

Generator Requirements Summary Chart

This chart is designed to give inspectors a fairly detailed comparison of the requirements as they apply to Large Quantity Generators (LQGs), Small Quantity Generators (SQGs) and Conditionally Exempt Small Quantity Generators (CESQGs). The table is not comprehensive. Information regarding acutely and extremely hazardous wastes are not addressed. Information regarding requirements for onsite treatment facilities is not addressed. For the purpose of consistency in application the following terms are used throughout this document as noted below:

Large Quantity Generator/LQG: Any business that generates greater than 1,000 kg of hazardous waste in any month. Hazardous waste is to be counted regardless of whether it is RCRA regulated or non-RCRA regulated.

RCRA LQG: Any business that generates greater than 1,000 kg of RCRA regulated hazardous waste in any month. Hazardous waste is to be counted only if it is RCRA regulated. This group/category is a subset of LQGs.

Small Quantity Generator/SQG: Any business that generates less than 1,000 kg, but more than 100 kg of hazardous waste in any month. Hazardous waste is to be counted regardless of whether it is RCRA regulated or non-RCRA regulated.

Conditionally Exempt Small Quantity Generator/CESQG: Any business that generates less than 100 kg of hazardous waste in any month. Hazardous waste is to be counted regardless of whether it is RCRA regulated or non-RCRA regulated.

RCRA CESQG: Any business that generates less than 100 kg of RCRA regulated hazardous waste in any month. Hazardous waste is to be counted only if it is RCRA regulated.

Businesses may hold different “status” under California and RCRA rules. As an example, a business may be a RCRA CESQG while being a LQG if the total amount of waste generated in a month exceeds 1,000 kg, of which less than 100 kg is RCRA regulated. Generally, the generator’s RCRA status matters only for biennial reporting, manifesting, and CUPA-to-State reporting.

Exceptions to these definitions are noted throughout the table, as they are applied by rule (example: CESQG for manifesting of waste)

Generator Requirements Summary Chart

	CESQGs	SQGs	LQGs
HW determination	§66262.11 & 66260.200(a) & (c)	§66262.11 & 66260.200(a) & (c)	§66262.11 & 66260.200(a) & (c) §66262.34(a); 40CFR, §§262.34 (a)
EPA ID Number	Required except Silver-only waste generators ≤100 kg/month ⁽¹⁾ §261.5	§66262.12	§66262.12
Quantity Limits	≤100 kg/month ≤1 kg/month of acute or extremely hazardous waste ≤100 kg/month of acute spill residue or soil 40CFR, §§261.5(a) & (e) and (HSC 25218.1 (a) applies to HHW & CESQGs)	>100 but < 1,000 kg/month §66262.34(d) HSC 25123.3 (h)(1) <1 kg of acute or extremely hazardous waste §66262.34(d)(3)	≥1,000 kg/month >1 kg/month of acute or extremely hazardous waste >100 kg/month of acute spill residue or soil §66262.34 and HSC 25123.3
On-Site Accumulation Quantity⁽²⁾	≤1,000 kg ⁽¹⁾ §66262.34(d)(1) HSC 25123.3(h)(1) 40CFR261.5(g)(2)	≤6,000 kg §66262.34(d)(1) HSC 25123.3(h)(1)	No limit
Accumulation Time Limits^{(2), (3)}	90 days from date 100 kg limit is reached §66262.34(b)(1) ⁽⁴⁾ §66262.34(b)	≤180 days or ≤270 days (if greater than 200 miles) §66262.34(d)(2) and (3)	≤90 days §66262.34(a)
Accumulation extensions	For RCRA wastes, a 30-day extension granted by DTSC §66262.34(c) For Non-RCRA waste, a 90-day extension granted by the CUPAs §66262.35	For RCRA wastes, a 30-day extension granted by DTSC §66262.34(c) For Non-RCRA waste, a 90-day extension granted by the CUPAs §66262.35	For RCRA wastes, a 30-day extension granted by DTSC §66262.34(c) For Non-RCRA waste, a 90-day extension granted by the CUPAs §66262.35
Storage Requirements	Basic requirements with technical standards for tanks or containers §§66262.34(d)(2) and (3) SEE BELOW	Basic requirements with technical standards for tanks or containers §§66262.34(d)(2) and (3) SEE BELOW	Full compliance for management of tanks, containers, drip pads, or containment buildings §66262.34(a) SEE BELOW
Container Management	§§66262.34(d) & (f) 40 CFR 265.170-.177, except for .176 and .178.	§§66262.34(d) & (f) 40 CFR 265.170-.177, except for .176 and .178.	§66262.34(f) 66265.170-.178
Container Marking	§66262.34(f) §66279.21(b) – used oil §66266.130(c)(3) – used oil filters HSC 25250.22- used fuel filters	§66262.34(f) §66279.21(b) – used oil §66266.130(c)(3) – used oil filters HSC 25250.22- used fuel filters	§66262.34(f) §66279.21(b) – used oil §66266.130(c)(3) – used oil filters HSC 25250.22- used fuel filters
Open Container	Closed except when adding/ removing wastes §66262.34(d)(2) which refers to 40CFR 265.173(a) via 262.34(d)(2)	Closed except when adding/ removing wastes §66262.34(d)(2) which refers to 40CFR 265.173(a) via 262.34(d)(2)	Closed except when adding/ removing wastes §66265.173(a) ref. from 66262.34(a)(1)(A)
Container Condition	Free of severe rust, major dents, leakage. §66262.34(d)(2) which refers to 40CFR 265.171 via 262.34(d)(2)	Free of severe rust, major dents, leakage. §66262.34(d)(2) which refers to 40CFR 265.171 via 262.34(d)(2)	Free of severe rust, major dents, leakage. §66265.171 ref. from 66262.34(a)(1)(A)
Compatible Contents/Container	Container compatible with waste placed in it. §66262.34(d)(2) which refers to 40CFR 265.172 via 262.34(d)(2)	Container compatible with waste placed in it. §66262.34(d)(2) which refers to 40CFR 265.172 via 262.34(d)(2)	Container compatible with waste placed in it. §66265.172 ref. from 66262.34(a)(1)(A)
Container Inspection	Must inspect weekly (no written logs required) §66262.34(d)(2) which refers to 40CFR 265.174 via 262.34(d)(2)	Must inspect weekly (no written logs required) §66262.34(d)(2) which refers to 40CFR 265.174 via 262.34(d)(2)	Must inspect weekly (no written logs required) §66265.174 ref. from 66262.34(a)(1)(A)

