

Environmental Protection Agency (EPA) evaluated the hazardous waste generator program from 2004 to 2014

Goals:

- Improving effectiveness
- Reducing compliance costs
- Fostering improved relationships

Reorganization

- Conditionally Exempt Generator → Very Small Quantity Generator
- Generator requirements from 265 are now also found in 262:
tank and container requirements, emergency preparedness

	OLD CITATION	NEW CITATION
Generator Category Determination	261.5(c)-(e)	262.13
VSQG Provisions	261.5(a), (b), (f)-(g)	262.14
Satellite Accumulation Area Provisions	262.34(c)	262.15
SQG Provisions	262.34(d)-(f)	262.16
LQG Provisions	262.34(a), (b), (g)-(i), (m)	262.17

More Stringent Regulations

Subjects satellite accumulation containers to central accumulation container labeling requirements, incompatibility requirements and contingency plan requirements

Label satellite accumulation containers and 90/180/270-day containers and tanks with an indication of the hazards of the contents

Requires hazardous waste containers be marked with hazardous waste codes prior to shipment

Requires LQGs to create quick reference guide to assist responders in an emergency

Requires LQGs to notify DEQ when plan to close facility

Satellite Accumulation Areas – 40 CFR 262.15

Allows containers to be open when **temporary venting** of a container is necessary

“Three days” means **three consecutive calendar days** before moving to storage or off-site

“**Under control of the operator**”

Subject to **emergency preparedness** requirements of 262, Subpart M

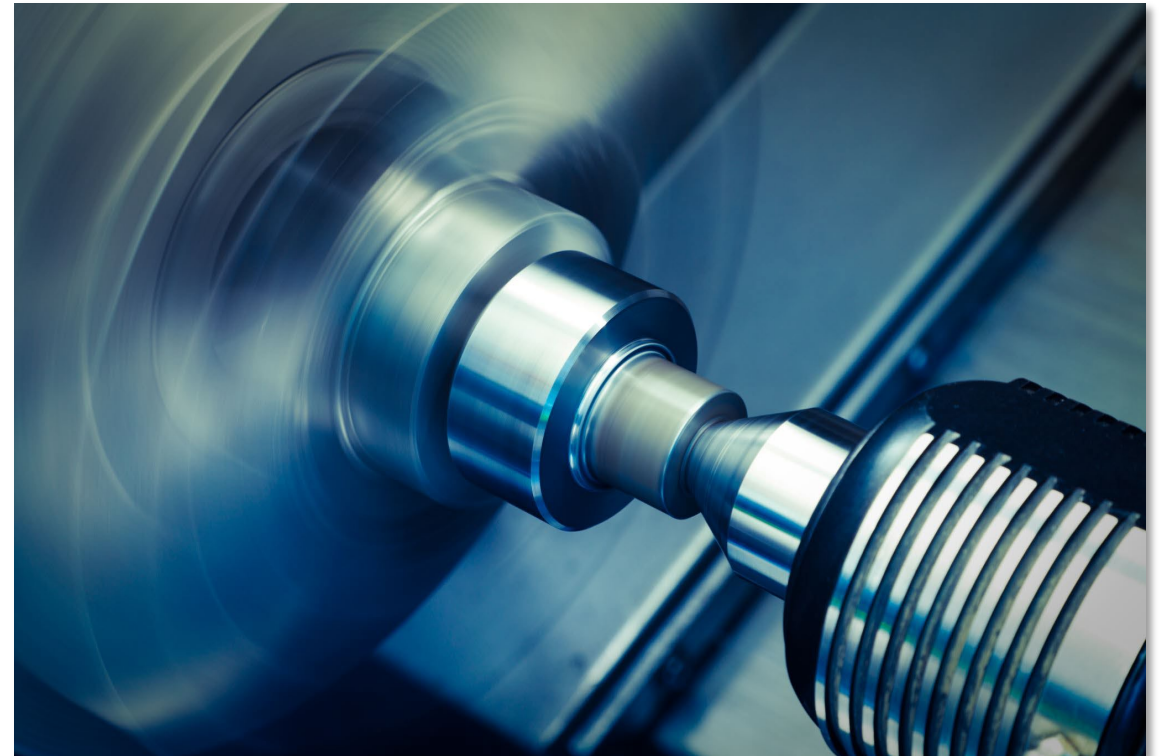
1 kilogram of physically solid acute waste **added as maximum quantity limit in SAAs**

Subject to same **incompatibility** requirements as 90/180/270-day accumulation containers

Labeling requirements consistent with central accumulation areas

Hazardous Waste Determination

- Must be accurate and made at the point of generation
- SQGs and LQGs must maintain records
- Manage as hazardous until test results are received
- Must be made/remade any time there may have been a change



New Labeling Requirements

1. When generated, label containers and tanks with **hazard of contents**
2. Prior to off-site shipment to TSD, mark container with **waste codes of contents**

