



Department of  
Environmental  
Conservation

# Managing Your Hazardous Waste

## A GUIDE FOR SMALL BUSINESSES IN NEW YORK

FOR REGULATIONS EFFECTIVE APRIL 2020

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# Table of Contents

<b>Introduction</b> .....	<b>4</b>
<b>Determining Whether Hazardous Waste Regulations Apply to You</b> .....	<b>5</b>
Defining Hazardous Waste .....	5
Finding Your Generator Category .....	6
• Table 1: Typical Hazardous Waste Generated by Small Businesses .....	7
<b>What Hazardous Waste Do You Count to Determine Your Generator Category?</b> .....	<b>8</b>
DO Count... ..	8
DO NOT Count.....	8
Exemptions, Exclusions, and C7 Notifications .....	9
• Table 2: Common Exemptions and Exclusions.....	9
<b>Universal Wastes</b> .....	<b>10</b>
<b>Used Oil</b> .....	<b>11</b>
Used Oil Handlers .....	11
Storage .....	12
Oil Leaks and Spills.....	12
Prohibitions.....	13
<b>Summary of Requirements for Conditionally Exempt Small Quantity Generators</b> .....	<b>13</b>
<b>Summary of Requirements for Small Quantity Generators</b> .....	<b>14</b>
Obtaining an EPA Identification Number.....	14
Managing Hazardous Waste On-Site.....	15
• Accumulating Your Waste .....	15
• Treating Your Waste to Meet the Land Disposal Restrictions.....	15
• Preventing Accidents.....	17
• Responding to Emergencies .....	17
Worksheet 1: Emergency Response Information .....	18
Worksheet 2: Emergency Response Procedures .....	19
Shipping Waste Off-Site .....	20
• Choosing a Treatment, Storage, and Disposal Facility .....	20
Preparing Waste Shipments .....	20
Preparing Hazardous Waste Manifests.....	20
Land Disposal Restriction Reporting Requirements .....	21
Export Notification .....	21
Closure .....	21
<b>Choosing a Transporter, TSDF/Recycler, or Waste Management Company</b> .....	<b>24</b>
<b>Summary of Requirements for Large Quantity Generators</b> .....	<b>25</b>
• Table 3: Large Quantity Generator Requirements Summary.....	25
<b>Where to Get More Help</b> .....	<b>26</b>
DEC Resources.....	26
EPA Resources .....	26

- U.S. Environmental Protection Agency ..... 27
- Other Federal Resource Centers ..... 28
- U.S. Department of Transportation ..... 28
- Worksheet 3: SQG Facility Checklist ..... 28

**Abbreviations and Definitions ..... 29**

**Table 4: Generator Requirements ..... 33**

**CESQG Best Management Practices ..... 34**

# Introduction

Does your business generate hazardous waste? Many small businesses do. If you need help understanding which state hazardous waste management regulations apply to your business, this handbook is for you. It has been prepared by the United States Environmental Protection Agency (EPA) and customized by the New York State Department of Environmental Conservation (DEC) to help small business owners and operators understand how best to comply with the New York hazardous waste management regulations.

Words or phrases that appear in **bold blue text** throughout this guide are defined in the “abbreviations and definitions” section, starting on page 29.

This handbook provides an overview of the regulations to give you a basic understanding of your responsibilities when generating and managing hazardous waste (HW). It should not be used as a substitute for the actual requirements. The New York State hazardous waste regulations are located in Title 6 of the **New York State Codes, Rules and Regulations (NYCRR)** Parts 370 to 374 and 376 ([govt.westlaw.com](http://govt.westlaw.com)). If you need assistance understanding the regulations, you can contact the DEC Division of Materials Management. For DEC contact information, visit [www.dec.ny.gov/about/556.html](http://www.dec.ny.gov/about/556.html) or see the contact table on page 26.

**DEC defines three categories of hazardous waste generators based upon the quantity of hazardous waste they generate per calendar month (see generator table on page 33):**

- 1. Conditionally exempt small quantity generators (CESQGs)** – generate less than or equal to 100 kilograms (kg) or 220 pounds (lb) of non-acute hazardous waste, **and** less than or equal to 1 kg (2.2 lb) of acute hazardous waste, **and** less than or equal to 100 kg (220 lb) of residue from cleanup of acute hazardous waste per calendar month. CESQGs may accumulate up to 1,000 kg (2,200 lb) of hazardous waste and up to 1 kg (2.2 lb) of acute hazardous waste on-site at any one time. Accumulation of greater quantities of hazardous waste will increase a generator's category.
- 2. Small quantity generators (SQGs)** – generate between 100 and 1,000 kg (220 and 2,200 lb) non-acute hazardous waste, **and** less than or equal to 1 kg (2.2 lb) of acute hazardous waste, **and** less than or equal to 100 kg (220 lb) of residue from cleanup of acute hazardous waste per calendar month. SQGs may accumulate up to 6,000 kg (13,200 lb) of hazardous waste and up to 1 kg (2.2 lb) of acute hazardous waste on-site for up to 180 days from the accumulation start date.
- 3. Large quantity generators (LQGs)** – generate more than 1,000 kg (2,200 lb) non-acute hazardous waste per month, **or** more than 1 kg (2.2 lb) of acute hazardous waste, **or** more than 100 kg (220 lb) of residue from cleanup of acute hazardous waste per calendar month. There is no limit to the amount of non-acute and acute hazardous waste that an LQG may have on-site; however, they may only accumulate hazardous waste on-site for up to 90 days from the accumulation start date. Any generator who accumulates more than 1 kg (2.2 lb) of acute hazardous waste at any time is also an LQG.

Each category of generator must comply with the hazardous waste rules specific to that category. This handbook is intended primarily to help SQGs and CESQGs (businesses that generate a small quantities of hazardous waste) learn about the regulations that apply to them.

This handbook only explains the New York State requirements for hazardous waste management. As an **implementing agency**, DEC is authorized by the EPA to administer the Resource Conservation and Recovery Act (RCRA) program in lieu of the EPA. The RCRA Subtitle C regulations address the management of hazardous wastes.

The New York State hazardous waste regulations are largely based on the federal hazardous waste regulations. Most of the New York State hazardous waste regulations follow the federal requirements and definitions, but New York does have some more stringent requirements. If you are operating in New York, you must comply with these more stringent regulations.

Some generators hire a waste management company to address all hazardous waste management obligations. Remember, even if working with an outside firm, you are ultimately responsible and liable for the proper management of your hazardous waste throughout its life cycle from cradle to grave (i.e., from the point that the waste is created to the point that it is no longer hazardous, is made into a new product, or is properly disposed).

## Determining Whether Hazardous Waste Regulations Apply to You

New York State hazardous waste management regulations apply to most businesses and institutions that generate hazardous waste. To determine if these regulations apply to your business, you must first determine if you generate hazardous waste.

### First Steps

- Determine if you generate hazardous waste.
- Count the amount of hazardous waste that you produce per month.
- Determine your generator category to learn the requirements that apply to you.

## Defining Hazardous Waste

A waste is any solid, liquid, or contained gaseous material that is discarded by being disposed of, burned or incinerated, or **recycled**. (There are some exceptions for recycled materials.) A waste can be the **byproduct** of a manufacturing process or simply a commercial product that you use in your business—such as a cleaning fluid or battery acid—that is being disposed of. Even materials that are recyclable or can be **reused** in some way (such as solvents that are sent for reclamation) may be considered waste. Hazardous waste can be one of two types:

- **Listed wastes:** Your waste is considered hazardous if it appears on one of five lists in state regulation 6 NYCRR 371.4. Currently, more than 500 wastes are listed using a four-character code of one letter and three numbers. Wastes are listed as hazardous because they are known to be harmful to human health and the environment when not managed properly. Some common listed hazardous wastes are spent solvents (F001–F005) and sludge from the treatment of electroplating wastewaters (F006). Even when managed properly, some listed wastes are so dangerous that they can be fatal to humans even in low doses; these are called **acute hazardous wastes**. Examples of acute hazardous wastes include nicotine (e.g., vaping liquids), certain industrial chemicals (e.g., cyanides), and certain discarded pesticides. New York also regulates wastes containing polychlorinated biphenyls (PCBs) in concentrations of 50 parts per million (ppm) or greater as hazardous wastes.

- **Characteristic wastes:** Your waste might also be considered hazardous if it exhibits one or more of the following characteristics found in 6 NYCRR 371.3 (Note: even if your waste is listed, you must also determine if it is a characteristic waste as well):
  - It catches fire under certain conditions (e.g., has a flashpoint less than 60°C [140°F]). This is known as an **ignitable waste**. Examples are certain paints, degreasers, and solvents;
  - It corrodes metals or has a very high or low pH. This is known as a **corrosive waste**. Examples are rust removers, acidic or alkaline cleaning fluids, and battery acid;
  - It is unstable and explodes or produces toxic fumes, gases, and vapors when mixed with water, or it explodes under other conditions such as heat or pressure. This is known as a **reactive waste**. Examples are certain cyanides or sulfide-bearing wastes; or
  - It is harmful or fatal when ingested or absorbed, or it leaches toxic chemicals into the soil or ground water when disposed of on land. This is known as a **toxic waste**. Examples are wastes that contain heavy metals, such as cadmium, lead, or mercury.
- You can determine if your waste is toxic by having it tested using the **Toxicity Characteristic Leaching Procedure (TCLP)**, or by simply knowing that your waste is hazardous or that your processes generate hazardous waste. For more information about the TCLP and other test methods, see [www.epa.gov/hw-sw846](http://www.epa.gov/hw-sw846).

## Identifying Your Waste

To help you identify some of the waste streams common to your business, the table on page 7 provides a list of typical hazardous wastes generated by small businesses.

**Commercial chemical products (CCP)** that are discarded might also become hazardous waste. For a complete listing of these hazardous wastes, see 6 NYCRR 371.4(d) (P- and U-waste codes).

If your waste is hazardous, you will need to manage it according to appropriate federal or state regulations. When in doubt about whether a waste is hazardous, it is always allowable to manage it as hazardous waste.

## Finding Your Generator Category

Once you know that you generate hazardous waste, you need to count the amount of it you produce per calendar month. This amount determines your generator category. Note: you **cannot** average your generation over a period of months to determine your category.

Many hazardous wastes are liquids and are measured in gallons, so you will need to convert gallons to kilograms or pounds to count those wastes. To do this, you must know the liquid's density. A rough guide is that 26 gallons (about half of a 55-gallon drum) of waste with a density similar to water weighs about 100 kg (220 lb); 264 gallons of a waste with a density similar to water weighs about 1,000 kg (2,200 lb).

