

Generator Improvements Rule



ARKANSAS
ENERGY & ENVIRONMENT

What Do You Need To Know?



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Waste Determination Must:

- ✔ Be accurate
- ✔ Be made at the point of generation—BEFORE any dilution, mixing, or other alteration occurs
- ✔ Include all applicable EPA hazardous waste codes

Waste Determination

- ✔ Waste management while awaiting test results:
 - Per EPA, manage as *hazardous waste* until you receive the results

VSQG Waste Consolidation at LQGs

- ✔ May consolidate waste at an LQG under the *control of the same person.*
- ✔ Note: LQGs may accept waste from an out-of-state VSQG, as long as that state also has adopted this provision.

VSQG Waste Consolidation at LQGs

- ✔ A manifest is NOT required, but DOT requirements still apply.

VSQG Waste Consolidation at LQGs

✓ Container Labeling Requirements

- Must be marked *hazardous waste*
- Must also include:
 - Characteristics (ignitable, corrosive, reactive, etc.)
 - DOT labeling or placarding
 - OSHA pictogram **or** NFPA label

VSQG Waste Consolidation at LQGs

✓ LQG Requirements

- Notify DEQ 30 days prior to receiving first shipment
- Add the accumulation start date to VSQG labels when the waste arrives at the LQG
- Manage consolidated waste as LQG waste
- Maintain records of shipments for 3 years
 - Records must include:
 - VSQG name, address and contact information
 - Waste description (including quantity) and date received
- Include on your annual report

VSQG Waste Consolidation at LQGs

- ✔ A VSQG does *not* have to submit an annual report.

Satellite Accumulation

✓ Accumulation Limit

The generator may accumulate as much as 55-gallons of hazardous waste (or 1 quart of liquid/2.2 lbs. of solid acute hazardous waste) in containers at or near the point of generation which is under the control of the operator.

✓ Conditions of Containers

If a container is not in good condition, the waste must be transferred to a container that is in good condition, or transfer the container to the CAA and managed in a manner that complies with section 262.16(b) or 262.17(a).

Satellite Accumulation

✓ Compatibility

- Container (or liner) must be compatible with the hazardous waste
- Comply with 265.17(b)

✓ Closed Containers

Containers must be closed, except when:

- Adding or removing waste; or
- Temporarily venting, if necessary for safety reasons or proper operation of equipment

Satellite Accumulation

✓ Container Labeling/Marking Requirements

- Must be marked with the words *hazardous waste*
- Must also include:
 - Characteristics (ignitable, corrosive, reactive, etc.)
 - DOT labeling or placarding
 - OSHA pictogram **or** NFPA label

Satellite Accumulation

- ✔ **What if you reach the 55-gallon limit?**
 - Within 3 consecutive calendar days, the container must be:
 - Moved to the CAA **or** an on-site permitted storage area; or
 - Shipped to an off-site designated facility
- ✔ **During those 3 days, you must:**
 - Mark the container with the accumulation start date
 - Continue to comply with the satellite accumulation requirements

Satellite Accumulation

✓ Small Quantity Generators

- Must meet preparedness & prevention requirements in §262.16(b)(8)
- Must meet emergency procedures in §262.16(b)(9)

✓ Large Quantity Generators

- Must meet Preparedness, Prevention, and Emergency Procedures in Section 262 Subsection M

Marking & Labeling for SQGs & LQGs

✓ Containers and Tanks

- Must be marked *hazardous waste*
- Must also include:
 - Characteristics (ignitable, corrosive, reactive, etc.)
 - DOT labeling or placarding,
 - OSHA pictogram **or** NFPA label
 - Accumulation start date

SQG Re-notification

✓ Federal Requirement

- **2021** re-notification is due by **September 1, 2021**,
- Then, every 4 years thereafter

- **NOTE:** The Arkansas annual reporting requirement for SQGs satisfies the re-notification requirement

Episodic Generation

- ✓ Applicable to VSQGs & SQGs
- ✓ Allows VSQGs & SQGs to maintain their existing generator status
- ✓ Allows for 1 event per calendar year, with the ability to petition DEQ for a 2nd event, annually

Episodic Generation

- ✓ **May Be Planned or Unplanned**
 - **Planned:** Notification required at least 30 calendar days prior
 - **Unplanned:** Notification by phone or email within 72 hours of the start of the event, followed by submittal of notification form
 - Use form 8700-12
- ✓ **Event must be concluded within 60 days, including shipping the episodic waste off-site.**

Episodic Generation

**For Unplanned 72-Hour Notification,
contact any of the following:**

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

Episodic Generation

✔ VSQG Requirements

- Submit notification form to receive EPA ID Number
 - Include facility contact and emergency coordinator on the form
- Label episodic waste containers with:
 - *Episodic Hazardous Waste*
 - Indication of hazards (ignitable, corrosive, reactive, etc.)
 - DOT labeling or placarding
 - OSHA pictogram **or** NFPA label
 - Date the episodic event began

Episodic Generation

✓ VSQG Requirements (cont.)

