



Episodic Generation Provision

*Hazardous Materials Roundtable
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Who Do I Contact with Questions about Episodic Generation?

Question: Who do I contact if I have questions about the episodic generation provision?

Answer: Contact your local Hazardous Waste Section Inspector.

Click on this link for a map showing the Inspector region and contact information:

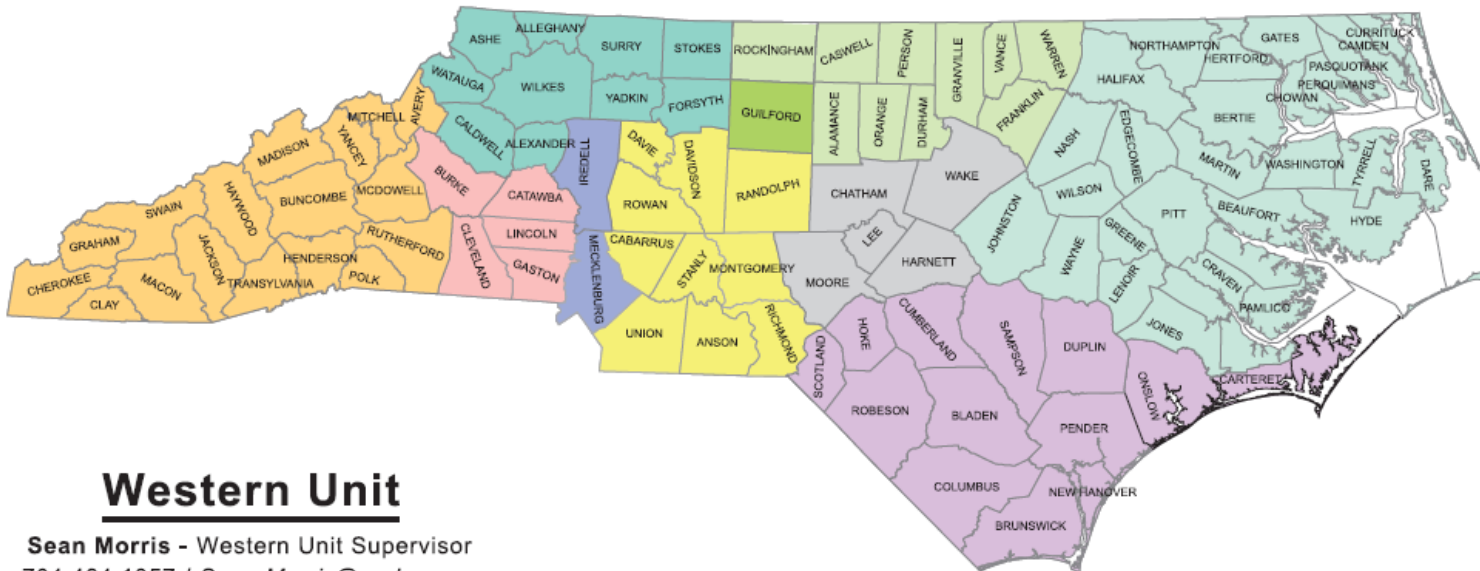
https://files.nc.gov/ncdeq/Waste+Management/DWM/HW/Compliance/Compliance_Map_by_Inspector.pdf



**North Carolina Department of Environmental Quality
Division of Waste Management
Hazardous Waste Section - Compliance Branch**

REGIONAL INSPECTOR MAP

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Episodic Generation

40 CFR 262 Subpart L



- 40 CFR 262 Subpart L – Alternative Standards for Episodic Generation
 - Effective in North Carolina and available to use March 1, 2018
 - Adopted in state rules through incorporation by reference at 15A NCAC 13A .0107(h)
- Applies to (40 CFR 262.230):
 - Very small quantity generators (VSQGs) and
 - Small quantity generators (SQGs)
- Allows VSQG and SQG to maintain their existing generator category for hazardous waste generated during an episodic event provided specific conditions are met
- This is an optional provision for generators



What is an Episodic Event?

40 CFR 262.231



Episodic Event:

An activity or activities either planned or unplanned that does not normally occur during generator operations, resulting in an increase in the generation of hazardous waste(s) that exceeds the calendar month quantity limits for the generator's usual category.



