

# **SUBPART L**

## **ALTERNATIVE STANDARDS FOR EPISODIC GENERATION**

**40 CFR 262.230 & 40 CFR 262.232(a) & (b)**

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# EPISODIC GENERATION DEFINITION

AN ACTIVITY OR ACTIVITIES, EITHER PLANNED OR UNPLANNED, THAT DOES NOT NORMALLY OCCUR DURING GENERATOR OPERATIONS, RESULTING IN AN INCREASE IN THE GENERATION OF HW THAT EXCEEDS THE CALENDAR MONTH QUANTITY LIMITS FOR THE GENERATOR'S USUAL CATEGORY

# TEMPORARILY EXCEEDS EXISTING GENERATOR CATEGORIES FOR VSQG & SQG

- **PLANNED:** SHORT-TERM CONSTRUCTION PROJECTS, SITE REMEDIATION, EQUIPMENT MAINTENANCE, EXCESSIVE CHEMICAL INDUSTRIES, AND SITE PRODUCTION PROCESS DECOMMISSIONS
- **UNPLANNED:** PROCESS UPSETS, PRODUCT RECALLS, ACCIDENTAL SPILLS, ACTS OF NATURE (*FLOODS, TORNADOS, HURRICANES*)

# WHO IS ELIGIBLE TO BE AN EPISODIC GENERATOR (EG)



Very Small Quantity Generators  
(VSQG) <220 lbs.

Episodic Generation - Alternative Standards



Small Quantity Generators  
(SQG) <2,200 lbs.

11/7/2019

LOGG NOT ELIGIBLE

EXAMPLE:

# MARIO'S AUTO BODY SHOP

**GENERATES 1 55-GALLON DRUM OF LACQUER/6 MONTHS**

- **CURRENT CATEGORY: VSQG**                      **NO EPA ID NUMBER**                      **MANIFEST ONLY**
  
- **SCENIARO:** Mario Sr. is selling the business to Mario Jr.  
The out-of-date **SOLVENT-BASED PAINT IN THE FLAMMABLE STORAGE ROOM** are being replaced with **NEW WATER-BASED PAINT SYSTEM.**

# MARIO'S AUTO BODY'S PAINT SHOP STORAGE SHED



# CAN MARIO'S AUTO BODY APPLY FOR EPISODIC GENERATION?

- **HOW MUCH WASTE WILL BE GENERATED?**

- FLAMMABLE STORAGE AREA CONTAINS:

**50 55-GALLON DRUMS ( 400LBS/DRUM) = 20,000 LBS. OF SOLVENT-BASED PAINTS AND ACETONE/LACQUERS**

- **CAN MARIO SR. BECOME AN EPISODIC GENERATOR?**

# EPISODIC EVENT – PLANNED OR UNPLANNED?

***YES***

- **PLANNED EVENT:** MARIO SR. HAS A PLANNED EVENT THAT WILL CREATE A HAZARDOUS WASTE QUANTITY THAT EXCEEDS 220 POUNDS IN ONE CALENDAR MONTH.

# VSQ GENERATOR PLANNED EVENT

MARIO'S AUTO BODY PLANNED AND PREPARED FOR:

- ✓ SHORT-TERM PROJECT
- ✓ REMOVAL OF EXCESS CHEMICAL INVENTORY
- ✓ CLEANOUT OF STORAGE ROOM CHEMICALS, GARAGE & TOOL SHED CLEANOUT, BASEMENTS, AND OTHER AREAS AT FACILITY CONTAINING SOLVENT-BASED PAINTS & OTHER HAZARDOUS WASTES, INCLUDING FLAMMABLES, SOLVENTS.
- ✓ MARIO SENIOR ESTIMATES THE START AND END DATE WILL BE COMPLETED WITH 60 DAYS FROM THE INITIAL DAY OF THE EVENT.

