

**COMPLIANCE ASSISTANCE  
PACKET**

**FOR**

**HAZARDOUS WASTE  
GENERATORS**



**NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF HAZARDOUS WASTE COMPLIANCE AND ENFORCEMENT**

## **Compliance Assistance Packet**

In an effort to assist new generators in complying with the hazardous waste regulations, the New Jersey Department of Environmental Protection is providing the Compliance Assistance Packet for Hazardous Waste Generators. We hope you find this information helpful.

Please note this packet is intended to be a summary explanation of Department regulations. It does not include all potentially applicable requirements. If you have any questions related to compliance, please check the provided websites or contact the appropriate Compliance and Enforcement office phone numbers listed on the map.

## **COMPLIANCE ASSISTANCE PACKET PULLOUTS**

Section 1 - Field Office Locator Map

Section 2 - General Information

Section 3 - Web Resources

Section 4 - Hazardous Waste Generator Categories and Paper Documentation

Section 5 – Summary of Very Small Quantity Generator Hazardous Waste Regulations

Section 6 – Summary of Satellite Accumulation Area Requirements

Section 7 - Summary of Small Quantity Generator Hazardous Waste Regulations

Section 8 - Summary of Large Quantity Generator Hazardous Waste Regulations

Section 9 - Universal Waste Summary Guide

Section 10 – Summary of Small Quantity Handler Universal Waste Regulations

Section 11 - Summary of Large Quantity Handler Universal Waste Regulations

Section 12 – Sample of Weekly Container Accumulation Area Inspection Log

Section 13 – Sample of TSDF Signed Manifest Tracking Log

Section 14 - Finding a Waste Facility or Transporter

# Bureau of Hazardous Waste Compliance & Enforcement

## Transportation Oversight Unit

Serving All Counties

9 Ewing Street, 1st Floor  
Mail Code 09-01, P.O. Box 420  
Trenton, NJ 08625-0407  
Phone: (609) 943-0407  
Telefax: (609) 292-4539



## Northern Regional Office

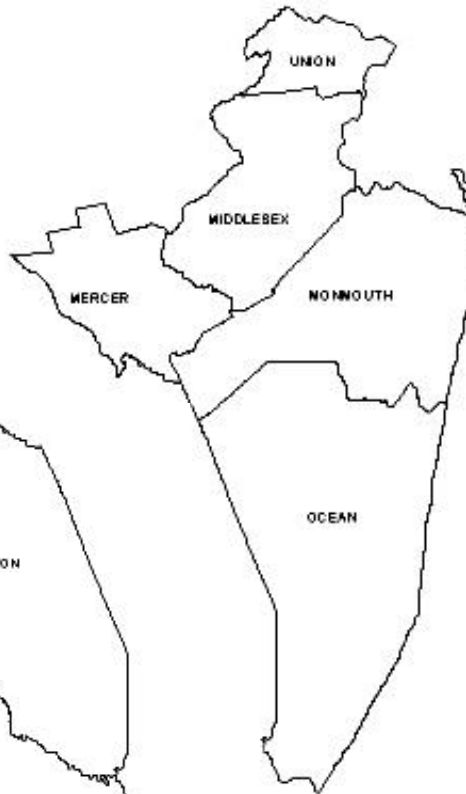
Serving Bergen, Essex, Hudson,  
Hunterdon, Morris, Passaic, Somerset,  
Sussex & Warren Counties

7 Ridgedale Avenue  
Cedar Knolls, NJ 07927  
Phone: (973) 656-4470  
Telefax: (973) 631-6331

## Central Regional Office

Serving Mercer, Middlesex, Monmouth,  
Ocean & Union Counties

9 Ewing Street, 3<sup>rd</sup> Floor  
Mail Code 09-03, P.O. Box 420  
Trenton, NJ 08625-0407  
Phone: (609) 943-3019  
Telefax: (609) 943-3970



## Southern Regional Office

Serving Atlantic, Camden, Cape May,  
Cumberland, Gloucester, Salem &  
Burlington Counties

One Port Center  
2 Riverside Drive, Suite 201  
Camden, NJ 08102  
Phone: (856) 614-3658  
Telefax: (856) 614-3608

## **GENERAL INFORMATION**

### **Contacting the NJDEP**

NJDEP Home Page: <https://www.state.nj.us/dep/index.html>

Contact (email) NJDEP: <https://www.nj.gov/cgi-bin/dep/contactdep.pl>

NJDEP Easy Access Guide to contact personnel: <https://www.nj.gov/dep/easyaccess/>

### **New Jersey Hazardous Waste Regulations**

New Jersey's hazardous waste regulations are found at N.J.A.C. 7:26G-1 *et seq.* They were adopted on October 21, 1996. As part of this adoption, the Department "incorporated by reference" (with limited exception) the July 1, 1993 version of the Federal hazardous waste regulations at 40 CFR Parts 124, 260-266, 268 and 270. Effective January 19, 1999 the Department amended the regulations to allow for prospective incorporation by reference, which means that all provisions of 40 CFR Parts 124, 260-266, 268 and 270 incorporated by reference are continually, automatically updated to maintain consistency with the most current Federal rules.

### **Inspection Fees**

A fee schedule has been established for hazardous waste generators, transporters, and treatment, storage, and disposal facilities (TSDFs), in accordance with N.J.S.A. 13:1E-1 *et seq.*, specifically 13:1E-6, 13:1E-18, 13:1E-42.2, and 13:1E-60d. The fee amounts can be found at: <https://www.state.nj.us/dep/enforcement/hw-fees.html>. The fee schedule is based on the Department's reasonable costs to perform its duties, made necessary by the regulated community.

### **NJDEP Training Opportunities**

Hazardous Waste Compliance and Enforcement (HWC&E) offers a training program for the regulated community in the Fall and Spring each year. Information on the training program can be found at: <https://www.state.nj.us/dep/enforcement/cetraining.html>. To be added to the listserv and invited to future seminars send a request to the following email address: [NJDEP.HWSems@dep.nj.gov](mailto:NJDEP.HWSems@dep.nj.gov)

### **NJDEP Compliance Advisories**

Compliance and Enforcement has been issuing Compliance Advisories since 2003. Compliance Advisories are fact sheets that deal with a variety of environmental issues. They are referred to as either an Update, Alert or Warning. Open the following link to access the advisories: <https://www.state.nj.us/dep/enforcement/advisories.html>

## WEB RESOURCES

We have provided a list of weblinks of environmentally related sites below. Some of these sites may have changed their URL and are now unavailable. NOTE: If you web search the bolded subject title for any of these sites it should be able to find the correct website within the first few links of the search.

### Hazardous Waste Regulations

- **NJDEP Rules and Regulations** - <https://www.nj.gov/dep/rules/>
- **USEPA** - <http://www.epa.gov/epawaste/hazard/index.htm>
- **USDOT Hazardous Materials Regulations (FMCSA)** - <https://www.fmcsa.dot.gov/regulations/hazardous-materials>
- **US Department of Labor - OSHA Regulations**  
[http://www.osha.gov/pls/oshaweb/owasrch.search\\_form?p\\_doc\\_type=STANDARDS&p\\_toc\\_level=0&p\\_keyvalue=](http://www.osha.gov/pls/oshaweb/owasrch.search_form?p_doc_type=STANDARDS&p_toc_level=0&p_keyvalue=)
- **Regulations.gov** – Source for U.S. government regulations from over 300 agencies  
<https://www.regulations.gov/>

### Federal Regulatory Guidance/Interpretation

- **RCRA Online** – Source for locating memos, interpretations, publications, outreach material on a wide range of RCRA issues and topics: <http://www.epa.gov/rcraonline/>
- **National Environmental Compliance Assistance Clearinghouse** - Quick access guide to compliance tools, contacts, and planned activities from across the EPA and other compliance assistance providers: <http://www.epa.gov/compliance/assistance/clearinghouse.html>

### Compliance Assistance

- **Ask the DEP** – Submit your question to the DEP online so it can be forwarded to the appropriate person: <https://www.nj.gov/cgi-bin/dep/contactdep.pl>
- **Emergency situations** – such as spills and illegal dumping should be reported to the DEP Action Hotline at 1-877-927-6337
- **RCRA Training Modules** – Source for training modules on important RCRA topics such as Hazardous Waste Identification, Containers and Tanks etc.:  
<https://www.epa.gov/rcra/resource-conservation-and-recovery-act-rcra-training-modules>
- **US Department of Labor - OSHA Training** - <https://www.osha.gov/dte/>
- **NJDEP Hazardous Waste Compliance Assistance** - <https://www.state.nj.us/dep/enforcement/ca-intro.html>
- **NJDEP Hazardous Waste Handler Seminars:**  
[https://www.state.nj.us/dep/enforcement/hw\\_seminar.html](https://www.state.nj.us/dep/enforcement/hw_seminar.html)

## Emergency Preparedness

- **FEMA Guidance** - Developed by FEMA and a coalition of business groups. Provides advice on how to create and maintain an emergency management program: <https://www.fema.gov/media-library/assets/documents/34953>
- **USDOT Emergency Response Guidebook** - <https://www.phmsa.dot.gov/hazmat/erg/emergency-response-guidebook-erg>
- **NJDEP Discharge Prevention Containment & Countermeasures Plan** - <https://www.nj.gov/dep/enforcement/dpp.html>

## Statutory and Regulatory Changes

- **NJ Legislature** - <https://www.njleg.state.nj.us/>
- **US (Congress.gov)** - <http://thomas.loc.gov/>
- **NJDEP Rules and Regulations** - <https://www.nj.gov/dep/rules/>
- **NJDEP News Releases** - <https://www.nj.gov/dep/newsrel/>
- **NJDEP Public Participation Calendar** - Promotes events, seminars, meetings, and programs sponsored or co-sponsored by the DEP, or held in partnership with the DEP on State property: <https://www.nj.gov/dep/calendar/>

## Advisories and Articles

- **NJDEP Compliance Advisories** - <https://www.nj.gov/dep/enforcement/advisories.html>
- **USEPA: A to Z Index** - <https://www.epa.gov/environmental-topics/z-index>

## Enforcement History

- **USEPA Enforcement and Compliance History Online (ECHO)** - <https://echo.epa.gov/?redirect=echo>
- **NJDEP Data Miner** - Generators are responsible for their waste from cradle to grave, so it behooves them to make certain that any facility they use is handling waste properly. One place to obtain information about facilities is through the DEP Data Miner database. Data Miner enables the user to access inspection reports generated by DEP inspectors as well as any Notice of Violation or subsequent enforcement action that may have been generated as the result of an inspection. To access Data Miner open: <https://www.nj.gov/dep/opra/online.html>
- 

