

West Michigan Air and Waste Management Association  
26th Annual Hazardous Waste Management Workshop

# Hazardous Waste 2022

## Return to Normal

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# Materials Management Division

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# Today's Talking Points

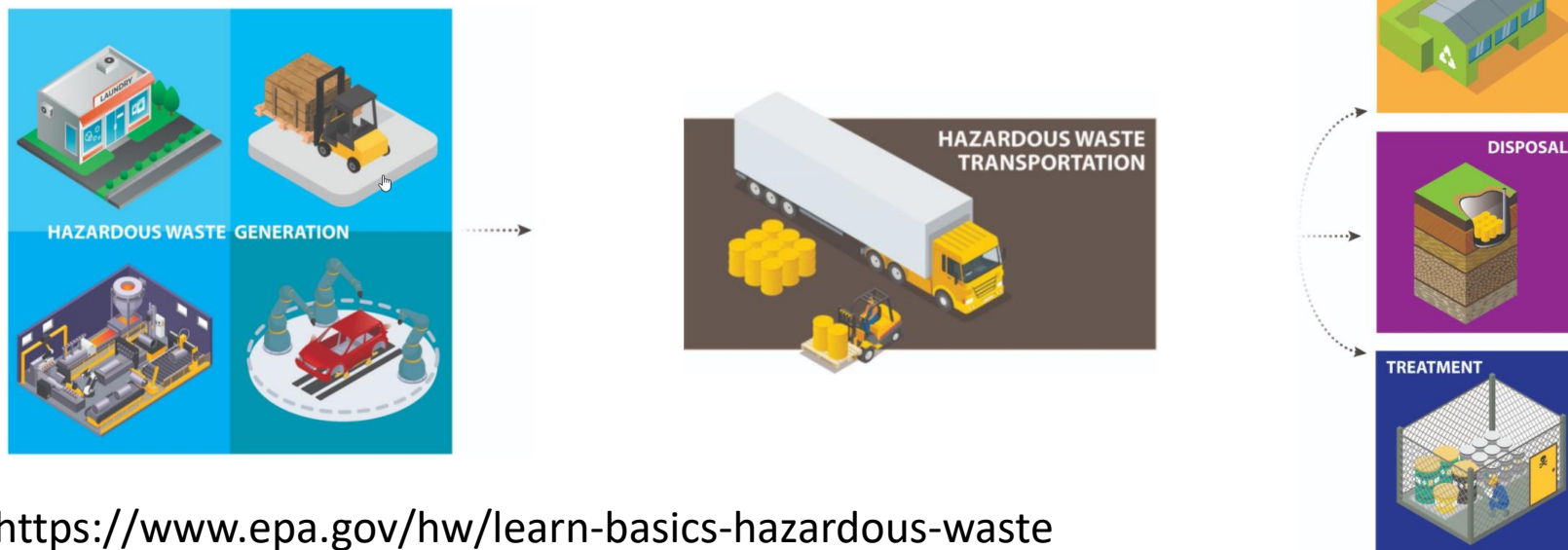
- RCRA's emphasis since 1976, "cradle to grave"
- The Compliance 2 Step- 1. Inspection Checklist 2. Common Violations
- Most recent rules became effective 8/3/2020
- Contingency Plan and Contingency Plan Quick Reference Guide
- Subpart P- 2023 instead of Two's day
- Incinerator Backlog – EPA acknowledged; Accumulation Extensions considered

# Today's Talking Points

- Get to Know the EQP5150 Sited ID Form
- Episodic Generation- timelines, notification, etc. are required
- SQG records- re-notification (< 4 yrs), documented training, document inspections, document arrangements with local authorities, etc.
- Aerosol Cans may be managed as universal waste

# Hazardous Waste is Cradle to Grave


RCRA set up a framework for the proper management of hazardous waste. From this authority, EPA established a comprehensive regulatory program to ensure that hazardous waste is managed safely from "cradle to grave" meaning from the time it is created, while it is transported, treated, and stored, and until it is disposed



<https://www.epa.gov/hw/learn-basics-hazardous-waste>

# The Compliance 2 Step

1. “Hazardous Waste Program Inspection Forms” checklists are available to the public on [EGLE Website](#)



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY  
Materials Management Division  
**GENERATOR INSPECTION**  
*Under the Authority of Part 111, Hazardous Waste Management, Part 121, Liquid Industrial By-Products, of 1994 PA 451, as amended (NREPA), and 40 Code of Federal Regulations (CFR) 262*

