



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-19-1821-C

DOCUMENT TITLE

Quick Reference Guide: Hazardous Waste Generator Regulatory Requirements

PROGRAM/BUREAU

Waste and Materials Management

STATUTORY AUTHORITY OR LEGAL CITATION

Ch. 294, Wis. Stats.; chs. NR 600-679, Wis. Adm. Code

DATE SENT TO LEGISLATIVE REFERENCE BUREAU (FOR PUBLIC COMMENTS)

September 16, 2019

DATE FINALIZED

October 8, 2019

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 'Joseph P. Van Rossum', is written over a horizontal line.

October 8, 2019

Signature

Date

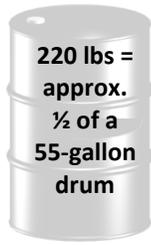
Quick Reference Guide: Hazardous Waste Generator Regulatory Requirements

PUB-WA-1821 2017



Businesses that generate hazardous waste must identify, track, and maintain records of hazardous waste generation and accumulation in order to determine which regulatory requirements apply to their operations. The tables below outline regulatory requirements based on your facility generator status: very small quantity generator (VSQG), small quantity generator (SQG) and large quantity generator (LQG). They are not intended to present all hazardous waste regulations and requirements. For details and additional regulations see chapters [NR 600-679](#) of the Wisconsin Administrative Code.

Non-Acute Hazardous Waste	Hazardous Waste Generation and Accumulation		
	VSQG ¹	SQG	LQG (nml) ²
Monthly generation limit	≤220 lbs	220 < SQG < 2,205	>2,205 lbs
On site accumulation limit	≤ 2,205 lbs		≤ 13,230 lbs
Acute Hazardous Waste			
Monthly generation limit	≤ 2.2 lbs	≤ 2.2 lbs	>2.2 lbs
On site accumulation limit	≤ 2.2 lbs	≤ 2.2 lbs	>2.2 lbs



¹ VSQGs are conditionally exempt from SQG and LQG regulations of subchapters A to J of NR 662, provided that the generator **complies with all other requirements** of NR 662.220, Wis. Adm. Code.

² nml = no maximum limits

	Hazardous Waste Generator Requirements		
	VSQG	SQG	LQG
Obtain an EPA Identification number	Not required unless the VSQG chooses to use the uniform hazardous waste manifest form	Yes	Yes
Make a waste determination on all waste streams	Yes	Yes	Yes
Retain records of all waste determinations	Recommended. May be asked to prove waste determinations	Yes	Yes
Employee training	Not required	Yes ¹	Yes ²
Contingency Plan	Not required	Not required	Yes
Emergency Procedures	Not required	Yes	Yes
Annual reporting	Not required	Yes	Yes
Generator Fee/costs	None	\$350/year ³ +	\$470/year ³ +
Waste Minimization Certification	Not required	Yes	Yes

¹ Employees of SQGs need to be thoroughly familiar with their roles in handling hazardous waste.

² Employees of LQGs are required by regulation to receive both initial and annual refresher training, and the training must be documented.

³ This is the base fee. In addition, fees based on the volume of generated hazardous waste are \$20 per ton, with some exemptions. The maximum total hazardous waste generator fee that may be assessed is \$17,500 per year, regardless of the amount of hazardous waste generated.