# PLANNED EPISODIC –VSQG TO SQG

- FILE A 8700 FORM -12
- REQUEST AN USEPA ID NUMBER FOR HAZARDOUS WASTE ACTIVITY
- FILL OUT ADDENDUM TO THE SITE IDENTIFICATION FORM: EPISODIC GENERATOR #13
- EXPLAIN THE REASON FOR THE EVENT. PLANNED – SALE OF BUSINESS, EXCESS CHEMICAL INVENTORY REMOVAL. CLEANUP
- DESCRIBE THE WASTE(S) GENERATED – WASTE PAINTS & THINNERS: WASTE CODES (D001) CHARACTERISTIC FLAMMABLES & (F003)/(F005) LISTED SOLVENTS
- 60 DAYS TO REMOVE THE WASTE PAINT FROM THE TIME YOU START THE EVENT
- USE HW MANIFEST W/EPA ID NUMBER & TSD – SIGN & CERTIFY FORM

# EPISODIC GENERATOR'S INFORMATION

- EMERGENCY CONTACT INFO – MARIO ANDRETTI SR. 555-555-CARS
- BEGINNING AND END DATES OF THE “**EVENT**” (NO GREATER THAN **60 CALENDAR DAYS TOTAL**)
- APPLY OR POSSESS A USEPA ID NUMBER – e.g. NJR123456789
- WASTE STREAM DESCRIPTION & CODES - e.g. WASTE FLAMMABLE LIQUID,  
D001 F003 F005
- ESTIMATED QUANTITIES IN POUNDS = <220 POUNDS

# USEPA 8700-12 FORM



[https://www.epa.gov/sites/production/files/2017-07/documents/site\\_id\\_instructions\\_andforms.pdf](https://www.epa.gov/sites/production/files/2017-07/documents/site_id_instructions_andforms.pdf)

## **RCRA Subtitle C Reporting Instructions and Forms EPA Forms 8700-12, 8700-13 A/B, 8700-23**

**12. Eligible Academic Entities with Laboratories**—Notification for opting into or withdrawing from managing laboratory hazardous wastes pursuant to 40 CFR 262 Subpart K.

<input type="checkbox"/> Y <input type="checkbox"/> N	A. Opting into or currently operating under 40 CFR 262 Subpart K for the management of hazardous wastes in laboratories—If “Yes”, mark all that apply. Note: See the item-by-item instructions for definitions of types of eligible academic entities.
<input type="checkbox"/>	1. College or University
<input type="checkbox"/>	2. Teaching Hospital that is owned by or has a formal written affiliation with a college or university
<input type="checkbox"/>	3. Non-profit Institute that is owned by or has a formal written affiliation with a college or university
<input type="checkbox"/> Y <input type="checkbox"/> N	B. Withdrawing from 40 CFR 262 Subpart K for the management of hazardous wastes in laboratories.

**13. Episodic Generation**

<input type="checkbox"/> Y <input type="checkbox"/> N	Are you an SQG or VSQG generating hazardous waste from a planned or unplanned episodic event, lasting no more than 60 days, that moves you to a higher generator category. If “Yes”, you must fill out the Addendum for Episodic Generator.
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**14. LQG Consolidation of VSQG Hazardous Waste**

<input type="checkbox"/> Y <input type="checkbox"/> N	Are you an LQG notifying of consolidating VSQG Hazardous Waste Under the Control of the Same Person pursuant to 40 CFR 262.17(f)? If “Yes”, you must fill out the Addendum for LQG Consolidation of VSQGs hazardous waste.
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**15. Notification of LQG Site Closure for a Central Accumulation Area (CAA) (optional) OR Entire Facility (required)**

<input type="checkbox"/> Y <input type="checkbox"/> N	LQG Site Closure of a Central Accumulation Area (CAA) or Entire Facility.
A. <input type="checkbox"/> Central Accumulation Area (CAA) <input type="checkbox"/> Entire Facility	
B. Expected closure date: _____ mm/dd/yyyy	
C. Requesting new closure date: _____ mm/dd/yyyy	
D. Date closed : _____ mm/dd/yyyy	
<input type="checkbox"/>	1. In compliance with the closure performance standards 40 CFR 262.17(a)(8)
<input type="checkbox"/>	2. Not in compliance with the closure performance standards 40 CFR 262.17(a)(8)

