

U.S. Environmental Protection Agency RCRA Guidance: Frequently Asked Questions about Large Quantity Generator/Quick Reference Guides



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05/26/2022

The United States Environmental Protection Agency (“EPA”) issued an April 19th guidance document titled:

Frequently Asked Questions about Large Quantity Generator Quick Reference Guides (“Guidance”)

The *Guidance* is transmitted from Carolyn Hoskinson, Director, EPA Office of Resource Conservation and Recovery to RCRA Directors, EPA Regions 1-10.

The *Guidance’s* intent is stated to include clarification of EPA’s regulations under the Resource Conservation and Recovery Act (“RCRA”) regarding the Quick Reference Guide (“QRG”) provisions of the emergency planning requirements for large quantity generators (“LQGs”) of hazardous waste.

A 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. 40 CFR 260.10 defines a generator as:

... any person, by site, whose act or process produces hazardous waste, identified or listed in Part 261 or whose act first causes hazardous waste to become subject to regulation.

To what extent the generator is regulated depends upon the amount of hazardous waste each generator produces.

RCRA provides for three categories of generators:

- Very small quantity generators
- Small quantity generators
- Large quantity generators

The volume of hazardous waste each generator produces in a calendar month determines which regulations apply to that generator.

The focus of the April 19th Guidance is the LQG category.

The QRG requirement for LQGs promulgated in 2016 requires that LQGs submit a summary of their contingency plan (i.e., QRG) to their local emergency responders when their contingency plan is submitted or amended. (See 81 Fed. Reg. 85732.)

The new QRG requirement is described by the Guidance as more stringent than the base program. The provision is stated to have been added to the contingency plan requirements for LQGs in order to provide emergency responders with a concise resource that is both informative and usable in the early stages of an instant response.

EPA states that various state environmental agencies and members of the regulated community requested guidance from EPA on how to determine compliance with the QRG regulations. As a result, the Guidance is described as briefly explaining:

. . . the intent behind the QRG regulations and addresses some of the most frequent questions EPA has received regarding the QRG.

Components of the *Guidance* include:

- Background on the QRG Requirements
- Quick Reference Guide Regulations
- Frequently Asked Questions about Quick Reference Guides:
- Does the QRG have to be a separate document from the contingency plan?
- What constitutes a hazardous waste that would require “unique or special treatment by medical staff” per 40 CFR 262.262(b)(3)?
- What is an appropriate level of detail for the QRG?
- What level of detail is appropriate for the facility map required by 40 CFR 262.262(b)(4)?
- What is a useful radius for the street map required by 40 CFR 262.262(b)(5)? And what level of detail is appropriate for that map?
- If central accumulation areas (CAAs) or satellite accumulation areas (SAAs) are temporary, do they have to be included in maps in the QRG and do they have to maintain required signage?
- How does an LQG that frequently changes the waste it accumulates (e.g., wastes being accumulated in an SAA that change daily) stay compliant with the QRG requirements?
- How can an LQG best stay compliant with the requirement to submit a QRG if the locations of its SAAs change frequently (e.g., batch operations or shipyards)?
- How do the emergency planning requirements for LQGs intersect with the emergency planning requirements for permitted treatment, storage, and disposal facilities (TSDFs)? If an LQG has a RCRA permit (e.g., for storage), which requirements apply at the permitted area of the LQG?
- Updating Contingency plans and QRGs
- When does an LQG have to update its contingency plan?
- Does opening a new SAA or generating a new waste with similar hazards trigger the need to update the contingency plan? What if an LQG begins generating a hazardous waste with a characteristic not already present at the facility?
- When a QRG update is needed, does the LQG have to submit an entirely new QRG, or can they submit an amendment that only addresses the changes from the previous QRG?
- Coordination between LQGs with on-site emergency responders and local emergency responders
- How are LQGs with their own on-site emergency response capabilities expected to work with local emergency responders regarding QRGs?
- If an LQG has existing systems for keeping track of where waste is being generated, how can these systems be used to comply with the QRG requirements?
- If an LQG spans multiple emergency responder jurisdictions or expects different jurisdictions to respond depending on where an emergency occurs within the site borders, can that LQG create separate QRGs for the different jurisdictional areas?

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