



Large Quantity Generator (LQG) Guidance

This document is for guidance only and does not contain all of the North Carolina Hazardous Waste Management Rules. Many of the regulations/rules described are paraphrased. The federal LQG regulations are incorporated by reference in the state rules at 15A NCAC 13A .0107, however are cited in this document only by federal regulation citation (e.g., 40 CFR...). For complete rules refer to 15A NCAC 13A for specific state requirements and federal regulations incorporated by reference in the state rules. State law is found at NCGS 130A-290 through 130A-310.12. The following Hazardous Waste Section website provides links to state hazardous waste rules and law: <https://deq.nc.gov/about/divisions/waste-management/hw/rules>

- Hazardous Waste Determination** (40 CFR 262.11): Hazardous waste determinations must be accurate and made at the point of generation before dilution, mixing or other alternation occurs; and at any time in the course of management that the waste has, or may have, changed its properties as a results of exposure to the environment or other factors that may change the properties of the waste such that the RCRA classification of the waste may change. For each solid waste generated, a person generating the waste must determine whether the waste is: excluded from regulation under 40 CFR 261.4 or characteristic and/or listed using generator knowledge or testing. Samples must be representative. Documentation of waste determinations must remain on-site for 3 years. Prior to shipping waste off-site, the applicable hazardous waste codes must be marked on containers.
 - Claims that waste is conditionally exempt from regulation or not a solid must be documented (40 CFR 261.2(f)).
- EPA Identification Number and Re-Notification** (40 CFR 262.18): A LQG must not treat, store, dispose of, transport, or offer for transportation, hazardous waste without having received an EPA identification number. This EPA ID number will remain with the property. Facility information (e.g., generator category, facility contact, etc.) may be updated electronically by the facility using the RCRAInfo myRCRAid module.
 - A LQG is required to renotify (electronically using RCRAInfo) by March 1 of each even numbered year. This notification can be fulfilled through submittal of the biennial report in RCRAInfo or through RCRAInfo myRCRAid.
- Generator Category Determination** (40 CFR 262.13 and LQG definition in 40 CFR 260.10): A hazardous waste generator must determine its generator category based on the amount of hazardous waste generated each calendar month and include all hazardous waste generated at the site. A site that generates greater than or equal to 1,000 kg (2,200 pounds) of non-acute hazardous waste, or greater than 1 kg (2.2 pounds) of acute hazardous waste, or greater than 100 kg (220 pounds) of residues from a cleanup of acute hazardous waste must notify and operate as a large quantity generator of hazardous waste.
- Annual Fees** (NCGS 130A-294.1(e) and (g)): A LQG shall pay an annual fee of \$1,400.00 and a tonnage fee of seventy cents (\$0.70) per ton or any part thereof of the hazardous waste generated during that year up to a maximum of 25,000 tons.
- Maximum On-Site Accumulation Time and Volume** (40 CFR 262.17(a)): As a LQG, there is no limit on the volume of hazardous waste that can be accumulated on-site as long as the facility does not accumulate hazardous waste on-site for more than 90 days.