**DEC has established three generator categories, each of which is regulated differently:**

- **CESQGs (Conditionally Exempt Small Quantity Generators):** These generators must comply with the basic requirements described on page 13 and in the Generator Requirements Table on page 33.
- **SQGs (Small Quantity Generators):** These generators must comply with the requirements described on page 14 and in the Generator Requirements Table on page 33.
- **LQGs (Large Quantity Generators):** These generators must comply with the requirements described on page 25 and in the Generator Requirements Table on page 33.

## Tip

One way to help determine if your waste has any of the characteristics listed on page 6 is to check **Safety Data Sheets (SDSs)**, which come with all products containing hazardous materials (see [www.msdsonline.com](http://www.msdsonline.com) for information). Keep in mind that SDS reporting does not require manufacturers to report chemicals that are present in a material in concentrations of less than 10,000 ppm, which is much higher than some of the regulatory limits. Also, characteristics of a material can change depending upon the process that it is used in, so SDSs can be used as supplemental information, but may not result in an accurate waste determination. In addition, your national trade association or its local chapter might be able to help you with wastes commonly generated in your industry.

Table 1: Typical Hazardous Waste Generated by Small Businesses

Type of Business	How Generated	Typical Wastes	Waste Codes
<b>Dry cleaning</b>	Commercial dry cleaning processes	Distillation residues, spent filter cartridges, cooked powder residues, spent solvents, unused perchloroethylene	D001, D039, F002, F005, U210
<b>Furniture manufacturing and refinishing</b>	Construction and surface preparation; staining and painting, finishing; brush and spray brush cleaning	Ignitable wastes, toxic wastes, solvent wastes, paint wastes	D001–D003, D007, D008, D035, D040, F001–F003, F005, U002, U080, U159, U161, U220, U223, U239
<b>Construction, demolition, and renovation</b>	Land-clearing, wrecking, and demolition; heavy construction; carpentry and floorwork; paint preparation and painting; specialty contracting activities	Ignitable wastes, toxic wastes, solvent wastes, paint wastes, used oil, acids/bases	D001, D002, D004, D006–D009, D018, D021, D023–D026, D034, D035, D037, D040, F001–F003, F005, U002, U037, U080, U131, U159, U161, U220, U239
<b>Laboratories</b>	Diagnostic and other laboratory testing	Spent solvents, unused reagents, reaction products, testing samples, contaminated materials	D001, D002, D003, F001–F005, U211
<b>Vehicle maintenance</b>	Air conditioner maintenance; body repair and refinishing; car washing; battery and oil/fluids replacement; rustproofing, painting, and paint removal; parts washing and degreasing; radiator repair; product storage and storage tank cleaning; shop cleanup	Acids/bases, solvents, ignitable wastes, toxic wastes, paint wastes, spent rags and wipes, batteries, used oil, oil filters, unused cleaning chemicals, airbag inflators	D001, D002, D003, D006–D008, D018, D035, D040, F001–F002, F005, U002, U075, U080, U134, U154, U159, U161, U220, U228, U239
<b>Printing</b>	Using ink in lithography, letterpress, screen printing, flexography, and gravure; plate processing; cleaning printing equipment; developing negatives and prints; printing processes	Acids/bases, heavy metal wastes, spent organic solvents, toxic wastes, waste and unused ink, unused chemicals	D001, D002, D005–D007, D008, D011, D018, D019, D021, D035, D039, D040, D043, F001–F005, U002, U019, U043, U055, U056, U069, U080, U112, U122, U154, U159, U161, U210, U211, U220, U223, U226, U228, U239, U259, U359
<b>Equipment repair</b>	Degreasing, equipment cleaning, rust removal, paint preparation, painting, paint removal, spray booth, spray guns, and brush cleaning	Acids/bases, toxic wastes, ignitable wastes, paint wastes, solvents	D001, D002, D006, D008, F001–F005
<b>Pesticide end users/application services</b>	Pesticide application and cleanup	Used/unused pesticides, solvent wastes, ignitable wastes, contaminated soil (from spills), contaminated rinse water, empty <b>containers</b>	D001, F001–F005, U129, U136, P094, P123
<b>Educational and vocational shops</b>	Automobile engine and body repair, metalworking, graphic arts-plate preparation, woodworking	Ignitable wastes, solvent wastes, acids/bases, paint wastes	D001, D002, F001–F005
<b>Photo processing</b>	Processing and developing negatives/prints, washing, stabilizing; system cleaning	Acid regenerants, dichromate-based and system cleaners, photographic activators, corrosive and ignitable wastes, silver	D001, D002, D007, D011
<b>Leather manufacturing</b>	Soaking; hair removal, deliming, bating; tanning; retanning, dyeing, fatliquoring; buffing coating	Acids/bases, ignitable wastes, toxic wastes, solvent wastes, unused chemicals, wastewater, suspended solids, alcohols	D001, D002, D003, D007, D035, F001–F005

# What Hazardous Waste Do You Count to Determine Your Generator Category?

## DO Count...

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### All quantities of listed and characteristic hazardous wastes that are:

- Accumulated on the property for any period of time before disposal or recycling (Dry cleaners, for example, must count any residue removed from machines, as well as **spent** cartridge filters.);
- Packaged and transported away from your business;
- Placed directly in a regulated treatment or disposal unit at your place of business; and
- Generated as **still bottoms** or **sludges** and removed from product storage **tanks**.

## DO NOT Count...

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### Wastes that:

- Are specifically exempted from counting. Examples include lead-acid batteries that will be **reclaimed**, scrap metal that will be recycled, used oil managed under the used oil provisions of 6 NYCRR 374-2, and universal wastes (e.g., batteries, pesticides, mercury-containing equipment, lamps) managed under 6 NYCRR 374-3;
- Might be left in the bottoms of containers that have been thoroughly emptied through conventional means, such as pouring or pumping. Note that this only applies to **non-acute hazardous waste**;
- Are left as residue in the bottoms of tanks storing products, until the residue is removed from the product tank;
- Are reclaimed continuously on-site without storing before reclamation, such as dry cleaning solvents;
- Are managed in an **elementary neutralization unit**, a **totally enclosed treatment unit**, or a **wastewater treatment unit** without being stored first (see “Abbreviations and Definitions” on page 29 for an explanation of these types of units);
- Are discharged directly to **publicly owned treatment works (POTW)** without being stored or accumulated first. Such discharges to a POTW must comply with the Clean Water Act. POTWs are public utilities, usually owned by the city, county, or state, that treat industrial and domestic sewage for disposal;
- Have already been counted once during the calendar month and are treated on-site or reclaimed in some manner, then used again;
- Meet special, limited requirements for managing certain commonly generated wastes. These wastes can be managed following the less burdensome requirements referenced below instead of the usual hazardous waste requirements:
  - **Scrap metal** that is recycled – 6 NYCRR 371.1(e)(1)(xiii) or 371.1(g)(1)(iii)(b);
  - Unused **commercial chemical products** and other unwanted materials generated under the special requirements for a cleanout of an eligible academic laboratory – 6 NYCRR 372.2(e);
  - Lead-acid batteries that are reclaimed – 6 NYCRR 374-1.7;
  - Universal wastes (e.g., certain batteries, recalled and collected pesticides, mercury-containing equipment, lamps) – 6 NYCRR 374-3 (see page 10); and
  - Used oil – 6 NYCRR 374-2 (see pages 11–13).

## Exemptions, Exclusions, and C7 Notifications

Some materials and/or activities may be exempt or excluded from the hazardous waste regulations if specific conditions are met. When a generator wishes to claim that certain materials are not a solid or hazardous waste, or are exempt or conditionally exempt from regulation, because of their intent to reclaim, recycle, or reuse the material, they must notify DEC's Central Office in writing by mail, fax, or email (see page 26 for contact info) before using that exemption or exclusion. This notification, known as a "C7 Notification," must include: the names and physical addresses of the generator and receiving facility/facilities; the exemptions and exclusions that the generator is claiming and the corresponding regulatory citation, and the activity/activities and materials that the generator believes are exempt or excluded. C7 Notification forms can be found on the DEC website at: [www.dec.ny.gov/chemical/51768.html](http://www.dec.ny.gov/chemical/51768.html).

Some commonly used exemptions and exclusions can be found in the table below:

Table 2: Common Exemptions and Exclusions

Citation (NYCRR)	Description	Conditions	Commonly Used for
371.1(c)(6)	Use/reuse	Must be (a) used or reused as ingredients to make product, (b) used or reused as an effective substitute for a product, or (c) returned to the original process to be used as feedstock. Cannot be used for materials that are inherently waste-like, or sent for use constituting disposal or burning for energy. Must meet <b>speculative accumulation</b> limits.	Solvents
371.1 Table 1	Commercial chemical products being reclaimed	Only unused materials can qualify. Cannot be used for materials being reclaimed for use as fuels, unless the material itself is a fuel (e.g., gasoline)	Off-spec solvents; Unsold retail products; Fuels
371.1(e)(1)(viii)	Closed loop recycling	Only tank storage; closed process connected by pipes or similar equipment; no controlled flame combustion; must meet speculative accumulation limits; no burning for energy recovery, no land placement	
371.1(e)(1)(xiii)	Excluded scrap metal being recycled	Metals meet definitions in 371.1(a). Metals cannot contain liquids (e.g., mercury switches).	
371.1(g)(1)(iii)(b)	HW scrap metal being recycled that is not "excluded scrap metal"	Metals containing liquids (e.g., mercury switches) do not qualify.	Electronic waste/e-waste; Metal with lead-based paint; Lead bricks, shielding, wheel weights, etc.
373-1.1(d)(1)(xii)	Elementary neutralization unit/wastewater treatment unit	Units must meet the definitions in 370.2(b); comply with 373-3.2-3.4; 373-3.9; 373-3.10(k), 373-3.2(h) if diluting D001 or D003 waste to remove characteristic; mark as "HW"; mark accumulation start date	Neutralizing acids/bases; On-site treatment of hazardous wastewaters

# Universal Wastes

Universal wastes (UW) are a **subset** of hazardous wastes that are commonly generated by small businesses. The universal waste program streamlines environmental regulations for these wastes that are generated by large numbers of businesses in relatively small quantities. It is designed to reduce the amount of hazardous waste that is disposed of improperly, encourage the recycling and proper disposal of certain common hazardous wastes, and reduce the regulatory burden for businesses that generate these wastes.

Although handlers of universal wastes can meet less stringent standards for storing, transporting, and collecting these wastes, handlers must still comply with all hazardous waste requirements for final recycling, treatment, or disposal. Providing a waste management structure that removes these wastes from municipal landfills and incinerators ensures stronger safeguards for public health and the environment.

