§ 66262.17. Conditions for Exemption for a Large Quantity Generator that Accumulates Hazardous Waste.

A large quantity generator may accumulate hazardous waste on site without a permit or interim status, and without complying with the requirements of chapters 14, 15, 16, and 20 of this division, or the notification requirements pursuant to Health and Safety Code section 25153.6, provided that all the following are met:

(a) Accumulation.

A large quantity generator accumulates hazardous waste on site for no more than 90 days, unless in compliance with the accumulation time limit extension in subsection (b) of this section or section 66262.35 of this article. The following accumulation conditions also apply:

(1) Accumulation of hazardous waste in containers. If the hazardous waste is placed in containers, the large quantity generator shall comply with the following:

(A) Air emission standards. The applicable requirements of articles 27, 28, and 28.5 of chapter 15 of this division;

(B) Condition of containers. If a container holding hazardous waste is not in good condition, or if it begins to leak, the large quantity generator shall immediately transfer the hazardous waste from this container to a container that is in good condition, or immediately manage the waste in some other way that complies with the conditions for exemption of this section;

(C) Compatibility of waste with container. The large quantity generator shall use a container made of or lined with materials that will not react with, and are otherwise compatible with, the hazardous waste to be stored, so that the ability of the container to contain the waste is not impaired;

(D) Management of containers.

1. A container holding hazardous waste shall always be closed during accumulation, except when it is necessary to add or remove waste.

2. A container holding hazardous waste shall not be opened, handled, or stored in a manner which may rupture the container or cause it to leak. Re-use of containers for transportation shall comply with the requirements of the U.S. Department of Transportation regulations,

including those set forth in 49 Code of Federal Regulations section 173.28.

(E) Inspections.

At least weekly, the large quantity generator shall inspect central accumulation areas. The large quantity generator shall look for leaking containers and for deterioration of containers and the containment system caused by corrosion or other factors. Large quantity generators shall follow (a)(1)(B) of this section for remedial action required if deterioration or leaks are detected.

(F) Special conditions for accumulation of ignitable and reactive wastes.

1. **Containers holding ignitable or reactive waste shall be located at least 15 meters (50 feet) from the facility's property line.**

2. The large quantity generator shall take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste shall be separated and protected from sources of ignition or reaction including but not limited to the following: open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, or mechanical), spontaneous ignition (e.g., from heat-producing chemical reactions), and radiant heat. While ignitable or reactive waste is being handled, the large quantity generator shall confine smoking and open flame to specially designated locations. **"No Smoking" signs** shall be conspicuously placed wherever there is a hazard from ignitable or reactive waste.

(G) Special conditions for accumulation of incompatible wastes.

1. **Incompatible wastes**, or incompatible wastes and materials, (see Appendix V of chapter 15 of this division for examples) **shall not be placed in the same container,** unless subsection 66265.17(b) is complied with.

2. **Hazardous waste shall not be placed in an unwashed container** that previously held an incompatible waste or material (see Appendix V of chapter 15 of this division for examples), unless section 66265.17(b) is complied with.

3. A container holding a hazardous waste that is incompatible with any waste or other materials accumulated or stored nearby in other

containers, piles, open tanks, or surface impoundments shall be separated from the other materials or protected from them by means of a dike, berm, wall, or other device.

- **(2) Accumulation of hazardous waste in tanks**. If the waste is placed in tanks, the large quantity generator shall comply with the requirements of article 10 of chapter 15, except subsections 66265.197(c) of Closure and Post-Closure Care and section 66265.200 -- Waste Analysis and Trial Tests, as well as the requirements of articles 27, 28, and 28.5 of chapter 15 of this division.

- **(3) Accumulation of hazardous waste on drip pads**. If the hazardous waste is placed on drip pads, the large quantity generator shall comply with the following:

  (A) Applicable requirements of articles 17.5, 27, 28 and 28.5 of chapter 15;

  (B) The large quantity generator shall remove all wastes from the drip pad at least once every 90 days. Any hazardous wastes that are removed from the drip pad are then subject to the 90-day accumulation limit in subsection (a) of this section and section 66262.15, if the hazardous wastes are being managed in satellite accumulation areas prior to being moved to a central accumulation area; and

  (C) The large quantity generator shall maintain on site at the facility the following records readily available for inspection:

  1. A written description of procedures that are followed to ensure that all wastes are removed from the drip pad and associated collection system at least once every 90 days; and

  2. Documentation of each waste removal, including the quantity of waste removed from the drip pad and the sump or collection system and the date and time of removal.

