



Management of Conditionally Exempt Small Quantities of Hazardous Waste

Hazardous Waste Program fact sheet

8/2007

This fact sheet provides general information to help Conditionally Exempt Small Quantity Generator (CESQG) businesses manage their hazardous waste safely and legally. It is for general guidance only. Businesses should refer to the appropriate state and federal laws and regulations and review the fact sheet, *Does Your Business Generate Hazardous Waste? (Pub117)*, available on the Missouri Department of Natural Resources' (department) Web site at www.dnr.mo.gov/pubs/pub117.pdf, or by calling the department's Hazardous Waste Program at (573) 751-3176 or 1-800-361-4827.

What is hazardous waste?

The Missouri Hazardous Waste Management Law requires all businesses to determine if their waste is hazardous. In order to understand what hazardous waste is, you must first know what a solid waste is. The definition of a solid waste is based on the fact that the material is a waste, not that it is a solid rather than a liquid or gas. With that in mind, solid waste includes the following materials:

- Materials that have been or are intended to be thrown away, or are being stored indefinitely instead of being thrown away
- Materials that are recycled
- Materials that are naturally waste-like
- Waste military weapons and ammunition

A hazardous waste is any solid waste that is flammable, corrosive, reactive (explosive), toxic or is listed (identified) as a hazardous waste in federal or state regulations. Hazardous waste listings and definitions are located in the *Code of Federal Regulations*, Title 40, Part 261, Subparts C and D (40 CFR 261). Examples of hazardous waste include used solvents, banned pesticides and unusable chemicals.

What is a Conditionally Exempt Small Quantity Generator (CESQG)?

Many businesses and institutions produce hazardous waste. Federal and state regulations require hazardous waste generators to meet standards for handling hazardous wastes. The federal regulations are located in 40 CFR 261.5. The state regulations are located in the Missouri *Code of State Regulations*, Title 10, Division 25, Chapter 4 (10 CSR 25-4.261(2)(A)). The standards the generator must follow depend on the amount and type of hazardous waste they produce in one calendar month or collect at any one time.

Businesses that produce or collect very small amounts of hazardous wastes might be exempt, or freed from many, but not all, of the generator standards. These businesses are Conditionally Exempt Small Quantity Generators, or CESQGs. A business is a CESQG if it meets all of the following conditions:

- Produce less than 100 kilograms (220 pounds) of hazardous waste in one calendar month,
- Collect less than 100 kilograms (220 pounds) of hazardous waste at any one time,
- Produce less than 1 kilogram (2.2 pounds) of acute hazardous waste in one calendar month,
- Collect less than 1 kilogram (2.2 pounds) of acute hazardous waste at any one time,
- Produce or collect less than 1 gram of dioxin (2,3,7,8-tetrachlorodibenzo-p-dioxin) at any one time.

You must register with the department as a hazardous waste generator if your business does not meet all of the above conditions.

Is a CESQG required to register as a hazardous waste generator?

There are no laws that require a CESQG to register as a hazardous waste generator. However, some hazardous waste facilities want their customers to have generator identification numbers. If you need a generator identification number, complete a *Notification of Regulated Waste Activity* e-form (E-Form MO 780-1164), available online at www.dnr.mo.gov/mopermitassistant/forms/norwaRegP1Setup.do. Print and mail the completed form and \$100 fee to the department. The \$100 fee is required for new registrations and reactivating registrations. Registering as a generator does not cause you to have to follow any additional laws. It simply allows you to get a generator identification number.

How can a CESQG manage their hazardous waste?

According to federal law, CESQGs are allowed to treat or dispose of their hazardous waste in an on-site facility or move it to an off-site permitted treatment, storage and disposal (TSD) facility, resource recovery facility, sanitary landfill or facility approved by the state. According to the *Missouri Revised Statutes* (RSMo), Chapter 260, Section 432.5 (260.432.5(2), RSMo.), Missouri sanitary landfills are not allowed to accept any but the very smallest amounts of hazardous waste. This ban affects CESQGs by requiring them to find alternatives to sanitary landfill disposal.

