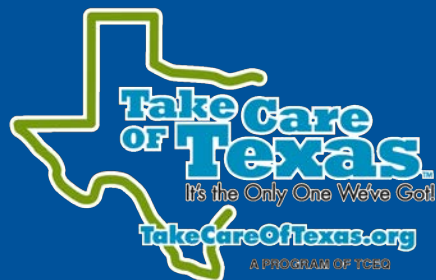


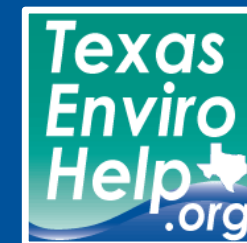


# Basic Overview of Industrial and Hazardous Waste Rules for Generators

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Compliance Assistance Specialists, SBLGA



**Small Business & Local Government Assistance**  
**1-800-447-2827**    **[www.TexasEnviroHelp.org](http://www.TexasEnviroHelp.org)**



# Part 1: Industrial and Hazardous Waste (IHW) Reporting and Record Keeping

- New IHW Rules
- IHW Generator Status
- Types of Generators
- IHW Generator Status Categories
- NOR
- Annual Waste Summary
- How to Report
- State of Texas Environmental Electronic Reporting System (STEERS)

# New IHW Rules

- TCEQ's Rule Project Number 2019-086-335-WS has been adopted and is effective as of February 3, 2022.
- This rule project revised Title 30, Texas Administrative Code, Chapter 335.
- Rule Package Contents:
  - Generator Improvement
  - Pharmaceutical Rule
  - Aerosol cans as Universal Waste
  - Revisions to Definition of Solid Waste
  - State initiated steel foundry sand

# IHW Generator Status

- Determined by how much hazardous waste generated on a **monthly** basis.
- NOT an average for the year
- Can change from month to month.
- Episodic generation - one planned or one unplanned episodic event per calendar year

# Types of Generators

## ➤ **Very Small Quantity Generator (VSQG)**

- Generate up to 220 pounds (lbs) (100 kilogram (kg)) /month of hazardous waste or
- Greater than 220 lbs (100kg) of Class 1 nonhazardous industrial waste
- \* VSQG that must register

## ➤ **Small Quantity Generator (SQG)**

- Generate between 220 to 2,200 lbs (100 to 1000 kg) /month of hazardous waste or up to 2.2 lbs of acute waste

## ➤ **Large Quantity Generator (LQG)**

- Generate more than 2,200 lbs (1000 kg) of hazardous waste or more than 2.2 lbs (1 kg) of acutely hazardous waste monthly



# IHW Generator Status Categories

| Generator Category                    | Quantity of Acute Hazardous Waste per Month | Quantity of Non-Acute Hazardous Waste per Month | Quantity of Class 1 waste per month |
|---------------------------------------|---|---|-------------------------------------|
| Very Small Quantity Generator (VSQG)  | Less than 1 kilogram (kg)                   | Less than 100 kg                                | Less than 100 kg                    |
| Very Small Quantity Generator* (VSQG) | Less than 1 kg                              | Less than 100 kg                                | Greater than 100 kg                 |
| Small Quantity generator (SQG)        | Less than 1 kg                              | Greater than 100 kg and less than 1000 kg       | Any amount                          |
| Large Quantity Generator (LQG)        | Any amount                                  | Greater than 1000 kg                            | Any amount                          |
| Large Quantity Generator (LQG)        | Greater than 1 kg                           | Any amount                                      | Any amount                          |

\* VSQGs who must register

# Reporting and Record Keeping

- Notice of Registration (NOR)
- Annual Waste Summary (AWS)
  - State of Texas Environmental Electronic Reporting System (STEERS) or paper
- Manifests - Applicable to SQG and LQG
- Waste Determinations - Applicable to all
  - [How to Classify Industrial and Hazardous Waste - Texas Commission on Environmental Quality - \[www.tceq.texas.gov\]\(http://www.tceq.texas.gov\)](#)

# Notice of Registration (NOR)

- TCEQ-00002: Notification for Hazardous or Industrial Waste Management
- Updates on paper or allowed in STEERS



# NOR

## TCEQ-00002: Notification for Hazardous or Industrial Waste Management

- Initial contact form
- Updates can include adding waste streams, adding waste management units, changing contact information, or other information included on this form

For TCEQ use only: IHW REG/ /CO/ /INITIAL-UPDATE



### Notification for Hazardous or Industrial Waste Management

**Bold** items required for all notifications. \* items required for all new notifications.  
Print clearly or type.

[Instructions for filling out this form.](#)

