



Lids, Leaks, & Labels: Compliance for Small Quantity Generators (SQGs)

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27th California Unified Program
Annual Training Conference
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Objectives

- Understanding the term “Generator”
- Overview of Requirements for SQGs/VSQGs
- Compliance Tips
- Unified Program/CERS Violation Library
- Hands on activity
- Most common violations
- Resources & Generator Improvement Rule (GIR)



What is a Generator?

- Is it a waste? Is it a hazardous waste (HW)?
- Am I the Generator?
- Definition: In California Code of Regulations title 22 (22 CCR) section 66260.10, a Generator is defined as *“any person, by site, whose act or process produces HW (identified or listed in the HW regulations) - OR - whose act first causes a HW to become subject to regulation.”*



Types of Generators

- **RCRA (federally-regulated) or non-RCRA (only HW in California)**
- **Small Quantity Generators (SQG)** – Less than 1,000 kg (2200 lbs) of non-acute hazardous waste in a calendar month.
------(Accumulation limit 6000 kg or 1 kg acute/extremely)-----
- **Very Small Quantity Generators (VSQG)** – Less than, or equal to, 100 kg (220 lbs) of non-acute hazardous waste in a calendar month.
- **Large Quantity Generators (LQG)** – 1,000 kg (2200 lbs) or more of non-acute hazardous waste in a calendar month.

<https://dtsc.ca.gov/hazardous-waste-generator-summary-chart/>



Does Universal Waste (UW) Count?

- Properly managed UW should not be counted when determining monthly generator status.
- Poses lower risk, but still a subset of hazardous waste.
- Batteries, lamps, electronic devices, CRTs, CRT glass, mercury wastes, non-empty aerosol cans, photovoltaic modules. <https://dtsc.ca.gov/universalwaste/>
- The UW Rule allows transporting, handling, and recycling UW under relaxed rules and regulations.



Requirements for Hazardous Waste SQGs

- Waste determination/Universal waste
- Accumulation time limits
- Emergency procedures & contingency plans
- Container management (labeling, closed, etc.)
- Employee training
- Shipment of HW & recordkeeping
- ID Number, CUPA permits, CERS reporting, fees



Do Generators need a Permit?

YES. All businesses that generate hazardous waste are required by law to obtain and maintain a valid Unified Program Facility Permit through the California Environmental Reporting System (CERS). Check with your local Unified Program Agency (aka “CUPA”)

<https://cers.calepa.ca.gov/>

Waste Determination/Classification

ALL HAZARDOUS WASTES, BOTH STATE AND FEDERAL

TTLC
mg/kg
STLC
mg/l

TCLP
mg/l

California State "NON-RCRA"

Federal "RCRA"

1. Exceeds Limits 

Characteristics Codes

Listed Codes

2. Calc. $\div \pm$ LD 50 < 2500ppm, Rat Oral

LD 50

I D001 Ignitable

K From specific

3. Calc. $\div \pm$ LD 50 < 4300ppm, Rabbit, skin

LD 50

C D002 Corrosive

F From non-specific sources

4. Calc. $\div \pm$ LD 50 < 10,000ppm, Rat, Inhalation

LD 50

R D003 Reactive

U Unused Chemicals

5. Fish Bio. Assay  < 500ppm

T D004-D0043 Toxic

P Unused acutely Toxic Chem

6. 16 OSHA Carcinogens **OSHA "C"**



EPA/RCRA Waste Codes

CHARACTERISTIC WASTES

LISTED HAZARDOUS WASTES

F CODE WASTES: Multiuse or non-specific source wastes.

Example—spent solvents

K CODE WASTES: Industry specific source wastes.

Example—wastewater sludge from the production of creosote

U CODE WASTES: Discarded commercial chemical products.

Example—Acetone

P CODE WASTES: Acutely hazardous commercial chemical products and off specification commercial products.

Example—Aldrin*

D CODE WASTES:

Wastes that may or may not be on any of the Code lists above but possesses one or more of the characteristics of a hazardous waste.

