

Very Small Quantity Generator Responsibilities

Guidance on Hazardous Waste Requirements



Introduction

Businesses generating hazardous waste must identify, track and maintain records of hazardous waste generation and accumulation to determine which regulatory requirements apply to their waste management. This reference document, along with *Quick Reference Guide* (WA-1821) is intended to help businesses responsibly manage very small quantities of hazardous waste. It is not intended to be a substitute for reviewing the hazardous waste regulations for very small quantity generators (VSQGs) located in s. NR 662.014, Wis. Adm. Code.

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

Waste Determination and Generation

The generator's first responsibility is to determine if the waste materials being generated are hazardous wastes. Hazardous wastes can be process wastes, chemicals or compounds designated as "listed wastes" and/or they can exhibit hazardous characteristics (ignitability, corrosivity, reactivity or toxicity). For detailed information on the waste determination process, review the Department of Natural Resources publication *Waste Determinations and Recordkeeping* (WA-1152). [s. NR 664.0013(1)(a)1.] A land disposal restriction notification is also required for hazardous waste being shipped to a treatment, storage and disposal facility for the first time and may be kept with the waste determination records. [s. NR 668.07(1)]

Next, determine how much hazardous waste you are generating. If you generate no more than 220 pounds of non-acute hazardous waste and no more than 2.2 pounds of acute hazardous waste per calendar month, your business is a VSQG. [s. NR 660.10(139)]

In addition to meeting the monthly generation limits, VSQGs cannot accumulate more than 2,205 pounds of non-acute hazardous waste, or more than 2.2 pounds acute hazardous waste, on-site at any time. A general rule of thumb in determining the amount of hazardous waste you generate is one 55-gallon drum of liquid waste weighs approximately 440 pounds. This is approximately 5 drums of liquid hazardous waste.

Acute hazardous waste is defined in s. NR 660.10(3m) Wis. Adm. Code.

If the amount of waste generated is greater than VSQG amounts, refer to the Quick Reference Guide (WA1821) for the hazardous waste management requirements for the correct generator category. Maintaining accumulation of hazardous wastes within the VSQG limits will prevent being subject to the more stringent small or large quantity generation regulations.

Notification Requirement

VSQGs are **not** required to notify the department or apply for an U.S. Environmental Protection Agency identification number. However, a VSQG can choose to operate with an EPA ID number or may use a licensed hazardous waste transporter requiring your facility to have an EPA ID to transport your wastes using a uniform hazardous waste manifest. Continue reading below to learn how to prepare the

notification application. If you do not need an EPA ID, skip to the Accumulating and Managing Waste section below.

The notification application can be submitted electronically, as a hard copy or emailed. 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. These accounts are person-specific and should not be shared among employees.

1. Go to <https://rcrainfo.epa.gov/rcrainfoprod/action/secured/login>
2. Register to set up an account as an industry user
3. Register for electronic signature permission and
4. Choose the “MyRCRAid” option.

Once you receive the “access granted” email, 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.

To submit a hard copy or to email the application, search for “notification of hazardous waste activities” at dnr.wi.gov. Select the “EPA Form 8700-12” tab and scroll to the link for the form. The application is located at the end of the instruction booklet.

For assistance with the electronic, hard copy or mailed version of the application or to submit the completed application, contact the [DNR regional environmental program associate](#) for your county.

Accumulating and Managing Waste

While VSQGs benefit from reduced regulations, it is important to accumulate hazardous wastes in a manner which prevents spills and employee exposures. Hazardous waste accumulated in containers must include the following requirements:

- Keep containers closed and lids fastened when you are not adding or removing waste. For detailed information on what constitutes a closed container, review *Closed Container Guidance for Hazardous Waste Generators (WA1342)*. [s. NR 665.0173(1) via 662.014(4)]
- Label your container with the words “Hazardous Waste.” [s. NR 662.014(4)]
- Transfer the hazardous waste to another container if the container is not in good condition or begins to leak. [s. NR 665.0171 via 662.014(4)]
- Use containers that are compatible with the hazardous waste you are accumulating. [s. NR 665.0172 via 662.014(4)]
- Do not place incompatible wastes and materials in the same container. [s. NR 665.0177(1) via 662.014(4)]

The department recommends VSQGs inspect areas where containers are stored on a weekly basis, looking for leaks and deterioration of the containers caused by corrosion or other factors. Any findings can be recorded in a log along with actions taken to prevent employee exposure and/or a release into the environment.