Examples of Nationally Recognized Hazard Labels



Ignitable Liquid
Department of
Transportation (DOT) warning
label or placard



Toxic Substance
Occupational Safety and
Health Administration
pictogram



Reactive Liquid
National Fire Protection
Association hazard
identification system

Preparedness & Contingency Planning



Emergency Preparedness



Must keep documentation of attempts made to make arrangements with local emergency responders



On-line or computer-based training added as an option



Only applies to areas where hazardous waste is generated, accumulated and stored



Removes address requirement for emergency coordinator

Contingency Plan - Quick Reference Guide



Types/names of hazardous waste, and associated hazards



Estimated maximum amounts of hazardous waste



Hazardous waste requiring special treatment



Map showing generation, accumulation or treatment



Evacuation facility map



Location of water supply



On-site notification systems



Emergency coordinator(s) contacts

New LQGs must submit QRG with its contingency plan.
Existing LQGs must include QRG when updating its contingency plan

LQG Closure



LQG Closure


Closure of waste
accumulation area

- Place notice in operating record, or
- Notify DEQ via Site ID Form

Closure of entire
facility

- Notify DEQ via Site ID Form no less than 30 days before closure
- Within 90 days after closure, if can't clean close must close as a landfill

LQG Closure in Your DEQ Online

←  **Hazardous Waste – Site Identification Notification** Land Quality


????? Open


1 Basic Info ¹ 2 Attachment 3 Payment 4 Review 5 Submission

16. Notification of LQG Site Closure for a Central Accumulation Area (CAA) (optional) or Entire Facility (required)

Notification of LQG Site Closure for a Central Accumulation Area (CAA) (optional) or Entire Facility (required) Yes No

Central Accumulation Area (CAA) Entire Facility

Expected closure date  Required

Requesting new closure date 

Date closed

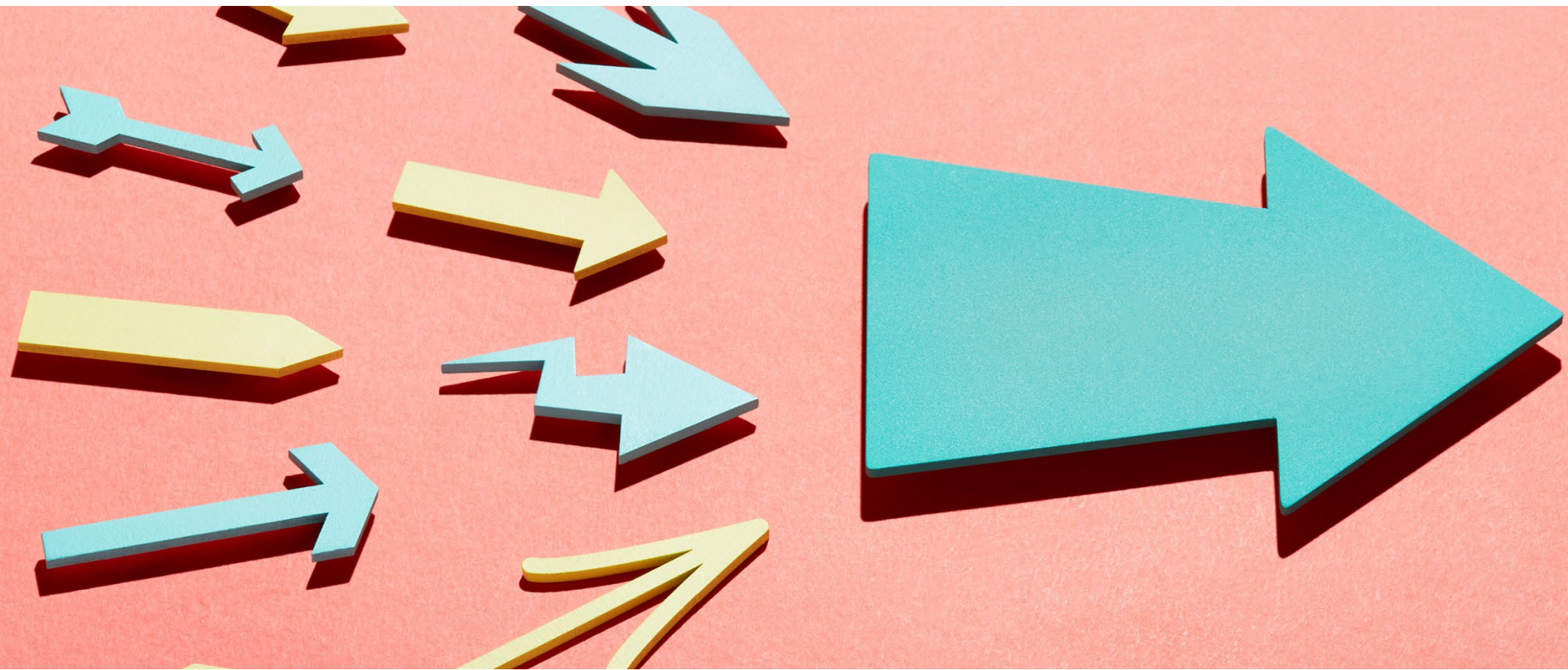
Waiver to 50-foot Requirement

Allows LQG to request a waiver from the requirement that ignitable or reactive waste be located 50-feet from property line