- (**4) Accumulation of hazardous waste in containment buildings**. If the waste is placed in containment buildings, the large quantity generator shall comply with article 29 of chapter 15 of this division. The generator shall label its containment building with the words “Hazardous Waste” in a conspicuous place easily visible to employees, visitors, emergency responders, waste handlers, or other persons on site, and also in a conspicuous place provide an indication of the hazards of the contents [examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 Code of

Federal Regulations part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 Code of Federal Regulations 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704.] The generator shall also maintain:

(A) The professional engineer certification that the building complies with the design standards specified in section 66265.1101. This certification shall be in the generator's files prior to operation of the unit; and

(B) The following records by use of inventory logs, monitoring equipment, or any other effective means:

1. A written description of procedures to ensure that each waste volume remains in the unit for no more than 90 days, a written description of the waste generation and management practices for the facility showing that the generator is consistent with respecting the 90-day limit, and documentation that the procedures are complied with; or

2. Documentation that the unit is emptied at least once every 90 days.

3. Inventory logs or records with the above information shall be maintained on site and readily available for inspection.

- **(5) Labeling and marking of containers and tanks**

(A) Containers. A large quantity generator shall mark or label its containers with the following:

1. The words “Hazardous Waste”;

2. The composition and physical state of the wastes;

3. An indication of the hazards of the contents [examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 Code of Federal Regulations part 172, subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 Code of Federal Regulations

1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704];

4. The name and address of the person generating the waste;

5. The date upon which each period of accumulation begins shall be clearly marked and visible for inspection on each container; and

6. The date the applicable accumulation period specified in subsection (a) of this section begins shall be clearly marked and visible for inspection on each container.

(B) Tanks. A large quantity generator accumulating hazardous waste in tanks shall do the following:

1. Mark or label its tanks with the words "Hazardous Waste";

2. **Mark or label its tanks** with an indication of the hazards of the contents [examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 Code of Federal Regulations part 172, subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 Code of Federal Regulations 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704];

3. The date the applicable accumulation period specified in subsection (a) of this section begins shall be clearly marked and visible for inspection on each tank;

4. Use inventory logs, monitoring equipment or other records to demonstrate that hazardous waste has been emptied within 90 days of first entering the tank if using a batch process, or in the case of a tank with a continuous flow process, demonstrate that estimated volumes of hazardous waste entering the tank daily exit the tank within 90 days of first entering; and

5. Keep inventory logs or records with the above information on site and readily available for inspection.

- **(6) Emergency procedures**. The large quantity generator complies with the standards in article 9 of this chapter, Preparedness, Prevention, and Emergency Procedures for Large Quantity Generators.

- **(7) Personnel training.**

  (A)1. The large quantity generator shall ensure that facility personnel successfully complete a training program through classroom, computer-based, or electronic instruction or on-the-job training that teaches facility personnel to perform their duties in a way that ensures the facility's compliance with the requirements of this chapter and section 5192, subsection (p), of Title 8, California Code of Regulations. Facility personnel engaged in shipping hazardous waste shall be triennially trained commensurate with their responsibilities to meet the requirements in section 172.704 of Title 49, Code of Federal Regulations. The large quantity generator shall ensure that this training program includes all the elements described in the documents required under subsection (a)(7)(D) of this section.

  2. Hazardous waste management training program shall be directed by a person trained in hazardous waste management procedures and shall include instruction that teaches facility personnel hazardous waste management procedures (including, but not limited to, contingency plan implementation and the identification and segregation of incompatible hazardous waste or product) relevant to the positions in which they are employed.

  3. At a minimum, the training program must be designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems, including all of the following where applicable:

  a. Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment;
  b. Key parameters for automatic waste feed cut-off systems;
  c. Communications or alarm systems;
  d. Response to fires or explosions;
  e. Response to groundwater contamination incidents;
  f. Shutdown of operations;
  g. Self-protection measures; and
  h. Accident prevention methods.

4. The training program must also be designed to ensure the following every 24 months:

a. General awareness training. The large quantity generator shall ensure all facility personnel successfully complete training that provides a description of the facility, and an overview of the facility and facility operations that are subject to this chapter, including, but not limited to, security and safety considerations; and

b. Function-specific job training. The large quantity generator shall ensure all facility personnel who are involved with hazardous waste management activities successfully complete training concerning the requirements of this chapter and any relevant hazardous waste procedures applicable to job tasks and functions performed by the facility personnel.

