

# Small Quantity Generator Responsibilities

Guidance on Hazardous Waste Requirements



## Introduction

Businesses generating hazardous waste must identify, track, and maintain records of hazardous waste generation and accumulation to determine which regulatory requirements apply to their waste management. This reference document, along with the *Quick Reference Guide* (WA-1821) is intended to help businesses responsibly manage hazardous waste generated within small quantity generator (SQG) limits. It is not intended as a substitute for reviewing the hazardous waste regulations for small quantity generators (SQGs) located in s. NR 662.016, Wis. Adm. Code.

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

## Waste Determination and Generation

The generator's first responsibility is to determine if the waste materials being generated are hazardous wastes. Hazardous wastes can be acute or non-acute process waste, chemicals or compounds designated as "listed wastes" and/or they can exhibit hazardous characteristics (ignitability, corrosivity, reactivity or toxicity). For detailed information on the waste determination process review *Waste Determinations and Recordkeeping* (WA-1152). [s. NR 664.0013(1)(a)1]

In addition, a land disposal restriction notification is required for hazardous waste being shipped to a treatment, storage and disposal facility for the first time and must be kept with the waste determination records. [s. NR 668.07(1)]

Next, determine how much hazardous waste you are generating. If you generate between 220 and 2,205 pounds of non-acute hazardous waste and less than 2.2 pounds of acute hazardous your business is an SQG. [s. NR 660.10(107)]

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

In addition to meeting the monthly generation limits, SQGs cannot accumulate more than 13,230 pounds on-site at one time. This is approximately 30 drums of liquid hazardous waste. A general rule of thumb in determining the amount of hazardous waste you generate is one 55-gallon drum of liquid waste weighs approximately 440 pounds.

If the amount of waste generated is determined to be greater or less than SQG amounts, refer to the *Quick Reference Guide* (WA-1821) for the hazardous waste management requirements for the correct generator category. Maintaining accumulation of hazardous wastes within the SQG limits will prevent being subject to the more stringent large quantity generation regulations.

## Notification Requirement

Small quantity generators are required to notify the department and apply for an U.S. Environmental Protection Agency identification number (EPA ID) which is used to track the waste from generation through transport and treatment/disposal. The required notification application can be submitted electronically, as a hard copy or via email.

Electronic submittal of EPA Form 8700-12 can be accessed via RCRAInfo and the MyRCRAid application. This application allows facilities to prepare and submit initial and subsequent notification applications to the state. Registration to use the electronic application requires an account in RCRAInfo. These accounts are person-specific and should not be shared among employees.

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

Once you receive the “access granted” email, log into RCRAInfo to complete the MyRCRAid notification form (EPA Form 8700-12). This electronic form is submitted to the Wisconsin Department of Natural Resources to notify of hazardous waste activities and to request an EPA ID number. An email notification is sent when the number is assigned.

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

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

## Re-notification

Small quantity generators are required to re-notify the department of their active status by March 1 every even-numbered year. Facilities can meet this requirement by certifying and submitting their annual report.

Facilities that are closing or changing generator status should use the EPA Form 8700-12 to notify the department. [ss. NR 662.041 and NR 662.018(4)(a)]

## Accumulating and Managing Waste

When generating and managing hazardous waste, it is important to accumulate and store the waste in a manner that prevents spills and employee exposures. Hazardous waste accumulated in containers must include the following requirements:

- Keep containers closed and lids fastened when you are not adding or removing waste. For detailed information on what constitutes a closed container review *Closed Container Guidance for Hazardous Waste Generators* (WA-1342). [s. NR 662.016(2)(b)2]
- Label your container with the words “Hazardous Waste” and an indication of the hazards of the contents of the container. [s. NR 662.016(2)(f)1.a]
- Date your container with the date when hazardous waste was first placed into the container or when the contents of the container became a hazardous waste. [s. NR 662.016(2)(f)1.c]
- If the container is leaking or not in good condition, transfer the hazardous waste contents to another container. [s. NR 662.016(2)(b)1]
- Use containers that are compatible with the hazardous waste you are accumulating. [s. NR 662.016(2)(b)2]
- Separate incompatible wastes and materials by storing them away from each other or constructing berms or dikes. [s. NR 662.016(2)(b)5.a]

It is important to keep track of how much waste you generate to assist in staying below the SQG maximum accumulation limits. Hazardous waste containers that are filled at or near the point of

generation and under operator control can be considered satellite accumulation areas (SAAs), and the waste accumulated in these containers must be included in the monthly generation total.

## Satellite Accumulation and Central Accumulation Areas

When the cumulative amount of containerized waste in the SAA exceeds 55 gallons, the container(s) must be marked with the date and moved within three days to the central accumulation area. For detailed information on SAA requirements review the *Satellite Accumulation Areas* (WA-1858). If directly adding waste to CAA containers, mark each central accumulation container with the date that hazardous waste is first placed in the container or when the contents of the container became a hazardous waste. [s. NR 662.015]

- Hazardous waste must be shipped off-site to a facility licensed to receive, treat or dispose of that specific waste within 180 days of the date on the container. [s. NR 662.016(2)]
- Hazardous waste that will be shipped 200 miles or more can be accumulated on site for up to 270 days. [s. NR 662.016(3)]
- The department may grant an extension of an additional 30 days if the hazardous wastes must remain on site for longer than 180/270 days due to unforeseen, temporary or uncontrollable circumstances. [s. NR 662.016(4)] To submit a request for an accumulation time extension, go to the “HW accumulation time extension” tab on the [DNR’s notification of hazardous waste activities page](#).

