

## **SUMMARY OF SMALL QUANTITY GENERATOR (SQG) HAZARDOUS WASTE REQUIREMENTS**

### **262.11 - Hazardous Waste Determination**

- 262.11 Determine if "solid waste" is hazardous
- 262.40(c) Keep records of test results, analysis, or other determination for 3 years

### **262.34(d),(e) - Container Storage Areas**

- 262.34(d) Wastes must not be accumulated over 180 days
- 262.34(e) Wastes must not be accumulated over 270 days, if shipping over 200 miles
- 262.34(d)(1) Waste on site must not exceed 6,000 kg (13,200 lbs)
- 262.34(a)(2) Containers must be marked clearly with the accumulation start date and be visible for inspection
- 262.34(a)(3) Containers must be marked clearly with the words "Hazardous Waste"
- 265.171 Container must be in good condition or transfer contents to a new container
- 265.172 Containers must be compatible with waste
- 265.173(a) Containers must be kept closed
- 265.173(b) Containers must be managed properly to prevent a rupture or leak
- 265.174 Container storage area must be inspected weekly
- 265.177 Incompatible hazardous wastes must be segregated

### **262.34(c) - Satellite Accumulation Areas**

- 262.34(c)(1) Quantity of waste must not exceed 55 gallons or 1 quart of acutely hazardous waste
- 262.34(c)(1) Accumulation area must be at or near the point of generation and under the control of the operator
- 265.171 Containers must be in good condition or transfer contents to a new container
- 265.172 Containers must be compatible with waste
- 265.173(a) Containers must be kept closed
- 262.34(c)(1)(ii) Containers must be marked "Hazardous Waste" or with other words which identify the waste

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- 262.34(c)(2) Containers must be marked with the date filled
- 262.34(c)(2) Container must be moved from a satellite area to a storage area within 3 days

### **262.30–33 - Pre-Transport Requirements**

- 262.30 Containers must meet DOT regulations under 49 CFR 173, 178, 179 for packaging before transport
- 262.31 Containers must meet DOT regulations under 49 CFR 172 for labeling before transport
- 262.32(a) Containers must meet DOT regulations under 49 CFR 172 for markings before transport
- 262.32(b) Containers of 119 gallons or less must meet DOT regulations under 49 CFR 172.304 before transport, which includes, in part, marking containers with generator's name and address and manifest number
- 262.33 Placard or offer the initial transporter the appropriate placards according to DOT regulations (49 CFR 172, Subpart F)

### **262.34(d)(5) - Emergency Procedures**

- 262.34(d)(5)(i) Emergency Coordinator must be on site or on call
- 262.34(d)(5)(ii) Post the following information next to the telephone
  - 262.34(d)(5)(ii)(A) The name and telephone number of the emergency coordinator
  - 262.34(d)(5)(ii)(B) Location of fire extinguishers, spill control material, and fire alarm
  - 262.34(d)(5)(ii)(C) The telephone number of the fire department, unless there is a direct alarm
- 262.34(d)(5)(iii) Ensure that employees are trained to handle hazardous waste and emergencies
- 262.34(d)(5)(iv) The facility must properly respond to and report an emergency

### **262.34(d)(4) - Preparedness and Prevention**

- 265.31 Maintain and operate facility to minimize the possibility of a fire, explosion, or discharge
- 265.32 Facility must be equipped with the following:
  - 265.32(a) Communications or alarm system
  - 265.32(b) A telephone or device to summon emergency assistance
  - 265.32(c) Portable emergency equipment
  - 265.32(d) Adequate water supply

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- 265.33 Test and maintain emergency equipment
- 265.34(a) Maintain access to communication or alarm system wherever hazardous waste is being handled
- 265.35 Maintain adequate aisle space (recommended minimum is 18 inches between drum rows)
- 265.37(a)(1) Familiarize police, fire departments, and emergency response teams with the layout of the facility, and hazardous wastes handled
- 265.37(a)(2) Agreement required designating primary emergency authority to a specific police and fire department where more than one police and fire department are involved
- 265.37(a)(3) Agreements required with emergency response contractors and equipment supplier
- 265.37(a)(4) Arrangements required to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries resulting from fires, explosions, or discharges at the facility
- 265.37(b) Document when authorities identified in (1) through (4) above declined to enter into such arrangements

**262.20–23 - Manifest Requirements**

- 262.20(a) Prepare a manifest before transporting, or offering for transport, hazardous waste for offsite treatment, storage, or disposal. For EPA form 8700-22, the instructions included on the back of the manifest form must be followed, and for EPA form 8700-22A, the instructions included in the appendix to 262 must be followed. Additionally, Items A–K of the manifest shall be completed even if the instructions of an out-of-state manifest does not address the shaded portions.
- 6.1(c)3 Include the following information on the manifest:
  - Generator's name (as notified to EPA), mailing address, site address, and phone #
  - Generator's EPA ID #
  - Transporter(s) name (as notified to EPA), phone #, and NJ registration #
  - Transporter(s) EPA ID #
  - TSDF's name (as notified to EPA), address and phone #
  - TSDF's EPA ID #
  - Proper USDOT (49 CFR Parts 171–177) description of waste
  - Container # and type, quantity, and unit
  - Special handling instructions, including DOT descriptions for NOS material & 2 major constituents, a 24-hour emergency number as per 49 CFR 172.201(d), and decal #.