The annual review for large quantity generators (LQGs) is a requirement to ensure that all employees involved in hazardous waste management are familiar with the regulations and can respond effectively to emergencies. This review is conducted every year and is part of the ongoing training process to maintain compliance with RCRA.

In contrast, the every 24 months training is a more general requirement that may not specifically address the annual review aspect. It is designed to provide foundational knowledge and awareness of hazardous waste management practices.

LQGs must ensure that their employees are trained to handle hazardous waste safely and to respond to emergencies, which is a critical aspect of their compliance with RCRA. The annual review is a specific requirement to ensure that this training is up-to-date and that employees are prepared to handle any hazardous waste-related incidents that may arise.

(B) The large quantity generator shall ensure that facility personnel successfully complete the program required in subsection (a)(7)(A) of this section within six months after the date of their employment or assignment to the facility, or to a new position at the facility, whichever is later. Employees shall not work in unsupervised positions until they have completed the training requirements of subsection (a)(7)(A) of this section.

(C) The large quantity generator shall ensure that facility personnel take part in an annual review of the initial training required in subsection (a)(7)(A) of this section.

(D) The training records required by this subsection must demonstrate compliance with subsection (a)(7)(A) and include the specific elements set out in subsection (a)(7)(D)1 through 4. **The large quantity generator shall maintain the following documents and records at the facility:**

1. **The job title for each position at the facility related to hazardous waste management**, and the name of the facility personnel filling each job;

2. **A written job description for each position** listed under subsection (a)(7)(D)1 of this section. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but shall include the requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position;

3. A written description, including a syllabus and/or outline, of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under subsection (a)(7)(D)1 of this section; and

4. Facility personnel -signed or -certified records that document that the training required under subsections (a)(7)(A), (B), and (C) of this section has been given to, and completed by, each facility personnel.

(E) The large quantity generator shall maintain training records on current personnel until closure of the facility. Training records on former employees shall be kept for at least three years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company.

- **(8) Closure. (See Closure Regulations**)

- **(9) Land disposal restrictions**. The large quantity generator shall comply with all applicable requirements under chapter 18 of this division.

1. You must determine the waste's treatment standards

- Every hazardous waste has a required **treatment standard** (technology-based or concentration-based).
- You must know the correct **waste code(s)** to determine the standard.

2. You must ensure the waste meets the treatment standard before disposal

- Either:
  - You treat it onsite (rare for generators), or
  - You send it to a permitted TSDF that performs the required treatment.

3. You must send LDR paperwork with the waste

Depending on the waste, this may include:

- **LDR Notification**
- **LDR Certification**
- **Waste analysis data** (if required)

These documents tell the TSDF:

- What the waste is
- What treatment standard applies
- Whether the waste already meets the standard or still needs treatment

4. You must keep LDR records

- Typically **3 years**, but practically longer for audits.
- Includes notifications, certifications, and analysis.

5. You cannot send untreated restricted waste to a landfill

This is the core purpose of LDR:

- No land disposal unless the waste meets the treatment standard
- No dilution to avoid treatment
- No bypassing treatment by misclassification

(b) Accumulation time limit extension.

A large quantity generator that accumulates hazardous waste for more than 90 days is subject to the requirements of chapters 14, 15, 16, 18, and 20 of this division, or the notification requirements pursuant to Health and Safety Code section 25153.6, unless the generator has been granted an extension to the 90-day period. An extension may be granted by the Department if hazardous wastes must remain on site for longer than 90 days due to unforeseeable, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted at the discretion of the Department on a case-by-case basis. An extension may be granted pursuant to section 66262.35 if non-RCRA or RCRA-exempt hazardous wastes must remain on site for longer than 90 days.

(c) Rejected load.

A large quantity generator that sends a shipment of hazardous waste to a designated facility, with the understanding that the designated facility can accept and manage the waste and later receives that shipment back as a rejected load or residue in accordance with the manifest discrepancy provisions of sections 66264.72 or 66265.72 of this division, may accumulate the returned waste onsite in accordance with subsections (a) and (b) of this section. Upon receipt of the returned shipment, the generator shall:

(1) Sign Item 18c of the manifest, if the transporter returned the shipment using the original manifest; or

(2) Sign Item 20 of the manifest, if the transporter returned the shipment using a new manifest.