## Universal wastes include:

- **Batteries**, such as nickel-cadmium (Ni-Cd), small, sealed lead-acid batteries, and lithium-ion batteries, which are found in many common items, including electronic equipment, cell phones, portable computers, power tools, and emergency backup lighting;
- **Agricultural pesticides** that have been recalled or banned from use, are obsolete, have become damaged, or are no longer needed due to changes in cropping patterns or other factors. They often are stored for long periods in sheds or barns;
- **Mercury-containing equipment (MCE)**, including thermostats, thermometers, and other devices, which can contain as much as 3 grams of liquid mercury and are found in almost any commercial, industrial, agricultural, community, and household building<sup>1</sup>; and
- **Lamps**, which can contain mercury and sometimes lead, such as fluorescent, high-intensity discharge (HID), light-emitting diode (LED), neon, mercury vapor, high-pressure sodium, and metal halide lamps found in businesses and households.<sup>1</sup>

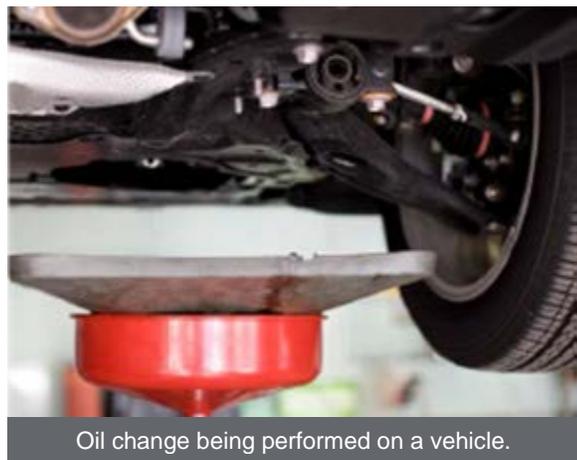
Other types of wastes can be added to the universal waste list by the EPA or authorized states. For the most current universal waste information in New York, check [www.dec.ny.gov/chemical/99942.html](http://www.dec.ny.gov/chemical/99942.html). The universal waste program also encourages communities and businesses to establish collection programs or participate in manufacturer take-back programs required by numerous states. Many large manufacturers and trade associations manage national and regional collection programs for their universal waste products. For more information, see 6 NYCRR 374-3.

<sup>1</sup>Also subject to Mercury-Added Consumer Products Law. Managing these as UW generally complies with this law.

# Used Oil

New York’s used oil management standards are a set of requirements that encourage used oil handlers to recycle used oil instead of disposing of it. Used oil can be collected, refined and recycled, and used again—for the same job or a completely different use.

**Used oil** is defined as “any oil that has been refined from crude oil or any synthetic oil that has been used and, as a result of such use, is contaminated by physical or chemical impurities.”



Oil change being performed on a vehicle.

**To meet DEC’s definition of used oil, a substance must meet each of the following criteria:**

- **Origin:** Used oil must have been refined from crude oil or made from synthetic materials. (Used animal and vegetable oils are excluded from DEC’s definition of used oil and are regulated as used cooking oil under 6 NYCRR 360);
- **Use:** Oils used as lubricants, hydraulic fluids, heat transfer fluids, buoyants, and for other similar purposes are considered used oil. Oils such as bottom cleanout waste from virgin fuel oil storage tanks or virgin fuel oil **recovered** from a spill do not meet DEC’s definition of used oil because these oils have never been used. DEC’s definition also excludes products used as cleaning agents or solely for their solvent properties, as well as certain petroleum-derived products such as antifreeze and kerosene; and
- **Contaminants:** To meet DEC’s definition, used oil must become contaminated as a result of being used. This includes residues and contaminants generated from handling, storing, and processing used oil. Physical contaminants can include dirt, metal scrapings, or sawdust. Chemical contaminants could include solvents or saltwater.

## Used Oil Handlers

**The following are types of used oil handlers:**

- **Generators** are businesses that handle used oil through commercial or industrial operations or from the maintenance of vehicles and equipment. Examples include car repair shops, service stations, government motor pools, grocery stores, metalworking industries, and boat marinas. Farmers who produce less than an average of 25 gallons of used oil per month are excluded from generator status.
  - **Retail establishment** means every vendor that sells lubricating oil at retail in quantities in excess of 1,000 gallons per year. (This does not include bulk retailers)<sup>2</sup>
  - **Service establishment** means any automobile service station, including gas-only outlets, or any other retail outlet and boat marina, that sells at least 500 gallons of lubricating oil annually and has an on-premises oil changing operation.<sup>2</sup>
- **Household DIY (do-it-yourself) used oil generator** means an individual who generates oil from their household, such as through their own maintenance of their personal vehicles. (DIYers, or individuals who generate used oil through the maintenance of their personal vehicles and equipment are not subject to regulation under the used oil management standards.)

<sup>2</sup> Generators that qualify as retail or service establishments are required by New York State law to accept up to 5 gallons per person per day of DIY used oil from the public at NO CHARGE.

- **Aggregation points** are facilities that aggregate and store used oil collected only from other used oil generation sites owned or operated by the owner or operator of the aggregation point. Used oil must be transported to the aggregation point in shipments of 55 gallons or less.
- **Collection centers** are facilities that accept small amounts of used oil (up to 55 gallons per shipment) from used oil generators and household DIYers and store it until enough is collected to ship it elsewhere for recycling.
- **Transporters** are companies that pick up used oil from all sources and deliver it to re-refiners, processors, or burners.
- **Transfer facilities** are any structures or areas where used oil is held for longer than 24 hours, but not longer than 35 days.
- **Re-refiners and processors** are facilities that blend or remove impurities from used oil so the oil can be burned for energy recovery or reused.
- **Burners** burn used oil for energy recovery in boilers, industrial furnaces, or in hazardous waste incinerators.
- **Marketers** are handlers that either (a) direct shipments of used oil to be burned as fuel in regulated devices or (b) claim that certain EPA specifications are met for used oil to be burned for energy recovery in devices that are not regulated.

Although different used oil handlers have specific requirements, the following requirements are common to all types of handlers.

## Storage

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- Label all containers and tanks as “Used Oil.”
- Keep containers and tanks in good condition. Do not allow tanks or containers to rust, leak, or deteriorate. Fix structural defects immediately. All tanks must be registered with DEC's Petroleum Bulk Storage Program.
- Never store used oil in anything other than tanks and storage containers, or units that are permitted under a Part 373 permit to store regulated hazardous waste.

## Oil Leaks and Spills

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- Take steps to prevent leaks and spills. Keep machinery, equipment, containers, and tanks in good working condition, and be careful when transferring used oil. Keep absorbent materials available at the site.
- If a leak or spill occurs, stop the oil from flowing at the source. If a leak cannot be stopped, put the oil in another holding container or tank.
- Contain spilled oil using absorbent berms or by spreading absorbent over the oil and surrounding area.
- Within two (2) hours of detecting a spill, discharge, or release of used oil, you must notify the DEC Spill Hotline at (800)457-7362, or (518)457-7362 (use if calling from out of state).
- Clean up the used oil and recycle it as you would have before it was spilled. If recycling is not possible, you must first make sure the used oil is not a hazardous waste and then dispose of it appropriately. You also must handle all used cleanup materials that contain used oil, including rags and absorbent booms, under the used oil management standards.
- Remove, repair, or replace the defective tank or container immediately.

## Prohibitions

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- Used oil cannot be managed in surface impoundments, waste piles, pits, ponds, or lagoons.
- Used oil cannot be used as a dust suppressant, for land application, or for disposal directly on the land.
- Burning off-specification used oil for energy recovery is only allowed in the following devices:
  - Used oil-fired space heaters owned by the generator, provided: the generator burns only used oil that they generate or DIY used oil received from the public (**cannot** burn used oil generated by other businesses); the heater's maximum heating capacity is no more than 0.5 million Btu per hour; and the combustion gases from the heater are vented to the outside air.
  - Industrial furnaces and boilers as identified in 6 NYCRR 370.2(b).
  - Hazardous waste incinerators subject to regulation under 6 NYCRR 373-2 and 373-3.15.
- Used oil which is recyclable or reusable must not be disposed of through the use of absorbent materials, other than for purposes of spill cleanup.

Used oil requirements are detailed in 6 NYCRR 374-2. For more information, see the regulations or [www.dec.ny.gov/chemical/8786.html](http://www.dec.ny.gov/chemical/8786.html).

## Summary of Requirements for Conditionally Exempt Small Quantity Generators

If you generate no more than 100 kg (220 lb) of hazardous waste per month, you are a CESQG. You must comply with three basic waste management requirements to remain exempt from the full hazardous waste regulations that apply to generators of larger quantities (SQGs and LQGs). Note that there are different quantity limits for acute hazardous waste (see generator table on page 33).

**First, you must identify all hazardous waste that you generate. Second, you may not store more than 1,000 kg (2,200 lb) of hazardous waste on-site at any time. Finally, you must ensure delivery of your hazardous waste to an off-site treatment or disposal facility that is one of the following<sup>3</sup>:**

- A state or federally regulated hazardous waste management **treatment, storage, or disposal facility (TSDF)**;
- A facility permitted, licensed, or registered by a state to manage municipal or industrial solid waste. (Note: New York State does not allow most solid municipal or industrial solid waste facilities to accept hazardous waste, but other states may allow this activity.);
- A facility that uses, reuses, or legitimately recycles the waste (or treats the waste prior to use, reuse, or recycling); or
- A universal waste handler or destination facility subject to the universal waste requirements of 6 NYCRR 374-3. (Universal wastes are wastes such as batteries, recalled and collected pesticides, mercury-containing equipment, or lamps.)

CESQGs must ensure delivery of their waste by transporting their wastes themselves or by using a transporter that has a Part 364 waste transporter permit.

<sup>3</sup> If you want to treat or dispose of your hazardous waste on-site, your facility also must be one of the facilities in this same list.

## Tip

It's a good idea to call the appropriate implementing agency in the state where the TSDf is located to verify that the TSDf you have selected has the necessary permits to accept your hazardous waste and fits into one of the above categories. (It's a good idea to document such calls for your records.) SQGs and LQGs are required to get written confirmation from TSDfs that the TSDf can accept their waste. While this is optional for CESQGs, you could also request this information from TSDfs for your records.

DEC encourages the use of best management practices to enhance worker safety and waste handling habits at your site, see pages 34.

# Summary of Requirements for Small Quantity Generators

If your business generates between 100 and 1,000 kg (220 and 2,200 lb) of hazardous waste per month, you are an SQG and must obtain and use an EPA identification (ID) number. These 12-character ID numbers are used by the EPA and the states to monitor and track hazardous waste activities. You will need to use your EPA identification number when you send waste off-site to be managed.