Planned Episodic Event

40 CFR 262.231



Planned Episodic Event:

Episodic event that the generator planned and prepared for, including

- Regular maintenance,
- Tank cleanouts,
- Short-term projects, and
- Removal of excess chemical inventory





Unplanned Episodic Event

40 CFR 262.231



Unplanned Episodic Event:

Episodic event that the generator did not plan or reasonably did not expect to occur, including

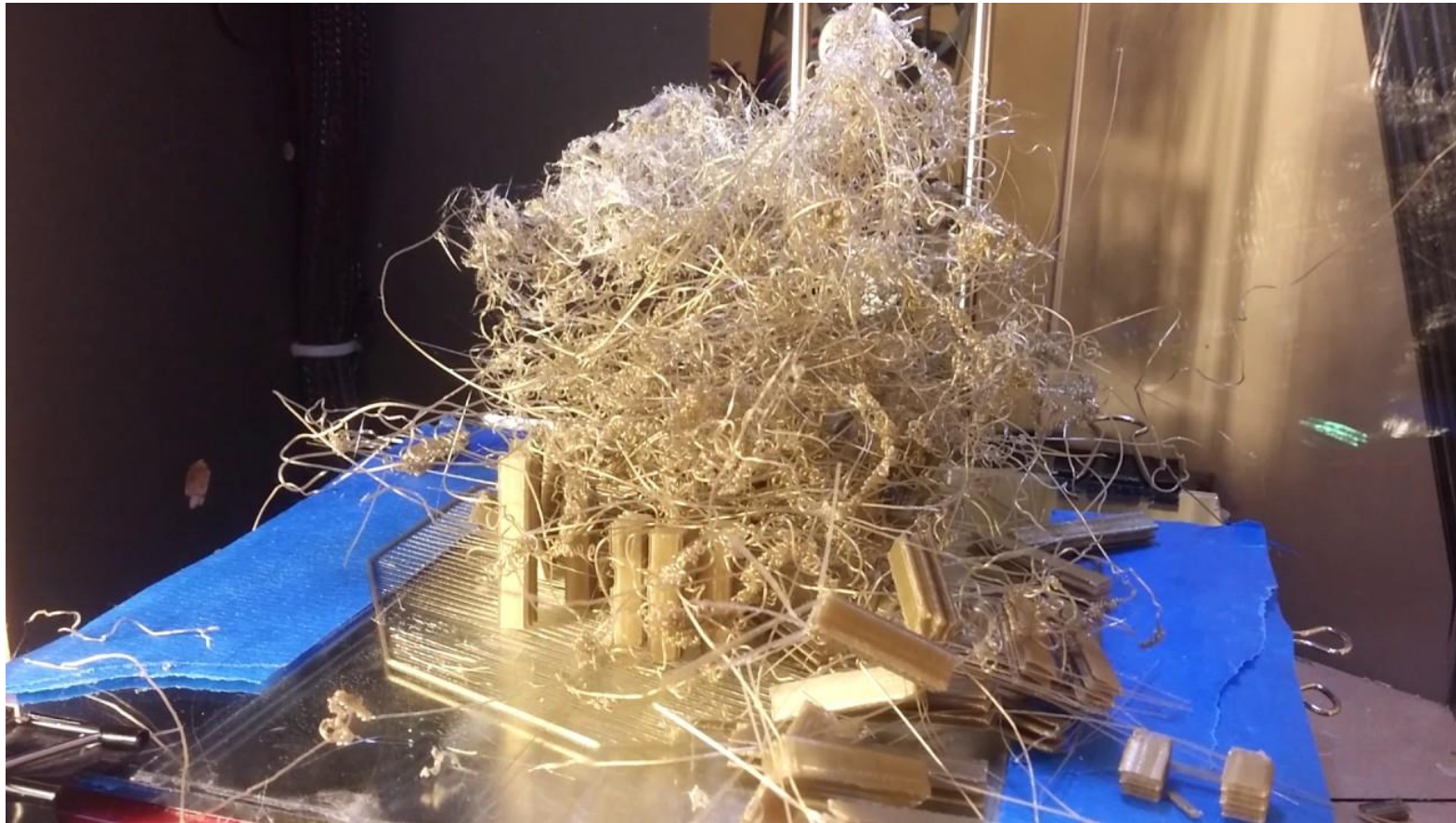
- Production process upsets,
- Product recalls,
- Accidental spills, or
- "Acts of nature" such as tornado, hurricane, flood







Process Upset



How many Episodic Events can I have in a year?