- Keep containers closed, except to add or remove waste
- Use manifest and permitted transporter to ship waste to permitted TSD
- Keep records of episodic event(s)

Episodic Generation

✓ SQG Requirements

- Label episodic waste containers with:
 - *Episodic Hazardous Waste*
 - Indication of hazards (ignitable, corrosive, reactive, etc.)
 - DOT labeling or placarding,
 - OSHA pictogram **or** NFPA label
 - Date the episodic event began
- Keep containers closed, except to add or remove waste
- Use manifest and permitted transporter to ship waste to permitted TSD
- Keep records of episodic event(s)

Episodic Generation

✓ Petition for a 2nd event

- Must be approved by DEQ **prior** to the event
- Request must be in **writing** to:
 - Jarrod Zweifel, PG, Associate Director
Office of Land Resources
5301 Northshore Drive
North Little Rock, AR 72118
zweifel@adeq.state.ar.us
- Must include cc: to Penny J. Wilson at the same mailing address, or at wilson@adeq.state.ar.us

Episodic Generation

✓ Petition Requirements

- Must include:
 - Reason for the event
 - Nature of the event
 - Estimated amount of hazardous waste to be managed
 - How the waste will be managed
 - Estimated length of the episodic event
 - Information about the previous event in the calendar year

Episodic Generation

- ✓ **For a PLANNED 2nd event:**
 - Petition must be submitted to DEQ at least **30 calendar days** prior
 - Generator may **not** manage hazardous waste from a **planned 2nd event** under Subsection L until approval is received

Episodic Generation

✓ For an **UNPLANNED 2nd event**:

- Must notify DEQ **within 72 hours** by phone or email, followed by submittal of Site ID form 8700-12, and an indication that this is a petition for a 2nd event
- Waste **may be** managed under Subsection L for an **unplanned 2nd event** while awaiting approval of the petition
- If a petition is denied, the generator must start managing the hazardous waste under the applicable generator category

SQG Preparedness & Prevention

- ✓ **Arrangements with local authorities**
 - Document the arrangements actively exist, **or**
 - Document that attempts have been made
 - Tier II reporting does **not** satisfy this requirement. (Tier II reporting is for hazardous chemicals, not hazardous waste.)

LQG Contingency Plans

✓ New Requirement

- Quick Reference Guide
 - Designed to provide the most critical information to emergency responders

Quick Reference Guide

✓ **Must 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

Quick Reference Guide

✓ **Must include: (cont.)**

- 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

Quick Reference Guide

- ✔ Update when the contingency plan is amended
- ✔ Submit to the local emergency responders

Recordkeeping Requirements

✓ Federal Requirement

- The **2021** Re-Notification is due by **September 1, 2021**,
- Then, every 4 years thereafter

- **NOTE:** Arkansas' annual reporting requirement for SQGs satisfies the re-notification requirement

Recordkeeping Requirements

✓ Episodic Generation

- Maintain records of episodic event and any approved petitions for 3 years. Records should include:
 - Start and end dates
 - Description of the event
 - Types and quantities of hazardous waste generated
 - Description of how waste was managed
 - Name of TSD receiving the waste
 - Name of transporter(s)
 - Approval letter for 2nd event

Recordkeeping Requirements

✓ VSQG consolidation at LQG

- **LQG** is required to keep records of shipments from VSQGs for 3 years
 - Must identify the name, site address, and contact information for the VSQG
 - Must include a description of the hazardous waste received, including the quantity and date received

Recordkeeping Requirements

✓ Hazardous Waste Identification

- Maintain records supporting the waste determination
- Maintain for 3 years from the date the waste was last sent for disposal
- Include:
 - Test results
 - Records documenting the tests, sampling, and analytical methods used
 - Records to backup the knowledge of process

KEEP IN TOUCH



Penny J. Wilson

5301 Northshore Drive
North Little Rock, AR 72118



PHONE

501-682-0868



EMAIL

wilson@adeq.state.ar.us



WEBSITE

www.adeq.state.ar.us



@AREnergyEnvironment



@ArkansasEE



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