Ignitable **D001**

Corrosive **D002**

Reactive **D003**

Toxic **D004 through D043**

If your Haz Waste is generated in California, you will have a 3 digit California Haz Waste code.

i.e. 151—Asbestos

Non-RCRA (not federal) or State-regulated

Examples of non-RCRA or “California-only” hazardous waste:

- Used oil, oily debris, waste antifreeze, water-soluble wastes including paints
- Non-listed-solvent parts wash solutions
- Mercury-containing wastes (may be universal waste)
- Corrosive solids
- Toxic (except federal toxicity which is RCRA)
- NOT identified as a “characteristic” or “listed” EPA waste: ignitable, corrosive, reactive, federally toxic, listed-D,K,F,P,U



California EPA ID Numbers Only

California State EPA ID numbers (not federal EPA ID) are issued to people and businesses who generate the following:

- 100 kg (220 pounds) or less of RCRA hazardous waste in a calendar month.
- 1 kg (2.2 pounds) or less of RCRA *acutely* or *extremely* hazardous waste in a calendar month.
- Any amount of a non-RCRA hazardous waste in a month.



DTSC Resources CA EPA ID Number

- DTSC's hazardous waste ID number general assistance line (800- 618-6942)
- DTSC only accepts latest version of the CA EPA ID# application (12/2021).

<https://dtsc.ca.gov/wp-content/uploads/sites/31/2021/07/Information-for-Hazardous-Waste-Permanent-ID-Number-Holders.pdf>

Hazardous Waste ID Number Electronic Verification Questionnaire (eVQ)

<https://dtsc.ca.gov/hazardous-waste-id-number-verification-questionnaire/#easy-faq-348542>



Federal EPA ID Number

- If you generate more than 1 kg of RCRA acutely or extremely hazardous waste in a calendar month or more than 100 kg of non-acute RCRA waste in a calendar month, you must get a federal EPA ID Number.
- If you generate 100 kg or less of RCRA waste or 1 kg or less per month of acutely or extremely hazardous waste, you are exempted from having a federal EPA ID Number.
- <https://dtsc.ca.gov/permanent-federal-epa-id-numbers/>



Federal EPA ID Number

- SQGs of RCRA waste must re-notify EPA of their hazardous waste activities starting in 2024 and every 4 years thereafter (electronically or on paper form 8700-12).
- Due by Sept. 1 of each re-notification year.
- MyRCRAID is encouraged to re-notify online.

<https://www.epa.gov/hwgenerators/re-notification-requirement-small-quantity-generators>



Accumulation Time

- Generators producing more than 100 kilograms (220 pounds) and less than 1,000 kilograms (2,200 pounds) per month for all hazardous waste generated onsite must properly ship waste offsite within 180 days of the first drop.
- Generators producing less than or equal to 100 kg per month of all hazardous wastes generated, must ship waste offsite 180 days from the date 100 kg is accumulated.

<https://dtsc.ca.gov/hazardous-waste-accumulation-time-for-generators/>

Can Generators “accumulate” or “store” waste?



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SQGs Emergency/Contingency Planning

- Must be emergency coordinator on premises or on call.
- Post the following information next to phone:
 - Name and phone number of emergency coordinator
 - Location of fire extinguishers, spill control material, etc.
 - Telephone number of fire department.
- Emergency coordinator must respond to any emergencies, implement contingency plan, immediately report releases to surface water/storm drains.
- GIR adoption adds more requirements.



Hazardous Waste Tracking System (HWTS)

Type into your browser: **hwts.dtsc.ca.gov**



Department of Toxic Substances Control

Go to ID Profile



Contact Us

Settings



Hazardous Waste Tracking System



Handler Search



Reports



ID Number



Log In

Search by ID Number or Handler Name



8,388

ID Numbers Issued in 2024

50,648

Manifests Reported in 2024

170,479

Tons of Waste Handled in 2024

The word "Handler" on this site refers to any hazardous waste generator, transporter, universal waste handler, or permitted treatment, storage, transfer, or disposal facility that handles hazardous waste.

What is HWTS?

The Hazardous Waste Tracking System (HWTS) is the California Department of Toxic Substances Control's (DTSC) data repository for

Related Links

[U.S. EPA's Electronic Manifest \(e-Manifest\) System](#)

The e-Manifest System was established by the United States Environmental

Are you ready for a CUPA inspection?