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Items A–K (shaded portions)

- 6.2 The proper waste code that accurately describes the shipment of hazardous waste, determined according to the waste “Hierarchy” at 6.2
- 262.20(b) Designate on the manifest one facility that is permitted to handle the waste described on the manifest
- 262.20(c) May also designate on the manifest one alternate facility that is permitted to handle the waste described on the manifest in the event an emergency prevents delivery of the waste to the primary designated facility
- 262.20(d) If the transporter is unable to deliver the hazardous waste to the designated facility or alternate facility, (or waste is rejected by the designated or alternate facility), designate another facility or instruct the transporter to return the waste (ref. 6.3)
- 262.20(e) The requirements of Subpart B (262.20-23) do not apply to hazardous waste produced by generator of greater than 100 kg (220 lbs) but less than 1,000 kg (2,200 lbs) in a calendar month, if waste is reclaimed offsite. However, the following requirements must be met:
- 262.20(e)(1) The waste is reclaimed under a contractual agreement
- 262.20(e)(1)(i) The type of waste and frequency of shipments are specified in the contractual agreement
- 262.20(e)(1)(ii) The vehicle used to transport the waste to the recycling facility and to deliver regenerated material back to the generator is owned and operated by the reclaimer of the waste
- 262.20(e)(2) A copy of the reclamation agreement is maintain on site for a period of 3 years after termination or expiration of the agreement.
- 262.21(a),(b) Use the manifest form supplied by the consignment State (State to which the shipment is manifested). If the consignment State does not supply the manifest, use the manifest supplied by the Department
- 262.23(a)(1) Sign the manifest certification by hand
- 262.23(a)(2) Obtain the handwritten signature of the initial transporter and date of acceptance on the manifest
- 262.23(a)(3) Retain one copy of the manifest signed by the generator and the initial transporter, in accordance with 262.40
- 262.23(a)(3) Forward one copy of the manifest to the generator State and one copy to the consignment State
- 262.23(b) Give transporter the remaining copies of the manifest
- 262.23(c) For shipments of hazardous waste within the United States solely by water (bulk shipments only), send 3 copies of the manifest dated and signed in accordance with this 262.23 to the designated facility or the last water (bulk shipment) transporter to handle the waste in the United States if exported by water. Copies of the manifest are not required for each transporter.

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- 262.23(d) For rail shipments of hazardous waste within the United States which originate at the site of generation, send at least 3 copies of the manifest dated and signed in accordance with 262.23 to:
- 262.23(d)(1) The next non-rail transporter (if any); or,
- 262.23(d)(2) The designated facility if transported solely by rail; or
- 262.23(d)(3) The last rail transporter to handle the waste in the United States if the waste is exported
- 262.23(e) For shipments of a hazardous waste to a designated facility in an authorized State which has not yet obtained authorization to regulate that particular waste as hazardous, assure that the designated facility agrees to sign and return the manifest to the generator, and that any out-of-state transporter signs and forwards the manifest to the designated facility
- 262.23(f) If the designated facility is located in a state that does not mandate its facilities to send signed copies to the generator state and the consignment state, assure that the Department and consignment state receive copies of the manifest signed by the designated facility (ref. 6.1(c)7)

#### **262.40–44 - Recordkeeping and Reporting Requirements**

- 262.40(a) Retain a copy of each manifest signed in accordance with 262.23(a) for 3 years and a signed copy from the designated facility that received the waste. The signed copy must be retained on site for at least 3 years from the date the waste was accepted by the initial transporter
- 262.40(c) Keep records of any test results, waste analyses, or other determinations made in accordance with 262.11 for at least 3 years from the date that the waste was last sent to an on-site or off-site treatment, storage, and disposal facility (TSDF)
- 262.40(d) Periods of retention referred to in this section (262.40) are extended automatically during the course of any unresolved enforcement action regarding the regulated activity or as requested by the Commissioner of the NJDEP or his or her designee
- 262.42 Exception Reporting
- 262.42(b) Submit a legible copy of the manifest, with some indication that confirmation of delivery of the waste has not been received, to the Department when a copy of the manifest with the handwritten signature of the designated facility is not received within 60 days of the date the waste was accepted by the initial transporter. The submission need only be a handwritten or typed note on the manifest itself, or on an attached sheet of paper, stating that the return copy was not received.

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262.43 Additional Reporting

262.43 The Department, as deemed necessary under N.J.S.A. 13:1E-1 et seq., N.J.S.A. 13:1D-1 et seq., or any comparable provisions of NJ's statutes and implementing regulations, may require generators to furnish additional reports concerning the quantities and disposition of wastes identified in 40 CFR Part 261.

262.44 Special Requirements for Generators of Between 100 and 1,000 kg/month

262.45 Generators of the above amount only need to comply with the requirements at 262.40(a), (c), (d), 262.42(b), and 262.43 (all identified above)

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