



Fact Sheet

Large Quantity Generator Closure

The Generator Improvements Rule impacts all hazardous waste generators and includes over 60 changes to clarify existing requirements, increase flexibility, and improve environmental protection. This fact sheet focuses on changes to the closure requirements for large quantity generators.



Who is affected?

As of Jan. 1, 2022, sites that operated as a large quantity generator at any time must comply with new closure requirements when closing a facility or a hazardous waste management unit.

Key benefits



Closes a regulatory loophole -

Previously, LQGs that accumulated waste only in containers avoided the closure provisions applicable to other generators.



Satellite accumulation area units are exempt -

The closure requirements do not apply to satellite accumulation areas.



Allows for extensions - LQGs may request additional time to clean close by notifying DEQ within 75 days after the initial notification and providing an explanation.



Improves communication - The new regulations require multiple notices to DEQ when closing a site, improving communication between agency and the generator.

What changed?

1. Large quantity generators must notify DEQ at least 30 days before the closure of a facility using **Your DEQ Online Hazardous Waste Site Identification Notification**.
2. A facility must certify to DEQ within 90 days of closure that the closed site meets the closure performance standards found at 40 CFR 262.17(a)(8)(iii).
3. Previously, if an LQG managed hazardous waste in tanks, drip pads, or containment buildings, they were required to conduct a clean close by either removing all contaminated soils, groundwater, and equipment or close the unit(s) to meet the landfill closure performance standards. Before this rule, LQGs generating hazardous waste solely in containers had no such requirements. Now, all LQGs are required to close as a landfill if they are unable to meet closure performance standards.
4. The rule clarifies closure does not apply to satellite accumulation areas at the point of generation.

Question	Answer
<p>What does a large quantity generator have to do when closing a central accumulation area, also called a 90-day hazardous waste accumulation area, but not the entire facility?</p>	<p>A large quantity generator may choose one of the following two options to ensure a central accumulation area will be identified as a former accumulation area upon closure:</p> <ol style="list-style-type: none"> 1. Place a notice in the operating record within 30 days after closing the waste accumulation unit that identifies the unit's location within the facility. Applicable closure performance standards can be addressed when the entire facility closes. If necessary, the notice can be removed from the operating record at any point before closing the facility if the waste accumulation unit is put back into service. Most large quantity generators will choose this option; or 2. Notify DEQ using the Your DEQ Online Hazardous Waste Site Identification Notification form no later than 90 days after closing the unit. The large quantity generator must have met the closure performance standards of 40 CFR 262.17(a)(8)(iii) on or before the 90-day notification submission. If an LQG needs longer than 90 days to comply with the closure performance standards, it must submit an extension request to DEQ no later than 75 days after closure.
<p>If a generator's central accumulation area currently has no hazardous waste, does that mean it is "closed"?</p>	<p>No. If there is no hazardous waste currently in a central accumulation area, it does not mean it is closed for the purposes of putting a notice in the operating record or notifying DEQ. A closed central accumulation area is an area from which the generator has removed all hazardous waste and does not intend to use the central accumulation area again or in the near future.</p>
<p>Does a LQG need to notify DEQ of closure of satellite accumulation areas?</p>	<p>No. A large quantity generator does not need to notify DEQ when closing a satellite accumulation area. More information about this is noted in the Federal Register preamble (81 FR 85732) on page 85771.</p>
<p>If a generator was a large quantity generator for all or most of its existence except the last few months before closure, does it have to comply with the closure requirements?</p>	<p>The closure provision applies to all facilities that have been a large quantity generator at some point. However, DEQ will make a case-by-case determination per situational facts. For example, a facility that was a large quantity generator for 20 years and then dropped to a small quantity generator for six months before closing would most likely be subject to LQG closure requirements. Conversely, a facility that was a small quantity generator for 20 years but temporarily was a large quantity generator before closure may not have to adhere to LQG closure requirements.</p>

Why was it done?

EPA identified a loophole in the previous regulations that allowed large quantity generators accumulating waste only in containers to avoid closure provisions applicable to other generators. EPA identified several Superfund sites whose origin could be traced to this loophole. To avoid this in the future, the Generator Improvements Rule now requires LQGs that accumulate hazardous waste in containers to meet the same regulatory obligations as those that accumulate hazardous waste in tanks, drip pads, and containment buildings.

Additionally, EPA saw the closure of waste accumulation units or facility closure as a likely time for problems to occur. To encourage proper closure oversight and agency involvement, EPA included notification requirements in the Generator Improvements Rule for LQGs closing waste units or an entire facility.

Where to find more information

LQG closure requirements are found at 40 CFR 262.17(a)(8) and have been incorporated by reference at OAR 340-100-0002.

Questions?

DEQ has made it easy for you to get your questions answered. To learn more and request free, nonregulatory technical assistance, please visit our [Hazards and Cleanup page](#) online.

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.

El DEQ puede proporcionar los documentos en un formato alternativo o en un idioma distinto al inglés si así lo solicita. Llame al DEQ al 800-452-4011 o envíe un correo electrónico a deqinfo@deq.oregon.gov

DEQ 可以根據要求提供另一種格式的文件或英語和西班牙語以外的語言。請致電 DEQ : 800-452-4011 或發送電子 郵件至 : deqinfo@deq.oregon.gov.

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