If information on this form applies to any other program area within the TCEQ, you must also complete a TCEQ Core Data Form (TCEQ 10400) and send the Core Data Form to Central Registry at: Texas Commission on Environmental Quality, Central Registry MC144, P. O. Box 13087, Austin Texas 78711-3087

Solid Waste Registration # (required for all updates): Effective Date:

#### Part A: Site Information (refers to the location being registered)

Submission Reason: ☐ New ☒ Update

\*(Items marked with \* are required for all new notifications.)

|  |                                    |
|--|------------------------------------|
| 1. EPA ID: TX  |                                    |
| 2. Regulated Entity Number: RN 1   |                                    |
| 3. Site Name:  |                                    |
| Site Location:*  |                                    |
| 4. Street Address:   |                                    |
| or (provide site location description in #5 only if the site does not have a street address) |                                    |
| 5. Site Location Description:  |                                    |
| and  |                                    |
| 6. City*:  |                                    |
| 7. State*: TX  | 8. Zip+4*: -                       |
| 9. County*:  |                                    |
| 10. Primary <a href="#">North American Industry Classification System</a> (NAICS) Code:*     |                                    |
| 11. Site Land Type:*   |                                    |
| <input type="checkbox"/> Private   | <input type="checkbox"/> Federal   |
| <input type="checkbox"/> County  | <input type="checkbox"/> Tribal    |
| <input type="checkbox"/> District  | <input type="checkbox"/> Municipal |
| <input type="checkbox"/> State   | <input type="checkbox"/> Other:    |

# Annual Waste Summary

- Registered generators with active solid waste registrations must submit an Industrial & Hazardous Waste Annual Waste Summary (AWS) each year.
- The AWS reports information on the amount of hazardous waste and Class 1 Industrial waste generated or managed at their facility during the calendar year.
- Class 1 wastes that are recycled and universal wastes do not need to be reported on the AWS.
- Recycled hazardous waste counts toward your generator status and must be reported.

# How to Report

- On paper using the [Annual Waste Summary Form 00436](#). The paper-based annual summary report is due on **January 25** of the year following the calendar year reporting period.

**Hazardous and Industrial Waste Annual Waste Summary**  
Please print clearly or type.  
[Instructions for filling out this form.](#)

Solid Waste Registration #: \_\_\_\_\_  
Reporting Year: \_\_\_\_\_

Submission Reason: ☐ Original Summary ☐ Revised Summary

Site Name: \_\_\_\_\_  
Physical Street Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip+4: \_\_\_\_\_

**Waste Reporting Questions**

☐ This site did not generate reportable quantities of hazardous and/or Class 1 industrial waste.  
☐ This site generated 1.1 tons or more of hazardous waste in one month of the reporting year.  
☐ This site generated 2.2 lbs or more of acute hazardous waste in one month of the reporting year.

**Quantities Generated and Handled**

| Texas Waste Code         | Total Quantity Generated | UOM        | WMC: (for hazardous waste only) |
|--------------------------|--------------------------|------------|---------------------------------|
| Waste description: _____ |                          |            |                                 |
| Quantity Handled         | UOM                      | Management | Receiver SWR                    |
|                          |                          | H          | Receiver EPA ID                 |
|                          |                          | H          | Fee code                        |
| Texas Waste Code         | Total Quantity Generated | UOM        | WMC: (for hazardous waste only) |
| Waste description: _____ |                          |            |                                 |
| Quantity Handled         | UOM                      | Management | Receiver SWR                    |
|                          |                          | H          | Receiver EPA ID                 |
|                          |                          | H          | Fee code                        |
| Texas Waste Code         | Total Quantity Generated | UOM        | WMC: (for hazardous waste only) |
| Waste description: _____ |                          |            |                                 |
| Quantity Handled         | UOM                      | Management | Receiver SWR                    |
|                          |                          | H          | Receiver EPA ID                 |
|                          |                          | H          | Fee code                        |

**Certification**

By my signature below, I certify under penalty of law that the information provided in this form is complete and accurate.

Name: \_\_\_\_\_  
Title: \_\_\_\_\_ Company: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Email: \_\_\_\_\_  
Signature: \_\_\_\_\_

**Mail completed form to:** TCEQ, Registration & Reporting Section MC-129, PO Box 13087, Austin TX 78711  
**Or fax it to:** (512) 239-6410. You may contact us at (512) 239-6413 or [wasteval@tceq.texas.gov](mailto:wasteval@tceq.texas.gov).  
Individuals are entitled to request and review their personal information the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, please contact the TCEQ Public Information Section at (512) 239-3282.

