Presented by:
Maria Petix Kent
Environmental Specialist 3
New Jersey Department of Environmental Protection
Hazardous Waste Compliance & Enforcement
Northern Field Office
Cedar Knolls, NJ 07927
(Phone) 973-656-4470
(Cell) 609-439-9645
(Fax) 973-631-6331

RCRA - Subpart I
Alternative Standards for EPISODIC GENERATION

Site Remediation Focus

40 CFR 262.230 & 40 CFR 262.232(a) & (b)
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 inventory, 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./month

Small Quantity Generators (SQG)<2,200 lbs./month
EXAMPLE: MARIO’S AUTO BODY SHOP

Current Generation: One 55-GALLON DRUM OF LACQUER/6 MONTHS

CURRENT CATEGORY: VSQG - No USEPA Id Number - Manifest Only

• SCENARIO: Mario Sr. is selling the business to Mario Jr.
  The out-of-date SOLVENT-BASED PAINT system in the existing flammable storage room is being replaced with a NEW WATER-BASED PAINT system.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 to change generator status?*

• Flammable storage area contains:
  
  50 55-gallon drums ( 400 lbs./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 Sr. estimates the start and end date will be completed with 60 days from the initial day of the event.
Planned Episodic Event – VSQG to SQG or LQG

• File an USEPA 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 & Disposal
• 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
USEPA 8700-12 form


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.

- 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.
  - 1. College or University
  - 2. Teaching Hospital that is owned by or has a formal written affiliation with a college or university
  - 3. Non-profit Institute that is owned by or has a formal written affiliation with a college or university

- B. Withdrawing from 40 CFR 262 Subpart K for the management of hazardous wastes in laboratories.

13. Episodic Generation

- 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.

14. EQG Consolidation of VSQG Hazardous Waste

- Are you an EQG 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 EQG Consolidation of VSQG's hazardous waste.

15. Notification of EQG Site Closure for a Central Accumulation Area (CAA) (optional) OR Entire Facility (required)

- EQG Site Closure of a Central Accumulation Area (CAA) OR Entire Facility.
  - A. Central Accumulation Area (CAA) [ ] Entire Facility
  - B. Expected closure date: __________ mm/dd/yyyy
  - C. Requesting new closure date: __________ mm/dd/yyyy
  - D. Date closed: __________ mm/dd/yyyy
    - 1. In compliance with the closure performance standards 40 CFR 262.17(a)(8)
    - 2. Not in compliance with the closure performance standards 40 CFR 262.17(a)(8)


- 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(b)(23), (24), or (27)? If “Yes”, you

Item 13

- EPISODIC GENERATION
- YES OR NO
- ARE YOU A VSQG OR SQG 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

10/9/2018
### Episodic Generation - Alternative Standards

**EG Addendum**

- Fill out 1 thru 9

1. Planned
2. Unplanned
3. Emergency contact phone
4. Emergency contact name
5. Beginning date
6. End date
7. Waste description
8. Estimated quantity (lbs.)
9. Fed & state waste codes

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**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 paper if more space is needed.

<table>
<thead>
<tr>
<th>Episodic Event</th>
<th>1. Planned</th>
<th>2. Unplanned</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ Excess chemical inventory removal</td>
<td>□ Accidental spills</td>
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<tr>
<td></td>
<td>□ Tank cleanouts</td>
<td>□ Production process upsets</td>
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<td></td>
<td>□ Short-term construction or demolition</td>
<td>□ Product recalls</td>
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<tr>
<td></td>
<td>□ Equipment maintenance during plant shutdowns</td>
<td>□ “Acts of nature” (Tornado, hurricane, flood, etc.)</td>
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<td></td>
<td>□ Other</td>
<td>□ Other</td>
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<table>
<thead>
<tr>
<th>Emergency Contact Phone</th>
<th>Emergency Contact Name</th>
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<table>
<thead>
<tr>
<th>Beginning Date</th>
<th>End Date</th>
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<tbody>
<tr>
<td>(mm/dd/yyyy)</td>
<td>(mm/dd/yyyy)</td>
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**Waste**

<table>
<thead>
<tr>
<th>Waste 1</th>
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<tbody>
<tr>
<td>7. Waste Description</td>
</tr>
<tr>
<td>8. Estimated Quantity (in pounds)</td>
</tr>
<tr>
<td>9. Federal and/or State Hazardous Waste Codes</td>
</tr>
</tbody>
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<table>
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<th>Waste 2</th>
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<td>7. Waste Description</td>
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</tbody>
</table>
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 COMPANY – manufacturer of 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
Diaster 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 waste removed from parking lot area within 24 hours of spill
- SQG to LQG generation quantities of hazardous waste
- Diaster 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
Who is Buildem Up LLC?

- A minority-based developer
- Large corporate entity
- Small construction firm
- Local family contractor
- Any developer or builder, any size or situation
- Does not possess an USEPA ID number
- Not a hazardous waste generator
- Found hazardous waste on site
Buildem Up LLC

- Current structures on property owned by Buildem Up LLC.

- Are they eligible for Episodic Generation Alternative Standards?
• Current property owner is a developer. NOT a HW generator. No EPA ID number associated with the current property owner’s operation.

• Previous property owner operated the site as an old garage

• A LSRP is assigned to the property and has an approved remediation plan.

• Small garage on the property is slated for demolition. MUST dispose of contaminated soils as hazardous waste.

• Question: Can they use Episodic Generation alternative for accumulation and disposal?
Small Excavated Soil Pile found Contaminated Exceeding TCLP Lead
Buildem Up LLC

- Excavation of soils adjacent to an old structure that was found to contain elevated levels of lead from a previous operation or historic contaminated fill.
Excavated Soil Piles found Contaminated with Lead
Not Eligible for Episodic Generation – over 60 Days
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
CONTAINER LABELING

“EPISODIC HAZARDOUS WASTE”

- IGNITABLE
- CORROSIVE
- REACTIVE
- TOXIC

Mark the date the episodic event began clearly visible.

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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
PLACARDS/PICTOGRAMS

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HW Manifest Waste Off Site

• Comply with hazardous waste manifest requirements
• Send to a designated TSD facility
60-Day Limitation for VSQG & SQG

• From start of episodic event to off site TSD = 60 days or less for on-site accumulation
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 transporter(s)
• If EPA approved, letter to conduct one additional episodic event per calendar year
Off-Site Disposal Time Line

• Ship to off site designated facility (TSD) within 60 days from the start of the 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!