- Limit of one episodic event per calendar year per site
- Or two events if petition (40 CFR 262.333) is granted by the Hazardous Waste Section
 - If the generator already held a planned episodic event in the calendar year, the generator may petition only for an unplanned episodic event
 - If the generator already held an unplanned episodic event in the calendar year, the generator may petition only for a planned episodic event
 - More on the petition later...



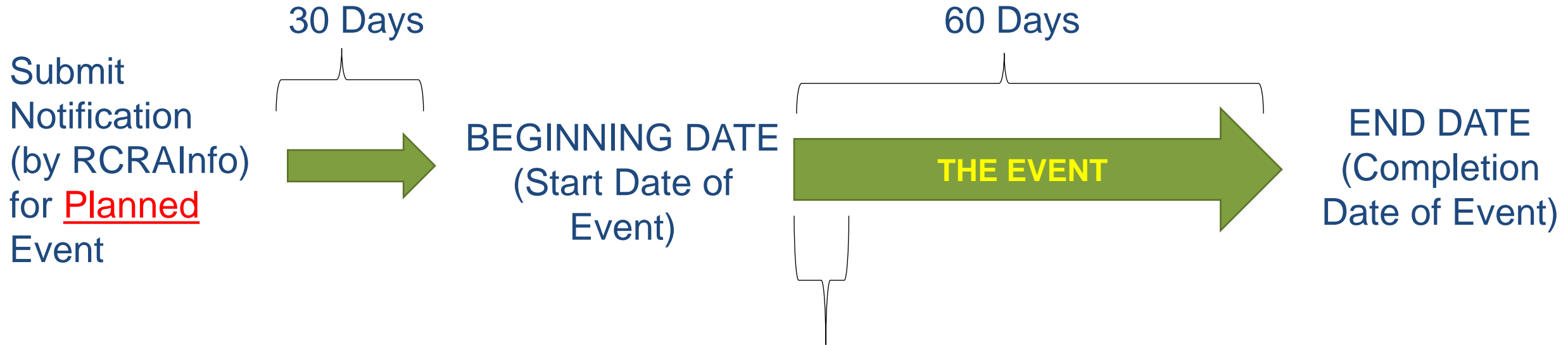
Episodic Generation Time Frames and Requirements Overview



- Generator must notify the Hazardous Waste Section:
 - At least **30 calendar days** prior to initiating a planned episodic event (electronically using RCRAInfo) or
 - Within **72 hours** of an unplanned episodic event (by phone, fax, email, and then provide notification electronically using RCRAInfo by the end to the event)
- Episodic event must be initiated and completed within **60 days**
- Episodic generator must obtain an EPA ID number if they do not already have one (including VSQGs)
- Must meet conditions specified in 40 CFR 262 Subpart L



What is the Episodic EVENT?



Within 72 Hours, contact NCDEQ of Unplanned Event (by phone, email or RCRAInfo notification). Must submit Notification by end of event if not submitted as initial contact.



What is the Episodic EVENT?



Question: When does the 60-day limit for an episodic event start?

Answer: The 60-day limit for a planned episodic event starts on the first day of any physical activities affiliated with the event.

For an unplanned episodic event, the event begins on the first day the waste is generated, regardless of whether the generator has completed analysis confirming that the waste is hazardous.



What is not an Episodic Event?

- Increased production of hazardous waste due to an increased rate of production is not an episodic event.
- The episodic event does not begin when the sampling results return and they show the waste is hazardous.
 - See the "Uncertain whether the waste will be Hazardous Waste" slide
- An unplanned event is not because you did not plan to have a hazardous waste. It is unplanned because the event is unplanned.



What if the Episodic Generation conditions are not met?

- All applicable conditions described in 40 CFR 262 subpart L must be met in order for the hazardous waste to be managed under the alternative standards for episodic generation.
- If all applicable conditions cannot be met, then the hazardous waste must be managed according to the full hazardous waste generator requirements for the amount of hazardous waste generated.



What if I can't meet the prescribed time frames for an episodic event?