This document is used by EGLE inspectors and waste generators to determine compliance with Part 111 and Part 121

Facility Name \_\_\_\_\_

Inspection Date \_\_\_\_\_ Site ID# \_\_\_\_\_ WDS# \_\_\_\_\_

WASTE GENERATED	SOURCE/PROCESS	WASTE PROFILE/LDR	AMOUNT

(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATIONS	WDS	Waste Determination Part 111 & 40 CFR 262	C	NC	NI	NA
R 302(1) as defined in R 202	262A	A person who generates a waste shall make an accurate determination if that waste is a hazardous waste to ensure the waste is properly managed under these rules				

# The Compliance 2 Step

## 2. EGLE's Common Hazardous Waste Generator Violations

EGLE / WASTE / HAZARDOUS WASTE / HAZARDOUS WASTE AND LIQUID INDUSTRIAL BY-PRODUCTS MANAGEMENT

### Common Hazardous Waste Generator Violations

Contact: Trisha Confer | [ConferT@Michigan.gov](mailto:ConferT@Michigan.gov) | 989-255-7968

⇒ [PRINTABLE VERSION OF THIS PAGE](#)

In Michigan, hazardous waste is regulated under [Part 111](#) of the Michigan Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA) and the [Part 111 Rules](#). The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Materials Management Division (MMD) staff inspect facilities that handle hazardous waste to ensure it is accumulated, stored, transported, treated, and disposed as specified under the regulations in a manner that protects us and our environment.

The following is a list of common hazardous waste violations observed by EGLE staff during inspections, along with resources to:

- See who has been inspected;
- Review EGLE's compliance findings; and
- Learn more about the compliance requirements so facilities handling hazardous waste can do so safely and experience a favorable compliance finding when inspected.



**EGLE Classroom - Hazardous Waste 101 Video**

#### COMPLIANCE RESOURCES

EGLE has extensive resources to help hazardous waste generators understand the regulations, including:

- [Michigan Guide to Environmental, Health and Safety Regulations, Chapter 2](#)

#### COMPLIANCE CHECK

Find details on EGLE's hazardous waste inspection findings using the [Waste Data System](#) (WDS). For the best results when looking for a specific location, select the "Advanced Search" option, and enter only the street number and city, then select run query. If no results are found,

# Latest Hazardous Waste Rules Effective Aug. 3, 2020 Includes the Generator Improvement Rule (GIR)

## Highlights

- Generator improvements rule (GIR) ([81 Federal Register \(FR\) 85732, November 28, 2016](#))
- Exports/imports ([81 FR 85696, November 28, 2016](#) and [82 FR 60894, December 26, 2017](#))
- E-manifesting ([83 FR 420, January 3, 2018](#))
- Definition of solid waste 2018 court vacature ([83 Federal Register \(FR\) 24664, May 30, 2018](#))



# Latest Hazardous Waste Rules Effective Aug. 3, 2020 Includes the Generator Improvement Rule (GIR)

## Highlights

- Designation of aerosol cans as universal waste ([84 FR 67202, December 9, 2019](#))
- Elimination of 52 state-only hazardous waste listings
- The GIR significantly restructured the generator rules to make it easier to determine the requirements that apply to each type of generator and include provisions for episodic events and LQG consolidation of VSQG waste

# LQG Contingency Plan and Quick Reference Guides

- UPDATED 3/2021: [Contingency Plan and Emergency Procedures for Fully Regulated Generators](#)
- Note: Requirement as of 8/3/2020, for all NEW contingency plans, and when the contingency plan is updated/amended.
- Note: Must be submitted to local emergency responders (i.e., police departments, fire departments, hospitals and State and local emergency response teams that may be called upon to provide emergency services)

# LQG Contingency Plan and Quick Reference Guides

## Contingency Plan and Emergency Procedures for Large Quantity Generators - Guidance

### QUICK REFERENCE GUIDE EXAMPLE

This example was created by U.S. EPA Region 7 to be used as a guide to assist the regulated community with compliance. This example does not substitute for or replace any regulatory requirements.