TCEQ Form #00436 (Rev. 10/2016) For TCEQ Use only: Log # \_\_\_\_\_ Page \_\_\_\_ of \_\_\_\_

# How to report, Con't

- **Use STEERS:**
- Electronically using [State of Texas Environmental Electronic Reporting System \(STEERS\)](#). The annual summary report via STEERS is due on **March 1** of the year following the calendar year reporting period.
- STEERS users have the option to use Annual Preparation Files (APF) to track their manifests and generate an annual waste summary using the APF data as shown in the [Annual Waste Summary Annual Preparation File Generation Instructions for STEERS](#).

# State of Texas Environmental Electronic Reporting System (STEERS)

- Large Quantity Generators, whether industrial or nonindustrial, generating more than 2,200 pounds of hazardous waste in any calendar month **must submit the AWS electronically** through **STEERS**.
- Those generating less than 2,200 pounds of hazardous waste are encouraged, but not required, to use **STEERS** for these required reports.
- STEERS has built-in error checking to minimize erroneous submissions.



# STEERS NOR Updates

➤ Most updates can be submitted via STEERS



TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

## IHW - STEERS Changes Allowed/Restricted

- [Facility Information](#)
- [Waste Management Unit Information](#)
- [Waste Information](#)
- [Annual Waste Summary\\_\(AWS\) Information](#)



# NOR Updates in STEERS

## Facility Information

| Allowed in STEERS                 | Restricted in STEERS                     |
|-----------------------------------|--|
| NAICS Code                        | Physical site location                   |
| Hazardous Waste Generation status | Company Name                             |
| Primary Site Contact              | Site Name                                |
|                                   | Registration Type(s)                     |
|                                   | Registration Status                      |
|                                   | Generator Type (Industrial/Noindustrial) |
|                                   | Owner/Operator Contact                   |
|                                   | Billing Contact                          |
|                                   | EPA ID                                   |

## Waste Management Unit Information

| Allowed in STEERS                         | Restricted in STEERS                 |
|---|--------------------------------------|
| System Type Codes for non-permitted units | Unit sequence, permit, or UIC number |
| Wastes managed                            | Unit Type                            |
| Description for non-permitted units       | Status                               |
|   | Unit Regulatory Status               |
|   | Off-site waste management            |
|   | Capacity                             |

## Waste Information

| Allowed in STEERS                               | Restricted in STEERS                              |
|---|---|
| Add Hazardous, Class 1, or Class 2 waste        | Cannot add Class 2 new chemicals or Class 3 waste |
| Origin Code                                     | Company Waste Description                         |
| Management Location (on-site/off-site)          | New Chemical Substance                            |
| Description                                     | Status from Inactive to Active                    |
| Management Units                                | Mixed with Radioactive Waste                      |
| Status from Active to Inactive                  |   |
| Recycled  |   |
| NAICS Code                                      |   |
| Source Code                                     |   |
| EPA Form Code                                   |   |
| System Type Code                                |   |
| EPA Codes (EPA Hazardous Waste Numbers or EHWN) |   |

## Annual Waste Summary (AWS) Information

| Allowed in STEERS  | Restricted in STEERS  |
|--|---|
| Waste codes not previously reported on AWS (adding a waste code) | Waste codes previously reported on AWS (editing a waste code) |

# Part 2: Waste Accumulation and On-Site Management

# Part 2: Waste Accumulation and On-Site Management- Topics

- On-Site Accumulation
- Satellite Accumulation Areas(SAAs)
- Waste Management Units(WMUs)
- Proper labeling
- New Rule Alternative Options
- Universal Waste-Texas
- Emergency Planning
- Spills

## **Additional Topics**

- Transport and Disposal
- Generator Resources

# On-Site Accumulation

## **Hazardous Waste Storage Limits**

- Large Quantity Generator (LQG) - No quantity maximum on storage/90-day limit on storage
- Small Quantity Generator (SQG) - Store up to 13,200 lbs/180-day limit on storage
- Very Small Quantity Generator (VSQG) - No time limit on storage but cannot store more than 2,200 lbs at one time.