## Obtaining an EPA Identification Number

**DEC does NOT issue EPA ID numbers. To obtain an EPA ID number, you should:**

- Contact the EPA Region 2 Office and ask for a copy of EPA Form 8700-12, "RCRA Subtitle C Site Identification Form" (Site ID form) or download the form and instructions at: [www.epa.gov/hwgenerators/how-hazardous-waste-generators-transporters-and-treatment-storage-and-disposal](http://www.epa.gov/hwgenerators/how-hazardous-waste-generators-transporters-and-treatment-storage-and-disposal). The EPA Region 2 Office phone number is (212)637-4106. A sample excerpt of two pages from a completed Site ID form is shown on pages 22–23.
- Fill in the Site ID form as shown in the example. To complete Item 10.B, you will need to identify your hazardous waste by its EPA Hazardous Waste Code. (For a complete list of waste codes, consult 6 NYCRR 371 or contact DEC.) Complete one copy of the form for each business site where you generate or handle hazardous waste. Each site will receive its own EPA identification number. Make sure you sign the certification in Item 19 of the Site ID form.

**Submit the completed form to the EPA Region 2 Office at:**

**USEPA Region 2 LCRD-LRPB  
290 Broadway, 25th floor  
New York, NY 10007-1866  
Attn: RCRA Notifications**

## Electronic Reporting Options Available

There is also an electronic submittal option available for the 8700-12/Site ID form through the MyRCRAID module of RCRAInfo ([rcrainfo.epa.gov/rcrainfoprod](http://rcrainfo.epa.gov/rcrainfoprod)).

Please contact the EPA Region 2 Office at (212)637-4106 for help with the application.

The EPA records the information on the form and assigns an EPA ID number to the site identified on your form. The EPA ID number stays with the property when ownership changes. If you move your business, you must notify the EPA of your new location and submit a new form. If another business previously handled hazardous waste at the location you're

moving to and obtained an EPA ID number, you will be assigned that same number after you have notified the EPA that you have moved. Otherwise, the EPA will assign you a new ID number. If the waste streams you generate change or you become an LQG, you should submit a revised form for your site.

## Managing Hazardous Waste On-Site

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Most small businesses accumulate some hazardous waste on-site for a short period of time and then ship it off-site to a TSDF.

### Summary of Management Requirements

- Accumulate wastes according to limits established by DEC for SQGs.
- Follow the storage and handling procedures required by DEC for SQGs.
- Follow DEC requirements for equipment testing and maintenance, access to communications or alarms, aisle space, and emergency arrangements with local authorities.

### Accumulating Your Waste

Accumulating hazardous waste on-site can pose a threat to human health and the environment, so you may keep it only for a short time without a RCRA hazardous waste permit. Before shipping the waste for disposal or recycling, you are responsible for its safe management, which includes safe storage, appropriate labeling, safe treatment, preventing accidents, and responding to emergencies in accordance with New York State regulations.

SQGs can accumulate no more than 6,000 kg (13,200 lb) of hazardous waste on-site for up to 180 days without a permit. You can accumulate this amount of waste for up to 270 days if you are having it transported more than 200 miles away for recovery, treatment, or disposal. Limited extensions may be granted by DEC in extenuating circumstances. If you exceed these limits, you are considered a TSDF and must obtain an operating permit. Wastes generated in small amounts throughout your facility may be stored in satellite accumulation areas at or near the point of generation of the waste. Containers in satellite accumulation areas must be kept closed most of the time and be marked with the words “Hazardous Waste” and other words to identify the contents of the container.

The total amount of waste that may be accumulated at a satellite accumulation area (SAA) is limited to 55 gallons. Once this quantity has been exceeded, you have three calendar days to transfer the waste to your **designated central accumulation area (CAA)** (sometimes referred to as your “180-day [or 270-day] storage area”).

**Note:** Different and significantly smaller quantity limits apply to acute hazardous wastes.

SQGs must accumulate waste in tanks or containers, like 55-gallon drums. Your storage tanks and containers must be managed according to DEC requirements summarized on page 16.

### Sole Source Aquifer Requirements

SQGs that store 185 gallons of liquid hazardous waste or more and are located over a **sole source aquifer (SSA)** must have secondary containment. See the definitions on page 29 for areas designated as sole source aquifers in New York.

### Treating Your Waste to Meet the Land Disposal Restrictions

Most hazardous wastes may not be land disposed unless they meet “treatment standards.” The **Land Disposal Restrictions (LDR)** program requires that the waste be either (a) treated to reduce the hazardous constituents to levels set by DEC, or (b) treated using a specific technology. It is your responsibility to ensure that your waste meets LDR treatment standards before it is land disposed (see page 21 for a description of required LDR notices). Most SQGs typically have a TSDF treat their waste. If you choose to treat your waste yourself to meet LDR treatment standards, there



## Preventing Accidents

Whenever you store hazardous waste on-site, you must minimize the potential risks from fires, explosions, or other accidents.

**Any SQG that stores hazardous waste on-site must have all of the following, unless their wastes do not require a particular protection<sup>4</sup>:**

- An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to all personnel;
- A device, such as a telephone (immediately available at the scene of operations) or a handheld, two-way radio, capable of summoning emergency assistance from local police and fire departments or emergency response teams;
- Portable fire extinguishers, fire-control devices (including special extinguishing equipment using foam, inert gas, or dry chemicals), spill-control materials, and decontamination supplies; and
- Water at adequate volume and pressure to supply water hose streams, foam-producing equipment, automatic sprinklers, or water spray systems.

You must test and maintain all equipment to ensure proper operation. Allow enough aisle space for the unobstructed movement of personnel, fire protection equipment, spill-control equipment, and decontamination equipment to any area of facility operation. Attempt to secure arrangements with fire departments, police, emergency response teams, equipment suppliers, and local hospitals, as appropriate, to provide emergency services. Ensure that personnel handling hazardous waste have immediate access to an alarm or emergency communications device.

You are not required to have a formal personnel training program, but you must ensure that employees handling hazardous waste are familiar with proper handling and emergency procedures. In addition, you must have an emergency coordinator on the premises or on call at all times and have basic facility safety information readily accessible.

### Tip

It's good practice never to mix wastes. Mixing wastes can create an unsafe work environment and potentially result in more costly disposal.

<sup>4</sup> For example, if you do not generate hazardous waste that could pose a risk of fire you may not be required by the hazardous waste regulations to have fire control equipment.

## Responding to Emergencies

Although DEC does not require SQGs to have written contingency plans, you should be prepared for an emergency at your facility. You should also be prepared to answer a set of "What if" questions; for example: "What if there is a fire in the area where hazardous waste is stored?" or "What if I spill hazardous waste, or one of my hazardous waste containers leaks?" In case of a fire, explosion, or toxic release, having such a plan provides an organized and coordinated course of action. SQGs should establish and adhere to basic safety guidelines and have up-to-date response procedures to follow in the event of an emergency. In the event of a spill, call the DEC Spill Hotline at (800)457-7362.

Worksheets 1 and 2 (on page 18-19) can help you set up these procedures. The information on Worksheet 1 must be posted near your phone. You must ensure that employees are familiar with these procedures.

**IF YOU THINK YOU HAVE AN EMERGENCY, IMMEDIATELY CALL 911, THE NATIONAL RESPONSE CENTER AT (800)424-8802, AND DEC AT (800)457-7362**

In the event of a fire, explosion, or other release of hazardous waste that could threaten human health outside the facility, or if you think that a spill has reached surface water, call the U.S. Coast Guard's (USCG) National Response Center to report the emergency. The Response Center will evaluate the situation and help you make appropriate emergency decisions. You may find that the problem you faced was not a true emergency, but it is better to call if you are not sure. Serious penalties exist for failing to report emergencies or releases of hazardous wastes.

It is recommended that you also have a direct number for your local fire department on hand, in the event that 911 is not operational.

## Worksheet 1: Emergency Response Information

*Fill in and post this information next to your telephone.*

<b>EMERGENCY RESPONSE INFORMATION</b>	
<b>Emergency Coordinator</b> Name: _____ _____ Telephone: _____ _____ Our Company Name: _____ _____ Our Address: _____ _____ Our EPA ID number: _____ _____	<b>Fire Extinguisher</b> Location(s): _____ _____ _____ <b>Spill-Control Materials</b> Location(s): _____ _____ _____ <b>Fire Alarm (if present)</b> Location(s): _____ _____ _____ <b>Fire Department</b> Telephone: _____

## Worksheet 2: Emergency Response Procedures

While not required, it is a good idea to post this information next to your telephone so it is easily accessible and employees will know what to report during an emergency. Make sure all of your employees are familiar with this information.

### EMERGENCY RESPONSE PROCEDURES

**In the event of a spill:**

Contain the flow of hazardous waste to the extent possible, and as soon as possible, clean up the hazardous waste and any contaminated materials or soil.

Our Company Name: \_\_\_\_\_  
\_\_\_\_\_

Our Address: \_\_\_\_\_  
\_\_\_\_\_

**In the event of a fire:**

Call the fire department and, if safe, attempt to extinguish the fire using a fire extinguisher.

Our EPA ID number: \_\_\_\_\_

Date of accident: \_\_\_\_\_

**In the event of a fire, explosion, or other release that could threaten human health outside of the facility, or if you know that the spill has reached surface water:**

Call the National Response Center at its 24-hour number ((800)424-8802) and the DEC Spill Hotline ((800)457-7362).

Time of accident: \_\_\_\_\_

Type of accident (e.g., spill or fire): \_\_\_\_\_

Quantity of hazardous waste involved: \_\_\_\_\_

Extent of injuries, if any: \_\_\_\_\_

**Provide the information in the next column:**

Estimated quantity and disposition of recovered materials, if any:  
\_\_\_\_\_

### Waste Minimization: The Key to Better Waste Management

The easiest, most cost-effective way to manage any waste is not to generate it in the first place. You can decrease the amount of hazardous waste your business produces by developing a few “good housekeeping” habits. Good housekeeping procedures generally save businesses money, and they prevent accidents and waste. To help reduce the amount of waste you generate, try the following practices at your business:

- **Do not mix wastes.** Do not mix non-hazardous waste with hazardous waste. Once you mix any material with a listed hazardous waste, the entire mixture becomes hazardous waste. Mixing waste can also make recycling very difficult, if not impossible. A typical example of mixing wastes would be putting non-hazardous cleaning agents in a container of used hazardous solvents;
- **Change materials, processes, or both.** Businesses can save money and increase efficiency by replacing a material or process with another that produces less waste. For example, you could use plastic blast media for paint stripping of metal parts rather than conventional solvent stripping. In addition, some companies have taken waste minimization actions such as using fewer solvents to do the same job, using solvents that are less toxic, or switching to a detergent solution;
- **Recycle and reuse manufacturing materials.** Many companies routinely put useful components back into productive use rather than disposing of them. Items such as oil, solvents, acids, and metals are commonly recycled and used again;
- **Safely store hazardous products and containers.** You can avoid creating more hazardous waste by preventing spills or leaks. Store hazardous products and waste containers in secure areas and inspect them often for leaks. When leaks or spills occur, materials used to clean them up also become hazardous waste; and make a good faith effort. SQGs do not have to document their waste minimization activities or create a waste minimization plan. You do, however, need to certify on your manifests that you have made a good faith effort to minimize waste generation when you send your waste off-site.

