



**The U.S. EPA’s New Generator Improvement Rule (GIR) will make over 60 changes in hazardous waste compliance practices and expand clean-up liability—Don’t be surprised when this rule goes into effect in California as an emergency regulation!**

Changes in Rules and References

The following table shows the major areas of change and applicable 40 CFR regulatory references. *Note:* Very Small Quantity Generator (VSQG) is the new designation for formerly Conditionally Exempt Small Quantity Generators (CESQGs), which continue to be defined as generator facilities producing less than 100 kilograms (kgs) of RCRA hazardous waste in any one (1) month. The terms and definitions of Small Quantity Generators (SQGs) producing between 100 and 1,000 kgs and Large Quantity Generators (LQGs) producing more than 1,000 kgs in any month have not changed under the new rule.

New/Revised Provision	VSQG	SQG	LQG
Hazardous Waste Determination	X	X	X
Generator Category Determination	X	X	
Episodic Generation	X	X	
LQG Consolidation of VSQG Wastes	X		X
Satellite Accumulation		X	X
Contingency Plan and Quick Reference Guide		X	X
Marking and Labeling, and RCRA Waste Codes		X	X
SQG Re-notification		X	
LQG Closure Notification and Closure Criteria			X

The table below presents the major regulatory provisions that have been both renumbered and substantially changed by the revised rule:

New/Revised Provision	Existing 40 CFR Citation	Final 40 CFR Citation
Hazardous Waste Determination & Recordkeeping	§ 261.11	§ 262.11 (revised)
Generator Category Determination	§ 261.5(c)-(e)	§ 262.13
VSQG Provisions	§ 261.5(a), (b), (f)-(g)	§ 262.14
Satellite Accumulation Area Provisions	§ 262.34(c)	§ 262.15
SQG Provisions	§ 262.34(d)-(f)	§ 262.16
LQG Provisions	§ 262.34(a), (b), (g)-(i), (m)	§ 262.17

California Title 22 regulations will be substantially revised to match up to the federal GIR and, due to delays in adoption will probably be implemented as immediately effective emergency regulations.

**What does this mean to a California hazardous waste generator?**

- ✓ Better hazardous waste characterization and documentation will be required.
- ✓ More precise monitoring and recordkeeping of month-by-month hazardous waste generation.
- ✓ Specific actions, including reporting, if one month’s generation exceeds the SQG limit of 1,000 kgs to avoid LQG status.
- ✓ Significant changes in satellite accumulation, emergency response plans and procedures.
- ✓ Revised employee training requirements.
- ✓ LQG reporting to CUPAs when ordinary unpermitted storage areas are closed or abandoned, and closure requirements equivalent to permitted facilities. (DTSC has revised its Title 22 regulations to address closure, including technical criteria, oversight procedures and cost assessment—[DTSC Site Mitigation and Restoration.](#))

**What to do in the interim to prepare for GIR implementation will be an important topic of Dufour Seminars’ Hazardous Waste and Universal Waste Management Basic Training...[Register Now!](#)**