#### ABC Facility:

1000 SW Main Street. Anytown, Michigan

#### Facility Contacts:

Primary Emergency Coordinator: George Washington - Mobile Number (24/7): 515-555-0000

Secondary Emergency Coordinator: Abraham Lincoln - Mobile Number (24/7): 515-555-0001

Tertiary Emergency Coordinator: Martha Washington - Mobile Number (24/7): 515-555-0002

**Note:** ABC Facility operates 3 shift, 24/7, but the order of contact during an emergency is listed above.

#### HAZARDOUS WASTE INFORMATION:

Name of Waste	Waste Codes/Hazards	Location Accumulated	Maximum Amounts Present	Response Notes	Special Notes to Hospital/Treatment personnel
Paint Related Wastes (liquid)	D001 (ignitability, flash point <140 °F); F003, F005 (Benzene, Methyl Ethyl Ketone, Toluene, Toxicity)	NW corner of Warehouse, hazardous waste storage area	Five, 55-gallon drums (2,065 pounds)	If personnel come into direct contact with material, decontamination at the hospital may be required prior to treatment.	None
Paint Related Wastes (liquid)	D001 (ignitability, flash point <140 °F); F003, F005 (Benzene, Methyl Ethyl Ketone, Toluene, Toxicity)	Two Satellite Accumulation Areas as noted with blue asterisks on the	One, 55-gallon drum (440 pounds)	If personnel come into direct contact with material, Decontamination at the hospital may be required	None


# 22022022

## Subpart P and Two's Day

Tuesday, February 2, 2022

- Palindrome - Can be read from right to left or left to right
- Ambigram - Can be read upside down
- Rules published on 2/22/19, became effective 8/21/19, banned healthcare sewerage of hazardous waste pharmaceuticals.
- Remaining RCRA 40 CFR, 266, Subpart P, were projected to be adopted in MI on Two's - Date passed!
- Expect adoption of Subpart P ~ 2023

# 90 and 180 Day Accumulation Extensions


 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

August 10, 2021

OFFICE OF  
LAND AND EMERGENCY  
MANAGEMENT

**MEMORANDUM**

**SUBJECT:** Regulatory Options for Addressing the Temporary Backlog of Containerized Hazardous Waste Needing Incineration

**FROM:** Carolyn Hoskinson, Director  
Office of Resource Conservation and Recovery 

Digitally signed by  
CAROLYN HOSKINSON  
Date: 2021.08.10  
15:57:48 -0400

**TO:** Land, Chemicals and Redevelopment Division Directors, Regions 1-10

Purpose

The purpose of this memorandum is to communicate existing options under the Resource Conservation and Recovery Act (RCRA) regulations for hazardous waste generators and permitted hazardous waste treatment, storage, and disposal facilities (TSDFs) to address the temporary backlog of containerized hazardous waste destined for incineration.

Background

In early June 2021, EPA became aware that some commercial hazardous waste incinerators were informing their customers (hazardous waste generators) that they would no longer accept containerized hazardous waste designated for incineration, due to a backlog at their facilities. This presents a problem for hazardous waste generators because they are only allowed to accumulate hazardous waste on-site for a maximum of 90 days for large quantity generators (LOGs) or 180 days (or 270 days if the waste must be transported a distance of 200 miles or

The EPA memo predicted incinerator backlog would be resolved by the end of the 1<sup>st</sup> Quarter 2022

# 90 and 180 Day Accumulation Extensions

NEW Nov. 2021

- Extension Request Form for Hazardous Waste Generators
- Must use Chrome, Firefox, Safari, or Edge Web browser



MICHIGAN DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY

## Requesting Extensions for Hazardous Waste Accumulation


**Important Note:** In addition to submitting this form, please email the following information to [ConferT@Michigan.gov](mailto:ConferT@Michigan.gov) with your EPA Site ID Number listed in the subject line. Submissions with missing information may not receive approval.

- Copy of all correspondence pertaining to efforts to have the subject waste collected, to include written responses/notification indicating that the company could not accept the waste.
- Provide photos of the following:
  - Waste accumulation area
  - Any extended waste accumulation area that resulted from the need to exceed the statutory accumulation time
  - Secondary containment, sufficient to accommodate all waste being accumulated

**This form is to be submitted no more than thirty days prior to the need for extension (30 days prior to exceeding the 90 day accumulation time period for large quantity generators or the 180 days for small quantity generators).**