Request waiver from authority having jurisdiction over fire code

LQG required to maintain approval documentation

Large Quantity Generator Consolidation



Large Quantity Generator Consolidation

- VSQG ships, without manifest, to LQG under control of same person
- No transfer, storage, disposal facility (TSD) permit required

LQG Responsibilities	VSQG Responsibilities
Notify: Site ID Form	Label containers: “Hazardous Waste” + hazards
Label containers: Accumulation start date	—
Records: For each shipment, three-year retention	—
Manage all waste as LQG waste	—

LQG Consolidation in Your DEQ Online

Hazardous Waste – Site Identification Notification Land Quality

Open

1 Basic Info 2 Attachment 3 Payment 4 Review 5 Submission

18. LQG Consolidation of VSQG Hazardous Waste

Are you an LQG notifying of consolidating VSQG hazardous waste under the control of the same person pursuant to 40 CFR 262.17(f)? Yes No

1 Your generator status must be LQG to opt into the LQG consolidation provision

Consolidated VSQG Sites

EPA ID	Name	Address	City	State	Zip
OR					
Handler					
null null null null null null					
EPA ID Number					
Site Name					
1 Required					
Country					
<input checked="" type="radio"/> United States <input type="radio"/> Canada					
Address Line 1			Address Line 2		
1 Required.					

Episodic Generation

Episodic event: when a VSQG or SQG generates more hazardous waste than is typical during routine operations and causes the generator to exceed its normal generator status for that month.

Episodic Generation

2 VSQG and SQGs are allowed two episodic events a year



No maximum generation amount



60 days to ship waste off site; SQGs may treat on site



Must notify DEQ

Episodic Generation



Generators can notify of multiple projects to be completed within the specified time frame on their site ID form submittal



Containers and tanks must be labeled as “Episodic Hazardous Waste” and include the event start date.



Hazardous waste must be transported with a hazardous waste manifest and sent to a TSDF



Generators can conduct one planned and one unplanned episodic event in a calendar year; must petition to qualify for a second event

Examples of Episodic Generation

Planned Event	Unplanned Event
Short-term Construction or Demolition	Act of Nature
Excess Chemical Inventory	Accidental Spill
Equipment Maintenance During Plant Shutdown	Product Recall
Tank Clean-out	Production Process Upset

Episodic Generation: Oregon Rule

EPA GIR	DEQ More Stringent
30-day notification for planned event	60-day notification for planned event NOTE: This changed to 30 days, effective Jan 1, 2023.
72-hour initial notification for unplanned event with follow-up Site ID notification	72-hour initial notification for unplanned event with follow-up DEQ Site ID notification within 5 days of initial 72-hour notification
Written approval for second petitioned event	Written approval for first event and second petitioned event
Biennial Report for LQGs No report fees	Annual report for all episodic events Generation and management fees apply

Episodic Generation in Your DEQ Online

Basic | Contact **6** | Documents **0** | Reporting Obligation **2** | **Hazardous Waste/UO/UW**

Episodic Generation

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? Yes No
If "Yes", you must fill out the Addendum for Episodic Generator.

! Your generator status must be SQG or CEG.

Episodic Event

Episodic Event Type

Planned Episodic Event

Project Type

Tank cleanouts

Beginning Date:

02/09/2022



End Date:

03/30/2022



Other Clarifications

- SQGs can store hazardous waste on drip pads and containment buildings if following SQG rules and 265 Subpart W/DD
- If a hazardous waste is mixed with a solid waste, generators must make a hazardous waste determination for the resulting mixture, using the existing mixture rules

Oregon Administrative Rule Citations

340-100-0002

Adoption of United States Environmental Protection Agency Hazardous Waste and Used Oil Management Regulations

(1) Parts 260 to 268, 270, 273 and Subpart A and Subpart B of Part 124, as enacted through July 30, 2020, except as modified below in sections (2), (3) and (4).

340-100-0010

Definitions

(2)(d) “CEG” or “conditionally exempt generator” or “conditionally exempt small quantity generator” is equivalent to very small quantity generator as defined under 40 C.F.R. 260.10.

340-102-0230

Episodic Generation

(1) The provisions of this rule are in addition to the requirements of 40 C.F.R. 262 Subpart L...

Technical Assistance: Regional Contacts

Northwest Region

Clackamas, Clatsop, Columbia, Multnomah, Tillamook, and Washington counties

- Pete Anderson, 503-229-5070
- Alex Bertolucci, 503-229-5336

Western Region

Benton, Coos, Curry, Douglas, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Polk and Yamhill counties

- Bart Collinsworth, 503-378-5071

Eastern Region

Baker, Crook, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, and Wheeler counties

- Brian Allen 541-633-2014
- Ryan Peterson, starts April 18, 2022