- If the prescribed time frames cannot be met, then the alternative standards for episodic generation may not be used and the hazardous waste must be managed according to the full hazardous waste requirements for the amount of hazardous waste generated.
- The generator must submit a notification in RCRAInfo, myRCRAid module to notify at the higher generation category and meet all management requirements described in 40 CFR 262 for the amount of hazardous waste generated in that calendar month.



What if I can't meet the prescribed time frames for an episodic event?

In other words, you may not use the episodic generation provision if:

- For a planned event, you cannot meet the requirement of notifying the Hazardous Waste Section 30 days prior to the episodic event start date.
- For an unplanned event, you did not notify the Hazardous Waste Section (by phone, email, fax or submission of the episodic notification) within 72 hours of the episodic event start date.
- For both planned or unplanned events, you cannot complete the episodic event (and have the episodic hazardous waste) off-site within the 60-day episodic event threshold.



Episodic Generator vs. Short Term Generator – Key Differences

Episodic Generator

- Site is required to have an EPA ID (can obtain one during episodic notification)
- Site typically generates hazardous waste at VSQG or SQG amounts
- Can be used one time a year (or twice if petitioned for a second event)
- Only must comply with applicable requirements specified in 40 CFR 262 subpart L
- Allows 60 days to complete event and remove waste

Short Term Generator

- Site does not already have an EPA ID number assigned (once assigned it stays with site)
- For sites that typically do not generate hazardous waste
- For one-time generation event. Short term generation may not be used again at the site
- All applicable generator requirements apply for the amount of hazardous waste generated
- Allows 90 days to remove waste



Uncertain whether the waste will be Hazardous Waste?

Question: What happens if you have an unplanned episodic event and you don't initially know if your waste is hazardous?

Answer:

- When an unplanned episodic event occurs, the generator may not know immediately if the waste generated is hazardous or non-hazardous. If enough waste has been generated that the generator would be moved into a higher generator category (SQG or LQG) if it is hazardous, the generator must notify NCDEQ, Hazardous Waste Section within 72 hours.
- The Hazardous Waste Section recommends managing the waste under the episodic generation provisions when uncertain whether the waste is hazardous waste.
- If the waste turns out not to be hazardous, the generator can work with the Hazardous Waste Section to withdraw the unnecessary episodic event so it does not count toward their limit of episodic events for the year.



Withdrawal from an Episodic Event

- If a VSQG or SQG notifies as an episodic generator but finds out during the episodic event that:
 - The amount of hazardous waste generated during the episodic event is not enough to move to a higher generation category or
 - The waste generated is not a hazardous waste or
 - The event (from start to finish) will take more than 60 daysthe generator may withdraw their episodic notification (and get another chance to use it later in the year).
- The rules do not provide a formal process yet on how a generator withdraws their episodic generation request.



Withdrawal from an Episodic Event

Current process to withdrawal an episodic notification:

- The generator that needs to withdraw their episodic generation notification sends a detailed email explanation to the Hazardous Waste Section Inspector indicating why they need/want to withdraw the notification. Supporting documentation justifying the withdrawal of the episodic event should be submitted with the email.
 - The supporting documentation may include (but is not limited to) sampling to indicate a waste is not a hazardous waste or a manifest/bill of lading (only if VSQG generation category is not exceeded) indicating the amount of hazardous waste generated during the event was not enough to qualify as a SQG or LQG (whichever is applicable).
- The Inspector will correspond with the Hazardous Waste Section RCRAInfo Administrator to update the episodic notification in RCRAInfo so it no longer shows as an episodic generation notification.



Planned Episodic Event Example

Johnson's Auto Body Shop

- Current Generator Category: VSQG
- No EPA ID Number
- Generates one 55-gallon drum of hazardous waste lacquer every 6 months
- The solvent-based paints are being replaced with a new water-based paint system.
- Solvent-based paints are being disposed of since Mr. Johnson could not find another body shop that could use the solvent-based paints as is for their intended purpose.



Planned Episodic Event Example

Johnson's Auto Body Shop

Can Johnson's Auto Body Shop become an episodic generator?

Is it an episodic event? Yes

Is it planned or unplanned? Planned (Removal of excess inventory)

How much waste will be generated?

Twenty 55-gallon drums (400 lbs./drum) = 8,000 lbs. of solvent-based paints and acetone/lacquers

Mr. Johnson has a planned episodic event that will create a hazardous waste in excess of the 220 lbs. in one calendar month.