- Hazardous waste accumulated for more than 90 days is subject to permit requirements (40 CFR 124, 264-268 and 270) unless it has been granted a 30-day extension from the Hazardous Waste Section due to unforeseen, temporary, and uncontrollable circumstances (40 CFR 262.17(b)).
 - Conditional extensions of the 90-day limit exists for F006 waste (40 CFR 262.17(c)-(e)).
- **Emergency Preparedness, Prevention and Emergency Procedures** (40 CFR 262.250): LQGs must comply with the following requirements for emergency preparedness, prevention, and emergency procedures for all areas where hazardous waste is generated or accumulated (including all satellite accumulation and central accumulation areas).
- **Maintenance and Operation of Facility** (40 CFR 262.251):
Facility must be operated to minimize the possibility of a fire, explosion or any unplanned sudden or non-sudden release of hazardous waste that threatens health or environment.
 - **Required Equipment** (40 CFR 262.252):
Facilities must have the following equipment unless not needed:
 - Internal communications or alarm system that provides emergency instruction (voice or signal) to personnel.
 - A device, such as a telephone or a hand-held radio must be immediately available at the scene of operations and capable of summoning emergency assistance from external emergency assistance.
 - Fire extinguishers and fire control equipment, spill control, and decontamination equipment.
 - Adequate water volume and pressure to supply fire hoses, automatic sprinklers, or water spray systems.
 - **Testing and Maintenance of Equipment** (40 CFR 262.253):
All facility communications or alarm systems, fire protection equipment, spill control equipment and decontamination equipment must be tested and maintained to assure proper operation in the event of an emergency.
 - **Access to Communications or Alarm** (40 CFR 262.254):
 - Whenever hazardous waste is being handled, all personnel involved must have immediate access (e.g., direct, or unimpeded access) to an internal alarm or communication device. Visual or voice contact is allowed.
 - If there is just one person at the facility, while in operation, they must have immediate access to a telephone or two-way radio capable of summoning external emergency assistance.
 - **Required Aisle Space** (40 CFR 262.255 and 15A NCAC 13A .0107(i)):
Aisle space must be maintained to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in the event of an emergency (this includes areas where hazardous waste is generated and at satellite accumulation areas).
 - At least two feet of aisle space is required at central accumulation areas (15A NCAC 13A .0107(i)).
- **Arrangements with Local Authorities** (40 CFR 262.256):
A LQG must attempt to make arrangements with the local police department, fire department, other emergency response teams, emergency contractors, equipment suppliers, and local hospitals taking into account the types and quantities of hazardous waste handled at the facility. Arrangements may be made with the Local Emergency Planning Committee [LEPC] if it is determined to be the appropriate organization with which to make arrangements. The requirements apply to those areas of a LQG where hazardous waste is generated or accumulated on-site (including all satellite accumulation and central accumulation areas).
- A LQG attempting to make arrangements with its local fire department must determine the potential need for the services of the local police department, other emergency response teams, emergency response contractors, equipment suppliers and local hospitals.
 - As part of the coordination, the LQG must attempt to familiarize local emergency authorities with the:
 - Layout of the facility,

- Properties of hazardous waste handled at the facility and associated hazards,
 - Description of the types and quantities of hazardous waste handled at the facility,
 - Places where facility personnel would normally be working,
 - Entrances to roads inside the facility,
 - Possible evacuation routes,
 - Possible injuries or illnesses that could result from fires, explosions, or releases at the facility.
- Where more than one police and fire department might respond to an emergency, agreements must be made designating primary emergency authority to a specific police and a specific fire department, and agreements with any others to provide support to the primary emergency authority.
 - Records must be maintained documenting the arrangements with the local fire department as well as any other organization necessary to respond to an emergency. Documentation, maintained on-site must include either a confirmation such arrangements actively exist or when no arrangements exist, confirms the attempts to make arrangements.
 - Alternatively, a facility possessing 24-hour response capabilities may seek a waiver from the authority having jurisdiction (AHJ) over the fire code within the facility's state or locality as far as needing to make arrangements with the local fire department as well as any other organization necessary to respond to an emergency, provided the waiver is documented in the operating record.
- **Contingency Plan (40 CFR 262.260):**
 - A LQG must have a contingency plan for the facility that is designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water.
 - Provisions of the plan must be carried out immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.
 - The requirements apply to those areas of a LQG where hazardous waste is generated or accumulated on-site (including all satellite accumulation and central accumulation areas).
- **Content of Contingency Plan (40 CFR 262.261):**
 - Plan must describe the actions facility personnel must take in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility.
 - The plan must describe arrangements agreed to by local police departments, fire departments, other emergency response teams, emergency response contractors, equipment suppliers, local hospitals, or if applicable, the Local Emergency Planning Committee (LEPC).
 - The plan must list names and emergency phone numbers of persons qualified to act as emergency coordinator. This list must be kept up to date. The primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates.
 - Alternatively, in situations where the LQG facility has an emergency coordinator continuously on duty because it operates 24 hours per day, every day of the year, the plan may list the staffed position (e.g., operations manager, shift coordinator, shift operations supervisor as well as an emergency telephone number that can be guaranteed to be answered at all times).
 - The plan must include a list of all emergency equipment at the facility that would be used to respond to an emergency involving hazardous waste (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment), where this equipment is required.
 - List of emergency equipment must be kept up to date.
 - Plan must include the location of each item on the list.
 - Plan must include a physical description of each item on the list.
 - Plan must include a brief outline of the capabilities of the emergency equipment.