## **Industrial Nonhazardous waste**

No quantity or time limit



# Satellite Accumulation Areas(SAAs)

- Applicable to SQGs and LQGs
- Extends hazardous waste storage on-site
- Accumulation at or near point of generation and until waste amount exceeds limit per area
  - **Hazardous waste limit** = 55 gallons per area
  - **Acute hazardous waste** = 1 kg in weight or 1 quart in volume

# Satellite Accumulation Areas(SAAs) Cont.

## **SAA Limit Reached**

- Mark date excess reached and move to central accumulation area within 3 consecutive calendar days.
- Once waste enters the central accumulation area, mark accumulation start date (starts the clock on 90 days as an LQG or 180 as an SQG)

## **Other Requirements:**

- Subject to container compatibility, labeling and contingency plan requirements
- Map or record of location of areas
- Keep containers closed but under limited circumstances can be temporarily opened

# Waste Management Units(WMU)

- Where waste is stored for example: containers, tanks, containment buildings, drip pads, etc.
- Indicate on your Notice of Registration (NOR)
- Inspection required
- Notify TCEQ if your facility or WMUs are closed or permanently taken out of service and comply with closure requirements in 30 TAC 335.8

# WMU's Inspections

- Depending on unit type, can require daily or weekly inspection
- Examples: Tanks-Daily, Containers-Weekly
- Keep inspection logs and records

# WMU's Inspections Cont.

## Check:

- Accumulation start dates noted
- Units are meeting the required storage deadline
- Units are in good condition
- Containers/tanks properly closed
- Secondary containment unit is in adequate condition (if required)
- Incompatibles are stored properly
- Units labeled correctly
- Adequate aisle space maintained



# Proper Labeling and New Updates

For SQGs and LQGs

- **New** - In addition to your hazardous waste label, On-site containers and tanks labels must indicate the hazards of the contents using an established methods (**DOT, OSHA, and NFPA**)
- For drip pads and containment buildings document waste contents near the accumulation units
- Before shipping waste off-site labels must include waste codes or use a bar-coding system



# Managing Hazardous Waste as Universal Waste

- No manifest is required when transporting
- Does not count toward your hazardous waste generator status
- Can accumulate for up to one year from the start of generation
- Not included on the AWS or NOR
- Exempt from annual fees

# Universal Waste in Texas

- **Aerosol cans (new)**
- Batteries
- Mercury containing equipment
- Pesticides
- Lamps
- Paint and Paint Related Waste (**only in Texas**)

# Universal Waste in Texas Cont.

- One year accumulation limit
- Record accumulation start date
- Must be hazardous
- Label containers “Universal Waste-Type of UW”  
**Example: “Universal Waste-Paint and Paint Related Waste”**
- Send Universal Waste to a Universal Waste handler or designated Treatment, Storage and Disposal Facility (TSDF)

# Emergency Preparedness and Planning

Generators must plan for emergencies per 30 TAC 335.53(f) and 335.61

- **SQGs** - Required, Have emergency procedures in place:
  - Communications
  - Designate Emergency Coordinator
  - Emergency Phone Numbers
  - Employee training
- **LQGs** - Written Contingency Plan required. **New rule requirement to submit a Quick Reference Guide** of their contingency plan to all local emergency providers.
  - New LQGs must submit now
  - Existing LQGs can submit a Quick Reference Guide when they update their contingency plan.



# Spills

Respond and document any spills:

- What spilled?
- How Much?
- Where?
- Why spill was or **was not** reported

# Alternate Waste Management Options-Adopted by TCEQ February 3, 2022

## Episodic Generation

- Available for VSQGs and SQGs
- Allows one planned or one unplanned episodic event per calendar year.
- Requirements:
  - [30 Texas Administrative Code 335.60](#)
  - [40 Code of Federal Regulations Part 262 Subpart L](#)
- Both registered generators and unregistered generators must notify TCEQ
- More detailed information on TCEQ's webpage: [Episodic Waste Generation](#)

# Alternate Waste Management Options Cont.

## VSQG Consolidation to LQG

- Available to LQGs and VSQGs
- Allows VSQG to send hazardous waste to LQG under control of same person if the generators meet certain requirements.
- For requirements refer to rules:
  - [30 Texas Administrative Code 335.53\(f\)](#)
  - [40 Code of Federal Regulations 262.17\(f\)](#)
- Must Notify TCEQ (update NOR) 30 days before accepting any VSQG waste
- More detailed information on TCEQ's webpage: [VSQG Hazardous Waste Consolidation](#)

# Waste Transport and Disposal

- Generators are responsible for wastes from **Cradle to Grave**
- Carefully choose Transporter and a Treatment, Storage, and Disposal facility (TSDF)
- Verify both are authorized with TCEQ and have active EPA ID
- Maintain manifest records (who transports your waste and where it goes)

# Waste Transport

## ➤ **Hazardous Waste and Industrial Class 1 Waste**

- Must be an Industrial and Hazardous Waste (IHW) Transporter Registered with TCEQ
- Follow Department of Transportation (DOT) requirements

## ➤ **Universal Waste**

- TCEQ does not require transporters of universal waste to be registered
- Follow DOT requirements