## Shipping Waste Off-Site

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When shipping waste off-site, SQGs must follow certain procedures to ensure safe transport and proper management of the waste.

### Choosing a Treatment, Storage, and Disposal Facility

SQGs may only send their waste to regulated TSDFs and/or recyclers and must communicate with the facility to ensure that it can accept their hazardous waste. Most regulated TSDFs and recyclers will have permits from their state or EPA. Some, however, may operate under other regulations that do not require a permit. Check with the appropriate state authorities to be sure the facility you choose has any necessary permits. If the TSDF is located in New York, you can call the DEC at (518)402-8652, or email [info.SQG@dec.ny.gov](mailto:info.SQG@dec.ny.gov), to inquire about hazardous waste permits. All TSDFs and recyclers must have EPA identification numbers. Ensuring the good standing of the destination facility is important because hazardous waste generators can retain liability for waste mismanaged at a TSDF under RCRA (the Resource Conservation and Recovery Act) and Superfund (the Comprehensive Emergency Response, Compensation, and Liability Act, or CERCLA).

### Preparing Waste Shipments

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SQGs must properly package, label, and mark all hazardous waste shipments, and placard the vehicles in which these wastes are shipped following U.S. **Department of Transportation (DOT)** regulations. Most small businesses use a commercial transporter to ship hazardous waste. These transporters can advise you on specific requirements for placarding, labeling, marking, and packaging; however, you remain responsible for compliance. For more information consult the DOT regulations (49 **CFR** Parts 172 and 173) or contact the DOT hazardous materials information line at (800)467-4922 or [infocntr@dot.gov](mailto:infocntr@dot.gov).

The waste transporter must be permitted under Part 364 and their permit must allow them to transport the hazardous waste you have to the facility that you have made arrangements with to receive your waste.

### Preparing Hazardous Waste Manifests

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The Hazardous Waste Manifest System is a set of forms, reports, and procedures designed to seamlessly track hazardous waste from the time it leaves the generator until it reaches the off-site waste management facility that will store, treat, or dispose of the hazardous waste. The system allows the waste generator to verify that its waste has been properly delivered and that no waste has been lost or unaccounted for in the process.

The key component of this system is the Uniform Hazardous Waste Manifest, a multipart form prepared by most generators that transport hazardous waste for off-site treatment, recycling, storage, or disposal. The manifest is required by both the DOT and EPA. When completed, it contains information on the type and quantity of the waste being transported, instructions for handling the waste, and signatures of all parties involved in the off-site treatment, recycling, storage, or disposal of the waste. Each party must keep a copy of the manifest. This process ensures critical accountability throughout transportation and disposal. Once the waste reaches its destination, the receiving facility returns a signed copy of the manifest to the generator, confirming that the waste has been received.

#### E-Manifest Available Nationwide

Electronic manifests are now an option everywhere! E-Manifest launched nationwide on June 30, 2018. All generators have the option of creating and submitting their hazardous waste manifests electronically in e-Manifest. Generators can continue to use a paper manifest, but it is cheaper and faster to submit the uniform manifest form electronically. To use e-Manifest, generators must have an EPA identification number (see page 14 for how to get your EPA ID number) and register with e-Manifest.

For more information and to register for e-Manifest, go to [www.epa.gov/e-Manifest](http://www.epa.gov/e-Manifest).

# Land Disposal Restriction Reporting Requirements

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Regardless of where the waste is being sent, the initial shipment of waste subject to LDRs must be sent to a receiving TSDF or recycler along with an LDR notice. You must send an additional LDR notice if your waste or receiving facility changes. This notice must provide information about your waste, such as the EPA hazardous waste code and the LDR treatment standard. The purpose of this notice is to let the TSDF know that the waste must meet treatment standards before it is land disposed. There is no EPA-required form for this notice, but your TSDF may provide a form for you to use. A certification may also be required in specific situations. Contact DEC or consult 6 NYCRR 376 for help with LDR notification and certification requirements.

## Summary of Shipping Requirements

- Package, label, and mark your shipment, and placard the vehicle in which your waste is shipped as specified in DOT regulations.
- Use a waste transporter with a Part 364 waste transporter permit.
- Prepare a hazardous waste manifest to accompany your shipment.
- Include a notice and certification with the first waste shipment.
- Ensure the proper management of any hazardous waste you ship (even when it is no longer in your possession).

## Export Notification

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If you choose to export your hazardous waste, you must notify EPA at least 60 days before the intended date of shipment to request consent to export. Export is prohibited until you receive an EPA “Acknowledgement of Consent” letter documenting consent from the country of import and any countries of transit. For more information on how to obtain the consent to export hazardous waste and comply with additional hazardous waste export requirements, please go to [www.epa.gov/hwgenerators/information-exporters-resource-conservation-and-recovery-act-rcra-hazardous-waste](http://www.epa.gov/hwgenerators/information-exporters-resource-conservation-and-recovery-act-rcra-hazardous-waste).

**Copies of manifests for exported shipments must still be submitted to the DEC because they are not submitted to e-Manifest. Manifests should be mailed to:**

**NYS Department of Environmental Conservation  
Division of Materials Management  
Waste Transport and State Assistance Section  
625 Broadway  
Albany, NY 12233-7252**

## Closure

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When you close your facility, you must ensure that all hazardous waste has been removed from your hazardous waste containers and/or tanks, discharge control equipment, and discharge confinement structures. In addition, any contamination you might have caused must be cleaned up and managed under all applicable hazardous waste regulations.

<b>United States Environmental Protection Agency</b> <b>RCRA SUBTITLE C SITE IDENTIFICATION FORM</b>	
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**1. Reason for Submittal** (Select only one.)

<input checked="" type="checkbox"/>	Obtaining or updating an EPA ID number for an on-going regulated activity that will continue for a period of time. (Includes HSM activity)
<input type="checkbox"/>	Submitting as a component of the Hazardous Waste Report for _____ (Reporting Year)
<input type="checkbox"/>	Site was a TSD facility and/or generator of > 1,000 kg of hazardous waste, > 1 kg of acute hazardous waste, or > 100 kg of acute hazardous waste spill cleanup in <b>one or more months of the reporting year</b> (or State equivalent LQG regulations)
<input type="checkbox"/>	Notifying that regulated activity is no longer occurring at this Site
<input type="checkbox"/>	Obtaining or updating an EPA ID number for conducting Electronic Manifest Broker activities
<input type="checkbox"/>	Submitting a new or revised Part A Form

**2. Site EPA ID Number**

N	Y	D	1	2	3	4	5	6	7	8	9
---	---	---	---	---	---	---	---	---	---	---	---

**3. Site Name**

<i>General Metal Processing</i>
---------------------------------

**4. Site Location Address**

Street Address <i>501 Main Street</i>		
City, Town, or Village <i>Small Town</i>		County: <i>Albany</i>
State <i>NY</i>	Country <i>United States</i>	Zip Code <i>12345</i>

**5. Site Mailing Address**

Same as Location Address

Street Address		
City, Town, or Village		
State	Country	Zip Code

**6. Site Land Type**

<input checked="" type="checkbox"/> Private	<input type="checkbox"/> County	<input type="checkbox"/> District	<input type="checkbox"/> Federal	<input type="checkbox"/> Tribal	<input type="checkbox"/> Municipal	<input type="checkbox"/> State	<input type="checkbox"/> Other
---	---------------------------------	-----------------------------------	----------------------------------	---------------------------------	------------------------------------	--------------------------------	--------------------------------

**7. North American Industry Classification System (NAICS) Code(s) for the Site (at least 5-digit codes)**

A. (Primary) <i>33149</i>	C. <i>332323</i>
B. <i>337124</i>	D.

EPA ID Number **N Y D 1 2 3 4 5 6 7 8 9**

**10. Type of Regulated Waste Activity (at your site)**

Mark "Yes" or "No" for all current activities (as of the date submitting the form); complete any additional boxes as instructed.

**A. Hazardous Waste Activities**

<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	1. Generator of Hazardous Waste—If "Yes", mark only one of the following—a, b, c	
<input type="checkbox"/>	a. LQG	- Generates, in any calendar month (includes quantities imported by importer site) 1,000 kg/mo (2,200 lb/mo) or more of non-acute hazardous waste; or - Generates, in any calendar month, or accumulates at any time, more than 1 kg/mo (2.2 lb/mo) of acute hazardous waste; or - Generates, in any calendar month or accumulates at any time, more than 100 kg/mo (220 lb/mo) of acute hazardous spill cleanup material.
<input checked="" type="checkbox"/>	b. SQG	100 to 1,000 kg/mo (220-2,200 lb/mo) of non-acute hazardous waste and no more than 1 kg (2.2 lb) of acute hazardous waste and no more than 100 kg (220 lb) of any acute hazardous spill cleanup material.
<input type="checkbox"/>	c. VSQG	Less than or equal to 100 kg/mo (220 lb/mo) of non-acute hazardous waste.
If "Yes" above, indicate other generator activities in 2 and 3, as applicable.		
<input type="checkbox"/> Y <input type="checkbox"/> N	2. Short-Term Generator (generates from a short-term or one-time event and not from on-going processes). If "Yes", provide an explanation in the Comments section.	
<input type="checkbox"/> Y <input type="checkbox"/> N	3. Mixed Waste (hazardous and radioactive) Generator	
<input type="checkbox"/> Y <input type="checkbox"/> N	4. Treater, Storer or Disposer of Hazardous Waste—Note: A hazardous waste Part B permit is required for these activities.	
<input type="checkbox"/> Y <input type="checkbox"/> N	5. Receives Hazardous Waste from Off-site	
<input type="checkbox"/> Y <input type="checkbox"/> N	6. Recycler of Hazardous Waste	
<input type="checkbox"/>	a. Recycler who stores prior to recycling	
<input type="checkbox"/>	b. Recycler who does not store prior to recycling	
<input type="checkbox"/> Y <input type="checkbox"/> N	7. Exempt Boiler and/or Industrial Furnace—If "Yes", mark all that apply.	
<input type="checkbox"/>	a. Small Quantity On-site Burner Exemption	
<input type="checkbox"/>	b. Smelting, Melting, and Refining Furnace Exemption	

**B. Waste Codes for Federally Regulated Hazardous Wastes.** Please list the waste codes of the Federal hazardous wastes handled at your site. List them in the order they are presented in the regulations (e.g. D001, D003, F007, U112). Use an additional page if more spaces are needed.