Whichever way you decide to manage your businesses' hazardous waste, remember that you must manage all wastes in a way that does not threaten human health or the environment or create a public nuisance. Preventing pollution through source reduction and recycling is a better management option than treatment or destruction technologies and land disposal. The management options described here are listed in order with the most desirable option first and the least desirable option last.

Option 1: Pollution Prevention

Pollution prevention is using materials or procedures that reduce or stop pollutants or wastes at the start of production. It includes practices that reduce the use of hazardous or non-hazardous materials, energy, water or other resources. It also includes activities that protect natural resources through conservation or use that is more efficient.

Many pollution prevention activities are simple and low-cost, often resulting in large dollar savings. Contact the department's Hazardous Waste Program at (573) 751-3176 for information on cost-effective ways to reduce the amount and toxicity of your waste.

Option 2: Waste Exchange

Waste exchanges put hazardous waste generators with usable wastes in touch with companies who might be able to use the waste as a raw material for their manufacturing or production process. Missouri participates in the Industrial Material Exchange Service. For more information, contact the Environmental Improvement and Energy Resources Authority (EIERA) at (573) 751-4919 or visit them online at www.dnr.mo.gov/eiera/mmdp-recycling-markets.htm.

Option 3: Business and Trade Association Cooperative

Businesses might be able to reduce their transportation and disposal costs by making shared arrangements with other businesses in their area or asking for help from a trade association to which they belong. Possibilities include the following:

- Work with other CESQGs in the area to arrange a set schedule with a licensed hazardous waste transporter for a "milk run" to pick up the hazardous wastes from all CESQGs in the group. Picking up more hazardous waste with fewer runs normally means lower costs for transportation and disposal.
- If you belong to a business or trade association, ask if they could help arrange a milk run pick up and disposal based on an entire group being represented in the bid process.
- Talk to several hazardous waste transporters and TSD facilities about the most economical way to manage your waste, based on its type and frequency of production. If you are representing a group of potential CESQG customers, they may be encouraged to have transporter or transfer facility "milk runs" or "at facility drop-off days."

Option 4: Recycle

Recycling helps preserve raw materials and reduce the amount of waste material disposed. Many recycling companies accept specific waste streams, such as solvents or used oils, to recycle at their facility. To make it easier to recycle hazardous waste, keep different types of hazardous wastes in separate containers. Separate non-hazardous waste from hazardous waste. Contact the department's Permits Section at (573) 751-3553, for the names of certified resource recovery facilities that recycle hazardous wastes from off-site facilities.

You may prefer to buy your own recycling equipment to use on-site, such as equipment for distilling contaminated solvents. This equipment may pay for itself over time by reducing the amount of new product you need to buy and lowering disposal costs by reducing the amount of waste requiring disposal. If you recycle on-site, you may have some residual waste that will require hazardous waste disposal.

CESQGs are not required to get a permit or certification to recycle wastes on-site, but you must notify the department's Hazardous Waste Program in writing of your recycling activities. In the notification, you must list the following information:

- owner or operator,
- name and location of the facility,
- waste(s) being recovered,
- method(s) of recovery, and
- approximate amount of waste recovered yearly.

Contact the department's Permits Section at (573) 751-3553, for more information on resource recovery.

Option 5: Universal Waste Rule

The Universal Waste Rule became effective in Missouri on Jan. 31, 1999. If you choose to do so, you may manage your hazardous waste batteries, pesticides, mercury containing thermostats, mercury switches and mercury containing thermometers, manometers and fluorescent and incandescent lamps under this rule. The requirements of this rule are generally less stringent than the existing hazardous waste regulations. You can find more information about this rule in the fact sheet, *The Universal Waste Rule in Missouri* (Pub 2058). The fact sheet is available on the department's Web site at www.dnr.mo.gov/pubs/pub2058.pdf or by calling the department's Hazardous Waste Program at (573) 751-3176 or 1-800-361-4827.