Planned Episodic Event Example

Johnson's Auto Body Shop

Can the time frames for notification and disposal be met?

Yes, Mr. Johnson can notify 30 days prior to the start of the clean out and have all excess inventory removed within the 60-day episodic event period.

Mr. Johnson needs to file a notification in RCRAInfo, myRCRAid module ensuring to:

- Obtain an EPA ID number
- Mark Section 13 to notify of episodic generation

Comply with the 40 CFR 262 subpart L requirements for VSQGs

(More on Notification and Episodic Requirements later)



Unplanned Episodic Event Example

Disaster Chemical Co.

- Current Generator Category: SQG
 - Manufacturer of specialty chemicals
 - Normally generates ~1,200 lbs. in one calendar month
- EPA ID Number: NCD123456789
- Overfill alarm malfunction results in a 3,000 gallon product tank of sulfuric acid spill with some discharged to the ground. Approximately 5,000 gallons was lost and could not be reused on-site after recovered.



Unplanned Episodic Event Example Disaster Chemical Co.

Can Disaster Chemical Co. become an episodic generator?

Is it an episodic event? Yes

Is it planned or unplanned? Unplanned Event
(Accidental Spill)

How much waste will be generated?

5,000 gallons of sulfuric acid was lost (75,000 lbs. of sulfuric acid)

Disaster Chemical Co. has an unplanned episodic event that will create a hazardous waste in excess of the 2,200 lbs. in a calendar month.



Unplanned Episodic Event Example

Disaster Chemical Co.

Can the time frames for notification and disposal be met?

Yes, Disaster Chemical Co. notified NCDEQ (by calling the Inspector) within 72 hours of the spill. Disaster Chemical Co. will have all waste sulfuric acid removed by the end of the 60-day episodic event period.

Disaster Chemical Co. needs to file a notification in RCRAInfo, myRCRAid module ensuring to:

- Mark Section 13 to notify of episodic generation
- Submit the notification by the end of the unplanned episodic event

Comply with the 40 CFR 262 subpart L requirements for SQGs (More on Notification and Episodic Requirements later)



Episodic Generation EPA ID Number

VSQG: 40 CFR 262.232(a)(3)

SQG: 40 CFR 262.232(b)(5)



- To be able to have an episodic event, both VSQGs and SQGs must obtain an EPA Identification (ID) number (electronically using RCRAInfo) if the site has not already been assigned one.
- Yes, even VSQGs must have an EPA ID number for episodic generation.
- If the site does not already have an EPA ID number assigned, the EPA ID number can be requested at the same time as the generator makes the episodic generation notification (electronically using RCRAInfo).
- See the Episodic Notification slides at the end of this presentation for more information.



Renotification After Approved Episodic Event is Not Required



Question: When the approved Episodic Event is completed, do I need to submit a second notification (electronically using RCRAInfo) to renotify back to my original generation category?

Answer: No, when you initially notify of an episodic event you do not change your generator category (in Section 10.A.1 of the electronic notification on RCRAInfo) and are specifying the dates of the event (in Section 13), so as long as you meet the conditions specified in 40 CFR 262 subpart L, you do not submit a renotification after the event is completed.

See the Episodic Notification slides at the end of this presentation.



Episodic Generation Marking/Labeling Requirements

VSQG: 40 CFR 262.232(a)(4)(i) & (ii)

SQG: 40 CFR 262.232(b)(4)(i) & (ii)



Mark/label containers and tanks with:

- "Episodic Hazardous Waste"; and (more on next slides)