## Business Information

- **USEPA Resources for Small Businesses** - <http://www.epa.gov/smallbusiness/>
- **EPA for Businesses and Non-Profits** - <http://www.epa.gov/epahome/business.htm>
- **NJDEP Small Business Assistance Program** – <https://www.state.nj.us/dep/aqes/sbap/index.html>

## Waste Reduction/Going the Extra Mile

- **NJDEP Environmental Stewardship** - <https://www.nj.gov/dep/enforcement/stewardship/>
- **USEPA Waste Minimization** – <https://archive.epa.gov/epawaste/hazard/wastemin/web/html/index.html>
- **USEPA Waste Wise Program** - <https://www.epa.gov/smm/wastewise>
- **NJDEP Waste Wise Business Network** - <https://www.nj.gov/dep/dshw/recycling/brbn03.htm>
- **NJDEP Pollution Prevention** - Information on preventing pollution, promoting multi-media environmental management, increasing public awareness and reducing the use of toxic substances. <https://www.nj.gov/dep/enforcement/opppc.html>

## Zero Waste Resources

- **Grass Roots Recycling Network** - <http://www.grn.org/page/who-we-are>
- **Earth Resource Foundation** - <https://www.facebook.com/EarthResourceFoundation/>
- **Zero Waste International Alliance** - <http://www.zwia.org/>
- **Zero Emissions Research & Initiatives** - <http://www.zeri.org/>
- **Zero Waste Communities Yahoo Group** - <http://groups.yahoo.com/group/ZeroWasteCommunities/>
- **Zero Waste Business Yahoo Group** - <http://finance.groups.yahoo.com/group/ZWBusiness/>
- **Eco-Cycle** - <http://ecocycle.org/>



## HAZARDOUS WASTE GENERATOR CATEGORIES & DOCUMENTATION

[Code of Federal Regulations (40 CFR) references in brackets in table below]

REQUIREMENTS	VSQG Very Small Quantity Generator [262.14]	SQG Small Quantity Generator [262.16]	LQG Large Quantity Generator [262.17]
1) <b>Monthly Generation Limits</b>	≤220 lbs. haz. Waste &/or ≤2.2 lbs. acute haz. waste* [262.14(a)]	>220 lbs. but <2200 lbs. haz. waste & ≤ lbs. acute haz. waste* [262.16(a)]	≥2200 lbs. haz. waste or >2.2 lbs. acute haz. waste* [262.17(a)]
2) <b>Accumulation Quantity Limits</b>	≤2200 lbs. haz. waste &/or ≤2.2 lbs. acute haz. waste onsite [262.14(a)]	≤13,200 lbs. haz. waste & ≤2.2 lbs. acute haz. waste onsite [262.16(b)]	No Limit
3) <b>Accumulation Time Limits</b>	Unlimited	180 days[262.16(b)1], 270 days if receiving facility >200 miles [(c)], extensions granted? [(d)]	90 days [262.17(a)], extensions granted [(b), (c), (d), & (e)]
4) <b>EPA ID Number Required</b>	None – Voluntary	Yes – Contact NJDEP registration 609-292-7081. [262.18(a)]	Yes – Contact NJDEP registration 609-292-7081. [262.18(a)]
5) <b>Hazardous Waste Manifest Required</b>	None - Voluntary	Yes [262.20(a)1]	Yes [262.20(a)1]
6) <b>Manifest Copy Retention</b>	None - Voluntary	3 years [262.40(a)]	3 years [262.40(a)]
7) <b>Exception Reporting (failing to receive a copy of manifest with TSDF signature)</b>	None	None – but within 60 days generator must submit copy of manifest with note that signed TSDF copy is missing to NJDEP. [262.42(b)]	1) Generator must contact initial transporter or the TSDF operator within 35 days of shipping date [262.42(a)] 2) Generator must submit written exception report within 45 days of shipping date to NJDEP [262.42(a)]
8) <b>Land Disposal Restriction notification/certification accompanying shipments</b>	None	Required for certain haz. wastes. Keep your copy for 3 years. [268.7(a)8]	Required for certain haz. wastes. Keep your copy for 3 years. [268.7(a)8]
9) <b>Biennial Report</b>	None	None * <i>Re-notification</i> , must re-notify EPA starting in 2021 and every 4 years thereafter using EPA Form 8700-12. Must be submitted by September 1st of each notification year [262.18(d)]	Submitted on each even year to report on manifest activity for previous odd year [262.41]
10) <b>Inspections</b>	None	1) Weekly for haz. waste storage containers [262.16(b)(2)(iv)] 2) Daily – equipment monitoring and weekly/bimonthly/yearly (depending on equipment) for haz. waste storage tanks [(vii)]	1) Weekly for haz. waste storage containers [262.17(a)(1)(v)] 2) Daily – operating log and weekly/bimonthly/yearly (depending on equipment) for haz. waste storage tanks [265.195]
11) <b>Haz Waste Training</b>	None	Basic – waste handling familiarization & emergency procedures [262.16(b)(9)(iii)]	Full training [262.17(a)(7)(i)(A)]
12) <b>Preparedness &amp; Prevention</b>	None	Make arrangements to familiarize fire, police, hospital & have emergency response contractor agreement [262.16(b)(8)(vi)]  Maintain documentation that arrangements exist or does not [(B)]	Make arrangements to familiarize fire, police, hospital & have emergency response contractor agreement [262.256]  Maintain documentation that arrangements exist or does not [(b)]
13) <b>Contingency Plan</b>	None	Emergency Procedures, basic plan by the phone: Emerg. Coord, name & #, fire dept. #, & location of fire ext. & alarm & spill equipment [262.16(b)(9)(ii)]	Complete Plan [262.260(a)]

\*All generators must comply with 262.11(a-d) - the hazardous waste determination for each solid waste must be made at the point of waste generation, before any dilution, mixing, or other alteration of the waste occurs, and at any time in the course of its management.

\*SQG's & LQG's must comply with 262.11(f) - Maintain records supporting its hazardous waste determinations; Include records identifying whether a solid waste is a hazardous waste (40 CFR 261.3). Records must be maintained for at least 3 years.

# **SUMMARY OF VERY SMALL QUANTITY GENERATOR (VSQG) HAZARDOUS WASTE REGULATIONS**

## **Definition/Conditions for Exemption**

The EPA defines a Very Small Quantity Generator (VSQG) as a generator who generates less than or equal to the following amounts hazardous waste (HW) in a calendar month:

- 100 kilograms (220 lbs.) of non-acute HW; and
- 1 kilogram (2.2 lbs.) of acute HW; and
- 100 kilograms (220 lbs.) of any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute HW

VSQGs must maintain compliance with the “Conditions for Exemption” found at 40 CFR 262.14(a) to maintain their VSQG status. The conditions state that VSQGs must:

- Comply with the HW generation requirements listed above;
- Comply with the HW determination requirements at 40 C.F.R. 262.11(a)-(d);
- If accumulating > 1 kg (2.2 lbs.) of acute HW or 100 kg (220 lbs.) of any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill of any acute HW, ensure that such waste is not held on site for more than 90 days and meets the conditions for exemption in 40 C.F.R. 262.17(a)-(g);
- If accumulating at any time 1,000 kg (2,200 lbs.) or greater of non-acute HW, ensure that all quantities of that HW are not held on site for more than 180/270 days, the quantity of HW accumulated never exceeds 6,000 kg (13,200 lbs.), and meets the conditions for exemption in 40 C.F.R. 262.16(b)(2)-(f);
- Either treat or dispose of its HW in an on-site facility or ensure delivery to a treatment, storage and disposal facility either of which is:
  - Permitted under 40 C.F.R. 270;
  - Interim status under 40 C.F.R. 265 and 270;
  - Authorized to manage HW by an approved state;
  - Permitted, licensed, or registered by a state to manage municipal Solid Waste;
  - Permitted, licensed, or registered by a state to manage non-municipal non-HW;
  - Beneficially uses or reuses, or legitimately recycles or reclaims its waste;
  - A Universal Waste Handler or Destination Facility subject to part 273; or
  - A Large Quantity Generator under the control of the same person as the VSQG

The **most common** HW regulatory requirements applied to VSQGs are contained below. These requirements state that VSQGs must:

## **General Standards**

**262.10(a)3** Transport, offer for transport, or otherwise send hazardous waste only to a designated facility or a facility authorized to receive the hazardous waste

**262.11(a-d)** Make an accurate determination as to whether a solid waste is hazardous

Compliance Assistance Packet

NJDEP, HW Compliance & Enforcement

Section #5 - “VSQG Regulations” Page 1 of 3

**Note:** Regulatory references are N.J.A.C. 7:26G or 40 CFR unless otherwise noted

**262.11(f)** Maintain records that support the hazardous waste determination for at least three years

### **Specific VSQG Requirements**

**262.14(a)** Comply with the conditions for exemption listed in 40 CFR 262.14(a)(1)-(5)

**262.14(b)** Comply with the requirement prohibiting the placement of bulk or non-containerized liquid hazardous waste or hazardous waste containing free liquids in a landfill

**262.14(c)** Generate and accumulate hazardous waste during Episodic Events in accordance with subpart L of 262 in lieu of sections 262.15, 262.16, and 262.17

### **Episodic Events**

Episodic Events are activities, either planned or unplanned, that do not normally occur during a Generator's normal operations. These events result in an increased HW generation rates that exceed the calendar month quantity limits for the Generator's usual category. The Episodic Event exemption allows VSQGs to maintain their existing Generator category even if they generate a quantity of HW (during an Episodic Event) that would have forced them to become a SQG or LQG under previous regulations.

Planned Episodic Events can include wastes generated by regular maintenance, tank cleanouts, short-term projects, and removal of excess chemical inventory. Unplanned Episodic Events can include situations such as production process upsets, product recalls, accidental spills, or "acts of nature". A VSQG is only allowed one episodic event per calendar year unless a petition has been requested and granted by the Department. VSQGs must comply with the HW requirements found at 40 C.F.R. 262.232(a) during Episodic Events.