Training and Emergency Planning

Training programs to teach employees hazardous waste management procedures relevant to the position and duties of the employee are recommended by the department. Ideally, the training program would represent "real world" scenarios and site-specific hazardous waste management activities which instruct on how to:

- Document and maintain required records
- Characterize hazardous wastes
- Manage 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, if applicable [s. NR 622.220(6)(f)]
- Protect employees from hazardous waste
- Respond to hazardous waste emergencies and spills

On-the-job or in-house training programs allow 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 responsibilities. All facility personnel, including office staff and on-site contractors, should be trained on emergency procedures. For more details on training and recordkeeping requirements, see *Training Requirements and Records (WA-099)*.

Although VSQGs are not required to have a formal training program for employees who manage hazardous waste, the DNR recommends the following:

- Maintain at least one employee, either on the premises or on call (i.e. available to respond to an emergency at reaching the facility within a short period of time), who has the responsibility for coordinating all emergency response measures. This employee is typically referred to as the emergency coordinator.
- Post the following information next to telephones or in areas directly involved in the generating or accumulation of hazardous waste:
 - The name and emergency telephone number of the emergency coordinator.
 - Location of the fire extinguishers and spill control material, and if present fire alarms.
 - The telephone number of the fire department, unless the facility has a direct alarm.

Note that the Occupational Safety and Health Administration requires that employees be trained in HAZWOPER (Hazardous Waste Operations and Emergency Response; s. 29 CFR 1910.120), with annual refresher courses, for any employees designated to respond to hazardous waste incidents and spills. While the Hazard Communication Standard Regulations (HCS; s. 29 CFR 1910.1200) administered by OSHA do not apply directly to hazardous wastes, the regulations do require training of employees who work with certain chemicals, some of which may become hazardous wastes. Additionally, HAZWOPER regulations require specific hazardous waste spill response training.

Shipping Hazardous Waste

Very small quantity generators can self-transport, hire a Wisconsin-licensed hazardous waste transporter or rely on a third party without a hazardous waste transporter license to deliver hazardous waste to either:

- A household hazardous waste collection center accepting VSQG hazardous wastes, or
- A licensed hazardous waste treatment, storage and disposal facility.

Typically, Wisconsin counties or other municipalities maintain permanent or seasonal collection locations or offer one-day collection events. Contact your local collection facility or event host, prior to loading hazardous waste for transport, to verify they accept your types of VSQG hazardous wastes and to determine acceptance fees.

VSQGs are not required to use a manifest to ship hazardous wastes off-site. If a VSQG chooses to use a manifest, it must comply with the notification requirements in s. NR 660.07, the manifest requirements of subchapter B of ch. NR 662, and the recordkeeping requirements of s. NR 662.040. 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 shipping hazardous wastes, VSQGs can document the transport activities with either:

- A bill of lading. The DNR recommends keeping a copy for your records to verify the proper management and disposal of hazardous wastes.
- A manifest. It may be prepared by the generator, the destination facility, or by a waste broker using your EPA ID number. The manifest must be originated and/or signed by the generator or offeror (transporter or on-site contractor) according to the manifest instructions. The [DNR's hazardous waste manifest requirements web page](#) and *Hazardous Waste Manifests (WA-1176)* provide details on the use of manifests and registration for EPA's e-Manifest System.

Regardless of the type of transporter used, U.S. Department of Transportation regulations apply for packaging of hazardous waste for shipment. The DOT Hazardous Materials Regulations require employees who package hazardous materials for transport, including hazardous wastes, to receive documented training that specifically addresses these duties. VSQG businesses that use hazardous waste manifests are required to train all employees who prepare the waste for shipment and who handle shipping documents. Additionally, any person signing the offeror's certification statement on the uniform hazardous waste manifest is required to be trained. DOT's Hazardous Material Regulations can be found in 49 CFR Part 172, Subpart H.

Recordkeeping and Reporting

The DNR recommends VSQGs keep copies of all records for three years, including:

- Training records
- Waste determinations
- Bills of lading

When manifesting waste, manifest copies or electronic manifest records, must be kept and accessible for a minimum of three years. [s. NR 662.040 via NR 662.014(6)(d)] VSQG are **not** required to submit annual hazardous waste reports to the DNR.

Resources and Contact Information

For more information, including [publications, inspection forms, and administrative codes and statutes](#), go to dnr.wi.gov and search “hazardous waste resources.” Use the *Additional Resources* menu to navigate to specific topics. For staff contact information, go to the [staff directory](#) and enter “hazardous waste requirements” in the subject field, and choose the appropriate county contact.

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

Email: DNRWasteMaterials@wisconsin.gov

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***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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