



Waste Management Division

## Hazardous Waste Management Bureau

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# HAZARDOUS WASTE FULL QUANTITY GENERATOR REQUIREMENTS IN NEW HAMPSHIRE

*as provided in New Hampshire's Hazardous Waste Rules, Env-Hw 100-1100*

- I. FULL QUANTITY GENERATOR DEFINITION AS PER ENV-HW 503.02:** A full quantity generator is a generator that:
- A. Generates equal to or greater than a total of 100 kg (220 lbs.) of hazardous waste in any single calendar month;
  - B. Accumulates greater than 1,000 kilograms or 2,200 pounds of hazardous waste at any time;
  - C. Generates equal to or greater than 1 kg (2.2 lbs.) of an acutely hazardous waste in any single calendar month;
  - D. Accumulates equal to or greater than 1 kg (2.2 lbs.) of an acutely hazardous waste at any time;
  - E. Generates equal to or greater than 100 kg (220lbs.) of spill cleanup material contaminated with acutely hazardous waste in any single month; or
  - F. Accumulates equal to or greater than 100 kg (220 lbs.) of spill cleanup material contaminated with acutely hazardous waste at any time.
- II. REQUIREMENTS FOR FULL QUANTITY WASTE GENERATORS (FQGs):**
- A. Hazardous waste determination as per Env-Hw 502.01: All generators of a waste shall determine if their waste is a hazardous waste and be able to document this determination with either testing or applying knowledge.
  - B. Notification as per Env-Hw 504.01: All generators shall notify DES prior to conducting any hazardous waste activities covered under the Hazardous Waste Rules. Generator shall notify DES verbally or in writing of any changes.
  - C. Identification Numbers as per Env-Hw 505.01: A generator shall not treat, store, dispose, transport, or offer a hazardous waste for transportation without having received an EPA identification number, or an emergency or temporary identification number, or a NH identification number.

- D. Environmental and Health requirements as per Env-Hw 506.01: While accumulating hazardous wastes, the generator shall not use storage practices that pose a hazard to human health or the environment.
- E. Storage requirements as per Env-Hw 507.01 and Env-Hw 509.02:
- 1) All hazardous waste shall be placed in appropriate containers or tanks that are in good condition and remain closed at all times except to add or remove waste;
  - 2) All hazardous waste shall be stored on impervious surfaces (e.g., concrete, asphalt);
  - 3) All hazardous waste shall not be stored in areas with functional floor drains, in or near a sink with a functional drain present, or manholes, unless adequate secondary containment is provided;
  - 4) Generators must conduct and document in a log regular inspections of all hazardous waste storage areas (weekly for containers/daily for tanks);
  - 5) Generators must provide personnel training in hazardous waste management by either an outside trainer or in-house employee provided he/she has been adequately trained; this training must be updated annually and the generator must maintain a written personnel training program;
  - 6) Full Quantity Generators must have on staff at the facility a Hazardous Waste Coordinator certified by DES in accordance with RSA 147A:5, III; Certification must be renewed annually;
  - 7) Generators must meet general requirements for storing ignitable, reactive or incompatible wastes;
  - 8) Generators must comply with 40 CFR Part 265 Subpart C. Preparedness and Prevention, including maintaining spill control equipment and fire control equipment at or near each waste storage area, “no smoking” signs near ignitable wastes, and a minimum of 2 feet of aisle space shall be maintained to allow inspection of at least one side of each container;
  - 9) Generators must have a written contingency plan detailing emergency procedures;
  - 10) Generators must comply with 40 CFR 265 Subpart I detailing use and management of containers;
  - 11) Generators must comply with 40 CFR 265 Subpart J detailing the use of tank systems; and
  - 12) Full Quantity Generators shall post a list of the steps to take if an emergency occurs and emergency numbers at the telephone nearest to each hazardous waste storage area. This information shall include:

- (a) Emergency coordinator's home and office phone numbers;
- (b) Phone numbers of Fire Department, Police Department, Hospital, State of New Hampshire and local emergency response teams; and
- (c) Location of fire extinguishers, spill control equipment, and fire alarms.

F. Additional Requirements for Outside Storage as per Env-Hw 507.01(e) and Env-Hw 509.02(c):

- 1) All hazardous waste stored outside shall be kept covered to prevent precipitation from coming into contact with tops of containers and keep secondary containment structure (adequate to hold any spills or leaks at 110% of the volume of largest container in storage area) free of rain, snow and ice;
- 2) All hazardous waste stored outside shall be kept covered at all times except when generator is actively adding wastes to or removing wastes from a container or moving container to another location;
- 3) Hazardous Waste shall not be stored within any of the following set-backs: 50 feet of surface water; 75 feet of private wells; the protective radius of any public water supply well; and 50 feet of storm drains;
- 4) Generators must provide an artificial or natural barrier preventing unauthorized entry;
- 5) Generators must provide a means to control entry; and
- 6) A sign with the legend "Danger- Unauthorized Personnel Keep Out" must be posted at the entrance.

G. Storage Time Requirements as per Env-Hw 507.02:

A Full Quantity Generator may accumulate hazardous waste that is generated on-site without a permit provided that hazardous waste containers and tanks are managed accordingly and the wastes are shipped off-site within ninety (90) days of the date when accumulation of the waste first began except as provided in Env-Hw 509.03 or under the terms of a waiver or extension granted by DES.