D002	F006	F007	F008			

**C. Waste Codes for State Regulated (non-Federal) Hazardous Wastes.** Please list the waste codes of the State hazardous wastes handled at your site. List them in the order they are presented in the regulations. Use an additional page if more spaces are needed.


# Choosing a Transporter, TSD/Recycler, or Waste Management Company

As a small business, you may not have the expertise to perform some or all the duties necessary to comply with the hazardous waste regulations. Because the consequences of non-compliance can be significant, you may decide to hire a professional waste management company. Depending on how complicated your waste generation is and on your level of in-house expertise, you may decide to contract separately with a transporter and a TSD/recycler or hire a full-service waste management company that handles all your hazardous waste obligations. Once you have decided which path meets your needs, it is important to select your vendors carefully—you'll ultimately be responsible for the proper management of your hazardous waste even after it has left your site.

**Asking the right questions in advance can add to your confidence that your hazardous waste will be managed safely, effectively, and in compliance with the regulations:**

- Can the company give you a clear description of its business and compliance history?
- Can all recyclers describe their processes and procedures for recycling, reuse, or resale?
- Are the vendor's waste operations regularly audited by a third party and can you access those reports?

**In addition, for help in choosing a vendor, check with the following sources:**

- References from business colleagues who have used a specific waste management company.
- Trade associations for your industry that might keep files on companies that handle hazardous waste.
- The Better Business Bureau or local Chamber of Commerce, which keep records of registered complaints.
- Your implementing agency, which can tell you whether the vendor has an EPA identification number and a permit, if required. The EPA's Envirofacts website publishes facility information, including types and quantities of waste managed and violations assessed, at [enviro.epa.gov](http://enviro.epa.gov).

**Once you have selected a hazardous waste management partner, ongoing communication can ensure continued compliance. Remember these points when overseeing the management of your waste, no matter who performs each step in the process:**

- Making an accurate hazardous waste determination is critical—you know your waste best, so pay attention when a vendor suggests how to classify your waste.
- Make sure the waste handler you have hired is fully informed regarding the chemical and physical attributes of your waste. If something changes about your process or your waste, immediately share that information with those managing the waste. Even the smallest detail may be important.
- Know where your hazardous waste goes when it leaves your site. Understand the path your waste is taking to final disposal or recycling.
- Make sure your records are complete and accurate, including when created by a third party.

You can use the information you have learned in this guide to focus your discussions about your waste management. Continue to ask your providers questions about their practices and procedures. Remember, you are ultimately responsible for the proper disposal of the hazardous waste.

# Summary of Requirements for Large Quantity Generators

If you are an LQG (generate more than 1,000 kg (2,200 lb) per month, or more than 100 kg (220 lb) of residue from cleanup of acute HW), you must comply with the full set of hazardous waste generator regulations. This table summarizes the New York State LQG requirements; it is only a summary and does not include all LQG requirements. For more details, see 6 NYCRR 372 and 373-1.1.

Table 3: Large Quantity Generator Requirements Summary

LQG Requirements	Summary
<b>Hazardous Waste Determination and Generator Category Determination</b> (6 NYCRR 372.2)	Identify all HW you generate. Count the amount of HW you generate per month to determine your generator category (e.g., LQG).
<b>EPA Identification Numbers</b> (6 NYCRR 372.2[a][3])	Obtain a copy of EPA Form 8700-12, fill out the form, and send it to the EPA Region 2 Office. An EPA identification number for your location will be returned to you.
<b>Prepare Hazardous Waste for Shipment Off-Site</b> (6 NYCRR 372.2[a][4]-[7])	Package, label, mark, and placard wastes following DOT requirements. Ship waste using a HW transporter who has a Part 364 waste transporter permit.
<b>Manifesting</b> (6 NYCRR 372.2[b] and 372.2[c][3])	Ship waste to a HW TSDF. Ship HW off-site using the manifest system (EPA Form 8700-22) or state equivalent.
<b>Managing Hazardous Waste On-Site</b> (6 NYCRR 372.2[a] and 373-1.1[d][1][iii])	Accumulate waste for no more than 90 days without a permit. Accumulate waste in containers, tanks, drip pads, or containment buildings. Comply with specified technical standards for each unit type. Complete a contingency plan and comply with other emergency planning and preparedness requirements.
<b>Sole Source Aquifer (SSA) Requirements</b> (6 NYCRR 373-1.1[d][1][iv])	Generators storing more than 185 gallons of liquid HW over a sole source aquifer must have secondary containment. LQGs must meet sole source aquifer closure requirements.
<b>Recordkeeping and Annual Report</b> (6 NYCRR 372.2[c])	Retain specified records for three years. Submit annual HW report by March 1 every year covering generator activities for the previous year.
<b>Comply with Land Disposal Restrictions</b> (6 NYCRR 376)	Ensure that wastes meet treatment standards prior to land disposal. Send notifications and certifications to TSDF as required. Maintain waste analysis plan if treating on-site.
<b>Export/Import Requirements</b> (6 NYCRR 372.5)	Follow requirements for exports and imports, including notification of intent to export and acknowledgement of consent from receiving country.
<b>Air Emissions</b> (6 NYCRR 373-3.27, 373-3.28 and 373-3.29)	If applicable, use various monitoring and control mechanisms to: Control <b>volatile organic compound (VOC)</b> emissions from HW management activities; Reduce organic emissions from process vents associated with certain recycling activities and equipment that is in contact with HW that has significant organic content; Control VOCs from HW tanks, surface impoundments, and containers using fixed roofs, floating roofs, or closed-vent systems routed to control devices. This requirement only applies to tank systems.
<b>Closure</b> (6 NYCRR 373-3.7)	Complete closure notification. Decontaminate and remove all contaminated equipment, structures, and soil, and minimize the need for further maintenance of your site. Meet unit-specific closure standards for containers, tanks, containment buildings, and drip pads. If storing more than 185 gallons of liquid HW over an SSA, must have a written closure plan on-site and closure must be certified by a New York State-licensed professional engineer.

# Where to Get More Help

## DEC Resources

For more help understanding the hazardous waste regulations applicable to you, visit the DEC website ([www.dec.ny.gov/chemical/8486.html](http://www.dec.ny.gov/chemical/8486.html)), read the New York hazardous waste regulations ([govt.westlaw.com/nycrr/Browse](http://govt.westlaw.com/nycrr/Browse)), or contact the DEC Central office, RCRA Compliance and Technical Assistance by

**Email:** [info.SQG@dec.ny.gov](mailto:info.SQG@dec.ny.gov)

**Phone:** (518) 402-8652

**Mail:**

RCRA Compliance and Technical Support Section  
Division of Materials Management  
NYS Department of Environmental Conservation  
625 Broadway, Albany, NY 12233-7256

You can also contact the RCRA Program at your DEC Regional Office, based on the county where your facility is located.

Region	Phone	Email	Counties
1	(631) 444-0375	<a href="mailto:r1dmm@dec.ny.gov">r1dmm@dec.ny.gov</a>	Nassau, Suffolk
2	(718) 482-4996	<a href="mailto:r2.info@dec.ny.gov">r2.info@dec.ny.gov</a>	Brooklyn, Bronx, Manhattan, Queens, Staten Island
3	(845) 256-3000	<a href="mailto:r3admin@dec.ny.gov">r3admin@dec.ny.gov</a>	Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester
4	(518) 357-2045	<a href="mailto:r4info@dec.ny.gov">r4info@dec.ny.gov</a>	Albany, Columbia, Delaware, Greene, Montgomery, Otsego, Rensselaer, Schenectady, Schoharie
5	(518) 623-1200	<a href="mailto:info.R5@dec.ny.gov">info.R5@dec.ny.gov</a>	Clinton, Essex, Franklin, Fulton, Hamilton, Saratoga, Warren, Washington
6	(315) 793-2590	<a href="mailto:information.r6@dec.ny.gov">information.r6@dec.ny.gov</a>	Herkimer, Jefferson, Lewis, Oneida, St. Lawrence
7	(315) 426-7419	<a href="mailto:info.R7@dec.ny.gov">info.R7@dec.ny.gov</a>	Broome, Cayuga, Chenango, Cortland, Madison, Onondaga, Oswego, Tioga, Tompkins
8	(585) 226-5411	<a href="mailto:region8@dec.ny.gov">region8@dec.ny.gov</a>	Chemung, Genesee, Livingston, Monroe, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Yates
9	(716) 851-7220	<a href="mailto:region9@dec.ny.gov">region9@dec.ny.gov</a>	Allegany, Cattaraugus, Chautauqua, Erie, Niagara, Wyoming

## EPA Resources

Other assistance resources include the EPA website ([www.epa.gov/hwgenerators](http://www.epa.gov/hwgenerators)), EPA headquarters and other federal resource centers, or the EPA Region 2 Office (page 27). You may also visit:

- The Frequent Questions Knowledge Base, where there are Q&As on various hazardous waste topics, including generators and hazardous waste identification: [www.epa.gov/hwgenerators/frequent-questions-hazardous-waste-generators](http://www.epa.gov/hwgenerators/frequent-questions-hazardous-waste-generators);
- The RCRAOnline website, where there are interpretative memos on various RCRA topics: [rcrapublic.epa.gov/rcraonline](http://rcrapublic.epa.gov/rcraonline);
- And other potentially relevant sections of the CFR:

- 40 CFR Part 761 (handling PCBs, or polychlorinated biphenyls)
- 40 CFR Part 372 (Toxics Release Inventory reporting)
- 40 CFR Part 403 (domestic sewage waste disposal reporting)
- 49 CFR Parts 171–180 (shipping hazardous materials)

## RCRA in Focus Booklets Available<sup>5</sup>

*RCRA in Focus* is a series of short informational booklets that describe the RCRA regulations as they apply to specific industry sectors. The documents explain what RCRA is, who is regulated, and what hazardous waste is; provide a sample life cycle of a RCRA waste in each industry; include a quick reference chart of all applicable RCRA regulations and a series of waste minimization suggestions for various specific industrial processes; and provide information on other relevant environmental laws, contacts, and resources.

Individual issues of *RCRA in Focus* have been written for the following industries:

- Construction, demolition, and renovation (EPA 530-K-04-005)
- Dry cleaning (EPA 530-K-99-005) [also available in Korean]
- Furniture manufacturing and refinishing (EPA 530-K-03-005)
- Leather manufacturing (EPA 530-K-00-002)
- Motor freight and railroad transportation (EPA 530-K-00-003) [also available in Spanish]
- Photo processing (EPA 530-K-99-002)
- Printing (EPA 530-K-97-007) [also available in Spanish]
- Textile manufacturing (EPA 530-K-02-028)
- Vehicle maintenance (EPA 530-K-99-004) [also available in Spanish]

You can view the *RCRA in Focus* documents online at [www.epa.gov/hwgenerators/resource-conservation-and-recovery-act-rcra-focus-hazardous-waste-generator-guidance](http://www.epa.gov/hwgenerators/resource-conservation-and-recovery-act-rcra-focus-hazardous-waste-generator-guidance). EPA also provides compliance assistance on a sector-by-sector basis in order to efficiently reach facilities with similar operations, processes, or practices: [www.epa.gov/regulatory-information-sector](http://www.epa.gov/regulatory-information-sector).

