

Facility Classifications and Applicable Regulations

All of the following federal regulations can be found in Chapter 40 of the Code of Federal Regulations (40 CFR) part [261,262,265,268](#) & [273](#). The state regulations for the following can be found in [Florida Administrative Code \(FAC\) 62-730](#) and various [Florida Statutes \(F.S.\)](#). Typically the state regulations are more stringent than the federal.

CONDITIONALLY EXEMPT SMALL QUALITY GENERATORS (CESQG) 40 CFR PART 261.5

Generating less than 100 kilograms (220 lbs.) of hazardous waste per calendar month or less than 1 kilogram of acute hazardous waste (e.g. arsenic and cyanide compounds) per month.

1. Perform hazardous waste determination (262.1 1)
2. Cannot accumulate > 1000 kg of hazardous waste at any time.
3. Ensure delivery of hazardous waste to a proper recycling facility or Treatment Storage and Disposal Facilities (TSDF).
4. Keep all paperwork for universal waste recycling 40 CFR Part 273.

SMALL QUANTITY GENERATORS (SQG) 40 CFR 262

Generating 100-1000 kilograms of hazardous waste per calendar month.

1. Obtain a DEPIEPA ID Number (40 CFR Part 262.12)
2. Use manifest system (unless there is a reclamation agreement pursuant to §262.20 (e), and ship only to a permitted facility (Part 262, Subpart B).
3. Never exceed the 6000 kg accumulation/i 80 day storage time limit.
4. Emergency Planning:
 - a) Have at least one employee or a designee with authority as Emergency Coordinator (EC) that is on 24-hour call.
 - b) Next to the telephone, post (i) the EC name and phone number; (ii) fire department's number; (iii) location of fire extinguishers; spill control equipment/material and fire alarm (if any)
 - c) Follow emergency procedures in §262.34 (d) (4), including taking necessary steps to address spills and fires and notifying the National Response Center (24-hour number: 1-800-424-8802) and the State Warning Point (1-800-320-0519).
 - d) Upon request, the DEP will provide contingency plan guidance if the facility wishes to develop a more comprehensive emergency plan than required of SQG's.
5. Training of personnel regarding proper hazardous waste handling and emergency response [262.34(d) (5) (iii)].
6. Keep records (262.44), including manifests, test results, etc. for a minimum of three (3) years.
7. Meet satellite accumulation rules (262.34(c)).
8. If tanks are used for management of hazardous waste, meet the tank requirements of § 265.201.
9. Meet the following requirements under LQG, below: 1,2,4,5,6,12 to 15, 17, and 22.
10. If a SQG fails to meet applicable requirements, the full generator standards (and possibly TSDF standards) may apply. Full generator standards mean Large Quantity Generator requirements.

LARGE QUANTITY GENERATORS (LQG) (40 CFR 262,265 and 268)

Generating 1000 kilograms or more of hazardous waste per calendar month or 1 kilogram or more of acute hazardous waste (e.g. arsenic and cyanide compounds) per calendar month..

1. Perform hazardous waste determined (268.7), including LDR Waste Analyses (268.7).
2. Obtain a DEP/EPA ID Number (262.12) (phone 8501245-8772).
3. Use manifest system, and ship to a permitted facility (Part 262, Subpart B).

4. Meet pre-transport requirements for packaging, labeling, marking and placarding (262 subpart C).
5. Meet satellite accumulation rules (262.34(c)).
6. Label containers and tanks with the words "Hazardous Waste" and label containers with accumulation start dates. (262.34 (a)).
7. Do not store hazardous waste > 90 days (262.34(b)).
8. Keep all records (262 Subpart D), for at least three (3) years (including manifests, test data; biennial reports, etc.)
9. File biennial report for hazardous waste shipped off site (FAC 17- 730.160).
10. File exception report for late or missing manifests from the designated facility (262.42).
11. Meet personnel training requirements, including documentation of training (265.16).
12. Maintain and operate the facility in a clean, safe manner (265.31). **NOTE:** It is the facility's responsibility to comply with Occupational Safety & Health Administration (OSHA) worker safety and protective clothing rules, fire codes, Florida's Right to Know Law, Superfund Amendments and Reauthorization Act (SARA), etc.
13. Emergency equipment (265.32).
 - a) Telephone or hand-held two-way radio;
 - b) Internal communication or alarm system;
 - c) Fire and spill equipment (e.g. fire extinguishers, hoses, sprinklers, etc.);
 - d) Neutralizing agents, spill absorbents, over pack drums, etc.
 - e) Test and maintain the emergency equipment (265.33).
14. Maintain adequate aisle space for evacuation, inspecting drums, etc. (265.35) (e.g. no less than three (3) feet).
15. Attempt to make arrangements with local fire and police departments, hospitals and emergency response contractors/equipment suppliers, with regards to emergency arrangements, hazards of materials handled, layout of facility, etc. (265.37).
16. Have a contingency plan meeting the requirements of 265 Subpart D. Upon request, DEP will provide contingency plan guidance.
17. Containers (e.g. drums, cans, etc.) must be kept closed and in good condition, inspected at least weekly, be compatible with the hazardous waste stored and separated from other incompatible wastes (e.g. keep cyanides away from acids and oxidizers) (265 Subpart I).
18. Ignitable or reactive hazardous waste must be stored at least fifty (50) feet from the facility's boundary line (265 Subpart I)
19. Tanks must meet the requirements of 265 Subpart J (structural integrity; containment and detection of releases; inspections; response to leaks or spills; operating requirements; closures and post-closure care; special requirements for ignitable, reactive and/or incompatible wastes; waste analysis and trail tests).
20. Special cautions (including "no smoking" signs) are required for ignitable or reactive wastes (265.17).
21. Security (e.g. a locked fence) and bermed containment areas (with roof and impermeable floor) hazardous waste storage areas are strongly recommended.
22. Land Disposal Restrictions (LDR) Certification or Notification must accompany all manifest for restricted wastes. (268.7).