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	CESQGs	SQGs	LQGs
Container Storage of Flammable /Reactive Wastes	No legal requirement	No legal requirement ¹	≥50 feet from property line §66265.176 ref. from §66262.34(a)(1)(A)
Subpart CC Air Emissions for Containers	Not required	Not required	Applies if >26 gallons and holds a VOC containing waste of >500 ppmw. Must accumulate in tightly closed DOT container only. §66265.1087 Does not include containers in Satellite Accumulation Areas (§66265.1080(a)/66265.1)
Container Aisle Space	Must leave enough room for unimpeded access to container §66262.34(d)(2) which refers to 40CFR 265.35 via 262.34(d)(4)	Must leave enough room for unimpeded access to container §66262.34(d)(2) which refers to 40CFR 265.35 via 262.34(d)(4)	Must leave enough room for unimpeded access to container §66265.35
Satellite Accumulation (Point of Generation)	Up to 55 gallons (or 1 qt. acutely or extremely HW) per waste stream, at or near point of generation, under control of operator, mark with 2 nd (fill) date once full. Accumulate for up to 1 year total or 180 days from fill date, whichever is first. §66262.34(e) ALSO: HSC 25200.3.1 (laboratories) ⁽⁵⁾	Up to 55 gallons (or 1 qt. acutely or extremely HW) per waste stream, at or near point of generation, under control of operator, mark with 2 nd (fill) date once full. Accumulate for up to 1 year total or 180 days from fill date, whichever is first. §66262.34(e) ALSO: HSC 25200.3.1 (laboratories) ⁽⁵⁾	Up to 55 gallons (or 1 qt. acutely or extremely HW) per waste stream, at or near point of generation, under control of operator, mark with 2 nd (fill) date once full. Accumulate for up to 1 year total or 90 days from fill date, whichever is first. §66262.34(e). ALSO: HSC 25200.3.1 (laboratories) ⁽⁵⁾
Empty containers (> 5 gallons)	Mark with date emptied & manage within 1 year unless returned to vendor for refill §66261.7(e), (f) & (i)	Mark with date emptied & manage within 1 year unless returned to vendor for refill §66261.7(e), (f) & (i)	Mark with date emptied & manage within 1 year unless returned to vendor for refill §66261.7(e), (f) & (i)
Tank Management	§§66262.34(d)(2) which refers to 40CFR 262.34(d)(3) & 265.201	§§66262.34(d)(2) which refers to 40CFR 262.34(d)(3) & 265.201	§§66262.34(a)(1)(A) which refers to 66265.190-.202, except for .197(c) & .200
Tank Marking	Must be marked with words “hazardous waste” and start date § 66262.34(f)(2, 3)	Must be marked with words “hazardous waste” and start date § 66262.34(f)(2, 3)	Must be marked with words “hazardous waste” and start date § 66262.34(f)(2, 3)
Tank System Integrity Assessment	Not required (per 40CFR 265.201 as referenced by 40CFR262.34(d)(3))	Not required (per 40CFR 265.201 as referenced by 40CFR262.34(d)(3))	Required. Frequency and contents of assessment dependant upon waste and installation date of tank. § 66265.191/192 ⁽⁶⁾ § 66265.193(i)(2)
Tank System Secondary Containment & Leak Detection	Not required	Not required	Required. Some aboveground piping/ancillary equipment may be exempt if inspected daily. § 66265.193 § 66265.193(m)(2)(A)
Tank Operation/Spill Prevention	Some controls required. Must keep 2' freeboard on open top tanks unless in containment with volume to hold those 2'. If continuously fed tank must have measures to prevent overflow (e.g. waste cutoff or diversion tank). §66262.34(d)(2) which refers to 40CFR 265.201(b)(2, 3) via 262.34(d)(3)	Some controls required. Must keep 2' freeboard on open top tanks unless in containment with volume to hold those 2'. If continuously fed tank must have measures to prevent overflow (e.g. waste cutoff or diversion tank). §66262.34(d)(2) which refers to 40CFR 265.201(b)(2, 3) via 262.34(d)(3)	Controls required: Spill prevention (e.g. check valves), overflow prevention (e.g. high level alarms), and for uncovered tanks maintenance of freeboard of 2 feet unless the tank is equipped with containment structure. § 66265.194
Tank Inspection	No written logs. Daily inspection of discharge controls (e.g. bypass systems), monitoring data, and level in tank. Weekly inspection of tank and containment for leaks. §66262.34(d)(2) which refers to 40CFR 265.201(c) via 262.34(d)(3)	No written logs. Daily inspection of discharge controls (e.g. bypass systems), monitoring data, and level in tank. Weekly inspection of tank and containment for leaks. §66262.34(d)(2) which refers to 40CFR 265.201(c) via 262.34(d)(3)	Required daily. Written logs required. § 66265.195