**262.232(a)2** Notify the Department no later than thirty (30) calendar days prior to initiating a planned Episodic Event or within 72 hours of an unplanned Event by submitting EPA Form 8700-12

**262.232(a)3** Have an EPA Identification Number during an Episodic Event

**262.232(a)4** Comply with the requirement prohibiting the accumulation of hazardous waste from an Episodic Event on drip pads or in containment buildings

**262.232(a)4iA-B** Mark or label containers with the words "Episodic Hazardous Waste" and an indication of the hazards of the contents

**262.232(a)4iC** Mark or label containers with the Episodic Event start date, clearly visible for inspection on each container

**262.232(a)4iiA-B** Mark or label tanks with the words "Episodic Hazardous Waste" and an indication of the hazards of the contents

- 262.232(a)4iiC-D** Use inventory logs, monitoring equipment or other records showing the date upon which each Episodic Event begins and keep required records on site readily available for inspection
- 262.232(a)4iiiA** Ensure containers holding hazardous waste generated during an Episodic Event are in good condition, compatible with the hazardous waste being accumulated therein, and kept closed
- 262.232(a)4iiiB** Ensure tanks holding hazardous waste generated during an Episodic Event are in good condition, are compatible with the hazardous waste, have procedures in place to prevent overflow and are inspected daily to ensure all applicable discharge control equipment is in good working order and operated per its design
- 262.232(a)6** Manifest and send hazardous waste generated from the Episodic Event to a designated facility within sixty (60) calendar days from the start of the Event
- 262.232(a)7** Maintain the required records for three years from the end date of the Episodic Event

## SUMMARY OF SATELLITE ACCUMULATION AREA (SAA) REGULATIONS

As stated in 40 C.F.R. 262.15, a generator may accumulate as much as 55 gallons of non-acute hazardous waste and/or either one quart of liquid acute hazardous waste or 2.2 pounds of solid acute hazardous waste in containers designated as “satellite containers”. Satellite containers must be at or near the point of generation where the wastes are initially accumulated, and under the control of the operator of the process generating the waste. Satellite accumulation may be done without a permit or interim status and without complying with the requirements of 40 C.F.R. parts 124, 264 through 267, and 270 if the generator complies with the conditions for exemption found at 40 C.F.R. 262.15.

The most common Hazardous Waste regulatory requirements applied to SAAs are contained below. These requirements state that Generators utilizing SAAs must:

- 262.15(a)1** Immediately transfer hazardous waste from a satellite container not in good condition or leaking to a container in good condition and not leaking, or to immediately transfer and manage the waste in a central accumulation area
- 262.15(a)2** Use a satellite container made of or lined with materials that will not react with, and are otherwise compatible with, the hazardous waste to be accumulated
- 262.15(a)3** Comply with the special standards for incompatible wastes in a satellite container
- 262.15(a)4** Keep satellite container closed except when adding, removing, or consolidating waste, or when temporary venting of a container is necessary
- 262.15(a)5** Mark or label a satellite container with the words “Hazardous Waste” and an indication of the hazards of the contents
- 262.15(a)6** Comply within three consecutive calendar days with the applicable central accumulation area requirements or remove the excess amounts from the satellite accumulation area to either a central accumulation area or an on-site or off-site facility and mark or label satellite containers holding the excess accumulation of hazardous waste with the date the excess amount began accumulating
- 262.15(a)7** SQGs must meet the preparedness and prevention requirements of 40 C.F.R. 262.16(b)(8) and emergency procedures of 40 C.F.R. 262.16(b)(9)
- 262.15(a)8** LQGs must meet the Preparedness, Prevention and Emergency Procedures in Subpart M of 40 C.F.R. 262

# SUMMARY OF SMALL QUANTITY GENERATOR (SQG) HAZARDOUS WASTE REGULATIONS

## Definition

The EPA defines a Small Quantity Generator of Hazardous Waste (SQG) as a Generator who generates the following amounts of waste in a calendar month:

- Greater than 100 kilograms (220 lbs.) but less than 1,000 kilograms (2200 lbs.) of non-acute hazardous waste; and
- Less than or equal to 1 kilogram (2.2 lbs.) of acute hazardous waste; and
- Less than or equal to 100 kilograms (220 lbs.) of any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous waste listed

A SQG may accumulate hazardous waste on site without a permit or interim status, and without complying with the requirements of 40 C.F.R. parts 124, 264 through 267, and 270, or the notification requirements of section 3010 of RCRA, provided that all the conditions for exemption listed 40 C.F.R. 262.16 are met.

The **most common** HW regulatory requirements applied to SQGs are contained below. These requirements state that SQGs must:

## General Standards

- 262.10(a)3** Transport, offer for transport, or otherwise send hazardous waste only to a designated facility or a facility authorized to receive the hazardous waste
- 262.11(a-d)** Make an accurate determination as to whether a solid waste is hazardous
- 262.11(f)** Maintain records that support the hazardous waste determination for at least three years

## Accumulation in Containers

- 262.16(b)** Ship waste off site within 180 days
- 262.16(b)(2)i** Immediately transfer hazardous waste from a container not in good condition or leaking to a container in good condition
- 262.16(b)(2)ii** Use a container made of or lined with materials that will not react with, and are otherwise compatible with, the hazardous waste to be accumulated
- 262.16(b)(2)iiia** Keep containers holding hazardous waste closed except when it is necessary to add or remove waste
- 262.16(b)(2)iiib** Handle containers holding hazardous waste in a manner that prevents container rupture and leakage

- 262.16(b)(2)iv** Inspect Central Accumulation Areas at least weekly looking for leaking containers and for deterioration of containers
- 262.16(b)(2)v** Comply with the special standards for incompatible wastes in a container

### **Accumulation in Tanks**

- 262.16(b)(3)iiB** Prevent hazardous wastes or treatment reagents from being placed in a tank if they could cause the tank or its inner liner to rupture, leak, corrode, or otherwise fail
- 262.16(b)(3)iiC** Operate uncovered tanks with at least 60 centimeters (2 feet) of freeboard or with a containment structure, drainage control system, or diversion structure with a capacity that equals or exceeds the volume of the top 60 centimeters of the tank
- 262.16(b)(3)iiD** Equip tanks with a means to stop inflow where hazardous waste is continuously fed into a tank
- 262.16(b)(3)iiiA** Inspect discharge control equipment on tanks holding hazardous waste at least once each operating day to ensure that it was in good working order
- 262.16(b)(3)iiiB** Inspect data gathered from hazardous waste tank monitoring equipment at least once each operating day to ensure that the tank is being operated according to its design
- 262.16(b)(3)iiiC** Inspect the level of waste in the tank at least once each operating day
- 262.16(b)(3)iiiD** Inspect the construction materials of hazardous waste tanks at least weekly to detect corrosion or leaking of fixtures or seams
- 262.16(b)(3)iiiE** Inspect the construction materials of, and the area immediately surrounding, discharge confinement structures at least weekly to detect erosion or obvious signs of leakage and to remedy any deterioration or malfunction on a schedule that ensures that the problem does not lead to an environmental or human health hazard or immediately where a hazard is imminent or has already occurred
- 262.16(b)(3)iv** If accumulating hazardous waste in tanks or tank systems that have full secondary containment, and that either use leak detection equipment or implement established workplace practices to ensure leaks are promptly identified, inspect the areas identified in 40 CFR 262.16(a)(3)(iii)(A)-(E) at least weekly and document the alternate inspection schedule in operating record, including a description of the established workplace practices at the Generator
- 262.16(b)(3)vi** Remove all hazardous waste from tanks, discharge control equipment, and discharge confinement structures upon closure of the facility
- 262.16(b)(3)viiA** Meet the special conditions for accumulation of ignitable or reactive waste in tanks

- 262.16(b)(3)viiB** Comply with the National Fire Protection Association's buffer zone requirements for the accumulation of ignitable or reactive wastes in covered tanks
- 262.16(b)(3)viiC1** Prevent the placing of incompatible waste, or waste and material, in the same tank, except in compliance with 40 CFR 265.17(b)
- 262.16(b)(3)viiC2** Prevent the placing of hazardous waste in a tank which was not decontaminated and previously held an incompatible waste, except in compliance with 40 CFR 265.17(b)

### **Accumulation on Drip Pads**

- 262.16(b)(4)ii** Remove all hazardous wastes from drip pads at least once every 90 days
- 262.16(b)(4)iii** Maintain the required records on site for waste placed on drip pads

### **Accumulation in Containment Buildings**

- 262.16(b)(5)** Properly label containment building with the words “Hazardous Waste” and an indication of the hazards of the contents
- 262.16(b)(5)i-ii** Maintain, on file prior to unit operating, the professional engineer certification that the containment building complies with the design standards specified in 40 CFR 265.1101 and the required records showing hazardous waste is accumulated for less than 90 days in the containment building

### **Labeling and Marking Containers and Tanks**

- 262.16(b)(6)iA-B** Mark or label containers with the words “Hazardous Waste” and an indication of the hazards of the contents
- 262.16(b)(6)iC** Mark or label its containers with the accumulation start date clearly visible for inspection on each container
- 262.16(b)(6)iiA-B** Mark or label tanks with the words “Hazardous Waste” and an indication of the hazards of the contents
- 262.16(b)(6)iiC-D** Maintain the required records showing hazardous waste is accumulated for no more than 180 days in a tank and keep records with the required information on site and readily available for inspection

### **Preparedness and Prevention**

- 262.16(b)(8)i** Maintain and operate facility to minimize the possibility of a fire, explosion, or release



- 262.16(b)(8)ii Equip facility with emergency equipment
- 262.16(b)(8)iii Test and maintain emergency equipment
- 262.16(b)(8)iv Maintain immediate access to communications or alarm system
- 262.16(b)(8)v Maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency
- 262.16(b)(8)vi Attempt to make required arrangements with police or fire departments, emergency response contractors, equipment suppliers, or local hospitals and maintain records documenting confirmation that the arrangements exist or attempts were made or obtain a waiver

### **Emergency Procedures**

- 262.16(b)(9)i Have an emergency coordinator available on the premises or on call
- 262.16(b)(9)ii Post required emergency response information next to telephones or in areas generating or accumulating hazardous waste
- 262.16(b)(9)iii Ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies
- 262.16(b)(9)iv Respond properly to emergencies
- 262.16(c) Ship hazardous waste off site within 270 days for waste transported over 200 miles
- 262.16(e) Properly sign the manifest upon receipt of a returned shipment of hazardous waste