As a best management practice, the department recommends that SQGs inspect and document findings and actions taken in areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors.

## Training and Emergency Procedures

Training programs are required and must instruct personnel on hazardous waste management procedures relevant to the position and duties of the employee. [NR 662.016(2)(i)3.] Ideally, the training program would represent “real world” scenarios and site-specific hazardous waste management activities. The training plan must include emergency planning and procedures specific to your facility, and instructions on how to:

- Document and maintain required records
- Characterize hazardous wastes
- Manage universal wastes [s. NR 673.16]
- Identify appropriate waste containers for storing and shipping
- Label and mark containers during storage and for shipment
- Inspect waste-storage areas
- Utilize manifests
- Protect employees from hazardous waste
- Respond to hazardous waste emergencies and spills

On-the-job or in-house training programs allow flexibility as they can be designed to closely fit individual job positions and hazardous waste management duties. Formal training programs are typically more general and might not cover the various job positions to the level of detail required by regulations. All facility personnel, including office staff and on-site contractors, must be trained on emergency procedures. For more details on training and recordkeeping requirements, see *Training Requirements and Records* (WA-099).

At all times there must be at least one employee, known as the emergency coordinator, either on the premises or on call (i.e. available to respond to an emergency by reaching the facility within a short period of time), who has the responsibility for coordinating all emergency response measures. The SQG must post the following information next to telephones or in areas directly involved in the generating or accumulation of hazardous waste:

- The name and emergency telephone number of the emergency coordinator.
- Location of the fire extinguishers and spill control material, and if present fire alarms.
- The telephone number of the fire department, unless the facility has a direct alarm.

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

## Shipping Hazardous Waste

The uniform hazardous waste manifests are the primary component of the “cradle to grave” regulation of hazardous wastes in the United States, as they provide a paper/electronic trail of your hazardous waste from generation through treatment, storage, and disposal. [Subchapter B of NR 662]

When completed, the manifest:

- Specifies the type and quantity of the hazardous waste transported;
- Identifies who transported the hazardous waste;
- Indicates the destination facility the hazardous waste will be transported to;
- provides instructions for handling and management of the waste; and
- documents signatures for the generator, transporters, and the destination facility.

SQGs and LQGs are required to use a Wisconsin licensed hazardous waste transporter to take hazardous waste to a licensed hazardous waste treatment, storage, or disposal facility. The licensed transporter or TSD facility may be able to help with preparing the manifest and land disposal restriction notification document. When shipping waste:

1. The required manifest may be prepared by the generator, the destination facility, or by a hazardous waste broker, using your EPA ID number. The manifest must be originated and/or signed by the generator or offeror (transporter or on-site contractor) according to the manifest instructions. [DNR's hazardous waste manifest requirements web page](#) and *Hazardous Waste Manifests* (WA-1176), provide details on the use of manifests and registration for EPA's e-Manifest System.
2. A land disposal restriction notification document must accompany the initial hazardous waste shipment to the destination facility as outlined in s. NR 668.07(1), Wis. Adm. Code.
3. During the pickup of hazardous wastes, the manifest must be signed in order to relinquish the hazardous wastes from your facility to the transporter.

Note that the signature (wet or electronic) on the manifest certifies that you have provisions in place to reduce your hazardous waste generation and that the manifest is filled out correctly.

The generator is always an offeror; however, a transporter or a consultant can sign on behalf of the generator when they have an agreement in place with the generator and they support the generator in

performing the pre-transportation functions specific to the shipment (e.g., selecting packaging, labeling containers, filling and closing containers, selecting and affixing placards, completing the manifest or reviewing it for compliance with Department of Transportation's hazardous material transport regulations and chs. NR 660 to 679, Wis. Adm. Code). When someone signs as the offeror on behalf of the generator, the generator is still accountable for hazardous waste issues. Keep a copy of all manifests for three years from the date the waste is shipped. Manifests housed in EPA's e-Manifest system must be accessible by facility personnel for record-keeping purposes.

NOTE: SQGs that enter into a contractual tolling agreement [NR 662.020(5)] with a hazardous waste recycling facility are not subject to manifest requirements if:

- the agreement specifies the type of hazardous waste reclaimed and the frequency of shipments;
- the vehicle transporting the hazardous waste to the recycling facility and the vehicle used to deliver the regenerated material back to the generator is owned and operated by the recycling facility; and
- the generator maintains a copy of the reclamation agreement for three years after it expires or is terminated.

Although a manifest is not required, a land disposal restriction document (LDR) must accompany the initial waste shipment subject to the tolling agreement in accordance with s. NR 668.07(1)(J), Wis. Adm Code.

## Recordkeeping and Reporting

It is the responsibility of the generator to keep copies of all records for three years, including:

- training records (recommended)
- waste determinations [s. NR 662.011(6)]
- manifest copies or electronic records [s. NR 662.040(1)]
- land disposal restriction documents [s. NR 668.07(1)(h)]
- arrangements with local fire department and other organizations that respond to an emergency [s. NR 622.016 (2)(h)(6)(b)]
- annual reports [s. NR 662.040(2)]

SQG are required to submit annual reports to the DNR by March 1 of the following year.

Annual reporting is completed electronically at: <https://dnr.wi.gov/topic/Waste/AnnualReport.html>. Follow the instructions to complete the forms and submit the annual DNR hazardous waste report summarizing your hazardous waste generation.

## Resources and Contact Information

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

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