(3) Submit a copy of the signed manifest to the Department within 30 days of receipt. Mail the legible manifest copy, specifically the Designated Facility-to-Destination State manifest copy (Page 1 of the manifest as provided in section 66262.21, subsection (d)) to:

DTSC FACILITY MANIFESTS
P.O. BOX 3000, SACRAMENTO, CA
95812-3000

(d) The large quantity generator of the rejected hazardous waste shall label or mark the hazardous waste in a manner that indicates that it is rejected hazardous waste and shall include the date it was received by the generator. If the generator of the rejected hazardous waste commingles it with other hazardous wastes, the shorter of any applicable accumulation time limits shall apply to the commingled hazardous waste.

(e) The 90-day accumulation time period, for purposes of subsections (a) or (b) of this section, begins when any amount of hazardous waste first begins to accumulate in that month.

§ 66262.16. Conditions for Exemption for a Small Quantity Generator that Accumulates Hazardous Waste.

A small quantity generator may accumulate hazardous waste on site without a permit or interim status, and without complying with the requirements of chapters 14, 15, 16, and 20 of this division, or the notification requirements pursuant to Health and Safety Code section 25153.6, provided that all the conditions for exemption listed in this section are met:

(a) Generation.

The generator generates in a calendar month no more than the amounts specified in the definition of "small quantity generator" in section 66260.10 of this division.

(b) Accumulation.

The generator accumulates hazardous waste onsite for no more than 180 days, unless in compliance with the conditions for exemption for longer accumulation in subsections (d) and (e) of this section. The following accumulation conditions also apply:

(1) Accumulation limit. The quantity of hazardous waste accumulated onsite never exceeds 6,000 kilograms (13,200 pounds);

(2) Accumulation of hazardous waste in containers.

(A) Condition of containers. If a container holding hazardous waste is not in good condition, or if it begins to leak, the small quantity generator shall immediately transfer the hazardous waste from this container to a container that is in good condition, or immediately manage the waste in some other way that complies with the conditions for exemption of this section.

(B) Compatibility of waste with container. The small quantity generator shall 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 that the ability of the container to contain the waste is not impaired.

(C) Management of containers.

1. A container holding hazardous waste shall always be closed during accumulation, except when it is necessary to add or remove waste.

2. A container holding hazardous waste shall not be opened, handled, or accumulated in a manner that may rupture the container or cause it to leak.

(D) Inspections. **At least weekly,** the small quantity generator shall inspect central accumulation areas. The small quantity generator shall look for leaking containers and for deterioration of containers caused by corrosion or other factors. See subsection (b)(2)(A) of this section for remedial action required if deterioration or leaks are detected.

(E) Special conditions for accumulation of incompatible wastes.

1. **Incompatible wastes, or incompatible wastes and materials** (see Appendix V of chapter 15 of this division for examples) **shall not be placed in the same container**, unless section 66265.17(b) of this division is complied with.

2. **Hazardous waste shall not be placed in an unwashed container** that previously held an incompatible waste or material (see Appendix V of chapter 15 of this division for examples), unless section 66265.17(b) of this division is complied with.

3. A container accumulating hazardous waste that is incompatible with any waste or other materials accumulated or stored nearby in other containers, piles, open tanks, or surface impoundments shall be separated from the other materials or protected from them by means of a dike, berm, wall, or other device.

(3) Accumulation of hazardous waste in tanks.

(A) A small quantity generator of hazardous waste shall comply with the following general operating conditions:

1. Treatment or accumulation of hazardous waste in tanks shall comply with section 66265.17(b) of this division.

2. Hazardous wastes or treatment reagents shall not be placed in a tank if they could cause the tank or its inner liner to rupture, leak, corrode, or otherwise fail before the end of its intended life.

3. Uncovered tanks shall be operated to ensure at least 60 centimeters (2 feet) of freeboard, unless the tank is equipped with a containment structure (e.g., dike or trench), a drainage control

system, or a diversion structure (e.g., standby tank) with a capacity that equals or exceeds the volume of the top 60 centimeters (2 feet) of the tank.

4. Where hazardous waste is continuously fed into a tank, the tank shall be equipped with a means to stop this inflow (e.g., waste feed cutoff system or bypass system to a standby tank).