- The plan must include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary.
 - This plan must describe signal(s) to be used to begin evacuation.
 - The primary and secondary evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires).

- **Copies of Contingency Plan (40 CFR 262.262(a)):**

A copy of the contingency plan and all revisions to the plan must be:

 - Maintained at the facility; and
 - Submitted to all local emergency responders (i.e., police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services). The contingency plan may also be submitted to the Local Emergency Planning Committee (LEPC) (as appropriate).

- **Quick Reference Guide (40 CFR 262.262(b) and (c)):**

A LQG must submit a quick reference guide of the contingency plan to the local emergency responders who may be called upon to provide emergency services (as identified in 262.262(a)). The quick reference guide must include the following elements:

 - The types/names of the hazardous wastes in layman's terms and the associated hazard associated with each hazardous waste present at any one time (e.g., toxic paint wastes, spent ignitable solvent, corrosive acid);
 - The estimated maximum amount of each hazardous waste that may be present at any one time;
 - The identification of any hazardous wastes where exposure would require unique or special treatment by medical or hospital staff;
 - A map of the facility showing where hazardous wastes are generated, accumulated, and treated and routes for accessing these wastes;
 - A street map of the facility in relation to surrounding businesses, schools, and residential areas to understand how best to get to the facility and also evacuate citizens and workers;
 - The locations of water supply (e.g., fire hydrant and its flow rate);
 - The identification of on-site notification systems (e.g., a fire alarm that rings off site, smoke alarms);
 - The name of the emergency coordinator(s) and 7/24-hour emergency telephone number(s) or, in case of a facility where an emergency coordinator is continuously on duty, the emergency telephone number for the emergency coordinator.
 - The quick reference guide must be updated by the LQG, if necessary, whenever the contingency plan is amended and submit these documents to the local emergency responders as identified in 262.262(a).

- **Amendment of Contingency Plan (40 CFR 262.263):**

The contingency plan must be reviewed, and immediately amended, if necessary, whenever:

 - Applicable regulations are revised;
 - The plan fails in an emergency;
 - The facility changes-in its design, construction, operation, maintenance, or other circumstances-in a way that materially increases the potential for fires, explosions, or releases of hazardous waste or hazardous waste constituents, or changes the response necessary in an emergency;
 - The list of emergency coordinators changes; or
 - The list of emergency equipment changes.

- **Emergency Coordinator (40 CFR 262.264):**

At all times, there must be at least one employee either on the generator's premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures and implementing the necessary emergency procedures outlined in 262.265.