A yellow rectangular label with a decorative border. At the top, it reads 'EPISODIC HAZARDOUS WASTE' in large red letters. Below this, it contains a warning: 'STATE AND FEDERAL LAWS PROHIBIT IMPROPER DISPOSAL IF FOUND, CONTACT THE NEAREST POLICE OR PUBLIC SAFETY AUTHORITY, THE U.S. ENVIRONMENTAL PROTECTION AGENCY OR THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL'. It then asks for 'GENERATOR INFORMATION' including Name, Address, Phone, City, State, and Zip. There are fields for 'EPA / MANIFEST ID NO. / DOCUMENT NO.', 'EPA WASTE NO.', 'CA WASTE NO.', and 'ACCUMULATION START DATE'. A section for 'CONTENTS, COMPOSITION:' includes checkboxes for 'PHYSICAL STATE' (Solid, Liquid) and 'HAZARDOUS PROPERTIES' (Flammable, Corrosive, Reactivity, Toxic, Other). At the bottom, it says 'D.O.T. PROPER SHIPPING NAME AND UN OR NA NO. WITH PREFIX' and 'HANDLE WITH CARE!' in red.A white rectangular label with a black border. At the top, it reads 'THIS CONTAINER ON HOLD PENDING ANALYSIS' in bold black letters. To the right of this text is a red octagonal sign with the words 'ON HOLD' in white. Below this, there is a section for 'CONTENTS' with handwritten text: 'Episodic Hazardous Waste' and 'Acid Waste (off-spec)'. Further down, it asks for 'ORIGIN OF MATERIALS' (handwritten: 'Tank 7 Cleanout'), 'ADDRESS' (handwritten: '123 Main St., Small Town, NC'), and 'CONTACT' (handwritten: 'John Smith 999-123-4567'). At the bottom, it reads 'DO NOT TAMPER WITH CONTAINER! AUTHORIZED PERSONNEL ONLY.' in bold red letters.

Episodic Generation Marking/Labeling Requirements

VSQG: 40 CFR 262.232(a)(4)(i) & (ii)

SQG: 40 CFR 262.232(b)(4)(i) & (ii)



Mark/label containers and tanks with:

- Indication of the hazards of the contents (Examples include, but are not limited to):
 - Applicable hazardous waste characteristics
 - e.g. "Ignitable", "Corrosive", "Reactive", "Toxic"
 - Hazard communication consistent with DOT requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding)
 - Hazard statement or pictogram consistent with OSHA Hazard Communication Standard 29 CFR 1910.1200
 - Chemical hazard label consistent with the National Fire Protection Association (NFPA) code 704



Examples of Labels that Indicate the "Hazards"

The applicable hazardous waste characteristic (i.e., ignitable, corrosive, reactive, toxic):



**EPISODIC
HAZARDOUS
WASTE**

STATE AND FEDERAL LAWS PROHIBIT IMPROPER DISPOSAL
IF FOUND, CONTACT THE NEAREST POLICE OR PUBLIC SAFETY
AUTHORITY, THE U.S. ENVIRONMENTAL PROTECTION AGENCY OR
THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL

GENERATOR INFORMATION:
NAME _____
ADDRESS _____ PHONE _____
CITY _____ STATE _____ ZIP _____

EPA / MANIFEST
ID NO. / DOCUMENT NO. _____

EPA CA ACCUMULATION
WASTE NO. WASTE NO. START DATE _____

CONTENTS / COMPOSITION:

PHYSICAL STATE: SOLID LIQUID HAZARDOUS PROPERTIES: FLAMMABLE TOXIC
 CORROSIVE REACTIVITY OTHER _____

D.O.T. PROPER SHIPPING NAME AND UN OR NA NO. WITH PREFIX

HANDLE WITH CARE!



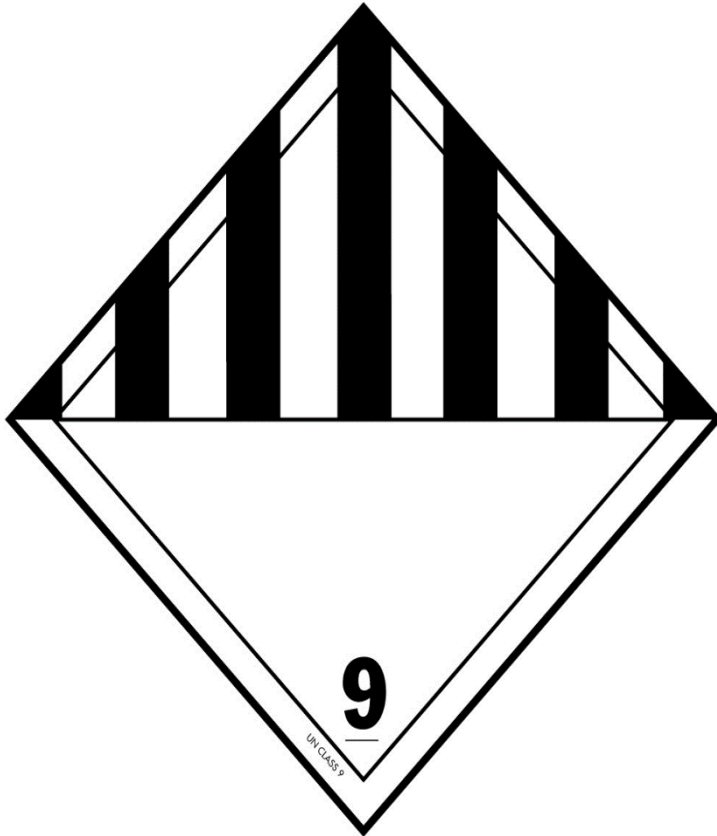
Examples of Labels that Indicate the "Hazards"