### **EPA ID Numbers and Renotification**

- 262.18(a) Have an EPA identification number prior to treating, storing, disposing of, transporting, or offering for transportation hazardous waste
- 262.18(c) Only offer hazardous waste to transporters or to treatment, storage, or disposal facilities that have received an EPA Identification Number
- 262.18(d)(1) Re-notify the Department using EPA Form 8700-12 by September 1st starting in 2021 and every four years thereafter

## Manifest Requirements

- 262.20(a)1** Prepare a manifest before transporting, or offering for transport, hazardous waste for offsite treatment, storage, or disposal or a treatment, storage and disposal facility who offers for transport a rejected hazardous waste load
- 262.20(a)1** Manifest must be properly completed
- 262.20(b)** Designate on the manifest one facility that is permitted to handle the waste
- 262.20(d)** If the transporter is unable to deliver the hazardous waste to the designated facility or alternate facility, (or waste is rejected by the designated or alternate facility), designate another facility or instruct the transporter to return the waste
- 262.21(g)1** Only use EPA approved manifest forms
- 262.21(g)2** Determine if the Generator or consignment state regulates additional wastes or requires Generator to submit copies of the manifest
- 262.23(a)1** Sign the manifest certification by hand
- 262.23(a)2** Obtain the handwritten signature of the initial transporter and date of acceptance on the manifest
- 262.23(a)3** Retain one copy of the manifest signed by the Generator and the initial transporter, in accordance with 262.40
- 262.23(b)** Give transporter the remaining copies of the manifest
- 262.23(c)** For shipments of hazardous waste within the United States solely by water, send 3 copies of the manifest dated and signed in accordance with this 262.23 to the designated facility or the last water transporter to handle the waste in the United States
- 262.23(d)** For rail shipments of hazardous waste within the United States which originate at the site of generation, send at least 3 copies of the manifest dated and signed in accordance with 262.23 to the next non-rail transporter, designated facility, or last rail transporter in the United States
- 262.24(c)** Ensure that all waste handlers named on the manifest are participants in the electronic manifest system
- 262.24(d)** Provide the initial Transporter with one printed copy of the electronic manifest
- 262.24(e)** Obtain and complete a paper manifest and continuation sheet if the electronic manifest system becomes unavailable prior to the time that the initial Transporter electronically signed the manifest
- 262.27** Certify to one of the statements in Item 15 of the uniform hazardous waste manifest

## **Pre-Transport Requirements**

- 262.30** Package hazardous waste in accordance with 49 C.F.R. Parts 173, 178, and 179
- 262.31** Label each package of hazardous waste in accordance with 49 C.F.R. Part 172
- 262.32(a)** Mark packages of hazardous waste in accordance with 49 C.F.R. Part 172
- 262.32(b)** Properly mark each container of hazardous waste before transporting or offering for transportation waste off site
- 262.33** Placard or offer appropriate placard for a vehicle containing hazardous waste in accordance with 49 C.F.R. Part 172, Subpart F
- 262.35** Comply with the requirement prohibiting the placement of bulk or non-containerized liquid hazardous waste or hazardous waste containing free liquids (whether or not sorbents have been added) in a landfill

## **Recordkeeping and Reporting Requirements**

- 262.40(a)** Keep copy of manifest for 3 years
- 262.40(b)** Keep copy of hazardous waste report or exception report for 3 years
- 262.40(d)** Keep copy of required records during the course of unresolved enforcement action or as requested by the Department
- 262.41(a)** Complete and submit Biennial Report using EPA Form 8700–13 A/B by March 1 of each even-numbered year if Generator is a Large Quantity Generator for at least one month of an odd-numbered year
- 262.41(b)** Complete and submit Biennial Report using EPA Form 8700-13 A/B March 1 of each even-numbered year if Generator is a Large Quantity Generator for at least one month of an odd-numbered year; and treats, stores, or disposes of hazardous waste on site or receives hazardous waste from Very Small Quantity Generators

## **Episodic Events**

Episodic Events are activities, either planned or unplanned, that do not normally occur during a Generator's normal operations. These events result in increased HW generation rates that exceed the calendar month quantity limits for the Generator's usual category. The Episodic Event exemption allows SQGs to maintain their existing Generator category even if they generate a quantity of hazardous waste (during an Episodic Event) that would have forced them to become a LQG under previous regulations.

Planned Episodic Events can include wastes generated by regular maintenance, tank cleanouts, short-term projects, and removal of excess chemical inventory. Unplanned Episodic Events can include situations such as production process upsets, product recalls, accidental spills, or "acts of nature". A SQG is only allowed one episodic event per calendar year unless a petition has been requested and granted by the Department. SQGs must comply with the Hazardous Waste Requirements found at 40 C.F.R. 262.232(b) during Episodic Events.

- 262.232(b)2** Notify the Department no later than thirty (30) calendar days prior to initiating a planned Episodic Event or within 72 hours of an unplanned Event by submitting EPA Form 8700-12
- 262.232(b)3** Have an EPA Identification Number during an Episodic Event
- 262.232(b)4** Comply with the requirement prohibiting the accumulation of hazardous waste from an Episodic Event on drip pads or in containment buildings
- 262.232(b)4iA-B** Mark or label containers with the words "Episodic Hazardous Waste" and an indication of the hazards of the contents
- 262.232(b)4iC** Mark or label containers with the Episodic Event start date, clearly visible for inspection on each container
- 262.232(b)4iiA-B** Mark or label tanks with the words "Episodic Hazardous Waste" and an indication of the hazards of the contents
- 262.232(b)4iiC-D** Use inventory logs, monitoring equipment or other records showing the date upon which each Episodic Event begins and keep required records on site readily available for inspection
- 262.232(b)5** Treat on site or manifest and ship hazardous waste generated from the episodic event to a designated facility within sixty (60) calendar days from the start of the event
- 262.232(b)6** Maintain the required records for three years from the end date of the Episodic Event

# SUMMARY OF LARGE QUANTITY GENERATOR (LQG) HAZARDOUS WASTE REGULATIONS

EPA defines a Large Quantity Generator (LQG) of Hazardous Waste (HW) as a Generator who generates any of the following amounts of waste in a calendar month:

- Greater than or equal to 1,000 kilograms (2200 lbs.) of non-acute HW; or
- Greater than 1 kilogram (2.2 lbs.) of acute HW listed in § 261.31 or § 261.33(e) of this chapter; or
- Greater than 100 kilograms (220 lbs.) of any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute HW

LQGs may accumulate HW on site without a permit or interim status, and without complying with the requirements of 40 C.F.R parts 124, 264 through 267, and 270, or the notification requirements of section 3010 of RCRA, provided all of the conditions for exemption listed in 40 C.F.R 262.17 are met.

The **most common** HW regulatory requirements applied to LQGs are contained below. These requirements state that LQGs must:

## General Standards

- 262.10(a)3** Transport, offer for transport, or otherwise send hazardous waste only to a designated facility or a facility authorized to receive the hazardous waste
- 262.11(a-d)** Make an accurate determination as to whether a solid waste is hazardous
- 262.11(f)** Maintain records that support the hazardous waste determination for at least three years

## Accumulation in Containers

- 262.17(a)** Ship waste off site within 90 days
- 262.17(a)(1)ii** Immediately transfer hazardous waste from a container not in good condition
- 262.17(a)(1)iii** Use a container made of or lined with materials that will not react with, and are otherwise compatible with, the hazardous waste to be accumulated
- 262.17(a)(1)ivA** Keep containers holding hazardous waste closed except when it is necessary to add or remove waste
- 262.17(a)(1)ivB** Handle containers holding hazardous waste in a manner that prevents container rupture and leakage
- 262.17(a)(1)v** Inspect Central Accumulation Areas at least weekly looking for leaking containers and for deterioration of containers
- 262.17(a)(1)viA** Locate ignitable or reactive waste at least 15 meters (50 feet) from property line

- 262.17(a)(1)viB** Take precautions to prevent accidental ignition or reaction of ignitable or reactive waste or conspicuously place “No Smoking” signs wherever there is a hazard from ignitable or reactive waste
- 262.17(a)(1)vii** Comply with the special standards for incompatible wastes in a container

### **Accumulation on Drip Pads**

- 262.17(a)(3)ii** Remove all hazardous wastes from the drip pad at least once every 90 days
- 262.17(a)(3)iii** Maintain the required records on site for waste placed on drip pads

### **Accumulation in Containment Buildings**

- 262.17(a)(4)** Properly label containment building with the words “Hazardous Waste” and an indication of the hazards of the contents
- 262.17(a)(4)i-ii** Maintain, in file prior to unit operating, the professional engineer certification that the containment building complies with the design standards specified in 40 CFR 265.1101 and the required records showing hazardous waste is accumulated for less than 90 days in a containment building

### **Labeling and Marking Containers and Tanks**

- 262.17(a)(5)iA-B** Mark or label containers with the words “Hazardous Waste” and an indication of the hazards of the contents
- 262.17(a)(5)iC** Mark or label its containers with the accumulation start date clearly visible for inspection on each container
- 262.17(a)(5)iiA-B** Mark or label tanks with the words “Hazardous Waste” and an indication of the hazards of the contents
- 262.17(a)(5)iiC-D** Maintain the required records showing hazardous waste is accumulated for no more than 90 days in a tank and keep records with the required information on site and readily available for inspection

### **Personnel Training**

- 262.17(a)(7)iA** Ensure that all personnel successfully complete a program of classroom instruction, online training, or on-the-job training
- 262.17(a)(7)iB** Provide a training program that is directed by a person trained in hazardous waste management procedures

- 262.17(a)(7)iC** Provide a training program which is designed to ensure that facility personnel are able to respond effectively to emergencies
- 262.17(a)(7)ii** Ensure personnel have successfully completed the training program required in 40 C.F.R. 262.17(a)(7)(i) within six months
- 262.17(a)(7)iii** Ensure personnel take part in an annual review of the initial training required in 40 CFR 262.17(a)(7)(i)
- 262.17(a)(7)iv** Maintain the required documents and records at the facility
- 262.17(a)(7)v** Keep training records on current personnel until closure of the facility and on former employees for at least three years from the date the employee last worked at the facility

