



HAZARDOUS WASTE REQUIREMENTS FOR LARGE QUANTITY GENERATORS (LQGs)



If you are an LQG of hazardous waste, you must comply with the full set of federal hazardous waste generator regulations. You are considered an LQG if you generate more than 1,000 kg (2,200 lbs) of non-acute hazardous waste or more than 1 kg (2.2 lbs) of acute hazardous waste per calendar month. To assist your business in learning about these requirements, the U.S. Environmental Protection Agency (EPA) has prepared this summary fact sheet.

This is only a summary and does not include all of the LQG requirements.

For a more detailed discussion of some of these issues, you can refer to EPA's hazardous waste generator website (www.epa.gov/hwgenerators). Be sure to check with your state hazardous waste agency as well, as some states have additional or more stringent requirements than the federal government.

Identifying the Hazardous Wastes You Generate

40 CFR 262.11 and Part 268

At the point of generation, before dilution or mixing, you must determine if any of the solid wastes you generate are hazardous so that you will be able to manage, report, and track them properly. It is important to be accurate when making a hazardous waste determination. Hazardous wastes can be:

- **Listed wastes.** These wastes will appear on one of four lists published in 40 CFR Part 261 Subpart D.
- **Characteristic wastes.** Certain wastes are considered hazardous if they are ignitable, corrosive, reactive, or toxic (see 40 CFR Part 261 Subpart C).

To determine if your wastes exhibit a characteristic, you may use EPA-approved test methods or apply your knowledge of the waste. To determine if your wastes are listed hazardous wastes, you must apply your knowledge of the waste. If waste is to be land disposed, you must determine if your wastes exhibit any characteristics, even if they are listed

wastes. Under the Land Disposal Restrictions (LDRs), most hazardous wastes may not be land disposed until they meet "treatment standards." It is your responsibility to ensure that your waste is treated to these standards.

Remember to keep your waste determination records in your files.

What is Acceptable Knowledge for Making Hazardous Waste Determinations?

Acceptable knowledge may include:

- Waste origin.
- Composition.
- Process knowledge (e.g., information about chemical feedstocks and other inputs to the production process).
- Knowledge of products, by-products, and intermediates produced by the manufacturing process.
- Chemical or physical characterization of wastes.
- Information on the chemical and physical properties of the chemicals used or produced by the process or otherwise contained in the waste.
- Testing that illustrates the properties of the waste.
- Other reliable and relevant information about the properties of the waste or its constituents.

Determining Your Generator Category

40 CFR 262.10(b) and 262.13

If you are not sure if you are an LQG, you should count the amount of hazardous waste you generate per calendar month. Be sure to count wastes that are:

- Accumulated on site for any time before disposal or recycling.
- Placed directly into an on-site treatment or disposal unit.
- Generated as still bottoms or sludges and removed from product storage tanks.

Obtaining an EPA Identification Number

40 CFR 262.18

LQGs must have an EPA identification (EPA ID) number for each site that generates hazardous waste.

To obtain an EPA ID number, you must complete and submit EPA Form 8700-12, Notification of Regulated Waste Activity, otherwise known as the Site ID Form. For information on submitting this form in your state, locate your state environmental agency's hazardous waste page or reach out to your state contact found at this page: <https://rcrainfo.epa.gov/rcrainfoprod/action/public/public-site/state-contacts>. For the federal form and instructions, see www.epa.gov/hwgenerators/how-hazardous-waste-generators-transporters-and-treatment-storage-and-disposal.

Once you have submitted a form and it's approved, an EPA ID number will be assigned to you for that specific location.

Managing Hazardous Waste On Site

40 CFR 262.17

An LQG may accumulate any quantity of hazardous waste in containers, tanks, drip pads, and containment buildings for up to 90 days without a RCRA permit, provided that you meet the technical standards for the containment unit. LQGs that meet all technical standards for hazardous waste accumulation also may conduct non-thermal treatment

on waste in accumulation units without obtaining a RCRA permit. Generators must clearly mark the date that accumulation begins for each accumulation unit storing hazardous waste so that it is visible for inspection. Accumulation units must also be labeled with the words "Hazardous Waste" and an indication of the nature of the hazard (e.g., using the words ignitable, corrosive, toxic, or reactive or another nationally recognized hazard label).

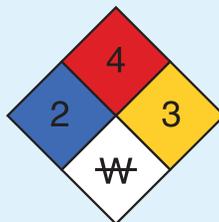
Examples of Nationally Recognized Hazard Labels



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

LQGs are also responsible for complying with "emergency preparedness and prevention" requirements. The LQG must prepare a written contingency plan, make arrangements with local emergency responders, and train employees on hazardous waste management and emergency response.

If your facility accumulates wastes for more than 90 days, it is considered a storage facility and must follow regulations described in 40 CFR Parts 264/265 and 270, unless you have been granted an extension by your EPA Regional Administrator.