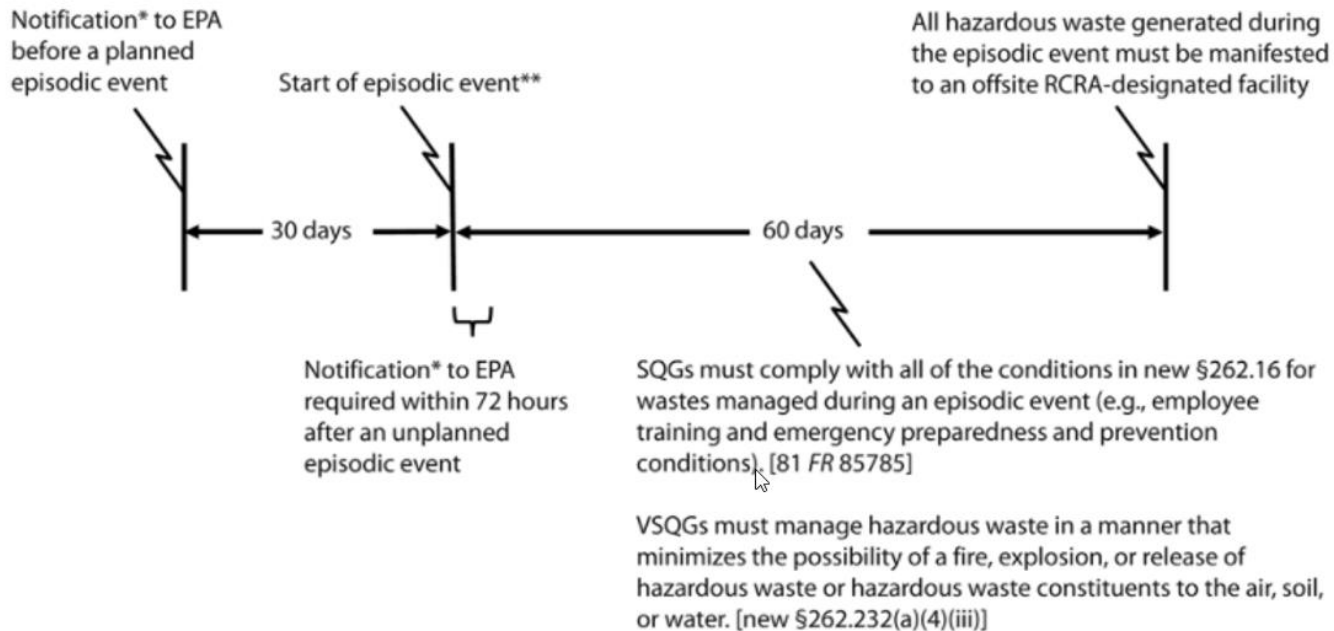
# Get to know the Michigan Site Identification Form EQP5150

- [Form](#) Revised Dec. 2021
- [EQP 5150 Website](#) provides payment and submittal instructions
- Required for Generator Status (LQG, SQG, VSQG), Episodic Generation, Biennial Report, Hazardous Secondary Material (HSM), etc.

 MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY MATERIALS MANAGEMENT DIVISION <b>SITE IDENTIFICATION FORM</b>	
<p><b>You must save this file to your computer before completing the form</b>                      Required under authority of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Failure to submit this information may result in civil or criminal penalties</p>	
<b>1. Reason for Submittal</b> (Select only one)	
<input type="checkbox"/>	Obtaining an initial United States Environmental Protection Agency (EPA) Identification (ID) number, <b>as a new site or new owner</b> , for an on-going regulated activity that will continue for a period of time. <b>FEES DO NOT APPLY TO LIB ONLY SITES. 1. Pay the \$50 fee</b> on-line using MasterCard, VISA, or Discover Card at <a href="https://www.thepayplace.com/mi/deq/siteid">https://www.thepayplace.com/mi/deq/siteid</a> . <b>2. E-mail the form</b> , with a copy of the fee receipt, to <a href="mailto:EGLE-MMD-Site-ID-Reporting@Michigan.gov">EGLE-MMD-Site-ID-Reporting@Michigan.gov</a> ; or, <b>Mail the form with check</b> payable to the <b>State of Michigan</b> to: Michigan Department of Environment, Great Lakes and Energy (EGLE), Cashier's Office-HWUC, P.O. Box 30657, Lansing, Michigan 48909-7741.
<input type="checkbox"/>	Submitting a subsequent notification to change, update, or verify site information for an existing owner of a site with a previously issued Site ID number. E-mail to <a href="mailto:EGLE-MMD-Site-ID-Reporting@Michigan.gov">EGLE-MMD-Site-ID-Reporting@Michigan.gov</a>
<input type="checkbox"/>	* NOTIFYING that <b>SITE IS STILL IN BUSINESS AND NO LONGER GENERATING WASTE (end date required)</b> _____ Authorized Signature _____ Date _____ * E-mail completed pages 1-2 to <a href="mailto:EGLE-MMD-Site-ID-Reporting@Michigan.gov">EGLE-MMD-Site-ID-Reporting@Michigan.gov</a>
<input type="checkbox"/>	*NOTIFYING that <b>SITE IS OUT OF BUSINESS AND NO LONGER GENERATING WASTE (end date required)</b> _____ Authorized Signature _____ Date _____ *E-mail completed pages 1-2 to <a href="mailto:EGLE-MMD-Site-ID-Reporting@Michigan.gov">EGLE-MMD-Site-ID-Reporting@Michigan.gov</a>
<input type="checkbox"/>	Site was a TSD facility and/or generator of less than 1,000 kilograms (kg) of hazardous waste, less than 1 kg of acute hazardous waste, or 100 kg of acute hazardous waste spill cleanup in one or more months of the reporting year.
<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.
<input type="checkbox"/>	Submitting as a component of the Hazardous Waste Biennial Report.
<b>2. Site EPA ID Number</b>	
<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	
<b>3. Site Legal Name</b>	

