

Hazardous Waste: Very 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 very small quantities of hazardous waste. These documents are not intended as a substitute for reviewing the hazardous waste regulations for “Very Small Quantity Generators” (VSQGs) located in NR 662 Subchapter V, 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 a hazardous waste 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 less than 220 pounds (lbs.) of non-acute hazardous, and less than 2.2 lbs. of acute waste per month, and do not exceed this amount in any calendar month, your business is a “Very Small Quantity Generator” (VSQG). 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 that half a 55-gallon drum of liquid waste weighs approximately 220 lbs. In addition to meeting this monthly generation limits, a VSQG cannot accumulate more than 2,205 lbs. on the site at one time. This means that accumulating more than 5 drums of liquid hazardous waste could exceed the maximum accumulation (storage) limit of 2,205 lbs.

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

Notification requirement

Very small quantity generators are not required to notify the Wisconsin Department of Natural Resources (DNR) or apply for an EPA identification number. However, a VSQG can choose to operate with an EPA ID number or may use a transporter that requires 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 your transporter does not require an EPA ID#, skip to the **Accumulating and Managing Waste** section.

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

While VSQGs benefit from reduced regulations it is important to store hazardous wastes in a manner which prevents spills or exposure to employees. The following list of requirements pertains to hazardous waste containers and storage:

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

It is important to keep track of how much hazardous waste you produce as a VSQG cannot accumulate more than 2,205 lbs. (roughly equal to 5 55-gallon drums) of hazardous waste on-site at any time. VSQGs that exceed either the monthly generation limit of 220 lbs. of non-acute hazardous waste, 2.2 lbs. of acute hazardous waste, or the on-site accumulation limit of 2,205 lbs. become subject to the more stringent small or large quantity generation regulations. Generators must count hazardous waste accumulated in the containers and tanks when evaluating their generation totals each calendar month, for accurately establishing their generator status.

Since VSQGs generate very small amounts of hazardous waste, the waste may remain on-site longer than larger generators. It is recommended that VSQGs inspect areas where containers are stored, at least weekly, looking for leaks and for 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 to the environment.

Training and emergency planning

Training programs are recommended for VSQGs to teach hazardous waste management procedures relevant to the position and duties of the employee. Ideally, your 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
- Identify appropriate waste containers for storing and shipping
- Label and mark containers during storage and for shipment
- Inspect waste storage areas
- Utilize manifests, if in use [ss. 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 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. It is recommended that all facility personnel, including office staff and on-site contractors, be trained on emergency procedures.

Although VSQGs are not required to have a formal training program for employees who manage hazardous waste, it is recommended that an emergency coordinator be designated, and emergency contact information be posted next to any telephone that may be used in a hazardous waste fire, spill, or emergency. Additional best management practices include:

- At least one employee (typically the designated emergency coordinator) should 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.
- Develop an internal training program on safe hazardous waste management practices.
- Refer to [Training Requirements and Records \(WA099\)](#) for details on additional training requirements and recommendations.

It is recommended that the following information 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), and
- telephone number of the fire department, unless the facility has a direct alarm.

Shipping hazardous waste

When shipping hazardous wastes, very small quantity generators can either self-transport or hire a hazardous waste transporter to deliver the hazardous waste to:

- A household hazardous waste collection center that also accepts VSQG hazardous wastes, or
- A licensed TSD/receiving facility.

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

When shipping hazardous wastes, very small quantity generators can document the transport activities with either:

- A bill of lading (BOL). It is recommended to keep 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#. 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.

VSQG are not required to use a uniform hazardous waste manifest to ship wastes off-site for disposal. If as a VSQG, you choose to use a manifest, you must comply with the notification requirements in NR 660.07; the manifesting requirements in NR 662.020- 622.023 and exception reporting in NR 662.193 (2) and manifest recordkeeping in 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. Refer to the DNR's Manifest web page noted above for details.

Recordkeeping and reporting

It is recommended that VSQGs keep copies of all records for three years. These include, but may not be limited to:

- Training records, if any
- waste determinations
- bills of lading
- manifest copies or electronic records, if a manifest is used

VSQG are not required to submit annual reports to the DNR.

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.

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WA-19-0295-C

DOCUMENT TITLE

Hazardous Waste: Very 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.

1/28/2020

Signature

Date