- **Emergency Procedures (40 CFR 262.265):**

- During an emergency event the coordinator must immediately:
 - Activate facility alarms or communication system to alert all personnel.
 - Notify appropriate state and local agencies as needed.
 - In the event of a fire, explosion, or release, the coordinator must identify character, exact source, amount, and extent of problem. This can be done by observation, records, or chemical analysis.
 - Coordinator must assess all possible direct and indirect effects of the event.
 - If the coordinator determines that a fire, explosion, or release has occurred he must report his findings as follows:
 - Must notify proper authorities if evacuation is needed. Must be available to help decide what areas should be evacuated.
 - Must notify government on-scene coordinator or National Response Center.
 - Coordinator must take all reasonable measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other hazardous waste. These measures include stopping production, collecting or containing releases and isolating containers.
 - If facility stops operations, the coordinator must monitor for leaks, pressure buildup, gas generation, ruptures in valves, pipes. Or other equipment.
 - After an emergency, the coordinator must provide for disposal for all released waste, contaminated soil or surface water, or other material.
 - Coordinator must ensure that affected part of the facility:
 - No incompatible waste with release material is stored until cleanup is complete.
 - All emergency equipment is cleaned and fit for use.
 - The owner or operator must notify government agencies before resuming operations.
 - The owner or operator must note the time, date, and details of any incident that requires the implementing of the contingency plan. The report must be submitted to EPA or State within 15 days of the incident.
- **Personnel Training (40 CFR 262.17(a)(7)):**
- Facility personnel must successfully complete a program of classroom instruction, on-line training, or on-the-job training that teaches them to perform their duties in a way to ensure compliance with the regulations.
 - Training must be directed by a person trained in hazardous waste management procedures and training must include hazardous waste management training relevant to each employee's position (including contingency plan implementation).
 - Training must be designed to ensure that personnel can respond effectively to emergencies (including familiarization with emergency procedures, emergency equipment and emergency systems).
 - Personnel must complete the training within six months of their hire date or when they change job responsibilities.
 - Personnel must take part in an annual review of the initial training. The annual review of initial training is not to exceed 365 days between reviews.
 - The following documents must be maintained at the facility:
 - The job title for each position at the facility related to hazardous waste management and the name of the employee filling each job;
 - A job description for each position listed above, including requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position.
 - A written description of the type and amount of introductory and continuing training that will be given for each person filling a position.
 - Records that document that the training or job experience has been given to or has been completed by personnel.
 - Training records on current personnel must be kept until closure of the facility. Training records on all former employees must be kept at least three years from date of separation.

- **Biennial Report** (40 CFR 262.41):
 - A LQG, must submit a biennial report on March 1 of each even numbered year.
 - A LQG must maintain the biennial report for three years in accordance with the recordkeeping requirements of 262.40(b).

- **Waste Minimization Plan or On-site Efforts** (40 CFR 262.27): The facility must have waste minimization practices in place. By signing a hazardous waste manifest the facility is certifying they implement waste minimization techniques.

- **Inspection Records** (40 CFR 262.17(a)(1)(v) and 15A NCAC 13A .0107(d)): At least weekly, a LQG must complete inspections of the central accumulation areas(s) looking for leaking containers and deterioration of containers caused by corrosion. Weekly inspections are not to exceed seven days between inspections. The facility must keep records and results of required inspections for at least three years from the date of the inspection.

- **Manifests/Land Disposal Restrictions (LDRs)**: The facility must comply with the following:
 - **General Manifest Requirements** (40 CFR 262.20 and 262.21):
A generator who offers for transportation, hazardous waste for off-site treatment, storage, or disposal must properly prepare a hazardous waste manifest in accordance with the regulations.
 - **Number of Manifest Copies** (40 CFR 262.22):
The manifest must consist of at least the number of copies which will provide the generator, each transporter, and the designated disposal facility with one copy each for their records and another copy to be returned to the generator.
 - **Use of the Manifest** (40 CFR 262.23 through 262.25):
The generator must do the following or participate in the electronic manifest system:
 - Sign the manifest certification by hand; and
 - Obtain the handwritten signature of the initial transporter and date of acceptance on the manifest; and
 - Retain one copy, in accordance with 262.40(a).
 - The generator must give the transporter the remaining copies of the manifest
 - **Recordkeeping** (40 CFR 262.40(a)):
Manifests must be kept on-site for three years. *It is recommended manifests be kept forever.*
 - **Exception Reporting** (40 CFR 262.42(a)(1) and (a)(2)):
 - A LQG who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 35 days of the date the waste was accepted by the initial transporter must contact the transporter and/or the owner or operator of the designated facility to determine the status of the hazardous waste.
 - A LQG who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 45 days of the date the waste was accepted by the initial transporter must submit the following:
 - A legible copy of the manifest for which the generator does not have confirmation of delivery;
 - A cover letter signed by the generator or his authorized representative explaining the efforts taken to locate the hazardous waste and the results of those efforts.
 - **Approved Treatment, Storage and Disposal (TSD) Facilities and Transporters** (40 CFR 262.18(c)):
Generators must use TSDs and Transporters with valid EPA ID numbers.
 - **Land Disposal Restriction Certification** (40 CFR 262.11(e) and 262.17(a)(9)):
Land Disposal Restriction certification, as required at 40 CFR Part 268, must accompany each waste streams sent to each TSD.