# Episodic Generation Planned & Unplanned

## Timeline for Episodic Generation Provisions



Source: McCoy and Associates, Inc.

\*Notification to EPA using Form 8700-12

\*\*A facility may petition its state/EPA for relief a second time in a year. However, the second event in that year must be unplanned if the first one was planned and vice versa.



# Episodic Generation Planned & Unplanned

- [RCRA Review: New Episodic Generation Regs Provide Generators a Break \(mccoyseseminars.com\)](https://mccoyseseminars.com)
- Q&A from the EPA [Episodic Generation](#)

*Additional requirements*—SQGs must also comply with all of the conditions in new §262.16 for wastes managed during an episodic event (e.g., employee training and emergency preparedness and prevention conditions). [81 FR 85785] VSQGs must manage hazardous waste in a manner that minimizes the possibility of a fire, explosion, or release of hazardous waste or hazardous waste constituents to the air, soil, or water. [new §262.232(a)(4)(iii)]

*Recordkeeping*—Records of the episodic event must be maintained for 3 years from the end date of the event. The information that must be kept is identified in new §262.232.

*Failure to meet conditions*—“[S]hould a VSQG fail to meet the specified conditions, it loses the VSQG exemption and becomes the operator of a non-exempt storage facility unless it also immediately complies with all of the conditions for exemption for an SQG or LQG. If an SQG fails to meet any specified condition for exemption, it loses its exemption and becomes the operator of a non-exempt storage facility unless it immediately complies with all of the conditions for an exemption for an LQG.” [81 FR 85783]

# LQG Biennial Report (BR)

Due 3/1/22 (Even Number Years)

- EGLE [BR Website](#)
- MI EQP 5150 Form signed & sent to the State of MI
- BR Waste activities certified in RCRAInfo

EGLE / WASTE / HAZARDOUS WASTE  
/ HAZARDOUS WASTE AND LIQUID INDUSTRIAL BY-PRODUCTS MANAGEMENT

## Hazardous Waste Biennial Reporting

Contact: Rich Conforti 517-275-1649  
Agency: Environment, Great Lakes, and Energy

### Hazardous Waste Biennial Report for Hazardous Waste Large Quantity Generators (LQGs) and Permitted and Interim Status Treatment, Storage, or Disposal Facilities (TSDs)

The Michigan Department of Environment, Great Lakes, and Energy requires hazardous waste Treatment, Storage, and Disposal Facilities (TSDs) and Large Quantity Generators (LQGs) of hazardous waste, to submit a biennial report by March 1 of each even numbered year. The next biennial report submissions will be due by March 1, 2022 covering activities in calendar year 2021.

As in the last biennial report cycle, EGLE **will not** be sending biennial packets. Instead, LQGs and TSDs will again report using the federal forms and instructions. EGLE is encouraging sites to submit their Biennial Report data electronically through the Biennial Report component of the EPA RCRAInfo Industry Application (RIA).

The RIA Biennial Reporting component can be accessed through RCRAInfo. The RIA one-page document will guide you on getting connected is located here: [2021 RIA BR one-page guidance document](#). Additional help and guidance can be found in [RCRAInfo Industry Application Help and Guidance](#).