- Violation Library has 99% of requirements
- Your UPA Inspection Checklist
- DTSC website
- EPA website
- CUPA websites
- Online resources



Violation Program	Violation Type Number	Name	Description	Citation
Hazardous Waste Generator	3010030	Small Quantity Generator: Hazardous Waste Manifest Exception Reporting	Failure to determine the status of any hazardous waste if a signed copy of the manifest isn't received within 35 days of the date the waste was accepted by the initial transporter and/or to submit an Exception Report to DTSC if a signed copy of the manifest isn't received within 60 days of the date the waste was accepted by the initial transporter.	22 CCR 6626
Hazardous Waste Generator	3010036	General: Electronic data	Failure to report, and report accurately, program data (such as hazardous waste generation activities) electronically.	27 CCR 6.11
Hazardous Waste Generator	3010037	Universal Waste Aerosol Can Processing	Failure to notify the CUPA of aerosol can processing procedures prior to commencement of operations	HSC 111000
Hazardous Waste Generator	3020	General	Hazardous Waste Generator Program - Training - General	22 CCR 265;
Hazardous Waste Generator	3025	General Local Ordinance	Hazardous Waste Generator Program - Training - General Local Ordinance	22 CCR 262.3
Hazardous Waste Generator	3030	General	Hazardous Waste Generator Program - Operations/Maintenance - General	22 CCR 265;
Hazardous Waste Generator	3030001	Hazardous Waste Generator: Management of Spent Vehicle Lead-Acid Batteries	Failure to meet the spent lead acid battery management requirements, when handling, storing, or transporting more than 10 lead acid batteries at any one time.	22 CCR 265;
Hazardous Waste Generator	3030002	Hazardous Waste Generator: Management of 11 or More Spent Vehicle Lead-Acid Batteries	Failure of facilities that accept spent lead acid batteries in a change or partial exchange for operable lead-acid storage batteries to comply with the following storage requirements : 1) Storing more than one ton of spent batteries at any one location for more than 180 days. 2) Storing one ton or less of spent batteries at any one location for more than one year, or 3) Removing the electrolyte.	22 CCR 265;
Hazardous Waste Generator	3030003	Hazardous Waste Generator: Damaged Lead Battery Handling	Failure to properly manage, store, and label a damaged lead acid battery in a nonreactive, structurally secure, closed container, and/or failure to label damaged lead acid battery with the date that the first battery in the container was placed there with ink, paint or other weather-resistant material so as to minimize the release of acid and lead and to protect the environment.	22 CCR 265;

Over 60 requirements could be applicable to SQGs

Violation Library-California Environmental Reporting System

- 1)Go to CERS- cers.calepa.ca.gov
- 2)Top navigation-Click on Regulators
- 3)Quick links- Click Violation Library

<https://cers.calepa.ca.gov/>



Violation Library-California Environmental Reporting System

CERS Business

Unified Program Violation Library

[CERS Data Registry](#) » Unified Program Violation Library

Instructions/Help

The Unified Program Violation Library is a repository of standard violation descriptions Unified Program Agencies (UPAs) may use in their field inspections, and **must** be used by Unified Program Agencies (UPA) when reporting violation detail data to the California Environmental Reporting System (CERS). UPAs must either report violation information directly into the CERS user interface or via machine-to-machine electronic data transfer (EDT). The violation library is reviewed and modified as necessary on an annual basis, using the [change management process](#). For more information about the Unified Program Violation Library please contact CalEPA Unified Program at CUPA@calepa.

The Unified Program Violation Library serves as a compilation of common violations for consistent reporting purposes only. The Unified Program Violation Library is not an exhaustive list of all violations and the inclusion, or non-inclusion, of any specific violation implies nothing and shall be construed as a policy statement, interpretation or guidance from CalEPA or any of its Boards, Departments or Offices. The Unified Program Violation Library is not a legal document containing any advice, and under no circumstances shall the State of California be liable for any actions taken or omissions made from reliance on any information contained herein.

[CERS Central Home Page](#)

Violation Name	<input type="text"/>	Violation Description	<input type="text"/>
Violation Type Number	<input type="text"/>	Violation Source	<input type="text" value="v"/>
Violation Program	<input type="text" value="v"/>	Violation Category	Select a Program v
Begin Date Greater Than	<input type="text" value="v"/>	End Date Less Than	<input type="text" value="v"/>

Activity

- 1) Find a partner sitting next to you.
- 2) Discuss your top three generator violations.
- 3) Analyze why they are the top three.
- 4) Write down 3 ideas of how to prevent these violations.