**16. Notification of Hazardous Secondary Material (HSM) Activity**

<input type="checkbox"/> Y <input type="checkbox"/> N	A. Are you notifying under 40 CFR 260.42 that you will begin managing, are managing, or will stop managing hazardous secondary material under 40 CFR 260.30, 40 CFR 261.4(a)(23), (24), or (27)? If “Yes”, you must fill out the Addendum to the Site Identification Form for Managing Hazardous Secondary Material
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# ITEM 13

- EPISODIC GENERATION
- YES OR NO
- ARE YOU AN SQG OR VSQG GENERATING HW FROM A PLANNED OR UNPLANNED EG EVENT, LASTING NO MORE THAN 60 DAYS, THAT MOVES YOU TO A HIGHER GENERATOR CATEGORY. IF YES, GO TO ADDENDUM

ADDENDUM TO THE SITE IDENTIFICATION FORM:  
EPISODIC GENERATOR



**ONLY fill out this form if:**

- You are an SQG or VSQG generating hazardous waste from a planned or unplanned episodic event, lasting no more than 60 days, that moves the generator to a higher generator category pursuant to 40 CFR 262 Subpart L. Note: Only one planned and one unplanned episodic event are allowed within one year; otherwise, you must follow the requirements of the higher generator category. Use additional pages if more space is needed.

Episodic Event	
<b>1. Planned</b> <input type="checkbox"/> Excess chemical inventory removal <input type="checkbox"/> Tank cleanouts <input type="checkbox"/> Short-term construction or demolition <input type="checkbox"/> Equipment maintenance during plant shutdowns <input type="checkbox"/> Other _____	<b>2. Unplanned</b> <input type="checkbox"/> Accidental spills <input type="checkbox"/> Production process upsets <input type="checkbox"/> Product recalls <input type="checkbox"/> "Acts of nature" (Tornado, hurricane, flood, etc.) <input type="checkbox"/> Other _____
3. Emergency Contact Phone	4. Emergency Contact Name
5. Beginning Date _____ (mm/dd/yyyy)	6. End Date _____ (mm/dd/yyyy)

**Waste 1**

7. Waste Description	8. Estimated Quantity (in pounds)
9. Federal and/or State Hazardous Waste Codes	

**Waste 2**

7. Waste Description	8. Estimated Quantity (in pounds)
9. Federal and/or State Hazardous Waste Codes	

# EG ADDENDUM

- FILL OUT 1 THRU 9

- PLANNED
- UNPLANNED
- EMERGENCY CONTACT PHONE
- EMERGENCY CONTACT NAME
- BEGINNING DATE
- END DATE
- WASTE DESCRIPTION
- ESTIMATED QUANTITY (LBS.)
- FED & STATE WASTE CODES

# UNPLANNED EPISODIC EVENT

AN EPISODIC EVENT THAT THE GENERATOR **DID NOT PLAN** OR REASONABLY **DID NOT EXPECT** TO OCCUR, INCLUDING:

- PRODUCTION PROCESS UPSET
- PRODUCT RECALLS
- ACCIDENTAL SPILLS
- ACTS OF NATURE (HURRICANE, FLOOD, TORNADO)

# UNPLANNED SCENARIO

**DIASTER CHEMICAL CO. – MANUFACTURE SPECIALTY CHEMICALS**  
**GENERATES 1,200 LBS. OF HW IN ONE CALENDAR MONTH YEARLY**

**CURRENT CATEGORY: SQG      EPA ID #: NJD000111999**

- **SCENARIO:** OVERFILL ALARM MALFUNCTION RESULTING IN A 3,000-GALLON PRODUCT TANK OF SULFURIC ACID SPILL AND DISCHARGE OF SULFURIC ACID TO GROUND, APPROXIMATELY 5,000-GALLONS LOST. ***OH NO!***