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Tank Release Response	None required	None required.	Within 24 hours must drain tank to level to prevent further release, clean up all waste in containment, report to DTSC (unless <1lb or immediately cleaned up) § 66265.196
Subpart CC Air Emission Standards for Tanks	Not required	Not required	Required -Tank <19,000 gal, holds VOC >500 ppm (by weight) needs fixed roof §§66265.1083(b) & 66265.1085(c) -Tank holding VOCs that does not meet criteria above, has cover and control/closures devices §66265.1085(d)
Recordkeeping Requirements			
Manifest and Consolidated Manifest	Not required if silver-only and meet federal CESQG definition. HSC 25143.13 & 40CFR 261.5 Consolidated manifest/Bill of lading for select wastes HSC 25160.2; Self transport waste without a manifest to HHWCFs (limited to 100 kg/mo., max 5 gal/trip) HSC 25163(c), HSC 25218.4 & 25218.5; Self transport used oil to Used Oil Collection Centers without a manifest HSC 25250.11 with prior approval	Required §66262.20 Consolidated manifest/Bill of lading for select wastes. HSC 25160.2 Self transport used oil to Used Oil Collection Centers without a manifest HSC 25250.11 with prior approval	Required §66262.20 Consolidated manifest may be used oil and oil/water from separator. May also be used for other eligible wastes IF the facility is no longer a LQG after subtracting the amount of used oil from its total amount of waste generated. HSC 25160.2(c)(1, 2)
Manifest Submittal to DTSC	Generator submits legible photocopy to DTSC ⁽⁷⁾ §66262.21(f), HSC 25160 (b)(1)(D) and (b)(3)	Generator submits legible photocopy to DTSC ⁽⁷⁾ §66262.21(f), HSC 25160 (b)(1)(D) and (b)(3)	Generator submit legible photocopy to DTSC ⁽⁷⁾ §66262.21(f), HSC 25160 (b)(1)(D) and (b)(3)
Manifests and LDRs	Manifests required, but LDRs not required per §66268.1(e).	Required §66268.7; HSC §25179.5	Required § 66268.7; HSC §25179.5
Manifest Exception Reports	File report noting no receipt of TSDf copy if not received within 60 days HSC 25123.3(h)(2), HSC 25160 (b)(3)	File report noting no receipt of TSDf copy if not received within 60 days HSC 25123.3(h)(2), HSC 25160 (b)(3)	File report noting no receipt of TSDf copy if not received within 45 days §66262.42(a), HSC 25160 (b)(3)
Biennial Report	Not required §66262.41	Not required §66262.41	Submit by March 1 every even numbered year for prior 2 years activities. Maintain onsite. RCRA LQGs only. §66262.41
Personnel Training	Basic training required, but records showing training provided not required. §40 CFR 262.34(d)(5)(iii)	Basic training required, but records showing training provided not required. §40 CFR 262.34(d)(5)(iii)	Required §66262.34(a)(4) & 66265.16
Training Plan	Not required	Not required	Written plan noting: job titles or HW related positions, description of each job title (including duties), name of each person at each job title, type and frequency of training §66265.16(a, d)
Training Records	Not required	Not required	Maintain documentation of initial and ongoing for current employees until facility closure. Former employee records maintained for 3yrs from date of last work. §66265.16(d) & (e)
Frequency of Training	None specified.	None specified.	Within 6 months of hire, at frequency noted in plan, annually for emergency response §66265.16(c)

