

Hazardous Waste: Small Quantity Generator Responsibilities

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Waste & Materials Management
P.O. Box 7921
Madison, WI 53707-7921

Introduction

Businesses that generate hazardous waste must identify, track, and maintain records of hazardous waste generation and accumulation to determine which regulatory requirements apply to their operation. This reference document, along with the [Quick Reference Guide \(WA1821\)](#) is intended to help businesses responsibly manage small quantities of hazardous waste. These documents are not intended as a substitute for reviewing the hazardous waste regulations for “Small Quantity Generators” (SQGs) located in NR 662 Subchapter J, Wisconsin Administrative Code.

Hazardous Waste regulations are found in chs. [NR 660-679](#) of the Wisconsin Administrative Code.

Waste determination

The first step is to determine if you are generating hazardous wastes by reviewing product information (e.g., Safety Data Sheets) or by having your waste tested by a certified laboratory. For detailed information on the waste determination process review [Waste Determinations and Recordkeeping \(WA1152\)](#).

Next, you need to determine how much hazardous waste you are generating. If you generate between 220 and 2,205 pounds (lbs.) of non-acute hazardous waste, and less than 2.2 lbs. of acute hazardous waste per calendar month, your business is a SQG. Non-acute hazardous wastes are described in [subchapter C of NR 661](#). Acute wastes are listed in [subchapter D of NR 661](#).

To estimate how much hazardous waste you generate, a general rule of thumb is one 55-gallon drum of liquid waste weighs approximately 440 lbs. In addition to meeting the monthly generation limits, SQGs cannot accumulate more than 13,230 lbs. on site at one time. This is approximately 30 drums of liquid hazardous waste.

If the amount of waste generated is greater or less than SQG amounts, refer to the Quick Reference Guide (WA1821) for waste management requirements. Generating and storing hazardous wastes within the SQG limits can help avoid being subject to the more stringent large quantity generation regulations.

Notification requirement

Small quantity generators are required to notify the Wisconsin Department of Natural Resources (DNR) and apply for an EPA identification number which is used to track the waste from generation through transport and treatment/disposal. The required notification application can be submitted either electronically or as a hard copy or emailed.

To submit a hard copy or to email the application, search for “hazardous waste forms” at dnr.wi.gov. Select “EPA Form 8700-12”, the application is located at the end of the instruction booklet. For assistance with the application or to submit the completed application, contact the [regional environmental program associate](#) for your county.

Electronic submittal of EPA Form 8700-12 can be accessed via RCRAInfo and the MyRCRAid application. This application allows facilities to prepare and submit initial and subsequent notification applications to the state. Registration to use the electronic application requires an account in RCRAInfo:

- go to <https://rcrainfo.epa.gov/>, scroll to the bottom of the page and select RCRAInfo Version 6,
- register to set up an account as an industry user*
- register for electronic signature permission and
- choose the “MyRCRAid” option.

*This is a person-specific account and should not be shared among employees.

Once access is granted, log into RCRAInfo to complete the MyRCRAid notification form (EPA Form 8700-12). This electronic form is submitted to the DNR to notify of hazardous waste activities and to request an EPA ID number. An email notification is sent when the number is assigned.

Accumulating and managing waste

When generating and managing hazardous waste, it is important to store the waste in a manner to prevent spills or employee exposure. The following list of requirements pertain to hazardous waste containers and storage:

- Keep containers closed and lids fastened when you are not adding or removing waste.
- Label your container with the words “Hazardous Waste.”
- Transfer the hazardous waste to another container if the container is not in good condition or begins to leak.
- Use containers that are compatible with the hazardous waste you are accumulating.
- Separate incompatible wastes and materials by storing them away from each other or constructing berms or dikes.

It is important to keep track of how much waste you produce to assist in staying below the SQG maximum storage limits. Hazardous waste containers that are filled at or near the point of generation and under operator control can be considered satellite accumulation areas (SAA), and the waste accumulated in these containers must be included in the monthly generation total.

Satellite Accumulation and Central Accumulation Areas

When the cumulative amount of waste in the SAA containers reaches 55-gallons, these containers must be marked with the date and moved within three days to the 180-day central accumulation area (CAA). If satellite accumulation containers are not being used, mark each central accumulation container with the date that hazardous waste is first placed in the container.

As a best management practice, it is recommended the SQGs inspect (and document findings and actions taken) areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors.

Hazardous waste must be shipped off site to a facility licensed to receive, treat or dispose of that specific waste, within 180 days of the date on the container. Hazardous waste that will be shipped 200 miles or more can be accumulated on site for up to 270 days and the department may grant an extension of an

additional 30 days if the hazardous wastes must remain on site for longer than 180/270 days due to unforeseen, temporary and uncontrollable circumstances.

Training and emergency planning

Training programs are required to instruct personnel on hazardous waste management procedures relevant to the position and duties of the employee. Ideally, your training program would represent hazardous waste management activities and emergency planning, specific you your facility, which instruct on how to:

- Document and maintain required records
- Characterize hazardous wastes
- Management of Universal Wastes [s. NR 673.16]
- Identify appropriate waste containers for storing and shipping
- Label and mark containers during storage and for shipment
- Inspect waste-storage areas
- Utilize manifests
- Protect employees from hazardous waste
- Respond to hazardous waste emergencies and spills

“On-the-job” or in-house training programs can allow for more flexibility as they can be designed to closely fit individual job positions and hazardous waste management duties. Formal training programs are typically more general and might not cover the various job positions in the level of detail that is required by regulations. All facility personnel, including office staff and on-site contractors, must be trained on emergency procedures. For more details on training and recordkeeping requirements, see [Training Requirements and Records \(WA099\)](#).