### Closure

- 262.17(a)(8)i** Either place a notice in the operating record within 30 days or meet the closure performance standards and the notification requirements in 40 CFR 262.17(a)(8)(ii)(B) when closing a waste accumulation unit
- 262.17(a)(8)ii** Notify the Department 30 days prior to closing the facility and within 90 days after closing the facility
- 262.17(a)(8)iiiA1** Close the waste accumulation unit or facility in a manner that minimizes the need for further maintenance by controlling, minimizing, or eliminating the post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground or surface waters or to the atmosphere
- 262.17(a)(8)iiiA2** Close the waste accumulation unit or facility in a manner that removes or decontaminates all contaminated equipment, structures and soil and any remaining hazardous waste residues from waste accumulation units including containment system components, contaminated soils and subsoils, bases, and structures and equipment contaminated with waste

### Accumulation of F006

- 262.17(c)** Ship F006 hazardous waste off site within 180 days
- 262.17(c)1-4i, ii, iii, iv** Comply with the F006 accumulation conditions for exemption listed in 40 CFR 262.17(c)(1)-(4)(i)-(ii),(iv)-(v)
- 262.17(c)(4)iii** Mark or label containers holding F006 hazardous waste with the accumulation start date clearly visible for inspection on each container
- 262.17(d)** Ship F006 hazardous waste off site for metals recovery within 270 days when transported over 200 miles

## **Consolidation of Hazardous Waste from VSQGs**

EPA's HW Generator Improvements Rule became effective on May 30, 2017 ([Improvements Rule](#)). One provision of this rule allows HW Generators that have multiple facilities to consolidate HW generated from their own VSQG sites at a LQG site under the control of the same organization (or person). "Control," means the power to direct the policies of the generator, whether by the ownership of stock, voting rights, or otherwise. Contractors who operate generator facilities on behalf of a different person shall not be deemed to "control" such generators. LQGs may consolidate HW received from "controlled" VSQGs without a storage permit or interim status and without complying with the requirements of 40 C.F.R. parts 124, 264 through 268, and 270, and the notification requirements of section 3010 of RCRA, provided they comply with the requirements of 40 C.F.R. 262.17(f)&(g).

- 262.17(f)(1)** Notify the Department using EPA Form 8700-12 at least thirty (30) days prior to receiving the first shipment from a VSQG or within 30 days after a change in the name or site address for the VSQG
- 262.17(f)(2)** Maintain records of shipments for three years identifying the name, site address, and contact information for the VSQG and a description of the HW received, including the quantity and the date the waste was received
- 262.17(f)(3)** Mark or label container or unit with the date the hazardous waste was received from the VSQG or the earliest date any hazardous waste in container was accumulated when consolidated with incoming hazardous waste from other VSQGs
- 262.17(g)** Properly sign the manifest upon receipt of a returned shipment of hazardous waste

## **EPA ID Numbers and Renotification**

- 262.18(a)** Have an EPA identification number prior to treating, storing, disposing of, transporting, or offering for transportation hazardous waste
- 262.18(c)** Only offer hazardous waste to transporters or to treatment, storage, or disposal facilities that have received an EPA Identification Number
- 262.18(d)(2)** Renotify the Department using EPA Form 8700-12 by September 1st of each even-numbered year\
- 262.18(e)** Recognized trader must have an EPA identification number prior to arranging for import or export of hazardous waste

## **Manifest Requirements**

- 262.20(a)1** Prepare a manifest before transporting, or offering for transport, hazardous waste for offsite treatment, storage, or disposal or a treatment, storage and disposal facility who offers for transport a rejected hazardous waste load

Compliance Assistance Packet

NJDEP, HW Compliance & Enforcement

Section #8 - "LQG Regulations" Page 4 of 9

**Note:** Regulatory references are N.J.A.C. 7:26G or 40 CFR unless otherwise noted



- 262.20(a)1** Manifest must be properly completed
- 262.20(b)** Designate on the manifest one facility that is permitted to handle the waste
- 262.20(d)** If the transporter is unable to deliver the hazardous waste to the designated facility or alternate facility, (or waste is rejected by the designated or alternate facility), designate another facility or instruct the transporter to return the waste
- 262.21(g)1** Only use EPA approved manifest forms
- 262.21(g)2** Determine if the Generator or consignment state regulates additional wastes or requires Generator to submit copies of the manifest
- 262.23(a)1** Sign the manifest certification by hand
- 262.23(a)2** Obtain the handwritten signature of the initial transporter and date of acceptance on the manifest
- 262.23(a)3** Retain one copy of the manifest signed by the Generator and the initial transporter, in accordance with 262.40
- 262.23(b)** Give transporter the remaining copies of the manifest
- 262.23(c)** For shipments of hazardous waste within the United States solely by water, send 3 copies of the manifest dated and signed in accordance with this 262.23 to the designated facility or the last water transporter to handle the waste in the United States
- 262.23(d)** For rail shipments of hazardous waste within the United States which originate at the site of generation, send at least 3 copies of the manifest dated and signed in accordance with 262.23 to the next non-rail transporter, designated facility, or last rail transporter in the United States
- 262.24(c)** Ensure that all waste handlers named on the manifest are participants in the electronic manifest system
- 262.24(d)** Provide the initial Transporter with one printed copy of the electronic manifest
- 262.24(e)** Obtain and complete a paper manifest and continuation sheet if the electronic manifest system becomes unavailable prior to the time that the initial Transporter electronically signed the manifest
- 262.27** Certify to one of the statements in Item 15 of the uniform hazardous waste manifest

### **Pre-Transport Requirements**

- 262.30** Package hazardous waste in accordance with 49 C.F.R. Parts 173, 178, and 179

Compliance Assistance Packet

NJDEP, HW Compliance & Enforcement

Section #8 - "LQG Regulations" Page 5 of 9

**Note:** Regulatory references are N.J.A.C. 7:26G or 40 CFR unless otherwise noted

- 262.31** Label each package of hazardous waste in accordance with 49 C.F.R. Part 172
- 262.32(a)** Mark packages of hazardous waste in accordance with 49 C.F.R. Part 172
- 262.32(b)** Properly mark each container of hazardous waste before transporting or offering for transportation waste off site
- 262.33** Placard or offer appropriate placard for a vehicle containing hazardous waste in accordance with 49 C.F.R. Part 172, Subpart F
- 262.35** Comply with the requirement prohibiting the placement of bulk or non-containerized liquid hazardous waste or hazardous waste containing free liquids (whether or not sorbents have been added) in a landfill

### **Recordkeeping and Reporting Requirements**

- 262.40(a)** Keep copy of manifest for 3 years
- 262.40(b)** Keep copy of hazardous waste report or exception report for 3 years
- 262.40(d)** Keep copy of required records during the course of unresolved enforcement action or as requested by the Department
- 262.41(a)** Complete and submit Biennial Report using EPA Form 8700–13 A/B by March 1 of each even-numbered year if Generator is a Large Quantity Generator for at least one month of an odd-numbered year
- 262.41(b)** Complete and submit Biennial Report using EPA Form 8700-13 A/B March 1 of each even-numbered year if Generator is a Large Quantity Generator for at least one month of an odd-numbered year; and treats, stores, or disposes of hazardous waste on site or receives hazardous waste from Very Small Quantity Generators

### **Preparedness & Prevention**

- 262.251** Maintain and operate the facility so as to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water
- 262.252(a-d)** Equip all areas deemed applicable by 40 C.F.R. 262.250 with an internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel
- 262.253** Test and maintain emergency equipment

- 262.254(a-b)** Maintain immediate access to communications or alarm system
- 262.255** Maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of site operation in an emergency
- 262.256** Attempt to make required arrangements with police or fire departments, emergency response contractors, equipment suppliers, or local hospitals and maintain records documenting confirmation that the arrangements exist or attempts were made or obtain a waiver

### **Contingency Plan**

- 262.260(a)** Have a contingency plan designed to minimize hazards to human health or the environment from fires, explosions, or releases
- 262.260(b)** Carry out the provisions of the Contingency Plan immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment
- 262.261(a)** Describe in its contingency plan the required actions facility personnel must take to in response to fires, explosions, or releases
- 262.261(b)** Amend its existing SPCC plan or some other emergency or contingency plan to incorporate hazardous waste management provisions
- 262.261(c)** Describe in its contingency plan the arrangements agreed to with the local police department, fire department, other emergency response teams, emergency response contractors, equipment suppliers, local hospitals, or the Local Emergency Planning Committee
- 262.261(d)** List in its contingency plan names and emergency telephone numbers of persons qualified to act as emergency coordinator or the staffed position and emergency telephone number that can be guaranteed to be answered at all times if operating 24 hours per day
- 262.261(e)** List in its contingency plan all emergency equipment including location, description and capabilities
- 262.261(f)** Include in its contingency plan an evacuation plan for personnel with signals, evacuation routes, and alternate routes
- 262.262** Maintain a copy of the contingency plan and all revisions at the site
- 262.263** Review and immediately amend Contingency Plan as necessary

## Quick Reference Guide

During the development of the Generator Improvements Rule ([Improvements Rule](#)) EPA concluded that a shorter version of the Contingency Plan, such as an Executive Summary would allow a more effective response to an incident at a facility. As a result, the HW Regulations now require new LQGs to develop and submit an Executive Summary of the Contingency Plan to local emergency responders. This Executive Summary is called the “Quick Reference Guide”. Existing LQGs are required to submit a Quick Reference Guide when they either develop or update their Contingency Plans. The requirements for the Quick Reference Guide are found at 40 C.F.R. 262.262(b) and (c).