Generator Requirements Summary Chart

	CESQGs	SQGs	LQGs
Contingency Plan	Reduced requirements. Must post info near phone -Name & number of emergency coordinator -Location of emergency equipment -911 or local fire department number §66262.34(d)(2) which refers to 40CFR 262.34(d)(5)(ii)	Reduced requirements. Must post info near phone -Name & number of emergency coordinator -Location of emergency equipment -911 or local fire department number §66262.34(d)(2) which refers to 40CFR 262.34(d)(5)(ii)	Full plan required. Must review and update with any relevant change. Must include OES phone #, name and office and home phone #s of contacts, all emergency equipment (capabilities and location), and evacuation plan. §66262.34(a)(4) 66265.51-.55
Contingency Plan Activation/Notification	Notify National Response Center at 800-424-8802 §66262.34(d)(2) which refers to 40CFR 262.34(d)(5)(iv)(C)	Notify National Response Center at 800-424-8802 §66262.34(d)(2) which refers to 40CFR 262.34(d)(5)(iv)(C)	Immediate notify; Within 15 days, notify in writing of any incident that activates plan §66265.56(a) and §66265.56(d) & (j)
Miscellaneous			
Emergency Equipment	Must have internal communications device, external communication device (phone), fire extinguishers, spill control and decon equipment. §66262.34(d)(2) which refers to 40CFR 265.32 via 262.34(d)(4)	Must have internal communications device, external communication device (phone), fire extinguishers, spill control and decon equipment. §66262.34(d)(2) which refers to 40CFR 265.32 via 262.34(d)(4)	Must have internal communications device, external communication device (phone), fire extinguishers, spill control and decon equipment. §66262.34(a)(4) and 66265.56 §66265.31-.34
Inspection/Maintenance	Tested and maintained as necessary to respond to emergency §66262.34(d)(2) which refers to 40CFR 265.33 via 262.34(d)(4)	Tested and maintained as necessary to respond to emergency §66262.34(d)(2) which refers to 40CFR 265.33 via 262.34(d)(4)	Develop schedule for inspection of all emergency equipment. Maintain written logs of inspections with any corrections. §66265.15 and 66265.33
Facility Maintenance	Maintained and operated to minimize possibility of release, fire or explosion §66262.34(d)(2) which refers to 40CFR 265.31 via 262.34(d)(4)	Maintained and operated to minimize possibility of release, fire or explosion §66262.34(d)(2) which refers to 40CFR 265.31 via 262.34(d)(4)	Maintained and operated to minimize possibility of release, fire or explosion §66265.31
Waste Minimization/SB14 Waste Reduction	Must make good faith effort to minimize waste generation. §66262.27	Must make good faith effort to minimize waste generation. §66262.27 (b)	Must have plan to minimize waste to degree economically practicable. §66262.27(a). May qualify for SB14 plan requirements depending on waste types and quantities generated ⁽⁸⁾ §67100.2
Pre-Transport Requirements	Prior to offering for transport must: package in DOT approved containers, label and mark in accordance with DOT, and ensure vehicle is placarded §66262.30-.33	Prior to offering for transport must: package in DOT approved containers, label and mark in accordance with DOT, and ensure vehicle is placarded §66262.30-.33	Prior to offering for transport must: package in DOT approved containers, label and mark in accordance with DOT, and ensure vehicle is placarded §66262.30-.33
Transportation of Waste	CESQGs can self transport waste to HHWCFs -HSC 25163(c)	Must use registered HW transporter	Must use registered HW transporter
Sent or Shipped to:	Permitted/interim status facility §66262.20(b) ⁽⁷⁾ , other owned location if to be recycled (HSC 25143.2(d)(3,4)	Permitted/interim status facility §66262.20(b) ⁽⁷⁾ , other owned location if to be recycled (HSC 25143.2(d)(3,4)	Permitted/interim status facility §66262.20(b) ⁽⁷⁾ , other owned location if to be recycled (HSC 25143.2(d)(3,4)
Universal Waste	May be exempt from UW management requirements IF generate less than 100 kg/mo of UW and RCRA HW (total weight). §66273.8(c) and 66273.9	All UW requirements apply §66273.1	All UW requirements apply §66273.1
Closure	Not required Tank Cleaning §67383.3	Not required Tank Cleaning §67383.3	Requires generator to close facility in a manner that minimizes further maintenance and is protective of public health and environment, and to properly dispose of all contamination generated during closure. §66262.34(a)(1)(A) which refers to §66265.111 and .114 Tank Cleaning §67383.3

