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Generator Improvements Rule/Resource Conservation and Recovery Act: Penny J. Wilson (Arkansas Department of Energy and Environment - Division of Environmental Quality) May 13th Arkansas Environmental Federation Webinar Presentation

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Ms. Penny J. Wilson undertook a presentation for an Arkansas Environmental Federation webinar on May 13th titled:

Generator Improvements Rule ("Presentation")

Ms. Wilson serves as Compliance Branch Manager of the Arkansas Department of Energy and Environment – Division of Environmental Quality ("DEQ") of the Office of Land Resources.

A Resource Conservation and Recovery Act ("RCRA") generator is any person who produces a hazardous waste as listed or characterized in Part 261 of Title 40 of the Code of Federal Regulations. The Arkansas Department of Energy and Environment – DEQ has been delegated the RCRA hazardous waste program. The DEQ regulations implementing the RCRA program are found in Arkansas Pollution Control and Ecology Commission Regulation No. 23.

Ms. Wilson's presentation first noted that a hazardous waste determination must be:

- Accurate
- Made at the point of generation – before any dilution, mixing, or other alteration occurs
- Include all applicable U.S. Environmental Protection Agency ("EPA") hazardous waste codes

Further, EPA has indicated that waste must be managed as hazardous waste until you receive the results of any necessary sampling or testing.

The Presentation next addressed Very Small Quantity Generator ("VSQG") waste consolidation at Large Quantity Generators ("LQGs"). It was noted:

- Waste can be consolidated at an LQG under the control of the same person

- LQGs may accept waste from an out-of-state VSQG as long as that state also has adopted such provision

Such consolidation does not require a manifest but United States Department of Transportation (“DOT”) requirements still apply.

Included in the previously referenced discussion were:

- Container Labeling Requirements
- LQG Requirements

It was noted that a VSQG does not have to submit an annual report.

Satellite Accumulation was discussed referencing the following issues:

- Accumulation Limit
- Conditions of Containers
- Compatibility
- Closed Containers
- Container Labeling/Marking Requirements
- What if you reach the 55-gallon limit?
- Small Quantity Generators
- Large Quantity Generators

Marking and labeling for Small Quantity Generators (“SQGs”) and LQGs was addressed. Ms. Wilson noted that containers and tanks:

- Must be marked hazardous waste
- Must also include:
- Characteristics
- DOT labeling or placarding
- OSHA pictogram or NFPA label
- Accumulation start date

The Presentation also addressed:

- SQG Re-notification
- Episodic Generation, noting:
- Applicable to VSQGs and SQGs
- Allows VSQGs and SQGs to maintain their existing generator status
- Allows for one event per calendar year, with the ability to petition DEQ for a 2nd event annually
- May be planned or unplanned
- Event must be concluded within 60 days, including shipping the episodic waste off-site
- For unplanned 72-hour notice, Ms. Wilson notes to contact:
- Rita Spakes spakes@adeq.state.ar.us 501-682-0595
- Ann Blake blake@adeq.state.ar.us 501-682-0827
- Carolyn Pollard pollard@adeq.state.ar.us 501-682-0850
- Penny Wilson wilson@adeq.state.ar.us 501-682-0868

VSQG requirements associated with episodic generation were also addressed (including petition requirements).

SQG preparedness and prevention requirements were noted, including:

- Arrangements with local authorities
- Document the arrangements actively exist, or
- Document that attempts have been made
- Caveat – Tier II reporting does not satisfy this requirement

The new requirement for LQG contingency plans was noted, referencing the Quick Reference Guide designed to provide the most critical information to emergency responders.

The Quick Reference Guide is required to include:

- Types of hazardous waste (layman's terminology) and the associated hazards
- The estimated maximum amount of each hazardous waste on-site at any one time
- Types of hazardous waste where exposure would require unique/special treatment by medical staff
- Map showing where hazardous wastes are generated, accumulated, and treated, and routes to access these wastes
- Street map showing the facility in relation to other businesses, schools, and residential areas
- Location of water supplies
- Identification of fire alarms and smoke alarms
- Emergency coordinators' names and phone numbers

This document must be updated when the contingency plan is amended and must be submitted to local emergency responders.

Finally, record requirements were addressed including:

- Re-notification
- Episodic Generation
- VSQG Consolidation at LQG
- Hazardous Waste Identification

A copy of the Presentation slides can be downloaded [here](#).