- 262.262(b)** Submit a Quick Reference Guide of the Contingency Plan to the local emergency responders or the Local Emergency Planning Committee
- 262.262(b)1-8** Include all required elements in the Quick Reference Guide
- 262.262(c)** Update the Quick Reference Guide whenever the Contingency Plan is amended and submit the document to the required local emergency responders or the Local Emergency Planning Committee

## Emergency Coordinator

- 262.264** Have an Emergency Coordinator on the premises or on call that is thoroughly familiar with all aspects of the Contingency Plan
- 262.265(a-b)** Ensure that the Emergency Coordinator immediately activates internal alarms, notifies state and local agencies if help is needed, and identifies the character, source, amount and extent of released materials
- 262.265(c)** Ensure that Emergency Coordinator assesses possible hazards to human health or the environment
- 262.265(d)** Ensure that Emergency Coordinator reports the required information to the appropriate emergency response agency that the facility has had a release, fire, or explosion which could threaten human health or the environment outside the facility
- 262.265(e)** Ensure that the Emergency Coordinator takes reasonable measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other hazardous waste at the facility
- 262.265(f)** Ensure that the Emergency Coordinator monitors for leaks, pressure buildup, gas generation, or ruptures, if the facility stops operations due to fire, explosion or release
- 262.265(g)** Ensure that the Emergency Coordinator immediately provides for treating, storing, or disposing of recovered waste, contaminated soil or surface water, or other material

- 262.265(h)** Ensure that in the affected areas of the facility no incompatible waste is treated, stored, or disposed of until cleanup procedures are completed and all emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed
- 262.265(i)** Note in operating record that the plan was implemented and submit written report with the required information to Department within 15 days after the incident

### **Discharges of Hazardous Materials/Waste**

- N.J.S.A.58:10-23.11(e)** Report a discharge to the DEP hotline

# UNIVERSAL WASTE SUMMARY GUIDE

*Batteries, Pesticides, Thermostats, Lamps, Mercury-containing Devices, Oil-based finishes & Consumer Electronics*

Definitions: 40 CFR 273.9 & NJAC 7:26A-1.3

REQUIREMENTS	<u>Large Quantity Handler</u>	<u>Small Quantity Handler</u>	<u>UW Transporter</u>
1) Accumulation Limits	≥5,000 kilograms (11,000 lbs.) [40 CFR 273.9 & NJAC 7:26A-1.3 ]	<5,000 kilograms (11,000 lbs.) [40 CFR 273.9 & NJAC 7:26A-1.3]	N/A
2) Accumulation Time Limits (Must Document)	1 Year - longer if proven necessary. [40 CFR 273.35]	1 Year - longer if proven necessary. [40 CFR 273.15]	May store UW at transfer facility for ≤ 10 days; > 10 days becomes Handler. [40 CFR 273.53]
3) Written Notice to DEP	Yes [40 CFR 273.32]	No	No
4) EPA HW ID # Required	Yes - NJDEP 609-292-7081	No	No
5) Annual Report to DEP March 1	Yes, report the types & amounts of UW received, stored and shipped in preceding calendar year. [NJAC 7:26A-7.5(e)]	No	No
6) Waste Management	Must manage UW in a way that prevents releases to the environment. [See specifics for different UW types at 40 CFR 273.33 & NJAC 7:26A-7.5]	Must manage UW in a way that prevents releases to the environment. [See specifics for different UW types at 40 CFR 273.13 & NJAC 7:26A-7.4]	Must comply with 49 CFR 171-180 if USDOT hazardous material as defined in 49 CFR 171.8 [40 CFR 273.52]
7) Prohibitions	No disposal, dilution or treatment. [40 CFR 273.31]	No disposal, dilution or treatment. [40 CFR 273.11]	No disposal, dilution or treatment. [40 CFR 273.51]
8) Labeling/markings	“Universal Waste” & specific UW [40 CFR 273.34, NJAC 7:26A-7.7]	“Universal Waste” & specific UW [40 CFR 273.14, NJAC 7:26A-7.7]	None specific for UW but must comply with 49 CFR 171-180 if USDOT haz material as defined in 49 CFR 171.8
9) UW Employee Training	Must insure all employees thoroughly familiar with proper UW handling & emergency procedures. [40 CFR 273.36]	Must inform all employees who handle UW on proper handling & emergency procedures. [40 CFR 273.16]	No
10) Response to Releases	Immediately contain, determine if HW & manage properly. [40 CFR 273.37]	Immediately contain, determine if HW & manage properly. [40 CFR 273.17]	Immediately contain, determine if HW & manage properly. [40 CFR 273.54]
11) Off-Site Shipments	Only to another handler, destination facility or export. Notify DEP if receive HW/UW mix. [40 CFR 273.38] (See e & f for rejected loads)	Only to another handler, destination facility or export. Notify DEP if receive HW/UW mix. [40 CFR 273.18] (See e & f for rejected loads)	Only to another handler, destination facility or export. [40 CFR 273.55]
12) Shipping Papers	Shipping Papers copy for hazardous materials retained 2 yr. [49 CFR 172.201(e)] If not DOT haz. material, still need some type of shipping document identifying material shipped, quantity, origin, and destination.	Shipping Papers copy for haz. mat. retained 2 yr. [49 CFR 172.201(e)] If not DOT haz. material still need some type of shipping document identifying material shipped, quantity, origin, and destination.	Comply with 49 CFR 171-180 if USDOT hazardous material. If not DOT haz. material still need some type of shipping doc. identifying material shipped quantity, origin, and destination.
13) Tracking Shipments (Records)	Must keep record of UW shipments received or shipped off-site for 3 years. Include names, addresses, and quantity, of each type & dates. [40 CFR 273.39]	None - voluntary	None
14) Exports	Other than OECD countries must comply as primary exporter & with consent of receiving country (60-day notice). [40 CFR 273.40]	Other than OECD countries must comply as primary exporter & consent of receiving country (60-day notice). [40 CFR 273.20]	Other than OECD countries must not accept shipment without EPA Acknowledgment of Consent (60-day notice). [40 CFR 273.56]

- NOTES:**
- 1) This UW Summary Guide does not represent all applicable requirements. [See 40 CFR 273 & NJAC 7:26A]
  - 2) UW Handler – Generates or accumulates or receives UW from other Handlers or sends to other Handlers or destination facility.
  - 3) Destination facility - treats, disposes, or recycles UW.
  - 4) UW not counted in determining VSQG, SQG or LQG status.
  - 5) UW Handlers are not required to have storage area inspections, contingency plans or use hazardous waste manifests.
  - 6) OECD countries – Member of Organization for Economic Cooperation and Development.
  - 7) If UW also a USDOT hazardous material as defined in 49 CFR 171.8 must comply with 49 CFR 171-180.
  - 8) 100 std. 4-ft. fluorescent light bulbs weigh approx. 75 lbs. Crushed bulbs may need testing for TCLP to determine if HW.
  - 9) More UW Info: <https://www.nj.gov/dep/dshw/lrm/uwaste/>

# SUMMARY OF SMALL QUANTITY HANDLER (SQH) UNIVERSAL WASTE REGULATIONS

## Definition

The Universal Waste (UW) regulations were developed to simplify the management standards for specific hazardous wastes that are commonly generated by a wide variety of establishments.

The Federal UW regulations are found at 40 C.F.R. 273. The following hazardous wastes are subject to the Federal UW requirements:

- Batteries as described in 40 C.F.R. 273.2
- Pesticides as described in 40 C.F.R. 273.
- Mercury-containing equipment as described in 40 C.F.R. 273.4
- Lamps as described in 40 C.F.R. 273.5

New Jersey has additional UW Regulations, which are found at N.J.A.C. 7:26A-7. The following hazardous wastes are subject to these regulations:

- Oil-based finishes as described in N.J.A.C. 7:26A-7.2(a)(1)
- Consumer electronics as described in N.J.A.C. 7:26A-7.2(a)(2)

The EPA defines a "UW Handler" as a generator of universal waste or the owner or operator of a facility that receives universal waste from other UW handlers, accumulates universal waste, and sends universal waste to another UW handler, to a destination facility, or to a foreign destination. A "Small Quantity Handler of UW" (SQH) means a Universal Waste Handler who does not accumulate 5,000 kilograms or more of universal waste at any time. The SQH regulations are summarized below, these regulations state that a SQH must:

The **most common** SQH regulatory requirements are contained below. These requirements state that SQHs must:

## Prohibitions

**273.11** Not dispose of universal waste, or dilute or treat universal waste

## Batteries

**273.13(a)1** Place universal waste batteries that show evidence of leakage, spillage or damage that could cause leakage into a container that is closed, structurally sound, compatible with the contents of the batteries

**273.13(a)2** Conduct activities on batteries to ensure that the casing of individual battery cells is not breached

- 273.13(a)3** Determine if electrolyte removed from batteries, or solid waste generated as the result of performing activities on batteries, is hazardous
- 273.14(a)** Clearly label or mark individual universal waste batteries, or containers of universal waste batteries with the words “Universal Waste Battery(ies)”, or “Waste Battery(ies)”, or “Used Battery(ies)”

### **Pesticides**

- 273.13(b)1** Place universal waste pesticides in a container that is closed, structurally sound, compatible with the pesticide, and showing no evidence of leakage, spillage, or damage that could cause leakage
- 273.13(b)2** Overpack containers of universal waste pesticides which did not meet the requirements of 40 C.F.R. 273.13(b)1
- 273.13(b)3** Ensure that tanks used to contain universal waste pesticides meet the requirements of 40 C.F.R.
- 273.13(b)4** Ensure that transport vehicles or vessels used to contain universal waste pesticides are be closed, structurally sound, compatible with the pesticide, and showing no evidence of leakage, spillage, or damage that could cause leakage
- 273.14(b)** Clearly label or mark containers, tanks, transport vehicles or vessels of recalled universal waste pesticides with the label that was on or accompanied the product as sold or distributed, and the words “Universal Waste-Pesticide(s)” or “Waste-Pesticide(s)”
- 273.14(c)** Clearly label or mark containers, tanks, transport vehicles or vessels of unused universal waste pesticides with the words “Universal Waste-Pesticide(s)” or “Waste-Pesticide(s)”, and with the label that was on the product when purchased, or the appropriate label as required under the Department of Transportation regulation 49 C.F.R. part 172, or another label prescribed or designated by the waste pesticide collection program administered or recognized by the state

### **Mercury Containing Equipment**

- 273.13(c)1** Ensure that containers used to accumulate universal waste mercury-containing equipment are closed, structurally sound, compatible with the contents of the device, designed to prevent the escape of mercury into the environment, and showing no evidence of leakage, spillage, or damage that could cause leakage
- 273.13(c)2i** Remove mercury-containing ampules in a manner designed to prevent breakage of the ampules