The federal Site Identification form (SI 8700-12, 8700-13 A/B, 8700-23) is **not required** to be printed for signature or submission. A signed copy of the [Michigan Site ID Form \(EQP 5150\)](#) is **required**.

The [2021 EPA Biennial Report Instructions and Forms document](#) are located under the "Key Links" portion on the page.

**Form OI is not required by the State of Michigan.**

Completed EQP 5150 forms should be addressed to:

**By US Mail:**  
Hazardous Waste Biennial Report  
EGLE  
MMD  
PO Box 30241  
Lansing, MI 48909

Questions? Please send your questions to the biennial reporting mailbox, [BiennialReport@michigan.gov](mailto:BiennialReport@michigan.gov), or call the Environmental Assistance Center at 800-662-9278.

# SQG Records

- SQGs are required to **re-notify** starting in 2021 and every four years thereafter using the Michigan's EQP5150. Re-notification must be submitted by Sept. 1st of each year in which re-notifications are required.
- Both LQG's and SQG's must keep **documentation** of all **inspections, training**, and other records, as required, for not less than 3 years
- SQG's must maintain records to document **arrangements local responders** for emergency response

# Aerosol Cans May Be Managed as Universal Waste as of 08/03/2020

## Aerosol Can Guide

## Universal Waste Guide


**EGLE** MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

### ON-SITE AEROSOL CAN DRUM TOP RECYCLING SYSTEMS

Guidance

Aerosol cans are a common waste generated by most businesses. Aerosol cans contain a product and propellant under pressure. The product is released from the aerosol can (the container) in the form of a spray or mist when the nozzle is pressed to apply the product. As the product is used, the propellant is also used. Examples of products commonly dispensed using aerosol cans include:

- maintenance products (degreasers and cleansers)
- beauty products (hair sprays and perfumes)
- cooking products (vegetable sprays)
- surface coating products (paints and varnishes)
- personal care products (bug sprays and sunscreens)
- pharmaceutical products (inhalers) and
- pesticides (ant or wasp sprays)



If a site routinely generates large volumes of aerosol cans, it may be cost effective to recycle the aerosol cans for their scrap metal value and manage any accumulated liquids separately. Typically aerosol cans are made of steel or aluminum. Although the Michigan Department of Environment, Great Lakes, and Energy (EGLE) does not consider empty aerosol cans a reactive hazardous waste, some states do and most solid waste vendors require special waste approvals for aerosols due to the explosion hazard they present when compacted. To avoid special waste costs, recycling may be a cost effective option.

This guidance summarizes the environmental regulations that apply to on-site drum top puncturing systems used to recycle aerosol cans. Additional requirements apply to puncturing and recycling aerosol cans discarded by another site. For questions about recycling off-site generated aerosol cans, please contact the Environmental Assistance Center at 800-662-9278. For questions about the safety requirements related to recycling aerosol cans, please contact the Michigan Occupational Safety and Health Administration at 517-284-

**What is an Empty Aerosol Can?**

Most aerosol cans do not contain products which become an acutely toxic hazardous waste when discarded. Therefore, most aerosol cans are empty when the pressure in the container approaches atmospheric pressure. To ensure an aerosol can that held a non-acute hazardous waste is considered empty under the hazardous waste and liquid industrial by-product regulations, listen for audible liquids and check to see if the can is clogged. If the container is clogged and has audible liquids, accumulate the non-empty aerosol

**EGLE** MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

### UNIVERSAL WASTE

GUIDANCE

#### INTRODUCTION

The universal waste rules were designed to promote recycling and simplify disposal for certain types of commonly generated hazardous waste. The universal waste rules reduce the regulatory burden in managing certain types of hazardous wastes without compromising human health and environmental protections. When managing waste under the universal waste rules, a generator can presume the waste is a hazardous waste and manage it to meet all of the universal waste requirements.