- **Closure** (40 CFR 262.17(a)(8)):
A LQG accumulating hazardous wastes in containers, tanks, drip pads, and containment buildings, prior to closing a hazardous waste management unit at the facility, or prior to closing the facility, must meet the following conditions:

○ **Notification for Closure:**

A LQG must perform the following when closing a waste accumulation unit:

- Place a notice in the operating record within 30 days after closure identifying the location of the unit within the facility or meet the closure performance standards for generators described at 40 CFR 262.17(a)(8)(iii).

A LQG must perform the following when the facility is closing:

- Submit an EPA 8700-12 form (electronically using myRCRAid) no later than 30 days prior to closing the facility.
- Submit an EPA 8700-12 form (electronically using myRCRAid) within 90 days after closing the facility that it has complied with the closure performance standards of 262.17(a)(8)(iii) or (iv). If the facility cannot meet the closure performance standards the facility must notify using the EPA 8700-12 form (electronically using myRCRAid) that it will be close as a landfill under 40 CFR 265.310.

○ **Compliance with Closure Performance Standards** (40 CFR 262.17(a)(8)(iii) and (iv)):

- At closure, a LQG must meet the closure performance standards described in 40 CFR 262.17(a)(8)(iii) for containers, tank systems, and containment building waste accumulation units.
- At closure, a LQG must meet the closure performance standards described in 40 CFR 262.17(a)(8)(iv) for drip pad waste accumulation units (if applicable).

- **Consolidation of hazardous waste from very small quantity generators** (40 CFR 262.17(f)): A LQG may accumulate on-site hazardous waste received from very small quantity generators under control of the same person (as defined in 40 CFR 260.10) provides the very small quantity generator must complies with requirements of 40 CFR 262.14(a)(5)(viii) and the LQG must complies with the requirements of 40 CFR 262.17(f).

- **Satellite Accumulation Areas** (40 CFR 262.15): A LQG may accumulate hazardous waste in satellite accumulation areas as long as the following conditions are met:

- Hazardous waste must be *inside* the hazardous waste container. All spills/releases of hazardous waste must be responded to immediately and appropriately.
- The satellite accumulation container must be located at or near the point where wastes are initially generated and under the control of the operator generating the waste.
- A total of 55-gallons of non-acute hazardous waste and/or either 1 quart of liquid acute hazardous waste or 1 kilogram (2.2 pounds) of solid acute hazardous waste may be accumulated at a satellite accumulation area. A generator who accumulates either acute or non-acute hazardous waste in excess of the above amounts must comply with the following:
 - Within three consecutive calendar days, comply with the applicable central accumulation area regulations in 40 CFR 262.17(b); or
 - Remove the excess from the satellite accumulation area within three consecutive calendar days and move it to an on-site central accumulation area, an on-site permitted (or interim status) storage area, or an off-site designated facility.
 - During the three-consecutive-calendar-day period the container(s) holding the excess accumulation of hazardous waste must be marked/labeled with the date the excess amount began accumulating.
- Hazardous waste containers must be closed at all times during accumulation except when:
 - Adding, removing, or consolidating waste; or
 - When temporary venting of a container is necessary for the proper operation of equipment, or to prevent dangerous situations such as build-up of extreme pressure.
- Hazardous waste containers located at a satellite accumulation area must be marked with the words "Hazardous Waste" and an indication of the hazards of the contents of the containers.