(B) Except as noted in subsection (b)(3)(C) of this section, a small quantity generator that accumulates **hazardous waste in tanks shall inspect**, where present:

1. Discharge control equipment (e.g., waste feed cutoff systems, bypass systems, and drainage systems) at least once each operating day, to ensure that it is in good working order;

2. Data gathered from monitoring equipment (e.g., pressure and temperature gauges) at least once each operating day to ensure that the tank is being operated according to its design;

3. The level of waste in the tank at least once each operating day to ensure compliance with subsection (b)(3)(A)3 of this section;

4. The construction materials of the tank at least weekly to detect corrosion or leaking of fixtures or seams; and

5. The construction materials of, and the area immediately surrounding, discharge confinement structures (e.g., dikes) at least weekly to detect erosion or obvious signs of leakage (e.g., wet spots or dead vegetation). The generator shall remedy any deterioration or malfunction of equipment or structures which the inspection reveals on a schedule which ensures that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or has already occurred, remedial action shall be taken immediately.

(C) A small quantity generator accumulating hazardous waste in tanks or tank systems that have full secondary containment and that either use leak detection equipment to alert personnel to leaks, or implement established workplace practices to ensure leaks are promptly identified, shall inspect at least weekly, where applicable, the areas identified in subsection (b)(3)(B)1 through 5 of this section. Use of the alternate inspection schedule shall be documented in the generator's operating

record. This documentation shall include a description of the established workplace practices of the generator.

(D) A small quantity generator accumulating hazardous waste in tanks shall, upon closure of the facility, remove all hazardous waste from tanks, discharge control equipment, and discharge confinement structures. At closure, as throughout the operating period, unless the small quantity generator can demonstrate, in accordance with section 66261.3(c) or (d) of this division, that any solid waste removed from its tank is not a hazardous waste, then the generator shall manage such waste in accordance with all applicable provisions of chapters 12, 13, 15, and 18 of this division.

(E) A small quantity generator shall comply with the following special conditions for accumulation of ignitable or reactive waste:

1**. Ignitable or reactive waste shall not be placed in a tank, unless:**

a. The waste is treated, rendered, or mixed before or immediately after placement in a tank so that the resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste under section 66261.21 or 66261.23 and section 66265.17(b) of this division is complied with; or

b. The waste is accumulated or treated in such a way that it is protected from any material or conditions that may cause the waste to ignite or react; or

c. The tank is used solely for emergencies.

2. A small quantity generator which treats or accumulates ignitable or reactive waste in covered tanks shall comply with the buffer zone requirements for tanks contained in Tables 2-1 through 2-6 of the National Fire Protection Association's “Flammable and Combustible Liquids Code” (1981) (incorporated by reference, see section 66260.11 of this division).

3. A small quantity generator shall comply with the following special conditions for incompatible wastes:

a. Incompatible wastes, or incompatible wastes and materials, (see Appendix V of chapter 15 of this division for examples)

shall not be placed in the same tank, unless section 66265.17(b) of this division is complied with.

b. Hazardous waste shall not be placed in an unwashed tank that previously held an incompatible waste or material, unless section 66265.17(b) of this division is complied with.

(4) Labeling and marking of containers and tanks.

(A) Containers. A small quantity generator shall mark or label its containers with the following:

1. The words "**Hazardous Waste";**

2. The **composition and physical state of the wastes;**

3. An indication of the **hazards** of the contents [examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 Code of Federal Regulations part 172, subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 Code of Federal Regulations 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704];

4. **The name and address** of the person generating the waste;

5**. The date upon which each period of accumulation begins shall** be clearly marked and visible for inspection on each container; and

6. The date the applicable accumulation period specified in subsection (b) of this section begins shall be clearly marked and visible for inspection on each container.

(B) Tanks. A small quantity generator accumulating hazardous waste in tanks shall do the following:

1. Mark or label its tanks with the words "Hazardous Waste";

2. Mark or label its tanks with an indication of the hazards of the contents [examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive,

toxic); hazard communication consistent with the Department of Transportation requirements at 49 Code of Federal Regulations part 172, subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 Code of Federal Regulations 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704];

3. The date the applicable accumulation period specified in subsection (b) of this section begins shall be clearly marked and visible for inspection on each tank;

4. Use inventory logs, monitoring equipment, or other records to demonstrate that hazardous waste has been emptied within 180 days of first entering the tank if using a batch process, or in the case of a tank with a continuous flow process, demonstrate that estimated volumes of hazardous waste entering the tank daily exit the tank within 180 days of first entering; and

5. Keep inventory logs or records with the above information on site and readily available for inspection.

(5) Land disposal restrictions. A small quantity generator shall comply with all the applicable requirements under chapter 18 of this division.