Option 6: On-site Treatment

CESQGs may treat hazardous waste on-site. You may treat the waste in a tank, container or hazardous wastewater treatment unit. You cannot burn the waste or dispose of it into the environment. You cannot release the waste onto the ground, use waste (such as solvents) to kill weeds or bury it in the ground at an unpermitted site.

Some wastes are easily treated. For example, a corrosive acid that can be neutralized using appropriate material to make it no longer hazardous. Others are difficult or impossible to treat on-site. If in doubt, do not try to treat hazardous waste on-site.

Option 7: Publicly Owned Treatment Works System

If your business is located in an area serviced by a publicly owned treatment works (POTW) system for wastewater and sewage it may be legal to release certain hazardous wastes into the sanitary sewer system. Do not release any waste into the sanitary sewer system without the POTW's permission. Contact local wastewater officials to discuss the type of waste stream, pretreatment requirements and local ordinances that may apply.

Many wastes cannot be released into a sanitary sewer system. Solvents, sludges and pesticides may not be suitable for release. Do not release any hazardous waste into a storm water drain or on-site domestic sewage treatment system.

Option 8: Hazardous Waste TSD Facility

If none of the previously mentioned options are possible, you will need to send your hazardous waste to a facility that can treat, store or dispose of hazardous waste. These facilities must have either a valid hazardous waste permit or interim status approval from the U.S. Environmental Protection Agency to do business as a hazardous waste TSD facility. Missouri facilities must also have a valid permit or interim status approval from the department. A list of Missouri commercial TSD facilities is located in the fact sheet, *Missouri Commercial Hazardous*

Waste Facilities (Pub968). The fact sheet is available on the department's Web site at www.dnr.mo.gov/pubs/pub968.pdf or by calling the department's Hazardous Waste Program at (573) 751-3176 or 1-800-361-4827. For a list of commercial TSD facilities in another state, contact the hazardous waste regulatory agency in that state.

Before you ship your waste, contact the facility to verify its current operating status and find out if it can accept your waste. If possible, visit the facility before shipping your waste to them.

Learn about the facility's treatment or disposal process and find out if the facility manages its waste properly. If a site visit is not possible, contact the appropriate state regulatory agency and ask about the facility's compliance history and current regulatory status. Hazardous waste transporters can also be a valuable source of information on facilities currently accepting hazardous waste.

How should a CESQG transport their hazardous waste?

CESQGs may transport their own hazardous waste within Missouri. You are not required to use a manifest or a licensed hazardous waste transporter as long as you do not exceed the regulated amounts. You will need to follow U. S. Department of Transportation requirements (if applicable) for the wastes being shipped.

If you choose not to transport your own waste, you can get a list of Missouri licensed hazardous waste transporters. The list is available on the department's Web site at www.dnr.mo.gov/env/hwp/enf/translist.htm or by calling the department's Hazardous Waste Program at (573) 751-3176 or 1-800-361-4827. Hazardous waste transporters may transport CESQG waste only to a facility permitted or certified to accept the waste. The transporter must keep records on the type, amount, source and character of each waste accepted from a CESQG.

How can I get copies of hazardous waste laws and regulations?

- Missouri Revised Statutes, including the Missouri Hazardous Waste Management Law, are available through the Revisor of Statutes, (573) 526-1288, or online through the Missouri General Assembly Web site at www.moga.mo.gov.
- Missouri Code of State Regulations is available through the Missouri Secretary of State, (573) 751-4015, or online at www.sos.mo.gov/adrules/csr/csr.asp.
- Code of Federal Regulations is available at federal depository libraries or online at www.gpoaccess.gov/cfr/index.html. To purchase a copy, contact a U.S. Government Bookstore, the U.S. Government Printing Office or from a commercial information service, such as the Bureau of National Affairs.

For More Information

Missouri Department of Natural Resources
Division of Environmental Quality
Hazardous Waste Program
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1-800-361-4827 or (573) 751-3176
www.dnr.mo.gov/env/hwp/index.html