



# Hazardous Waste: The Conditionally Exempt Small Quantity Generator

## DO I QUALIFY AS A CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR?

If you generate less than *220 pounds* (100 kilograms) of hazardous waste or less than 2.2 lbs (1 kg) of acute hazardous waste per month or less than 220 pounds of spill residue per month, you are considered a **conditionally exempt small quantity generator (CESQG)**. *Some state hazardous waste management regulations do not recognize this generator status.*

## WHAT ARE MY REQUIREMENTS AS A CESQG?

**Generation:** As a CESQG, you are allowed to generate up to 220 pounds (100 kg) of hazardous waste in any calendar month.

**Disposal:** If you dispose of your hazardous waste offsite, your waste must be delivered to an offsite treatment, storage and disposal facility (TSDF) located in the U.S. that is "permitted, licensed, or registered by a State to manage municipal or industrial solid waste" (40 CFR 261.5 (f)(3)). This basically means the waste can go to your local industrial or municipal solid waste landfill. However, most permitted municipal and industrial landfills have created their own regulations that do not allow certain wastes to be disposed, especially hazardous wastes. For this reason, make sure that the TSDF you have selected has the necessary permits to handle hazardous waste.

If you treat or dispose of your hazardous waste onsite, your facility must be:

- ✓ A state or federally regulated hazardous waste management treatment, storage, or disposal facility.
- ✓ A facility permitted, licensed, or registered by a state to manage municipal or industrial solid waste.
- ✓ A facility that uses, reuses, or legitimately recycles the waste (or treats the waste prior to use, reuse, or recycling).
- ✓ A universal waste handler or destination facility subject to the universal waste requirements of 40 CFR Part 273. (Universal wastes such as certain batteries, recalled and collected pesticides, or mercury-containing thermostats.)

**Documentation and reporting:** There are no specific federal requirements for keeping records of the amount of hazardous waste generated by a CESQG. **HOWEVER**, it is highly recommended.

This documentation provides a basis for determining your generator status *each calendar month* and is proof to any regulatory agency that may question your monthly generation rates. Hazardous waste that is sent to a TSDF is generally listed on a Uniform Hazardous Waste Manifest or a State manifest. The manifest provides the proper documentation for monthly generation of hazardous waste. If at any time, the monthly generation for the facility exceeds 220 pounds, EPA must be notified of your change of generator status.

**Storage:** There are no specific federal requirements for storage and labeling of accumulated hazardous waste, however, there are some basic practices that help ensure safe management of hazardous waste. Storage containers should not be leaking, bulging, rusted, or incompatible with the waste stored in them.

While there are no labeling requirements for CESQGs under RCRA, the Occupational Safety and Health Act (OSHA) requires that you have labels on all containers.

**Storage and time limitations:** There is only a storage limitation for CESQGs. As a CESQG, you cannot accumulate onsite more than 2200 pounds of hazardous waste at any one time prior to disposal. If this happens, you must then follow all the requirements of a small quantity generator.

## **ADDITIONAL INFORMATION**

**Publications:** If you need more information on hazardous waste generators, please consult the following EPA publications:

- *Hazardous Waste: The Small Quantity Generator Fact Sheet*
- *Hazardous Waste: The Large Quantity Generator Fact Sheet*
- *Hazardous Waste: Determining Your Generator Status Fact Sheet*
- *Identifying Hazardous Waste Fact Sheet*
- *How Do I Dispose of Waste Containers? Fact Sheet*
- *Hazardous Waste Contingency Planning and Notification Fact Sheet*
- *Do I Need a Hazardous Waste Generator Identification Number? Fact Sheet*
- *Understanding the Hazardous Waste Rules: A Handbook for Small Businesses -- 1996 Update* EPA 530-K-95-001, June 1996

**Contacts:** Additional information is also available from the following sources:

General information regarding the EPA - <http://www.epa.gov>  
RCRA Hotline at 1-800-424-9346.