

From: Norman Wei, Environmental Management and Training, LLC.

Subject: EPA's Generator Improvement Rule

EPA's Generator Improvement Rule went into effect May 30, 2017. It makes several changes to the existing hazardous waste management regulations. The Rule went into effect in Iowa, Alaska and the Territories (as in Puerto Rico and American Samoa) on May 30, 2017.

States that have been granted authority to run the federal hazardous waste management program by EPA are NOT required to adopt any provisions that are LESS stringent than their existing regulations.

Authorized States (all states except Alaska, Iowa and the Territories), however, must adopt those new federal regulations that are MORE stringent than state requirements by July 1, 2018 (or July 1, 2019, if change in law is required).

California is an authorized state and the Department of Toxic Substances Control (DTSC) has identified the following new EPA regulations as mandatory provisions that will be adopted via the rulemaking process:

- A re-notification requirement for small quantity generators and large quantity generators (40 CFR 262.18(d))
- Additional marking and labeling requirements for containers and tanks (40 CFR 262.15(a)(5), 262.16(b)(6), 262.17(a)(5), 263.12(b) and 268.50(a)(2)(i))
- Additional pre-transportation marking requirements for containers (40 CFR 262.32(b) and (c))
- New large quantity generator closure requirements (40 CFR 262.17(a)(8))
- Increased requirements for satellite accumulation areas (40 CFR 262.15(a)(3))
- New requirements added to the preparedness, prevention, and emergency procedures for small quantity generators and large quantity generators including:
 - Documenting that arrangements with local authorities were made or attempted to be made by the generator and;
 - A quick reference guide that summarizes a large quantity generator's contingency plan (40 CFR 262.16(b)(8)(iv), 262.256 and 262.262(b))

- Additional requirements for containers holding ignitable and reactive wastes for large quantity generators (40 CFR, 262.17(a)(1)(vi)(B))
- New definitions for large quantity generator, small quantity generator and non-acute hazardous waste (40 CFR, 260.10)

Since DTSC is still in the rule making process on these new regulations, **NONE** of them are in effect yet

Please note that all other states (except Iowa, Alaska and Puerto Rico) are doing the same thing.

Most states will probably follow California's example.

It is recommended that you subscribe to your state agency's email list to get the latest updates on its rule making process.

Date: February 15, 2018.