Preparing Hazardous Waste for Shipment Off Site

40 CFR 262.30–262.33

You must package, label, and mark your waste containers, and placard vehicles that carry the wastes according to the DOT Hazardous Materials Transportation Act requirements (49 CFR Parts 172, 173, 178, and 179). Commercial waste handlers can advise you on the proper procedures, but you remain responsible for compliance.

For further information, call the DOT Hazardous Materials Information Line at 202 366-4488.

Containers also must be labeled with all applicable RCRA waste codes prior to shipment. Alternative systems like barcoding or radio frequency identification are acceptable as well, as long as they can identify the wastes contained in a specific container.

Using the Manifest

40 CFR 262.20–262.27

A Uniform Hazardous Waste Manifest (EPA Form 8700-22) must accompany all hazardous waste that is shipped off site. A manifest is a multipart form designed to track hazardous waste from the time it leaves the generation site until it reaches the treatment, storage, and disposal facility (TSDF) specified on the manifest. The manifest will help you to track your waste during shipment and make sure it arrives at the proper destination. The transporter and the permitted facility that treats or disposes of your waste must sign the manifest and send a copy back to you.

All generators now have the option of creating and submitting their Uniform Hazardous Waste Manifests electronically using the e-Manifest system, a cheaper and faster alternative to the paper form. The electronic manifest system is now available in all states, territories, and Indian Country. You can learn more about e-Manifest and register to use it at www.epa.gov/e-manifest.



Reporting

40 CFR 262.41–262.43

Biennial Reporting

You are responsible for submitting a Biennial Report to your state or EPA Regional Office. Reports submitted for wastes generated and shipped off site must include your EPA ID number and any other information about your hazardous waste activities required by the form, such as a description and quantity of waste and where it was sent. Some states might require you to report annually. These reports give EPA a better understanding of national hazardous waste generation and disposal activities and amounts.

If you only export hazardous wastes, you are not required to submit a Biennial Report. You do, however, have to submit an annual report (40 CFR 262.83).

Exception Reporting

If you do not receive a signed manifest from the final destination facility for your hazardous waste:

- After 35 days, you must attempt to locate the hazardous waste by contacting the permitted facility.
- After 45 days if the manifest is not located, you must submit to your state or EPA Regional Office an Exception Report that contains a copy of the original manifest and a cover letter describing your efforts to locate the shipment and the results of your efforts.

Recordkeeping

40 CFR 262.40

Be sure to retain the following records at the facility for at least three years: signed manifests; biennial and exception reports; waste determination documentation such as test results or generator knowledge; and waste analyses. The 3-year period is automatically extended during the course of any unresolved enforcement actions.

Complying with Land Disposal Restrictions

40 CFR Part 268

Wastes must meet certain treatment standards prior to land disposal. When you transport your waste to a treatment facility, you must send a notice informing the facility that the waste does not yet meet treatment standards. The notice should contain enough information about the waste and the applicable standards so the facility can make sure the appropriate standards are met before disposal. A certification is required in some situations. You can contact your state agency or EPA Regional office for help with notification and certification requirements. If you treat your waste on site, you must maintain a waste analysis plan. See EPA's website for more information: www.epa.gov/hw/land-disposal-restrictions-hazardous-waste.

Export/Import Requirements

40 CFR Part 262 Subpart H

If you choose to export your hazardous waste, you must notify EPA at least 60 days before the intended date of shipment to request consent to export. Export is prohibited until you receive an EPA "Acknowledgement of Consent" letter documenting consent from the country of import and any countries of transit. For more information on how to obtain the consent to export hazardous waste and comply with additional hazardous waste export requirements, please go to www.epa.gov/hwgenerators/information-exporters-resource-conservation-and-recovery-act-rcra-hazardous-waste.

Importers of hazardous waste must have EPA ID numbers and are responsible for complying with all generator requirements in 40 CFR Part 262 Subparts A–D and F, except those related to actual accumulation on site (see 40 CFR 262.17), since hazardous waste import shipments are already in transit when they enter the country. Importers of hazardous waste must also comply with import-specific generator requirements in 40 CFR Part 262 Subpart H. Importers of hazardous waste must be U.S. citizens and must certify that the shipment is in compliance with all applicable rules under the Toxic Substances Control Act (TSCA). For more information on TSCA, call EPA's TSCA Assistance Hotline at 202 554-1404. U.S. facilities receiving imported hazardous waste for recycling or disposal must comply with the import-specific RCRA hazardous waste manifest and international movement document tracking requirements in 40 CFR Part 262 Subpart H and 40 CFR Part 264/265. For more information on how to comply with the hazardous waste import requirements, please go to www.epa.gov/hwgenerators/information-importers-and-receiving-facilities-resource-conservation-and-recovery-act#SummaryImport.