Generator Requirements Summary Chart

	CESQGs	SQGs	LQGs
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⁽¹⁾ Silver-only CESQGs can not exceed 1,000 kg total HW or 100 kg of acute spill residue or soil accumulated onsite at any one time if they wish to retain Federal CESQG status. If quantities are exceeded, silver only facility is no longer regulated as a Federal CESQG but is subject to all applicable parts of 40 CFR 262.34 (generally, SQG rules). [§261.5(f)(2) and (g)(2)]

⁽²⁾ Accumulation quantities and time limits for acutely and extremely hazardous waste are not discussed in this reference due to lack of clear guidance as to the application of the regulations. Once clarification is provided, these rules will be addressed.

⁽³⁾ Various wastes are provided with alternative management standards (including, but not limited to, accumulation times) that act independently of the generator's status as a CESQG, SQG or LQG as long as conditions are met. Wastes with alternate management standards include lead-acid batteries (66266.80 et seq.), used oil and gasoline filters (66266.130 et seq. and HSC 25250.22), treated wood waste (67386.1 et seq.), asbestos (HSC 25143.7), reusable textile materials (HSC 25144.6), excluded recyclable materials (HSC 25143.9), and Universal Wastes (66273.1 et seq.).

⁽⁴⁾ Due to the way T22, 66262.34(d) is written, CESQGs are not excluded from using the simple 180/270 day accumulation rules applicable to all generators of less than 1,000 kilograms/month. CESQGs may choose whichever accumulation time best serves them. As a general rule, if a CESQG generates greater than 9 gallons (approximately 1/3 of 27 gal or 100 kg) per month, they would be provided greater accumulation times if they followed the 180/270 day rules. For those that generate less than 9 gallons per month, they would optimize accumulation times by following the "90 days from the date the 100 kg limit is met" rule.

⁽⁵⁾ Laboratory Satellite Accumulation differs from "regular" satellite accumulation in that a laboratory setting (see definition in 25200.3.1), the "area" can be the entire room, the waste needs only to be stored as close as practical to the point of generation, and there must be at least one person responsible for the area who has been trained in the management of the waste. All other rules are similar or identical to "regular" satellite accumulation.

⁽⁶⁾ Additional guidance available (<http://www.unidocs.org/hazmat/hazardous-waste/un-047.pdf>)

⁽⁷⁾ Wastes that are non-RCRA or RCRA-exempt may be shipped out of the state of California to facilities that are not permitted by either California or US EPA. In these instances waste manifests must still be signed by the receiving facility and the TSD copy must still be submitted to DTSC. If the receiving facility does not return the TSD copy of the manifest, the generator should make a photocopy of the final signed copy returned to them and submit to DTSC. (HSC 25160(a)(3))

⁽⁸⁾ SB 14 Waste Minimization program applies only to generators of more than 12,000 kg of waste (or > 12 kg EH waste) in a year. LQG facilities that may not be required to participate in the SB 14 program are those that are LQGs due to exceeding acutely hazardous waste quantities (>1 qt/month) or those that are LQGs due to episodic activity. The following waste streams are not counted: motor vehicle fluids (oil), lead acid batteries, HHW, UW lamps, lab scale research waste, and site clean up waste. (List is not all-inclusive; please refer to §67100.2 for full list.