# DIASTER CHEMICAL TANK OVERFILL & SPILL



# DISASTER CHEMICAL – DO THEY QUALIFY FOR EPISODIC GENERATOR?

- YES – UNPLANNED EVENT THAT GENERATE HW EXCEEDING THEIR CATEGORY AS SQG
  - ✓ 24-HOUR HOT LINE – REPORT THE SPILL OF A HAZARDOUS SUBSTANCE
  - ✓ CALL NJDEP – **REQUEST** EPISODIC GENERATION OF SPILLED WITH **72 HOURS OF EVENT**
  - ✓ OVER 20,000 POUNDS OF D002 CORROSIVE REMOVED FROM PARKING LOT AREA WITHIN 24 HOURS OF SPILL
  - ✓ SQG TO LQG GENERATION
  - ✓ DISASTER CHEMICALS WILL STORE SPILLED MATERIAL ON SITE NOT TO EXCEED 60-DAYS FROM THE ONSET OF THE SPILL
  - ✓ LABEL THE 55-GALLON DRUMS “EPISODIC WASTE” WITH START DATE AND PICTORIAL DESCRIPTION OF WASTE CHARACTERISTICS

# 40 CFR 262.232 – CONDITIONS FOR MANAGING HW FROM AN EPISODIC EVENT

**VSQG** – MAINTAIN ITS EXISTING GENERATOR CATEGORY PROVIDED THE GENERATOR  
COMPLIES WITH THE FOLLOWING:

- ONE EPISODIC EVENT PER CALENDAR YEAR, UNLESS A PETITION IS GRANTED
- NOTIFY EPA/DEP NO LATER THAN 30 DAYS PRIOR TO EVENT BY FILING EPA 8700-12 FORM
- MUST POSSESS OR MUST OBTAIN AN USEPA ID NUMBER
- PROHIBITED FROM ACCUMULATING HW ON DRIP PADS AND IN CONTAINMENT BUILDINGS

# CONTAINER LABELING

LABEL EACH EPISODIC CONTAINERS **AND** INDICATE THE HAZARD

- ✓ “EPISODIC HAZARDOUS WASTE”
- ✓ IGNITABLE
- ✓ CORROSIVE
- ✓ REACTIVE
- ✓ TOXIC
- ✓ MARK THE DATE THE EPISODIC EVENT BEGAN
- ✓ CLEARLY VISIBLE TO SEE

## VSQG ACCUMULATING HW IN TANKS <sup>(II)</sup>

- MARK OR LABEL THE TANK WITH THE WORDS  
“EPISODIC HAZARDOUS WASTE”
- IDENTIFY THE DATE UPON THE EPISODIC EVENT BEGINS  
*(INVENTORY LOGS OR OTHER RECORDS ARE ACCEPTABLE)*
- DOCUMENTS MUST BE KEPT ON SITE FOR INSPECTION

## EG REQUIREMENTS FOR HW MANAGEMENT

- CONTAINERS IN GOOD CONDITION, CLOSED, NO RELEASES TO AIR, SOIL, OR WATER
- TANKS IN GOOD CONDITION, OVERFLOW SYSTEM, INSPECTED ONCE EACH OPERATING DAY, AND MUST OPERATE ACCORDING TO ITS DESIGN

## HW MANIFEST WASTE OFF SITE

- **COMPLY WITH HAZARDOUS WASTE MANIFEST REQUIREMENTS**
- **SEND TO A DESIGNATED TSD FACILITY**

## 60-DAYS LIMITATION FOR VSQG & SQG

- FROM START OF EPISODIC EVENT TO OFF SITE TSD = 60 DAYS OR LESS FOR ON-SITE STORAGE

# RECORDKEEPING FOR VSQG & SQG

- MAINTAIN RECORDS ON SITE
- IDENTIFY BEGINNING AND END DATES OF EPISODIC EVENT
- DESCRIPTION OF EVENT
- DESCRIPTION OF TYPES AND QUANTITIES OF HW GENERATED
- DESCRIPTION OF TSD RECEIVING THE WASTES
- NAME OF TRANSPORTERS
- IF EPA APPROVED, LETTER TO CONDUCT ONE ADDITIONAL EPISODIC EVENT PER CALENDAR YEAR