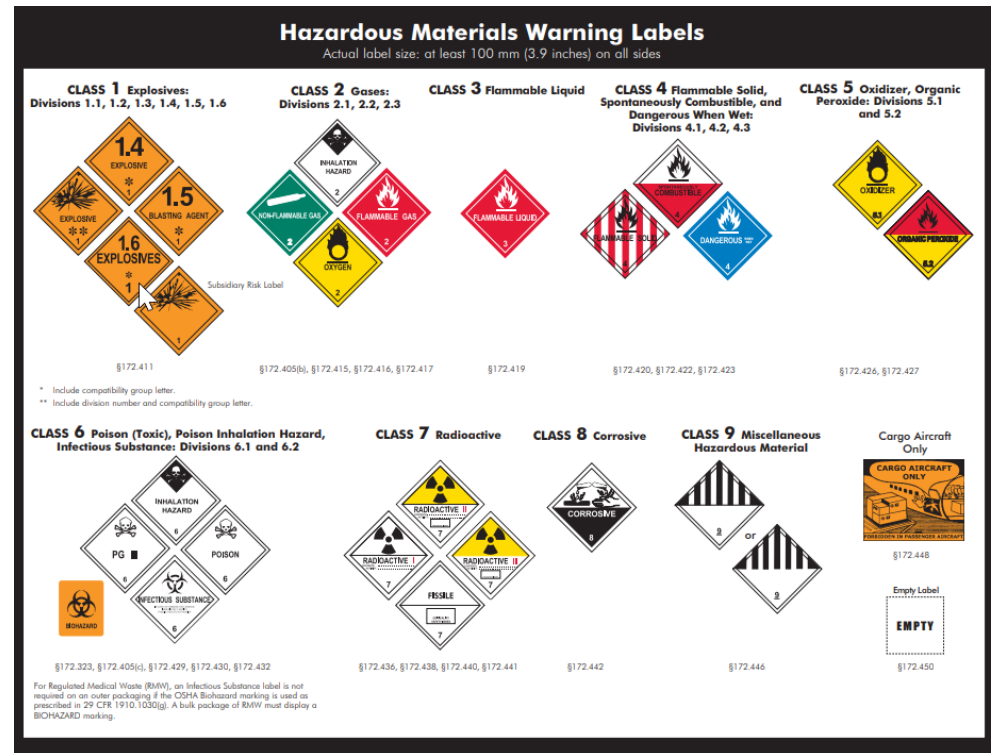
#### UNIVERSAL WASTE DEFINITION

All facilities, including manufacturing industries, commercial businesses, governmental agencies, health care providers, administrative offices, and other non-household waste generators, are required to determine if they generate hazardous waste (see the [Waste Characterization](#) guidance). Michigan facilities may choose to handle the following hazardous waste types as universal waste under the streamlined universal waste standards:

- **Aerosol cans:** A container in which gas under pressure is used to aerate and dispense any material through a valve in the form of a spray or foam.
- **Antifreeze:** A mixture containing ethylene glycol or propylene glycol used as a heat transfer or dehydration fluid.
- **Batteries:** A device which consists of one or more electrically connected electrochemical cells and which is designed to receive, store, and deliver electric energy. This category includes hazardous waste batteries such as nickel-cadmium, spent lead-acid, and lithium batteries.
- **Consumer electronics:** A device containing an electronic circuit board, liquid crystal display, or plasma display which is commonly found in homes and offices and these

# Labelling

1. Words “**Hazardous Waste**”
2. Hazardous waste number OR description (chemical name) of the waste
3. Indication of the **hazards** of the contents (waste characteristics, hazard statement, pictogram, or NFPA chemical hazard label)
4. **Date when the accumulation began** marked clearly visible



**DOT CHART 15** [Chart 15.pdf](#)

# EGLE Recorded Waste Webinars

- [Waste 101](#) (3/25/20, 65 min)
- [Waste Characterization and Generator Status](#) (4/2/20, 88 min)
- [Hazardous Waste and Liquid Industrial By-products Accumulation, Labeling, and Shipping](#) (4/16/20, 73 min)
- [Hazardous Waste and Liquid Industrial By-products Inspections and Recordkeeping](#) (5/5/20, 69 min)
- [Federal Hazardous Waste Generator Improvement Rules and Aerosol Cans as Universal Waste](#) (5/27/20, 70 min)
- [Universal Waste](#) (6/03/20, 70 min)
- [What Small Businesses Need to Know about Hazardous Waste](#) (6/17/20, 68 min)
- [Implementing a Household Hazardous Waste and Universal Waste Collection in your Community](#) (6/30/20, 61 min)
- [Michigan Transport, Manifesting and NEW e-Manifesting Regulations](#) (5/16/18, 88 min.)
- [Liquid Industrial By-products Handling and Reporting Webinar](#) (3/6/18, 83 min.)
- [Used Oil](#) (2/23/17, 61 min.)

A  B

**Questions?**