# Waste Disposal

## ➤ Hazardous Waste

- Permitted by TCEQ
- Treatment, Storage and Disposal Facility (TSDF)
- List of these facilities is available in TCEQ's General Information Document **GI-225**

## ➤ Industrial Waste

- Class 1 – Specific Type 1 Municipal Solid Waste(MSW) Landfills or TSDF
- Class 2 & 3 – Any Type 1 MSW landfill
- List of active TX landfills is available in TCEQ's **GI-611**

## ➤ Universal Waste

- Universal waste handler, or
- Approved TSDF or recycling facility



# Generator Resources

## IHW Compliance Webpage

- How to register your IHW facility
- Determine your generator status
- Prepare for an investigation
- Generator requirements

The screenshot displays the TCEQ website's navigation bar with links for Home, Air, Land, Water, Licenses, Permits, and Reporting. The main content area is titled "Industrial and Hazardous Waste: Compliance Resources" and provides a brief overview of the resources available. A sidebar on the left lists various compliance resources, and a "Hot Topics" section on the right highlights recent updates. A list of frequently asked questions is also present at the bottom of the main content area.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Home / Small Business and Local Government Assistance / Waste Compliance Resources / Industrial and Hazardous Waste: Compliance Resources

### Industrial and Hazardous Waste: Compliance Resources

Find out how to register your industrial and hazardous waste facility, determine your generator status, prepare for an investigation, and what requirements your facility needs to meet as a generator of industrial or hazardous wastes.

- What's new in industrial and hazardous waste (IHW) rules?
- Does my facility need to obtain a solid waste registration (SWR) number?
- How do I submit my annual waste summary?
- Do I need to make a waste determination and classify my waste?
- When and how do I sample my waste?
- How do I determine my generator status?
- Which generator status category am I?

Small Business and Local Government Assistance Home

Air Compliance Resources

Water Compliance Resources

Waste Compliance Resources

The Advocate: Email Updates

Compliance Assistance Videos

How are we doing? Take our customer satisfaction survey

Questions or Comments: [TexasEnviroHelp@tceq.texas.gov](mailto:TexasEnviroHelp@tceq.texas.gov)

**Hot Topics**

**HOT** New Industrial and Hazardous Waste Rule Update Workshop dates have been added for March. Visit the [workshop webpage](#) to learn more.




**HOT** Industrial and Hazardous Waste Rule Updates

View a [recording of TCEQ's IHW webinar](#) [YouTube](#) and [review the presentation slides](#) [PPT](#) to learn more about the new IHW rules.

# Checklists

## Compliance Evaluation Checklists

Typically, a TCEQ investigator will contact you to schedule any routine, non-complaint investigation and send you a list of items they plan to review. These checklists help investigators evaluate generators consistently and are available to the public.

- **Pre-Investigation** 
- **General Facility** 
- **Container Storage Area** 
- **Subpart AA**  (Air Emission Standards for Process Vents)
- **Subpart BB**  (Air Emission Standards for Equipment Leaks)
- **Subpart CC**  (Air Emission Standards for Tanks and Containers)
- **New Tanks** 
- **Existing Tanks** 
- **Universal Waste Destination Facility** 
- **Universal Waste Large Quantity Handler** 
- **Waste Transporter** 
- **Used Oil Handler** 
- **Investigation Checklists for All Media** (including air, water, and waste)

# Regulatory Guidance Documents

- **RG-234** Overview of Industrial and Hazardous Waste rules - **In Revision**
- **RG-022** Classification and Coding of Industrial and Hazardous waste
  - How to create Texas Waste Code
  - How to determine a waste is hazardous
  - Helpful checklist in Chapter 3
- **RG-480** Empty Waste Containers Under the Resource Conservation Recovery Act (**Newly Revised**)
- **RG-151** Annual Waste Summary Instructions
- **RG-370** Managing Paint and Paint Related Waste
- **RG-086** Transporting Waste in Texas—A Guide to Regulations

# Small Business and Local Government Assistance

## Getting Help

TCEQ has 16 Regional Offices with SBLGA staff to provide technical assistance

- **One-on-one assistance** - Onsite, in the office or on the phone
- **Compliance Assistance Hotline**
  - 800-447-2827
  - M-F 8:00am-5:00pm
  - Email: [TexasEnviroHelp@tceq.texas.gov](mailto:TexasEnviroHelp@tceq.texas.gov)
- [www.TexasEnviroHelp.org](http://www.TexasEnviroHelp.org)
  - Media-Specific
  - Industry-Specific
  - Special Topics





# Questions?

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