# EPISODIC GENERATOR FOR SQG

- ONE EPISODIC EVENT PER CALENDAR YEAR (UNLESS PETITIONED IS GRANTED 262.233)
- NOTIFY **30 DAYS** PRIOR TO **PLANNED EPISODIC EVENT**

# LABELS ON CONTAINERS

- THE WORDS “**EPISODIC HAZARDOUS WASTE**”
- HAZARDOUS WASTE CHARACTERISTICS
  - IGNITABLE
  - CORROSIVE
  - REACTIVE
  - TOXIC
  - DOT LABELING OR PLACARDING
  - HAZARDOUS STATEMENT OR PICTOGRAM (OSHA) OR NATIONAL FIRE PROTECTION (NFPA CODE)
  - **DATE OF GENERATION CLEARLY VISIBLE FOR INSPECTION ON EACH CONTAINER**

# SQG EPISODIC GENERATION FOR TANKS

- THE WORDS “**EPISODIC HAZARDOUS WASTE**”
- HAZARDOUS WASTE CHARACTERISTICS
  - IGNITABLE
  - CORROSIVE
  - REACTIVE
  - TOXIC
  - DOT LABELING OR PLACARDING
  - HAZARDOUS STATEMENT OR PICTOGRAM (OSHA) OR NATIONAL FIRE PROTECTION (NFPA CODE)
  - **USE INVENTORY LOGS OR OTHER RECORDS TO IDENTIFY THE DATE UPON EACH PERIOD OF ACCUMULATION BEGINS AND ENDS AND KEEP LOGS ON SITE FOR INSPECTION**

## OFF-SITE DISPOSAL TIME LINE

- **SHIP TO OFF SITE DESIGNATED FACILITY (TSD) WITHIN 60 DAYS FROM THE START OF THE EPISODIC EVENT**

# REGIONAL ADMINISTRATION PETITION

- MUST INCLUDE THE FOLLOWING INFORMATION
- REASON WHY AN ADDITIONAL EVENT IS NEEDED AND THE NATURE OF THE EVENT
- ESTIMATED AMOUNT OF HW TO BE MANAGED
- HOW THE WASTE IS GOING TO BE MANAGED
- ESTIMATED LENGTH OF TIME NEEDED TO COMPLETE THE MANAGEMENT OF THE HW **NOT TO EXCEED 60 DAYS**
- INFORMATION ON THE PREVIOUS EPISODIC EVENTS – WERE THEY PLANNED OR UNPLANNED AND HOW THE GENERATOR COMPLIED WITH THE CONDITIONS
- ELECTRONIC OR WRITTEN PETITIONS TO THE REGIONAL ADMINISTRATOR
- REMAIN RECORDS FOR 3 YEARS FROM DATE OF THE EPISODIC EVENT ENDING.

# PETITION TO MANAGE ONE (1) ADDITIONAL EPISODIC EVENT PER CALENDAR YEAR

- 40 CFR 262.233 (a) (b) (c) and (d)– PETITION THE REGIONAL ADMINISTRATOR
- VSQG OR SQG PREPLANNED A EPISODIC EVENT IN CALENDAR YEAR, MAY PETITION AN UNPLANNED EPISODIC EVEN IN THAT CALENDAR YEAR WITH 72 HOURS OF THE UNPLANNED EVENT
- VSQG OR SQG ALREADY HELD AN UNPLANNED EVENT IN SAME CALENDAR YEAR, MAY PETITION FOR ADDITIONAL PLANNED EPISODIC EVENT

# HELPFUL PHONE NUMBERS

- **PHONE #:** NJDEP COMMUNICATION CENTER HOT LINE  
24-HOUR A DAY, 7 DAYS A WEEK  
(1-877-WARN DEP) (1-877-927-6337)
  
- **CONTACTS:** NORTHERN FIELD OFFICE - 973-656-4470  
CENTRAL FIELD OFFICE - 609-292-3962  
SOUTHERN FIELD OFFICE - 856-614-3658

THANK YOU!