- All containers must be in good condition and if it is not in good condition or begins to leak, the hazardous waste must be transferred to another container that is in good condition.
- Compatibility Requirements:
 - A LQG must use a container made of or lined with materials that will not react with and are otherwise compatible with the hazardous waste to be accumulated, so the ability of the container to contain the waste is not impaired.
 - Incompatible wastes must not be placed in the same container.
 - Hazardous waste must not be placed in an unwashed container that previously held an incompatible waste or material.
 - Incompatible wastes must be separated from other incompatible waste or material or protected from them by any practical means.
- All satellite accumulation areas at the LQG must meet the requirements of Preparedness, Prevention and Emergency Procedures in 40 CFR 262 Subpart M. See pages 2-5 of this document for more information.
- **Hazardous Waste Central Accumulation Areas:** A LQG of hazardous waste may accumulate hazardous waste, on-site, in a central accumulation area(s) for not more than 90 days provided the following requirements are met:
 - Hazardous waste must be placed *inside* the hazardous waste container. All spills/releases of hazardous waste must be responded to immediately and appropriately.
 - Hazardous waste containers must be closed unless it is necessary to add or remove waste.
 - A container holding hazardous waste must not be opened, handled, or accumulated in a manner that may rupture the container or cause it to leak.
 - All hazardous waste containers in the central accumulation area must be marked/labeled with the words "Hazardous Waste", an indication of the hazards of the contents of the containers and marked with an accumulation start date.
 - Prior to shipping the hazardous waste off site, the containers must be marked with all applicable EPA hazardous waste numbers (EPA waste codes).
 - Comply with applicable regulations for hazardous waste management units other than containers, when applicable:
 - Accumulation of hazardous waste in tanks (40 CFR 262.17(a)(2)): must comply with 40 CFR 265 Subpart J except 40 CFR 265.197(c) of Closure and post-closure care and 40 CFR 265.200 – Waste analysis and trial tests, as well as the applicable requirements of 40 CFR 265 subparts AA, BB, and CC; and/or
 - Accumulation of hazardous waste on drip pads: must comply with 40 CFR 262.17(a)(3) and 40 CFR 265 Subpart W; and/or
 - Accumulation of hazardous waste in containment buildings: must comply with 40 CFR 262.17(a)(4) and 40 CFR 265 Subpart DD.
 - Comply with the applicable regulations for hazardous waste air emissions, when applicable:
 - 40 CFR 265 Subpart AA for air emission standards for process vents,
 - 40 CFR 265 Subpart BB for air emission standards for equipment leaks, and/or

- 40 CFR 265 Subpart CC for air emission standards for containers, tanks, surface impoundments and containers.
- Ignitable and Reactive Hazardous Waste Requirements:
 - Containers of ignitable or reactive waste must be located at least 50 feet from the facility's property line unless a waiver has been received from the local authority having jurisdiction over the fire code to accumulate these wastes less than 50 feet from the facility's property line.
 - Ignitable and reactive hazardous wastes must be separated and protected from sources of ignition or reaction including but not limited to: open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static electrical, or mechanical), spontaneous ignitions (e.g., from heat producing chemical reactions), and radiant heat.
 - While ignitable or reactive waste is being handled, smoking and open flame must be confined to specifically designated locations. "No Smoking" signs must be conspicuously placed wherever there is a hazardous from ignitable or reactive waste.
- All containers must be in good condition and if it is not in good condition or begins to leak, the hazardous waste must be immediately transferred to another container that is in good condition.
- Compatibility Requirements:
 - A LQG must use a container made of or lined with materials that will not react with and are otherwise compatible with the hazardous waste to be accumulated, so the ability of the container to contain the waste is not impaired.
 - Incompatible wastes must not be placed in the same container.
 - Hazardous waste must not be placed in an unwashed container that previously held an incompatible waste or material.
 - Incompatible wastes must be separated from other incompatible waste or material by means of a dike, berm, wall, or other device.
- **Used Oil (40 CFR 279):** Used oil generated at a site that is destined to be recycled, may be managed under 40 CFR 279 Subpart C – Standards for Used Oil Generators. The basic requirements for used oil generators include:
 - Used oil must be stored in containers and/or tanks that are in good condition (no severe rusting, apparent structural defects, or deterioration) and not leaking (40 CFR 279.22(a) and (b)).
 - Each container and/or tank (or fill pipes used to transfer used oil into underground storage tanks) must be labeled with the words "Used Oil" (40 CFR 279.22 (c)). *Note that waste oil is not the same as used oil. Used oil is destined for recycling. Waste oil is destined for disposal or does not meet the definition of used oil.*
 - Upon detection of a release of used oil to the environment, the following steps must be taken (40 CFR 279.22(d)):
 - Stop the release;
 - Contain the released used oil;
 - Clean up and manage properly the released used oil and other materials; and
 - If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.
 - Used oil generators may burn used oil in used oil-fired space heaters provided the following requirements are met (40 CFR 279.23):
 - The heater burns only used oil that the owner or operator generates or used oil received from household do-it-yourselfers;