<sup>5</sup>These booklets only describe federal regulations; New York State regulations may be more stringent or broader in scope.

## U.S. Environmental Protection Agency

Office	Address	Phone	Links	Functions
EPA Region 2	290 Broadway New York, NY 10007-1866	(877)251-4575	Web: <a href="http://www.epa.gov/aboutepa/epa-region-2">www.epa.gov/aboutepa/epa-region-2</a>	Processes EPA ID number requests for New York
EPA Small Business Ombudsman Hotline	EPA Small Business Ombudsman 1200 Pennsylvania Ave, NW Washington, DC 20460	(800)368-5888 or (202)566-1970	Web: <a href="http://www.epa.gov/resources-small-businesses/asbestos-small-business-ombudsman">www.epa.gov/resources-small-businesses/asbestos-small-business-ombudsman</a>	Helps private citizens, small businesses, and smaller communities with questions on all program aspects within EPA
RCRA Dockets	EPA Docket Center WJC West Building, Rm 3334 1301 Constitution Ave, NW Washington, DC 20004	(202)566-0270	Email: <a href="mailto:rcra-docket@epa.gov">rcra-docket@epa.gov</a> Web: <a href="http://www3.epa.gov/enviro/facts/rcrainfo/search.html">www3.epa.gov/enviro/facts/rcrainfo/search.html</a>	Provides documents involved in the different stages of Office of Land and Emergency Management (OLEM) rulemakings
Pollution Protection Information Clearinghouse (PPIC)	EPA PPIC (7409M) 1200 Pennsylvania Ave, NW Washington, DC 20460	(202)566-0799	Email: <a href="mailto:ppic@epa.gov">ppic@epa.gov</a> Web: <a href="http://www.epa.gov/p2/pollution-prevention-resources#ppic">www.epa.gov/p2/pollution-prevention-resources#ppic</a>	Provides references and referrals on pollution prevention to help reduce and eliminate industrial pollutants through education and public awareness
EPA National Library	EPA Headquarters and Chemical Libraries (MC3404T) 1200 Pennsylvania Ave, NW Washington, DC 20460	(202)566-0556	Email: <a href="mailto:hqchemlibraries@epa.gov">hqchemlibraries@epa.gov</a> Web: <a href="http://www.epa.gov/libraries/catalog">www.epa.gov/libraries/catalog</a>	Maintains environmental reference materials for EPA staff and makes information resources accessible to the public

## Other Federal Resource Centers

### U.S. Department of Transportation

Office	Address	Phone	Links	Functions
<b>Hazmat Information Center</b>	Standards and Rulemaking Division U.S. DOT/PHMSA (PHH-10) 1200 New Jersey Ave, SE East Building, 2nd Floor Washington, DC 20590	800-467-4922 or 202-366-4488	Email: <a href="mailto:infocntr@dot.gov">infocntr@dot.gov</a> Web: <a href="http://www.phmsa.dot.gov/standards-rulemaking/hazmat/hazardous-materials-information-center">www.phmsa.dot.gov/standards-rulemaking/hazmat/hazardous-materials-information-center</a>	Answers questions on matters related to DOT's hazardous materials transportation regulations

## Worksheet 3: SQG Facility Checklist

These questions are geared toward the federal requirements for SQGs but may be helpful for other hazardous waste generators. Use them to help prepare for a visit from a federal, state, or local agency.

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	Do you have documentation on the amount and kinds of hazardous waste that you generate and on how you determined that they are hazardous?
<input type="checkbox"/>	<input type="checkbox"/>	Do you have a U.S. EPA identification number?
<input type="checkbox"/>	<input type="checkbox"/>	Do you ship wastes off-site?
<input type="checkbox"/>	<input type="checkbox"/>	If so, do you know the name of the transporter and the designated TSD/recycler that you use?
<input type="checkbox"/>	<input type="checkbox"/>	Do you have copies of completed manifests used to ship your hazardous wastes over the past 3 years?
<input type="checkbox"/>	<input type="checkbox"/>	Are they filled out correctly?
<input type="checkbox"/>	<input type="checkbox"/>	Have they been signed by the designated TSD/recycler and transporter?
<input type="checkbox"/>	<input type="checkbox"/>	If you have not received your signed copy of the manifest from the TSD/recycler, have you filed an exception report?
<input type="checkbox"/>	<input type="checkbox"/>	Is your hazardous waste stored in proper containers or tanks?
<input type="checkbox"/>	<input type="checkbox"/>	Are the containers or tanks properly dated and marked?
<input type="checkbox"/>	<input type="checkbox"/>	Have you complied with the handling requirements described in this handbook?
<input type="checkbox"/>	<input type="checkbox"/>	Have you designated an emergency coordinator?
<input type="checkbox"/>	<input type="checkbox"/>	Have you posted emergency telephone numbers and the location of emergency equipment?
<input type="checkbox"/>	<input type="checkbox"/>	Are your employees thoroughly familiar with proper waste handling and emergency procedures?
<input type="checkbox"/>	<input type="checkbox"/>	Do you understand when you need to contact the National Response Center?
<input type="checkbox"/>	<input type="checkbox"/>	Do you store your hazardous waste for no more than 180 days, or 270 days if you ship your waste more than 200 miles?

# Abbreviations and Definitions

This section explains terms used throughout this guide. Terms italicized below also appear in the New York State hazardous waste regulations. (Note: some of the regulatory terms are more detailed in the regulations.)

## ***Acute hazardous waste***

Specific hazardous wastes that are particularly dangerous to human health and, therefore, are regulated more stringently at lower volumes. Certain wastes listed in 6 NYCRR 371.4(b) with the assigned hazard code of (H) and the P hazardous waste codes listed in 6 NYCRR 371.4(d)(5) are acute hazardous wastes. (6 NYCRR 370.2[b])

## ***Byproduct***

A material that is not one of the primary products of a production process. Examples of byproducts are process residues such as slags or distillation column bottoms. (6 NYCRR 371.1[a])

## ***CAA (central accumulation area)***

An on-site hazardous waste accumulation area with waste accumulating in units subject to SQG or LQG requirements (6 NYCRR 372.2[e])

## ***CESQG (conditionally exempt small quantity generator)***

A business that generates no more than 100 kg (220 lb) per month of hazardous waste and less than 1 kg (2.2 lb) per month of acute hazardous waste (6 NYCRR 371.1[f])

## ***CFR (Code of Federal Regulations)***

A codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government. The CFR is divided into 50 “titles,” which represent broad areas subject to federal regulation. Each title is divided into chapters, which usually bear the name of the issuing agency.

## ***Commercial chemical product (CCP)***

A chemical substance that is manufactured or formulated for commercial or manufacturing use (6 NYCRR 371.4[d])

## ***Container***

Any portable device in which a material is stored, transported, treated, disposed of, or otherwise handled (6 NYCRR 370.2[b])

## ***Corrosive waste***

A waste that is aqueous and either has a pH less than or equal to 2 or greater than or equal to 12.5, or corrodes steel at a rate greater than 6.35 mm/yr (0.250 inch/yr) at a temperature of 55°C (130°F) (6 NYCRR 371.3[c])

## ***DOT (Department of Transportation)***

The federal agency that oversees all national transportation systems and regulates the transport of hazardous materials

## ***Elementary neutralization unit***

A tank, tank system, container, transport vehicle, or vessel (including ships) that is designed to contain and neutralize corrosive waste (6 NYCRR 370.2[b])

### ***Excluded scrap metal***

Includes processed scrap metal, unprocessed home scrap metal, and unprocessed prompt scrap metal (6 NYCRR 371.1[a])

### ***Home scrap metal***

Scrap metal as generated by steel mills, foundries, and refineries such as turnings, cuttings, punchings, and borings (6 NYCRR 371.1[a])

### ***Ignitable waste***

A waste that is: (1) a liquid and has a flash point less than 60°C (140°F); (2) not a liquid, but capable of igniting at standard temperature and pressure through friction, absorption of moisture, or spontaneous chemical changes; (3) an ignitable compressed gas; or (4) an oxidizer (6 NYCRR 371.3[b])

### **Implementing agency**

The EPA regional office or state or local agency responsible for enforcing the hazardous waste regulations

### ***Incompatible waste***

A hazardous waste that can cause corrosion or decay of containment materials, or is unsuitable for comingling with another waste or material because a dangerous reaction might occur (6 NYCRR 370.2[b])

### **LDR (Land Disposal Restrictions)**

The LDR program ensures that toxic constituents present in hazardous waste are properly treated before that waste is disposed of on the land (such as in a landfill).

### **LQG (large quantity generator)**

A business that generates more than 1,000 kg (2,200 lb) per month of hazardous waste or 1 kg (2.2 lb) per month of acute hazardous waste (6 NYCRR 372.2[a][8][v])

### **NYCRR (New York Codes, Rules and Regulations)**

A codification of the general and permanent rules of New York State. These regulations are also published online on the Westlaw website. The NYCRR is divided into 23 “titles” that represent broad areas subject to New York State regulations. The 23 titles including regulations are administered by state agencies.

### **NFPA (National Fire Protection Association)**

NFPA is a nonprofit organization devoted to eliminating death, injury, property, and economic loss due to fire, electrical, and related hazards. NFPA has a code of standards for storing hazardous wastes.