It is required that SQGs designate an emergency coordinator and post emergency contact information next to any telephone that may be used in a hazardous waste fire, spill, or emergency. Additional requirements include:

- At least one employee (typically the designated emergency coordinator) must be either on premises or on call (i.e. available to respond to an emergency by reaching the facility within a short period of time).
- Have procedures in place in case of an emergency, including telephone or alarm systems to call for assistance and procedures for responding to a fire, spill or explosion.
- Train all new employees and provide an annual refresher.

The following information **must be posted next to the telephone**:

- Name and telephone number of the emergency coordinator
- Location of the fire extinguishers and spill control materials (and fire alarm, if present)
- Telephone number of the fire department, unless the facility has a direct alarm

Shipping hazardous waste

Manifests are the primary component of the “cradle to grave” regulation of hazardous wastes in the United States, as they provide a paper/electronic trail of your waste from generation through treatment, storage and disposal. When completed, the manifest identifies the type and quantity of the waste transported; provides instructions for handling and management of the waste; and documents signatures for the generator, transporters and destination facility.

Manifest means the shipping document (also referred to as the EPA Form 8700-22) and, if necessary, EPA Form 8700-22A, or the electronic manifest. These forms are available from the transporter or TSDF.

When shipping waste:

1. Contract with a Wisconsin-licensed hazardous waste transporter to take your hazardous waste to a licensed TSD facility. The licensed transporter or TSD facility may be able to help with preparing the manifest and land disposal notification paperwork.
2. The required manifest may be prepared by the generator, the destination facility, or by a waste broker, using your EPA ID#. The manifest shall be originated and/or signed by the generator or offeror (transporter or on-site contractor) according to the manifest instructions. [DNR's Manifest web page](#) and [Hazardous Waste Manifests \(WA 1176\)](#), provide details on the use of manifests and registration for EPA's e-Manifest System.
3. A land disposal restriction document must accompany the initial waste shipment to the destination facility as outlined in s. NR 668.07 Testing, tracking and recordkeeping requirements for generators, treaters and disposal facilities.
4. During the pick-up of the wastes, the uniform hazardous waste manifest must be signed to relinquish the wastes from the facility to the transporter. The signature (wet or electronic) on the manifest certifies that you have provisions in place to reduce your hazardous waste generation and that the manifest is filled out correctly. Facilities may relinquish this responsibility to their transporter or on-site contractor that have the required DOT training. This agreement to relinquish signature responsibilities should be documented in your contract with the receiving facility or contractor.
5. Keep a copy of all manifests for three years from the date the waste is shipped. Manifests housed in EPA's e-Manifest system must be accessible at the facility for recordkeeping purposes.

NOTE: SQGs that enter into a contractual tolling agreement with a hazardous waste reclaiming facility are not subject to manifest requirements if:

- the agreement specifies the type of waste reclaimed and the frequency of shipments;
- the vehicle transporting the waste to and from the generator is owned by the reclaimer; and
- the generator maintains a copy of the reclamation agreement for three years after it expires or is terminated.

Although a manifest is not required, a land disposal restriction document must accompany the initial waste shipment subject to the tolling agreement as per NR 668.07(1) (j).

Recordkeeping and reporting

It is the responsibility of the generator to keep copies of all records for three years. These include, but may not be limited to:

- training records
- waste determinations
- manifest copies or electronic records,
- land disposal restriction documents
- annual reports

SQG are required to submit annual reports to the DNR by March 1 of the following year.

Annual reporting is completed electronically at: <https://dnr.wi.gov/topic/Waste/AnnualReport.html> Follow the instructions to complete the forms and submit the annual DNR hazardous waste report summarizing your hazardous waste generation.

DNR contact information

For more information on this subject, including publications, staff contacts, and administrative codes and statutes, go to dnr.wi.gov and search “waste.” Staff contact information can also be found by searching “hazardous waste requirements” in the [staff directory](#).

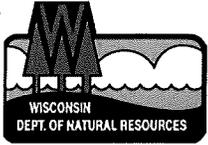
Mailing address: DNR Waste & Materials Management Program, PO Box 7921 Madison, WI 53707

Email: DNRWasteMaterials@wisconsin.gov

Disclaimer: This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

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WISCONSIN DEPARTMENT OF NATURAL RESOURCES NOTICE OF FINAL GUIDANCE & CERTIFICATION

Pursuant to ch. 227, Wis. Stats., the Wisconsin Department of Natural Resources has finalized and hereby certifies the following guidance document.

DOCUMENT ID

WA-19-0294-C

DOCUMENT TITLE

Hazardous Waste: Small Quantity Generator Responsibilities

PROGRAM/BUREAU

Waste and Materials Management

STATUTORY AUTHORITY OR LEGAL CITATION

Ch. 291, Wis. Stats.; chs. NR 660-679, Wis. Adm. Code

DATE SENT TO LEGISLATIVE REFERENCE BUREAU (FOR PUBLIC COMMENTS)

December 30, 2019

DATE FINALIZED

January 28, 2020

DNR CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

A handwritten signature in black ink, appearing to read 'Gag', written over a horizontal line.

1/28/2020

Signature

Date