- 273.13(c)2ii** Remove mercury-containing ampules only over or in a containment device
- 273.13(c)2iii** Ensure that a mercury clean-up system is available to immediately transfer any mercury, resulting from spills or leaks from broken ampules, from the containment device to a container that meets the requirements of 40 C.F.R.
- 273.13(c)2iv** Immediately transfer any mercury, resulting from spills or leaks from broken ampules, from the containment device to a container that meets the requirements of 40 C.F.R.
- 273.13(c)2v** Ensure that the area in which mercury-containing ampules are removed is well ventilated and monitored to ensure compliance with applicable OSHA permissible exposure levels for mercury
- 273.13(c)2vi** Ensure that employees removing mercury-containing ampules are thoroughly familiar with proper waste mercury handling and emergency procedures
- 273.13(c)2vii** Store mercury-containing ampules in closed, non-leaking containers that are in good condition
- 273.13(c)2viii** Pack mercury-containing ampules in containers with packing materials adequate to prevent breakage during storage, handling, and transportation
- 273.13(c)3** Ensure that the housing is immediately sealed with an airtight seal, and the requirements under 40 C.F.R. 273.13(c)2 are followed when removing the original housing holding mercury not contained in an ampule
- 273.13(c)4** Determine if the waste generated during the removal of mercury-containing ampules and housings is hazardous, and to manage the waste in compliance with all appropriate regulations
- 273.14(d)** Ensure that universal waste mercury-containing equipment, or containers in which the equipment is contained, are labeled or marked in accordance with 40 C.F.R. 273.14(d)

### Lamps

- 273.13(d)1** Place universal waste lamps that show evidence of leakage, spillage or damage in a container that is closed, structurally sound, compatible with the contents of the lamp, and showing no evidence of leakage, spillage or damage that could cause leakage or releases of mercury or other hazardous constituents to the environment
- 273.13(d)2** Place any lamp that is broken or that shows evidence of breakage, leakage, or damage that could cause the release of hazardous constituents, into a container that is closed, structurally sound, compatible with the contents of the lamps and showing no evidence of leakage, spillage or damage that could cause leakage or releases of mercury or other hazardous constituents to the environment

- 273.14(e)** Clearly label or mark each lamp or container/package in which lamps are contained with one of the following phrases: “Universal Waste Lamp(s)”, or “Waste Lamp(s)”, or “Used Lamp(s)”

### **Accumulation Time Limits**

- 273.15(a-b)** Ensure that the accumulation of universal waste for greater than one year is done solely to facilitate the proper recovery, treatment or disposal
- 273.15(c)** Demonstrate the length of time that universal waste was accumulated

### **Training**

- 273.16** Ensure that all employees who handle or have responsibility for managing universal waste are informed on the proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility

### **Response To Releases**

- 273.17(a)** Immediately contain any releases or residues of universal waste
- 273.17(b)** Determine if any material resulting from the release of universal waste is hazardous, and to properly manage the waste in compliance with all applicable regulations

### **Off-Site Shipments**

- 273.18(a)** Send or take universal waste only to another universal waste handler, a destination facility, or a foreign destination
- 273.18(b)** Comply with 40 C.F.R. 273 Subpart D and N.J.A.C. 7:26A-7.6 when self-transporting universal waste
- 273.18(c)** Properly package, label, mark, placard or complete the proper shipping papers for shipments of universal waste which are hazardous materials
- 273.18(d)** Ensure that the receiving handler agrees to accept universal waste prior to shipment
- 273.18(e)** Receive back or agree on an alternate facility for rejected shipments of universal waste
- 273.18(f)** Reject shipments of universal waste in compliance with 40 C.F.R.273.18(f)
- 273.18(g)** Immediately notify the Department if an illegal shipment of hazardous waste that was shipped as universal waste is received

- 273.18(h)** Manage non-hazardous non-universal waste received in accordance with applicable federal, state or local solid waste regulations

### **STATE SQH REQUIREMENTS (N.J.A.C. 7:26A-7...)**

#### **Consumer Electronics**

- 7.4(b)1** Transfer any consumer electronic that shows evidence of leakage, spillage, or damage that could cause leakage is placed into a container that is closed, structurally sound, compatible with the contents of the consumer electronic, and showing no evidence of leakage, spillage, or damage that could cause leakage
- 7.4(b)2** Ensure that consumer electronics are not disassembled in a manner that constitutes processing or treatment
- 7.4(b)3** Determine if solid waste, generated as the result of performing activities listed at N.J.A.C. 7:26A-7.4(b), is hazardous
- 7.7(a)** Clearly mark individual universal waste consumer electronic devices, or accumulate them in a closed container that is clearly marked, with the words “Universal Waste-Consumer Electronics”

#### **Oil-Based Finishes**

- 7.4(c)** Manage oil-based finishes, in the original or otherwise appropriate and labeled packaging
- 7.4(c)1** Place any universal waste oil-based finish that shows evidence of leakage, spillage, or damage that could cause leakage, into a container that is closed, structurally sound, compatible with the contents of the oil-based finish, and non-leaking
- 7.4(c)2** Ensure that universal waste oil-based finishes are not handled in a manner that constitutes processing
- 7.4(c)3** Manage containers or packages containing oil-based finishes in an area equipped with a secondary containment system meeting the requirements N.J.A.C. 7:26A-7.4(c)3
- 7.7(b)** Clearly mark all containers (or multiple container package units), tanks, transport vehicles or other vessels in which oil-based waste finishes are contained, with the words “Universal Waste – Oil-Based Finish”

# SUMMARY OF LARGE QUANTITY HANDLER (LQH) UNIVERSAL WASTE REGULATIONS

## Definition

The Universal Waste (UW) regulations were developed to simplify the management standards for specific hazardous wastes that are commonly generated by a wide variety of establishments.

The Federal UW regulations are found at 40 C.F.R. 273. The following hazardous wastes are subject to the Federal Universal Waste requirements:

- Batteries as described in 40 C.F.R. 273.2
- Pesticides as described in 40 C.F.R. 273.
- Mercury-containing equipment as described in 40 C.F.R. 273.4
- Lamps as described in 40 C.F.R. 273.5

New Jersey has additional UW Regulations, which are found at N.J.A.C. 7:26A-7. The following hazardous wastes are subject to these regulations:

- Oil-based finishes as described in N.J.A.C. 7:26A-7.2(a)(1)
- Consumer electronics as described in N.J.A.C. 7:26A-7.2(a)(2)

The EPA defines a "UW Handler" as a generator of universal waste or the owner or operator of a facility that receives universal waste from other universal waste handlers, accumulates universal waste, and sends universal waste to another universal waste handler, to a destination facility, or to a foreign destination. A "Large Quantity Handler of Universal Waste" (LQH) means a UW Handler who accumulates 5,000 kilograms or more of universal waste at any time.

The **most common** LQH regulatory requirements are contained below. These requirements state that LQHs must:

## Prohibitions

- 273.31** Not dispose of universal waste, or dilute or treat universal waste
- 273.32(a)** Send a written notification to the Department, and/or to receive an EPA Identification Number prior to meeting or exceeding the 5,000-kg storage limit
- 273.32(b)** Include all information on the written notification

## Batteries

- 273.33(a)1** Place universal waste batteries that show evidence of leakage, spillage or damage that could cause leakage into a container that is closed, structurally sound, compatible with the contents of the batteries

- 273.33(a)2** Ensure that the casing of individual battery cell is not breached when conducting activities on batteries
- 273.33(a)2** Ensure that the casing of individual battery cell is not breached when conducting
- 273.33(a)3** Determine if electrolyte removed from batteries, or solid waste generated as the result of performing activities on batteries, is hazardous
- 273.34(a)** Clearly label or mark individual universal waste batteries, or containers of universal waste batteries with the words “Universal Waste Battery(ies)”, or “Waste Battery(ies)”, or “Used Battery(ies)”

### **Pesticides**

- 273.33(b)** Manage universal waste pesticides in a way that prevents releases of any universal waste or component of a universal waste to the environment.
- 273.33(b)1** Place universal waste pesticides in a container that is closed, structurally sound, compatible with the pesticide, and showing no evidence of leakage, spillage, or damage that could cause leakage
- 273.33(b)2** Overpack containers of universal waste pesticides which did not meet the requirements of 40 C.F.R. 273.33(b)1
- 273.33(b)3** Ensure that tanks used to contain universal waste pesticides meet the requirements of 40 C.F.R. Subpart J.
- 273.33(b)4** Ensure that transport vehicles or vessels used to contain universal waste pesticides are be closed, structurally sound, compatible with the pesticide, and showing no evidence of leakage, spillage, or damage that could cause leakage
- 273.34(b)** Clearly label or mark containers, tanks, transport vehicles or vessels of recalled universal waste pesticides with the label that was on or accompanied the product as sold or distributed, and the words “Universal Waste-Pesticide(s)” or “Waste-Pesticide(s)”
- 273.34(c)** Clearly label or mark containers, tanks, transport vehicles or vessels of unused universal waste pesticides with the words “Universal Waste-Pesticide(s)” or “Waste-Pesticide(s)”, and with the label that was on the product when purchased, or the appropriate label as required under the Department of Transportation regulation 49 C.F.R. part 172, or another label prescribed or designated by the waste pesticide collection program administered or recognized by the state

## Mercury Containing Equipment

- 273.33(c)1** Ensure that containers used to accumulate universal waste mercury-containing equipment are closed, structurally sound, compatible with the contents of the device, designed to prevent the escape of mercury into the environment, and showing no evidence of leakage, spillage, or damage that could cause leakage
- 273.33(c)2i** Remove mercury-containing ampules in a manner designed to prevent breakage of the ampules
- 273.33(c)2ii** Remove mercury-containing ampules only over or in a containment device
- 273.33(c)2iii** Ensure that a mercury clean-up system is available to immediately transfer any mercury, resulting from spills or leaks from broken ampules, from the containment device to a container that meets the requirements of 40 C.F.R.
- 273.33(c)2iv** Immediately transfer any mercury, resulting from spills or leaks from broken ampules, from the containment device to a container that meets the requirements of 40 C.F.R.
- 273.33(c)2v** Ensure that the area in which mercury-containing ampules are removed is well ventilated and monitored to ensure compliance with applicable OSHA permissible exposure levels for mercury
- 273.33(c)2vi** Ensure that employees removing mercury-containing ampules are thoroughly familiar with proper waste mercury handling and emergency procedures
- 273.33(c)2vii** Store mercury-containing ampules in closed, non-leaking containers that are in good condition
- 273.33(c)2viii** Pack mercury-containing ampules in containers with packing materials adequate to prevent breakage during storage, handling, and transportation
- 273.33(c)3** Ensure that the housing is immediately sealed with an airtight seal, and the requirements under 40 C.F.R. 273.13(c)2 are followed when removing the original housing holding mercury not contained in an ampule
- 273.33(c)4** Determine if the waste generated during the removal of mercury-containing ampules and housings is hazardous, and to manage the waste in compliance with all appropriate regulations
- 273.34(d)** Ensure that universal waste mercury-containing equipment, or containers in which the equipment is contained, are labeled or marked in accordance with 40 C.F.R. 273.34(d)