	Hazardous Waste Management Requirements		
Satellite Accumulation Areas (SAA ¹) or VSQG Containers	VSQG	SQG	LQG
All containers must be marked with the words "Hazardous Waste"	Yes	Yes ²	Yes ²
Containers must be compatible with the type of waste and kept in good condition	Yes	Yes	Yes
Containers must be kept closed unless adding or removing waste	Yes	Yes	Yes
Allowable accumulation units	Containers	Containers	Containers
Container location must be under control of the operator	Recommended	Yes	Yes
Accumulation limits of 55-gallons (or 1-quart of acute) hazardous waste per SAA area	Recommended	Yes	Yes
When accumulation limit is first exceeded, or when the container is moved to the CAA ³ , mark container with the date . Move the container to a CAA within 3 days of reaching the accumulation limit.	Not required	Yes	Yes
Container volatile organic (VO) management requirements	Not required	Not required	Not required
Central Accumulation Areas (CAA)	VSQG	SQG	LQG
All containers must be marked with the words "Hazardous Waste"	Yes	Yes	Yes
Containers must be compatible with waste and kept in good condition	Yes	Yes	Yes
Containers must be kept closed unless adding or removing waste	Yes	Yes	Yes
Allowable accumulation units	Containers, tanks	Containers, tanks, drip pads, containment buildings	Containers, tanks, drip pads, containment buildings
Container location standards	None	None	At least 50-feet from the property line for ignitable or reactive wastes

¹ Satellite Accumulation Areas (SAA) refers to hazardous waste containers that are filled at or near the point of generation and under operator control.

² Marks the containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers.

³ Central Accumulation Area (CAA) refers to the area on-site where hazardous waste accumulation occurs in containers and tanks. These areas are not subject to an operating license as long as the requirements in ch. NR 662.192 (SQG) or ch. NR 662.034 (LQG), Wis. Adm. Code, are met.

Hazardous Waste Management Requirements <i>continued</i>			
Central Accumulation Areas (CAA)	VSQG	SQG	LQG
Mark each container with the date that waste is first placed in the container, if accumulated at CAAs.	Not applicable	Yes	Yes
Accumulation time limit for containers	Not applicable	180 day or 270 days ⁴	90 days
30-day accumulation period extension	Not applicable	Case-by-case	Case-by-case
Weekly inspections of CAAs	Not applicable	Yes	Yes
Tank and container Volatile Organics ⁵ (VO) management requirements	Not applicable	Not required	Yes

⁴Waste that must be shipped 200 miles or more can be accumulated onsite for up to 270 days.

⁵ For the definition of “volatile organics,” see NR 665.1081(23). For air emission standards for tanks and containers, see NR 665 subch. CC.

Hazardous Waste Transport Requirements			
	VSQG	SQG	LQG
Waste must be manifested	Optional ¹	Yes	Yes
Waste must be transported by a licensed hauler	No ¹	Yes	Yes
Waste must be transported to a licensed TSDF ²	Yes. Or to a local Household Hazardous Waste Collection Site that accepts VSQG wastes	Yes	Yes
Waste Analysis Plan (WAP) is required per NR 668 and 679.56	Not Applicable	Yes, IF treating to meet LDR standards	Yes, IF treating to meet LDR standards
Exception Reporting to the DNR (Manifests)	Conditional ¹	Yes	Yes

¹ If a VSQG chooses to use a manifest, the VSQG needs to comply with NR 662.220(6)(f), Wis. Adm. Code, which includes notification, manifesting, licensed transporting, exception reporting, and recordkeeping requirements.

² Waste must be transported to a licensed treatment, storage, or disposal facility (TSDF), or sent offsite to be reclaimed under a contractual agreement, per Wisconsin statute 291.21 (9) and ch. NR 670.001(3), Wis. Adm. Code,.

Additional resources

For more information on these subjects, including other publications, administrative codes and statutes, go to dnr.wi.gov and search by topic or “WA” publication number listed below. For the guidance manual on *Waste Analysis at Facilities that Generate, Treat, Store, and Dispose of Hazardous Wastes* see www.epa.gov.

- [WA 099](#) - Training Requirements
- [WA 1152](#) - Waste Determinations
- [WA 1176](#) - Manifest requirements
- [WA 137](#) - Transporting hazardous waste
- [WA 1342](#) - Closed Containers

For information on facility EPA ID numbers, go to dnr.wi.gov and search "[hazardous waste](#)" then scroll to “DNR Notification and EPA ID number.”

DNR Contact Information

For more information on this subject, including other publications, staff contacts and administrative codes and statutes, go to dnr.wi.gov and search “hazardous waste,” or contact Waste & Materials Management staff.

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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