- The heater is designed to have a maximum capacity of not more than 0.5 million Btu per hour; and
 - The combustion gases from the heater are vented to the ambient air.
- Used oil must be transported off-site by a used oil transporter with an EPA Identification number unless the following occurs (40 CFR 279.24):
 - The used oil generator self transports (without an EPA ID number) no more than 55-gallons of used oil (at any time) that is generated at the used oil generator site and is transported in a vehicle owned by the generator or by an employee of the generator, and taken to a used oil collection center that is registered, licensed, permitted or recognized by a state/county/municipal government to manage used oil or to an aggregation point that is owned and/or operated by the same generator.
- **Universal Waste (40 CFR 273):** The Standards for Universal Waste Management, found at 40 CFR 273, apply to used lamps, batteries, mercury containing equipment, pesticides, and aerosol cans. The facility must ensure compliance with the universal waste regulations if the facility manages these items or may opt to manage these items under the more stringent hazardous waste requirements. If a universal waste handler accumulates less than 5,000 kg (11,000 pounds) of universal waste on-site at any time, the general requirements for a Small Quantity Handler of Universal Waste include:
 - Universal waste must be managed in a way that prevents releases of any universal waste or component of universal waste to the environment (40 CFR 273.13).
 - Universal waste must be accumulated in containers that are kept closed (except aerosol cans), structurally sound, adequate to prevent breakage, compatible with the contents of the container, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions (40 CFR 273.13).
 - Additional requirements for universal waste aerosol cans:
 - Must be accumulated in containers that are protected from sources of heat (40 CFR 273.13(e)(1)).
 - Universal waste aerosol cans that are punctured and drained must be in compliance with 40 CFR 273.13(e)(4).
 - Labeling (40 CFR 273.14):
 - Containers holding lamps, batteries, mercury thermostats, or aerosol cans must be labeled with the words "Universal Waste _____", "Waste _____" or "Used _____".
 - Containers holding universal waste pesticides must be labeled with the words "Universal Waste pesticide(s)" or "Waste pesticide(s)".
 - A container holding mercury containing equipment must be labeled "Universal Waste - mercury containing equipment" or "Waste mercury containing equipment" or "Used mercury containing equipment".
 - Universal waste may not be accumulated on-site for more than one year. The length of time the universal waste has been accumulated on-site must be demonstrated (40 CFR 273.15).
 - It is recommended that the containers be marked with an "accumulation start date" so the facility can track the amount of time the universal waste is on-site.
 - The facility must inform all employees who handle or have the responsibility for managing universal waste about the proper handling and emergency procedure appropriate to the type(s) of universal waste handled at the facility (40 CFR 273.16).
 - The facility must respond to releases of universal waste immediately. If the release of universal waste is not cleaned up immediately, the facility must make a waste determination on the material resulting

from the release and if the material is a hazardous waste, the facility must manage the material by the applicable hazardous waste requirements (40 CFR 273.17).

- The facility is prohibited from sending or taking universal waste to a place other than another universal waste handler, a destination facility , or a foreign destination (40 CFR 273.18).
- Lead acid batteries being reclaimed may be managed under the requirements of 40 CFR 266 subpart G instead of the universal waste requirements of 40 CFR 273 or the hazardous waste generator requirements of 40 CFR 262.