## Lamps

- 273.33(d)1** Place universal waste lamps that show evidence of leakage, spillage or damage in a container that is closed, structurally sound, compatible with the contents of the lamp, and showing no evidence of leakage, spillage or damage that could cause leakage or releases of mercury or other hazardous constituents to the environment
- 273.33(d)2** Place any lamp that is broken or that shows evidence of breakage, leakage, or damage that could cause the release of hazardous constituents, into a container that is closed, structurally sound, compatible with the contents of the lamps and showing no evidence of leakage, spillage or damage that could cause leakage or releases of mercury or other hazardous constituents to the environment
- 273.34(e)** Clearly label or mark each lamp or container/package in which lamps are contained with one of the following phrases: “Universal Waste Lamp(s)”, or “Waste Lamp(s)”, or “Used Lamp(s)”

## Accumulation Time Limits

- 273.35(a-b)** Ensure that the accumulation of universal waste for greater than one year is done solely to facilitate the proper recovery, treatment or disposal
- 273.35(c)** Demonstrate the length of time that universal waste was accumulated

## Training

- 273.36** Ensure that all employees who handle or have responsibility for managing universal waste are informed on the proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility

## Response to Releases

- 273.37(a)** Immediately contain any releases or residues of universal waste
- 273.37(b)** Determine if any material resulting from the release of universal waste is hazardous, and to properly manage the waste in compliance with all applicable regulations

## Off-Site Shipments

- 273.38(a)** Send or take universal waste only to another universal waste handler, a destination facility, or a foreign destination

- 273.38(b)** Comply with 40 C.F.R. 273 Subpart D and N.J.A.C. 7:26A-7.6 when self-transporting universal waste
- 273.38(c)** Properly package, label, mark, placard or complete the proper shipping papers for shipments of universal waste which are hazardous materials
- 273.38(d)** Ensure that the receiving handler agrees to accept universal waste prior to shipment
- 273.38(e)** Receive back or agree on an alternate facility for rejected shipments of universal waste
- 273.38(f)** Reject shipments of universal waste in compliance with 40 C.F.R.273.38(f)
- 273.38(g)** Immediately notify the Department if an illegal shipment of hazardous waste that was shipped as universal waste is received
- 273.38(h)** Manage non-hazardous non-universal waste received in accordance with applicable federal, state or local solid waste regulations

### **Tracking**

- 273.39(a)1** Maintain a record that includes the name and address of the originating universal waste handler or foreign shipper for each shipment of universal waste received
- 273.39(a)2** Record the quantity of each type of universal waste received
- 273.39(a)3** Record the date in which each shipment of universal waste is received
- 273.39(b)1** Record the name and address of the universal waste handler, destination facility, or foreign destination to whom universal is sent
- 273.39(b)2** Record the quantity of each type of universal waste sent off-site
- 273.39(b)3** Record the date in which each shipment of universal waste leaves the facility
- 273.39(c)** Retain required universal waste records for three years

### **Exports**

- 273.40(a)** Comply with the requirements applicable to a primary exporter when shipping universal waste to a foreign destination
- 273.40(b)** Export universal waste only upon consent of the receiving country and in conformance with the EPA Acknowledgement of Consent



**273.40(c)** Export universal waste only upon consent of the receiving country and in conformance

## **STATE LQH REQUIREMENTS (N.J.A.C. 7:26A-)**

### **Consumer Electronics**

- 7.5(b)1** Transfer any consumer electronic that shows evidence of leakage, spillage, or damage that could cause leakage is placed into a container that is closed, structurally sound, compatible with the contents of the consumer electronic, and showing no evidence of leakage, spillage, or damage that could cause leakage
- 7.5(b)2** Apply for a Class D Approval prior to conducting disassembling or processing on consumer electronics
- 7.7(a)** Clearly mark individual universal waste consumer electronic devices, or accumulate them in a closed container that is clearly marked, with the words “Universal Waste-Consumer Electronics”

### **Oil-Based Finishes**

- 7.5(c)1** Manage universal waste finishes in the original packaging, in a way that prevents releases of any universal waste or component of a universal waste to the environment
- 7.5(c)2** Place any universal waste finish that shows evidence of leakage, spillage, or damage that could cause leakage into a container that is closed, structurally sound, compatible with the contents of the universal waste finish, and showing no evidence of leakage, spillage, or damage that could cause leakage
- 7.5(c)3** Apply for a Class D Approval prior to conducting disassembling or processing activities on universal waste finishes
- 7.5(c)4** Manage containers or packages containing oil-based finishes in an area equipped with a secondary containment system meeting the requirements of N.J.A.C. 7:26A-7.5(c)4
- 7.5(c)5** Repackage oil-based finishes in a manner that is compliant with N.J.A.C.7:26A-7.5(c)5
- 7.5(d)** Submit a report to the Department documenting the types and amounts of universal wastes which were received, stored and shipped in the preceding calendar year
- 7.7(b)** Clearly mark all containers (or multiple container package units), tanks, transport vehicles or other vessels in which oil-based waste finishes are contained, with the words “Universal Waste – Oil-Based Finish”

# SAMPLE - WEEKLY CONTAINER STORAGE AREA INSPECTION LOG

ITEM/WEEK	WEEK OF _____	WEEK OF _____ OF	WEEK OF _____	WEEK OF _____	WEEK OF _____
Containers in good condition, not leaking?					
Containers closed when not in use?					
Containers properly marked?					
Container markings visible?					
Containers stored longer than allowed?					
Containers segregated by waste type?					
Ignitable or reactive waste stored >50' from property line?					
Adequate aisle space?					
Spill control, communication, safety, & fire equipment present?					
Name, date, and time of person performing inspection					
Corrective action taken (Use separate sheet as necessary)					

**SAMPLE - TSDF SIGNED MANIFEST TRACKING LOG**

<b>MANIFEST NUMBER</b>	<b>TSDF TO WHICH WASTE WAS SHIPPED</b>	<b>DATE SHIPPED</b>	<b>DATE DUE (35 DAYS)</b>	<b>DATE RECEIVED</b>

## **FINDING A WASTE FACILITY OR TRANSPORTER**

Open the links below to find lists of facilities that are authorized to accept various types of waste. These lists are for general information and should not be considered a recommendation of any facility.

### **Hazardous Waste**

Hazardous Waste can only be shipped to a permitted Treatment, Storage and Disposal Facility (TSDF). To find a list of authorized New Jersey TSDFs open: <https://www.state.nj.us/dep/dshw/hwtf/anjhwhf.htm>

### **Class A Recyclable Materials**

These are source separated non-putrescible recyclable materials specifically excluded from Department approval prior to receipt, storage, processing or transfer at a recycling center. Class A Recyclable Materials currently include source separated non-putrescible metal, glass, paper, plastic containers, and corrugated and other cardboard. To find a list of Class A Recycling Centers open:

<https://www.state.nj.us/dep/dshw/recycling/classa.pdf>

### **Class B Recyclable Materials**

These are source separated recyclable materials, which are subject to Department approval prior to receipt, storage, processing or transfer at a recycling center. Class B Recyclable Materials include, but are not limited to, the following:

1. Source separated, non-putrescible, waste concrete, asphalt, brick, block, asphalt-based roofing scrap and woodwaste
2. Source separated, non-putrescible, waste materials other than metal, glass, paper, plastic containers, corrugated and other cardboard resulting from construction, remodeling, repair and demolition operations on houses, commercial buildings, pavements and other structures
3. Source separated whole trees, tree trunks, tree parts, tree stumps, brush and leaves provided they are not composted
4. Source separated scrap tires
5. Source separated petroleum contaminated soil

To find a list of Class B Recycling Centers open: <https://www.state.nj.us/dep/dshw/lrm/classb.htm>

### **Class C Recyclable Materials**

These are source separated compostable materials, which are subject to Department approval prior to the receipt, storage, processing or transfer at a recycling center. Class C Recyclable Materials include, but are not limited to, organic materials such as:

1. Source separated food waste
2. Source separated biodegradable plastic
3. Source separated yard trimmings, including any biodegradable paper bags in which the yard trimmings are collected
4. Source separated biomass
5. Lakeweed generated from the cleaning of aquatic flora from freshwater lakes.

To find a list of Class C Recycling Centers open: <https://www.state.nj.us/dep/dshw/rntp/classcfc.htm>

### **Class D Recyclable Materials**

These are source separated recyclable materials, which are subject to Department approval prior to receipt, storage, processing or transfer at a recycling center. Class D Recyclable Materials include, but are not limited to, the following:

1. Used oil, as defined in N.J.A.C 7:26A and which includes, but is not limited to, the following:
  - i. Used lubricant oil
  - ii. Used coolant oil (non-contact heat transfer fluids);
  - iii. Used emulsion oil; and
- iv. Any other synthetic oil or oil refined from crude oil, which has been used, and is contaminated by physical or chemical impurities
2. Antifreeze
3. Latex paints
4. Lamps (light bulbs);
5. Oil-based finishes;
6. Batteries;
7. Mercury-containing equipment; and
8. Consumer electronics.

To find a list of Class D Recycling Centers open: <https://www.state.nj.us/dep/dshw/rntp/usedoil.htm>

### **Transporters**

Current list of A-901 Licensed transporters and brokers are available through DEP DataMiner accessed at <https://www13.state.nj.us/DataMiner> Click **Search by Category**, select **Vehicle Registration (2009 Forward)** and click Submit. The reports are titled **Transporters - A-901 Licensed - Hazardous Waste** and **NJDEP Approved Waste Brokers**.

### **Recycling Markets Directory**

In addition to the information above, the DEP offers the “Recycling Markets Directory” at its WebPage. This directory includes a list of carpet recycling centers, scrap tire facilities and county used oil drop-off facilities just to name a few. To find the list open:

[https://www.state.nj.us/dep/dshw/recycling/recymkts\\_directory.htm](https://www.state.nj.us/dep/dshw/recycling/recymkts_directory.htm)

## **Data Miner**

Generators are responsible for their waste from cradle to grave, so it behooves them to make certain that any facility they use is handling waste properly. One place to obtain information about facilities is through the DEP Data Miner database. Data Miner enables the user to access inspection reports generated by DEP inspectors as well as any Notice of Violation or subsequent enforcement action that may have been generated as the result of an inspection. To access Data Miner open: <https://www13.state.nj.us/DataMiner>