CalEPA Data from CERS: Common Violations applicable to SQGs and VSQGs



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BUT FIRST...

Notice to Comply & Minor Violations

H&SC 25187.8(d) A notice to comply SHALL NOT be issued **for any minor violation which is corrected immediately in the presence of the inspector.**

Immediate compliance in that manner may be noted in the inspection report, but the facility shall not be subject to any further action by the department representative or by the authorized local officer or agency.



AND...

H&SC 25187.8(a) An authorized representative of the department or local officer or agency authorized to enforce this chapter [...] who, in the course of conducting an inspection of a facility, detects a minor violation of any permit conditions, rule, regulation, standard, or other requirement, shall issue a notice to comply before leaving the site in which the minor violation is alleged to have occurred.



Components of a Minor Violation

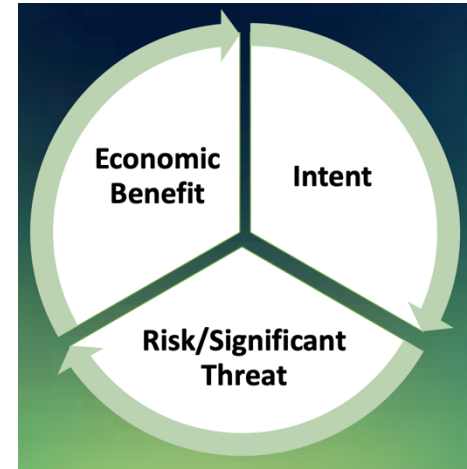
- Does not provide an economic benefit to violator
- Not willful
- Not negligent
- Not knowing
- Not chronic
- Not from a recalcitrant violator
- Not a Class II or Class I violation
- Does not pose a significant threat



Understanding Violation Classification

Unified Program
Violation Classification Guidance

<https://calepa.ca.gov/wp-content/uploads/2020/06/Violation-Classification-Guidance-Document-accessible.pdf>



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Top Ten Violations



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10. Did not ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies

3020001



9. Generator Program- No CUPA permit, did not pay CUPA fees, or other local ordinance violations

3015



8. Did not maintain and operate the 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.

3030030



7. Did not properly manage
used oil and/or fuel filters

3030004



6. Did not report hazardous waste generator information accurately in CERS.

3010036



5. Open or mismanaged containers

3030017



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4. Hazardous waste accumulated
too long
3030010



3. Generating or accumulating hazardous waste without a valid EPA ID number.

3010002



2. Did not keep records showing proper disposal of hazardous waste for the past 3 years.

3010010



1. Inadequate labeling- containers or portable tanks

3030007



What is graduated enforcement?

- Repeat or chronic violations
- Compliance history
- Informal and formal enforcement
- Notice to Comply vs. Notice of Violation
- Deterrence



Preventing violations

- Know what you have-Be your own inspector
- Label and close containers
- Do weekly inspections/check CERS & EPA ID#
- Keep a binder for records, check HWTS
- “Accumulation” NOT storage
- Clean up spills and solve leaks ASAP
- Train effectively, especially new employees



Adoption of Generator Improvements Rule

Below are some highlights, DTSC has an FAQ page for GIR in California last updated January 2025:

<https://dtsc.ca.gov/faqs-for-the-adoption-of-gir/>

- Reorganization/Streamlining/Definitions/New numbers.
- A re-notification (federal EPA ID#) requirement every 4 yrs.
- Increased requirements for satellite accumulation areas.
- New requirements added to the preparedness, prevention, and emergency procedures for SQGs including:
 - Documenting those arrangements with local authorities were made or attempted to be made by the generator.



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Regulatory Updates- Monthly Unified Program Newsletters

1) Go to CERS- cers.calepa.ca.gov

2) Click on Resources

Good Links:

- Unified Program Bulletins, Policy Memos, Guidance Letters

- Newsletter Articles

<https://calepa.ca.gov/cupa/newsletters/>



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Regulatory Updates- Monthly Unified Program Newsletters

Official website of the State of California

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Violation Library Update – 2024

The 2024 violation library has been approved by the Data Steering Committee and Enforcement Steering Committee Co-chairs, and is now considered final. CalEPA IT will update the violation library in the CERS staging environment. While in the staging environment, the changes will be reviewed for quality assurance. The 2024 violation library is scheduled go live on October 1, 2024.

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Questions?

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Kern CCD

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