(6) Preparedness and prevention.

(A) Maintenance and operation of facility. A small quantity generator shall maintain and operate its facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

(B) Required equipment. All areas where hazardous waste is either generated or accumulated shall be equipped with the items in subsection (b)(6)(B)1 through 4 of this section (unless none of the hazards posed by waste handled at the facility could require a particular kind of equipment specified below or the actual waste generation or accumulation area does not lend itself for safety reasons to have a particular kind of equipment specified below). A small quantity generator may determine the most appropriate locations to locate equipment necessary to prepare for and respond to emergencies.

1. **An internal communications** or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel;

2. A device, such as a telephone (immediately available at the scene of operations) or a handheld two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or state or local emergency response teams;

3. Portable fire extinguishers, fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment, and decontamination equipment; and

4**. Water at adequate volume and pressure** to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems.

(C) Testing and maintenance of equipment. All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, shall be tested and maintained as necessary to assure its proper operation in time of emergency.

(D) Access to communications or alarm system.

1. Whenever hazardous waste is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation shall have immediate access (e.g., direct or unimpeded access) to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee, unless such a device is not required under subsection (b)(6)(B) of this section.

2. If there is ever just one employee on the premises while the facility is operating, the employee shall have immediate access (e.g., direct or unimpeded access) to a device, such as a telephone (immediately available at the scene of operation) or a handheld two-way radio, capable of summoning external emergency assistance, unless such a device is not required under subsection (b)(6)(B) of this section.

(E) Required aisle space. The small quantity generator shall maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any

area of facility operation in an emergency, unless aisle space is not needed for any of these purposes.

(F) Arrangements with local authorities.

1. The small quantity generator shall attempt to make arrangements with the local police department, fire department, other emergency response teams, emergency response contractors, equipment suppliers and local hospitals, taking into account the types and quantities of hazardous wastes handled at the facility. Arrangements may be made with the Local Emergency Planning Committee, if it is determined to be the appropriate organization with which to make arrangements.

a**. A small quantity generator attempting to make arrangements with its local fire department shall determine** the potential need for the services of the local police department, other emergency response teams, emergency response contractors, equipment suppliers and local hospitals.

b. As part of this coordination, the small quantity generator shall attempt to make arrangements, as necessary, to **familiarize the above organizations with the layout of the facility,** the properties of hazardous waste handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes as well as the types of injuries or illnesses that could result from fires, explosions, or releases at the facility.

c. Where more than one police or fire department might respond to an emergency, the small quantity generator shall attempt to make arrangements designating primary emergency authority to a specific fire or police department, and arrangements with any others to provide support to the primary emergency authority.

2. **A small quantity generator shall maintain records documenting the arrangements with the local fire department** as well as any other organization necessary to respond to an emergency. This

documentation shall include documentation in the operating record that either confirms such arrangements actively exist or, in cases where no arrangements exist, confirms that attempts to make such arrangements were made.

3. Where state or local authorities decline to enter into such arrangements, the small quantity generator shall document the refusal in the operating record.

(7) Emergency procedures. The small quantity generator complies with the following conditions for those areas of the generator facility where hazardous waste is generated and accumulated:

(A) At all times there shall be at least one employee either on the 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 specified in subsection (b)(7)(D) of this section. This employee is the emergency coordinator.

(B) **The small quantity generator shall post the following information next to telephones or in areas directly involved in the generation and accumulation of hazardous waste**:

1. **The name and emergency telephone number** of the emergency coordinator;

2**. Location of fire extinguishers and spill control material, and, if present, fire alarm; and**

3. **The telephone number of the fire department, unless the facility has a direct alarm.**

(C) The small quantity generator shall ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures relevant to their responsibilities during normal facility operations and emergencies;

(D) **The emergency coordinator** or his or her designee shall respond to any emergencies that arise. The applicable responses are as follows:

1. In the event of a fire, call the fire department or attempt to extinguish it using a fire extinguisher;

2. In the event of a spill, the small quantity generator is responsible for containing the flow of hazardous waste to the extent possible, and as soon as is practicable, cleaning up the hazardous waste and any contaminated materials or soil.