H. Packaging/ Labeling/ Pre-transport as per Env-Hw 507.03:

- 1) Containers and tanks used for the storage of hazardous wastes shall be clearly labeled or marked with the following information at the time they are first used to store wastes:
  - (a) The beginning accumulation date;
  - (b) The words "hazardous waste";
  - (c) Words that identify the contents of the container; and

- (d) The EPA or State waste number, as applicable.
  - 2) Hazardous waste labels shall not be hidden by walls or other containers;
  - 3) Before transporting or offering hazardous waste for transportation off-site, the generator shall properly package the waste and mark and label each container in accordance with US DOT regulations; and
  - 4) Before offering hazardous wastes for transportation off-site, the generator shall determine that the transporter possesses a current and valid New Hampshire transporter registration and has been issued an EPA ID number and that each vehicle is placarded with an appropriate warning of the hazardous waste contained therein in compliance with rules adopted by the New Hampshire Department of Safety.
- I. Manifest Copy Distribution as per Env-Hw 510.02 ; The Generator shall provide seven (7) copies of the manifest if the destination state does not require a copy and eight (8) copies of the manifest if the destination state does require a copy, for distribution as follows: retain one copy of the manifest with signatures; forward one (1) copy of the manifest with signatures to the destination state (if required), one (1) copy to DES within 5 days of shipment, and five (5) copies of the manifest shall be provided to the transporter.
- J. Delivery of hazardous waste as per Env-Hw 511.01: The wastes shall be transported off-site to an authorized facility, using a uniform EPA hazardous waste manifest prepared in accordance with 40 CFR 262, by a New Hampshire registered transporter and in accordance with the manifest requirements of Env-Hw 510.
- K. Recordkeeping and Reporting Requirements as per Env-Hw 512:
- 1) Generators shall keep all manifest copies, copies of each quarterly activity report, exception report, notification of intent to export, EPA Acknowledgement of Consent, any test results, waste analysis, or other wastes determinations and any records of any hazardous waste spills or discharges, for at least three (3) years; and
  - 2) Generators shall submit a certified copy of the hazardous waste quarterly activity reports sent to them by DES. Generators who export hazardous waste shall file an annual report as per Env-Hw 512.03.
- L. Emergency/Remedial Action as per Env-Hw 513.01 and Env-Hw 513.02:
- 1) Any discharge of hazardous waste that poses a threat to human health or the environment resulting from a generator's activity shall be reported:
    - (a) Immediately, not to exceed one hour from the discovery of the release, to the DES emergency response telephone number at (603) 271-3899, Monday through Friday, 8 AM to 4 PM or the NH Department of Safety telephone number at 603-271-3636, 24 hours/day; and

- (b) Immediately, not to exceed one hour from the discovery of the release, to local emergency officials.
- 2) The generator shall comply with the emergency procedures as specified in 40 CFR 265.56; and
- 3) The generator shall immediately contain and clean up, within 24 hours, any hazardous waste discharge or any discharge of a material which, when discharge becomes a hazardous waste. If the discharge cannot be cleaned up within 24 hours, the generator shall submit to DES, within 5 days of the discharge, a clean up plan, which provides for:
  - (a) The protection of human health and the environment;
  - (b) The removal and proper disposal of the contamination source;
  - (c) Confirmatory analysis of the potentially affected media; and
  - (d) Includes a timetable for completion of the clean up plan.

All clean up actions shall follow the requirements per Env-Hw 513.02.

M. Exporters of Hazardous Waste (International Shipments) as per Env-Hw 510.06:

- 1) All generators importing or exporting hazardous waste shall meet the requirements of 40 CFR 262 Subparts E and F.

**III. SATELLITE STORAGE REQUIREMENTS AS PER ENV-HW 509.03:** A Full Quantity Generator may accumulate as much as 55 gallons of hazardous waste or 1 quart of acutely hazardous waste, as identified in Env-Hw 400, in containers at or near any point of generation where wastes initially accumulate, without a standard permit or interim permit, and without complying with the 90 day accumulation time limit specified in Env-Hw 507.02 provided that:

- 1) The hazardous waste container(s) are under the control of the operator of the process generating the waste;
- 2) The operator of the process generating the waste has been trained as specified in Env-Hw 509.02(a)(2), except that, in lieu of the annual training requirements the training interval shall be three years;
- 3) All environmental and health requirements specified in Env-Hw 506 are met;
- 4) The storage requirements of Env-Hw 507.01 are met;
- 5) The containers are marked with the following information at the time they are first used to store wastes:
  - (a) The words “hazardous waste”; and
  - (b) Words identifying the contents of the containers;

- 6) For satellite storage areas that have accumulated greater than 10 gallons of hazardous waste, conduct and document in a log, inspections of the container(s) (at least monthly) for leaks and for deterioration caused by corrosion and other factors; and
- 7) When the generator has accumulated wastes at the point of generation subsequent to reaching the 55-gallon or 1-quart maximum, the generator shall:
  - (a) Mark any container holding excess accumulation with the date the excess amount began accumulating;
  - (b) Move the accumulated wastes to a designated storage area within 3 days of reaching the accumulation limit; and
  - (c) Ship the excess accumulation of hazardous waste off-site within 90 days of the date of excess accumulation.

*This Summary provides general information only. Should there be additional questions, please contact the New Hampshire Department of Environmental Services, Waste Management Division (DES) at (603) 271-2942 or 1-866 HAZ-WAST (in-state only). For a complete description of the requirements, refer to New Hampshire's Hazardous Waste Rules, Env-Hw 100-1100, which may be obtained by contacting the Public Information Center, DES, at (603) 271-2975, or the website for the New Hampshire Department of Environmental Services at <http://des.nh.gov/>.*