### **Non-acute hazardous waste**

All hazardous wastes that are not acute hazardous waste

### ***POTW (publicly owned treatment works)***

Any device or system used in the treatment (including recycling and reclamation) of municipal sewage or industrial wastes of a liquid nature that is owned by a state or municipality (6 NYCRR 370.2[b])

### ***Processed scrap metal***

Scrap metal which has been manually or physically altered to either separate it into distinct materials to enhance economic value or to improve the handling of materials. Examples are scrap metal that has been baled, shredded,

sheared, chopped, crushed, flattened, cut, melted, or separated by metal type (i.e., sorted), and fines, drosses, and related materials that have been agglomerated (6 NYCRR 371.1[a])

### ***Prompt scrap metal***

Scrap metal as generated by the metal working/fabrication industries and includes such scrap metal as turnings, cuttings, punchings, and borings. Prompt scrap is also known as industrial or new scrap metal. (6 NYCRR 371.1[a])

### ***Reactive waste***

A waste that: is normally unstable and readily undergoes violent change without detonating; reacts violently when exposed to air or water; can form potentially explosive mixtures or emit toxic gases when mixed with water; is capable of detonation or explosive decomposition or reaction at standard temperature and pressure when exposed to a strong initiating source or heated under confinement; etc. (6 NYCRR 371.3[d])

### ***Reclaimed material***

Material that is regenerated or processed to recover a usable product. Examples are the recovery of lead values from spent batteries and the regeneration of spent solvents (6 NYCRR 371.1[a])

### ***Recovered material***

A material or byproduct that has been recovered or diverted from solid waste. Does not include materials or byproducts generated from, and commonly used within, an original manufacturing process

### ***Recycled material***

A material that is used, reused, or reclaimed (6 NYCRR 371.1[a])

### ***Reused material***

A material that is used as an ingredient in an industrial process to make a product, or as an effective substitute for a commercial product (6 NYCRR 371.1[a])

### ***SDS (Safety Data Sheet)***

A detailed technical bulletin, prepared by a chemical's manufacturer or importer, about the hazards of that chemical. Your supplier must send you an SDS when the chemical is first shipped and any time it updates the SDS with new, significant information about the hazards. SDSs include information about components and contaminants, including exposure limits, physical data, fire and explosion hazard, toxicity, and health hazard data. They also discuss emergency and first aid procedures, information about storage and disposal, and spill or leak procedures. However, an SDS may not have enough information to make a proper hazardous waste determination. (Note: SDSs were previously called MSDSs (Material Safety Data Sheets).

### ***Sludge***

Any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility, exclusive of the treated effluent from a wastewater treatment plant (6 NYCRR 370.2[b])

### ***Sole source aquifers***

Aquifers designated as the sole or main source of drinking water for a community by the EPA under provisions of the federal Safe Drinking Water Act. Areas designated as sole source aquifers in New York include the Counties of Kings, Queens, Nassau, and Suffolk; the Schenectady/Niskayuna Aquifer System; and the Clinton Street-Ballpark Valley Aquifer System. (6 NYCRR 370.2[b]).

### ***Speculative accumulation***

Material is speculatively accumulated if it is accumulated before being recycled. (A person can show that material is not speculatively accumulated if the material is potentially recyclable, has a feasible means of being recycled and that, during the calendar year, at least 75% of the accumulated material was recycled or transferred to a different site for recycling). (6 NYCRR 371.1[a])

### ***Spent material***

Any material that has been used, and, as a result of contamination, can no longer serve the purpose for which it was produced without first being processed (6 NYCRR 371.1[a])

### ***SQG (small quantity generator)***

A business that generates between 100 and 1,000 kg (220 and 2,200 lb) per month of hazardous waste and less than 1 kg (2.2 lb) per month of acute hazardous waste (6 NYCRR 370.2[b])

### ***Still bottom***

Residue or byproduct of a distillation process such as solvent recycling

### ***Tank***

A stationary device designed to contain an accumulation of hazardous waste and made primarily of non-earthen materials (e.g., wood, concrete, steel, plastic) that provide structural support (6 NYCRR 370.2[b])

### ***TCLP (Toxicity Characteristic Leaching Procedure)***

A testing procedure used to determine whether a waste is hazardous. The procedure identifies waste that might leach hazardous constituents into groundwater if improperly managed.

### ***Totally enclosed treatment facility***

A facility for the treatment of hazardous waste that is directly connected to an industrial production process and that is constructed and operated to prevent the release of hazardous waste into the environment during treatment. An example is a pipe in which waste acid is neutralized (6 NYCRR 370.2[b])

### ***Toxic waste***

A waste that contains any of the contaminants listed in Table 1 of 6 NYCRR 371.3 at a concentration equal to or greater than the respective value given in that table as determined by TCLP testing (6 NYCRR 371.3[e])

### ***TSDF (treatment, storage, and disposal facility)***

A facility that treats, stores, or disposes of hazardous waste. TSDFs have specific requirements under RCRA, including obtaining a RCRA permit (6 NYCRR 370.2[b])

### ***VOC (volatile organic compound)***

VOCs are highly evaporative organic gases that can be produced during the manufacture or use of chemicals such as paints, solvents, and cleaners. Various pollution control devices can prevent the release of VOCs both outdoors and indoors.

### ***Wastewater treatment unit***

A tank or tank system that is part of a wastewater treatment facility subject to regulation under either Section 402 or 307(b) of the Clean Water Act, and that treats or stores an influent wastewater that is hazardous waste, or that treats or stores a wastewater treatment sludge that is hazardous (6 NYCRR 370.2[b])

# Table 4: Generator Requirements

REQUIREMENT	LQG*	SQG**	CESQG***
<b>WASTE DETERMINATION</b>	Yes	Yes	Yes
<b>EPA ID NUMBER</b>	Required	Required	Not required
<b>NON-ACUTE WASTE LIMITS</b>	Greater or equal to 1000 kg/mo (2200 lb/mo)	Between 100 and 1000 kg/mo(220 –2200 lb/mo)	Less than or equal to 100 kg/mo (220 lb/mo)
<b>ACUTE WASTE LIMITS</b>	More than 1 kg/mo (2.2 lb/mo) or more than 100 kg/mo (220 lb/mo) of contaminated spill cleanup materials	Less than or equal to 1 kg/mo (2.2 lb/mo) and less than or equal to 100 kg/mo (220 lb/mo) of contaminated spill cleanup materials	Less than or equal to 1 kg/mo (2.2 lb/mo) and less than or equal to 100 kg/mo (220 lb/mo) of contaminated spill cleanup materials
<b>ON-SITE ACCUMULATION LIMITS</b>	No limit	6000 kg (13,200 lb) or less	1000 kg (2200 lb) or less
<b>ACCUMULATION TIME LIMITS</b>	90 days or less	180 days or less. (270 days or less if transported more than 200 miles)	None
<b>SATELLITE ACCUMULATION AREA</b>	55 gallons non-acute or 1 quart acute HW at or near the point of generation	55 gallons non-acute or 1 quart acute HW at or near the point of generation	Same as on-site accumulation
<b>CENTRAL ACCUMULATION AREA</b>	Full requirements for management of tanks and containers	Basic requirements with technical standards for tanks and containers	None
<b>MANIFEST</b>	Required	Required	Not required
<b>ANNUAL HAZARDOUS WASTE REPORT</b>	Required	Not required	Not required
<b>SECONDARY CONTAINMENT</b>	Storage of greater than 185 gallons of liquid HW over sole source aquifers	Storage of greater than 185 gallons of liquid HW over sole source aquifers	None
<b>CLOSURE PLAN</b>	Required if storing greater than 185 gallons of liquid HW over sole source aquifers	Not required	Not required
<b>PERSONNEL TRAINING</b>	Written training program required	Basic training required	Not required
<b>CONTINGENCY PLAN</b>	Required	Not required	Not required
<b>PREPAREDNESS AND PREVENTION</b>	Required	Required	Not required
<b>LAND DISPOSAL RESTRICTIONS (LDRs)</b>	Required	Required	Not required

\*LQG: Large Quantity Generator

\*\*SQG: Small Quantity Generator

\*\*\*CESQG: Conditionally Exempt Small Quantity Generator

# CESQG Best Management Practices

While not required by the hazardous waste regulations, DEC strongly encourages CESQGs to use the following best management practices (BMPs) for managing hazardous waste containers and storage areas to ensure proper waste management and a safer working environment:

<input type="checkbox"/>	Label each container "Hazardous Waste."
<input type="checkbox"/>	Label each container with its specific contents, such as "Waste Paint Solvent."
<input type="checkbox"/>	Keep containers closed except when adding or removing waste. (New York State air regulations require all containers used to store fresh and used coatings, thinners, and solvents to be kept closed at all times except when filling or emptying.)
<input type="checkbox"/>	Keep your storage containers in good shape, with no leaks, corrosion, rust, or bulges. If a container is not in good condition or is leaking, transfer the hazardous waste into a container that is in good condition.
<input type="checkbox"/>	Open, handle, and store hazardous waste containers carefully to prevent them from rupturing and to prevent the waste from leaking or spilling. Use caution when you move containers, and protect them from moving vehicles.
<input type="checkbox"/>	Store incompatible hazardous wastes separately. Store each kind of waste in a different container. This will help you avoid putting incompatible wastes in the same container. Mixing wastes can cause dangerous reactions and makes waste disposal more expensive and difficult. For example, you should never store acids (like battery acid) and bases (like alkaline rust remover) in the same container or cabinet. Keep liquid wastes separate from other wastes.
<input type="checkbox"/>	Store wastes in containers that are compatible with the waste (so the wastes will not dissolve, corrode, or react with the container itself), or use containers with compatible liners. Steel drums approved by the DOT should be used for all paints, thinners, gun cleaners, and paint strippers. Acid wastes should be stored in plastic containers, not metal ones.
<input type="checkbox"/>	Store rags and any other materials that may have touched solvents or paint strippers in closed, airtight containers. Leaving dirty, solvent-soaked rags lying around can cause a fire or explosion if fumes from the rags come in contact with a spark.
<input type="checkbox"/>	Store all containers far enough apart so that you have room to inspect them thoroughly.
<input type="checkbox"/>	Store containers on a surface that will contain spills and leaks, such as a small concrete pad and berm, or a commercially available containment pallet or tray.
<input type="checkbox"/>	Store containers inside, in an area protected from the weather.
<input type="checkbox"/>	Properly dispose of containers that have stored hazardous wastes you no longer generate and are not compatible with the hazardous wastes you are generating.
<input type="checkbox"/>	Lock your storage area to keep it secure.
<input type="checkbox"/>	Use a ground strap on metal drums storing flammable materials to avoid sparks from static electricity.
<input type="checkbox"/>	Don't allow hazardous waste storage containers to leak, rust, or get damaged.
<input type="checkbox"/>	Don't allow rainwater to accumulate on the top of drums.
<input type="checkbox"/>	Don't allow smoking near hazardous wastes.
<input type="checkbox"/>	Have a written plan for how to prevent and respond to emergencies. Post a list of emergency phone numbers (i.e., fire and police departments, spill reporting number, name and phone number of person in charge in case of emergency) and the locations of emergency response equipment next to the telephone.
<input type="checkbox"/>	Keep the following equipment in your shop: A telephone in the work area, to call for help; Fire extinguishers; Materials to control spills (i.e., spill absorbents, extra 55 gallon drums to transfer wastes); Decontamination supplies (i.e., neutralizing agents like lime).
<input type="checkbox"/>	Don't block emergency equipment. Keep aisle space free of clutter to allow people to get out in case of emergency.
<input type="checkbox"/>	Provide employee training regarding how to properly handle hazardous waste and the procedures to be followed in case of spills or emergencies.