3. **In the event of a fire, explosion**, or other release that could threaten human health outside the facility or when the small quantity generator has knowledge that a spill has reached surface water, the small quantity generator shall immediately notify the National Response Center (using their 24-hour toll free number (800) 424-8802). The report shall include the following information:

a. The name, address, and U.S. EPA identification number of the small quantity generator;

b. Date, time, and type of incident (e.g., spill or fire);

c. Quantity and type of hazardous waste involved in the incident;

d. Extent of injuries, if any; and

e. Estimated quantity and disposition of recovered materials, if any.

(8) **A small quantity generator shall not hold acutely hazardous waste or extremely hazardous waste in an amount greater than one kilogram for more than 90 days.**

(c) Transporting 200 miles or more.

A small quantity generator who must transport its waste, or offers its waste for transportation, over a distance of 200 miles or more for off-site treatment, storage, or disposal may accumulate hazardous waste on site for 270 days or less without a permit, or without having interim status, provided that the generator complies with the conditions of subsection (b) of this section.

(d) Accumulation time limit extension.

A small quantity generator that accumulates hazardous waste for more than 180 days (or for more than 270 days if it must transport its waste, or offer its waste for transportation, over a distance of 200 miles or more) is subject to the requirements of chapters 14, 15, 18, and 20 of this division unless it has been granted an extension to the 180-day (or 270-day if

applicable) period. An extension may be granted by the Department if hazardous wastes shall remain on site for longer than 180 days (or 270 days if applicable) due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted at the discretion of the Department on a case-by-case basis. An extension may be granted pursuant to section 66262.35 if non-RCRA or RCRA-exempt hazardous wastes shall remain on site for longer than 180 days.

(e) Rejected load.

A small quantity generator that sends a shipment of hazardous waste to a designated facility with the understanding that the designated facility can accept and manage the waste and later receives that shipment back as a rejected load or residue in accordance with the manifest discrepancy provisions of sections 66264.72 or 66265.72 of this division may accumulate the returned waste on site in accordance with subsections (a)-(d) of this section. Upon receipt of the returned shipment, the generator shall:

(1) Sign Item 18c of the manifest, if the transporter returned the shipment using the original manifest; or

(2) Sign Item 20 of the manifest, if the transporter returned the shipment using a new manifest.

(3) Submit a copy of the signed manifest to the Department within 30 days of receipt. Mail the legible manifest copy, specifically the Designated Facility-to-Destination State manifest copy (page 1 of the manifest as provided in section 66262.21, subsection (d)) to:

DTSC FACILITY MANIFESTS
P.O. BOX 3000, SACRAMENTO, CA
95812-3000

(f) The small quantity generator of the rejected hazardous waste

shall label or mark the hazardous waste in a manner that indicates that it is rejected hazardous waste and shall include the date it was received by the generator. If the generator of the rejected hazardous waste commingles it with other hazardous wastes, the shorter of any applicable accumulation time limits shall apply to the commingled hazardous waste.

(g) The beginning of the 180-day or 270-day accumulation time period, for purposes of subsections (b) or (c) of this section, is determined as follows:

(1) If the small quantity generator does not generate more than 100 kilograms of non-acute hazardous waste or one kilogram of acutely hazardous waste (listed in sections 66261.31 and 66261.33(e)) or one kilogram of extremely hazardous waste during any calendar month, the 180-day or 270-day accumulation time period begins on the date the generator has accumulated 100 kilograms of hazardous waste or one kilogram of acutely hazardous waste or one kilogram of extremely hazardous waste.

(2) If the small quantity generator generates more than 100 kilograms of non-acute hazardous waste during any calendar month, the 180-day or 270-day accumulation time period begins when any amount of hazardous waste first begins to accumulate in that month.

Credits

Note: Authority cited: Sections 25150, 25159, 25159.5, 25179.6 and 58012, Health and Safety Code. Reference: Sections 25123.3, 25150, 25158.1, 25159 and 25159.5, Health and Safety Code; and 40 Code of Federal Regulations Section 262.16.

History

1. New section filed 5-6-2024; operative 7-1-2024 (Register 2024, No. 19).

This database is current through 4/24/26 Register 2026, No. 17.

Cal. Admin. Code tit. 22, § 66262.16, 22 CA ADC § 66262.16