



# Generator Improvements Rule: 50-foot Rule Waiver

The Generator Improvements Rule impacts all hazardous waste generators and includes over 60 changes that clarify existing requirements, increase flexibility, and improve environmental protection. This fact sheet focuses on changes made to the 50-foot rule.

## Who is affected?

This provision of the Generator Improvements Rule applies only to large quantity generators (LQGs) that cannot meet the requirement to store ignitable or reactive waste 15 meters, or 50 feet, from the property line.



## Key Benefits



**Allows greater flexibility** – Large quantity generators with small properties can now comply with the regulations by obtaining a waiver.



**Maintains protection** – The entity with authorized jurisdiction over fire codes will help the LQG determine a safe and practical location to store containers holding ignitable or reactive waste.

## What changed?

Without exception, previous regulations required generators to store ignitable or reactive waste at least 15 meters, or 50 feet, from the facility's property line. The new provision, effective in Oregon as of January 1, 2022, allows LQGs to apply for a site-specific waiver from this requirement from the authorized entity having jurisdiction over the fire codes, e.g., the local fire marshal or fire department. This entity is not required to issue the waiver. If the waiver is issued, the authorized entity will help the LQG determine a safe and practical location to store containers holding ignitable or reactive waste. While accumulating ignitable or reactive hazardous waste in the area, the generator must maintain a record of the authorized entity's written approval. The waiver is subject to review, upon DEQ's request.

## Why the change?

Maintaining storage areas 15 meters, or 50 feet, from the property line, may not be feasible, especially in urban areas where properties are sometimes less than 100 feet wide.

## Where to find more information?

Complete regulations can be found at 40 CFR 262.17(a)(1)(vi). The Environmental Quality Commission adopted this rule by reference in Oregon Administrative Rule 340-100-0002.

## Have questions?

DEQ has made it easy for you to get your questions answered. To learn more and request free, non-regulatory technical assistance, please visit [oregon.gov/deq/Hazards-and-Cleanup](https://oregon.gov/deq/Hazards-and-Cleanup).

## Alternate formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email [deqinfo@deq.oregon.gov](mailto:deqinfo@deq.oregon.gov).