There are 9 DOT hazard classes. Hazard communication consistent with DOT (49 CFR part 172 Subpart E – Labeling or Subpart F – Placarding)



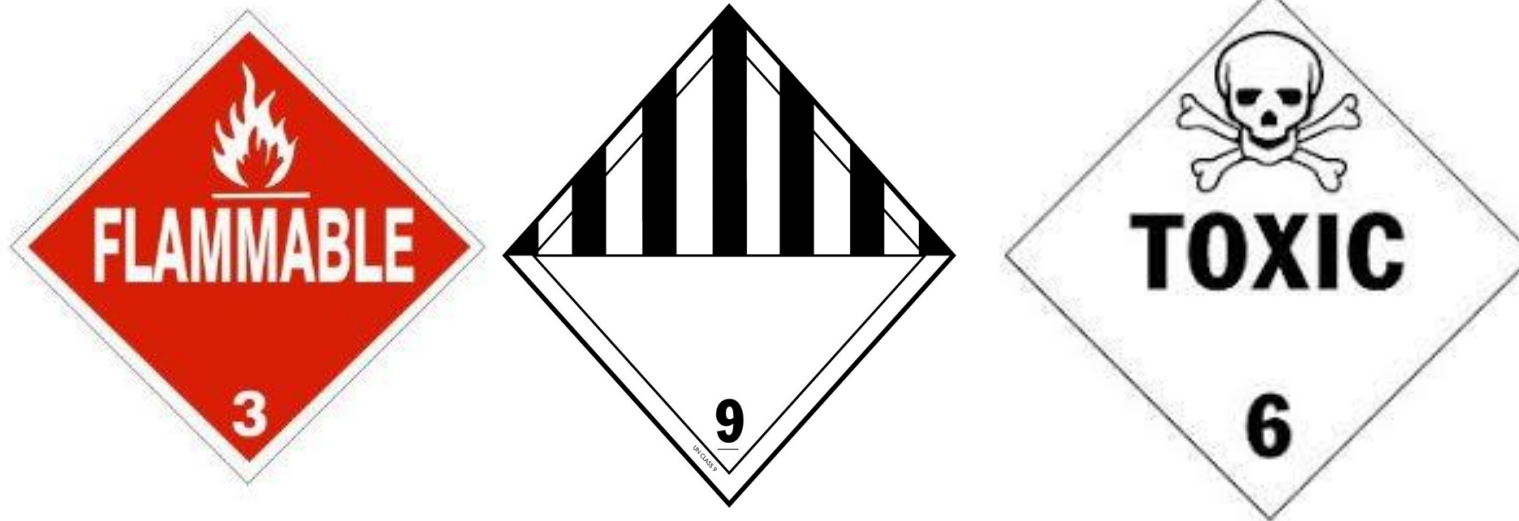
Example of a Label that does not Indicate the "Hazards"

DOT Class 9 miscellaneous dangerous goods.



- Not enough info to describe the hazards. Only shows that it does not meet the other 8 DOT classes.
- Use only with another descriptive term on the container.

Conflicts using of RCRA Labels and DOT Labels



F005 – Spent non-halogenated solvent

- RCRA requires both an Ignitable and Toxic Indications
- RCRA requires indication for all hazards
- DOT may require Class 3 or Class 3 & 9

Examples of Labels that Indicate the "Hazards"

Hazard statement or pictogram consistent with OSHA (29 CFR 1910.1200)

Ex. Globally Harmonized System (GHS)

Acute Toxicity – *harmful*

Toxic – *fatal*

Corrosive

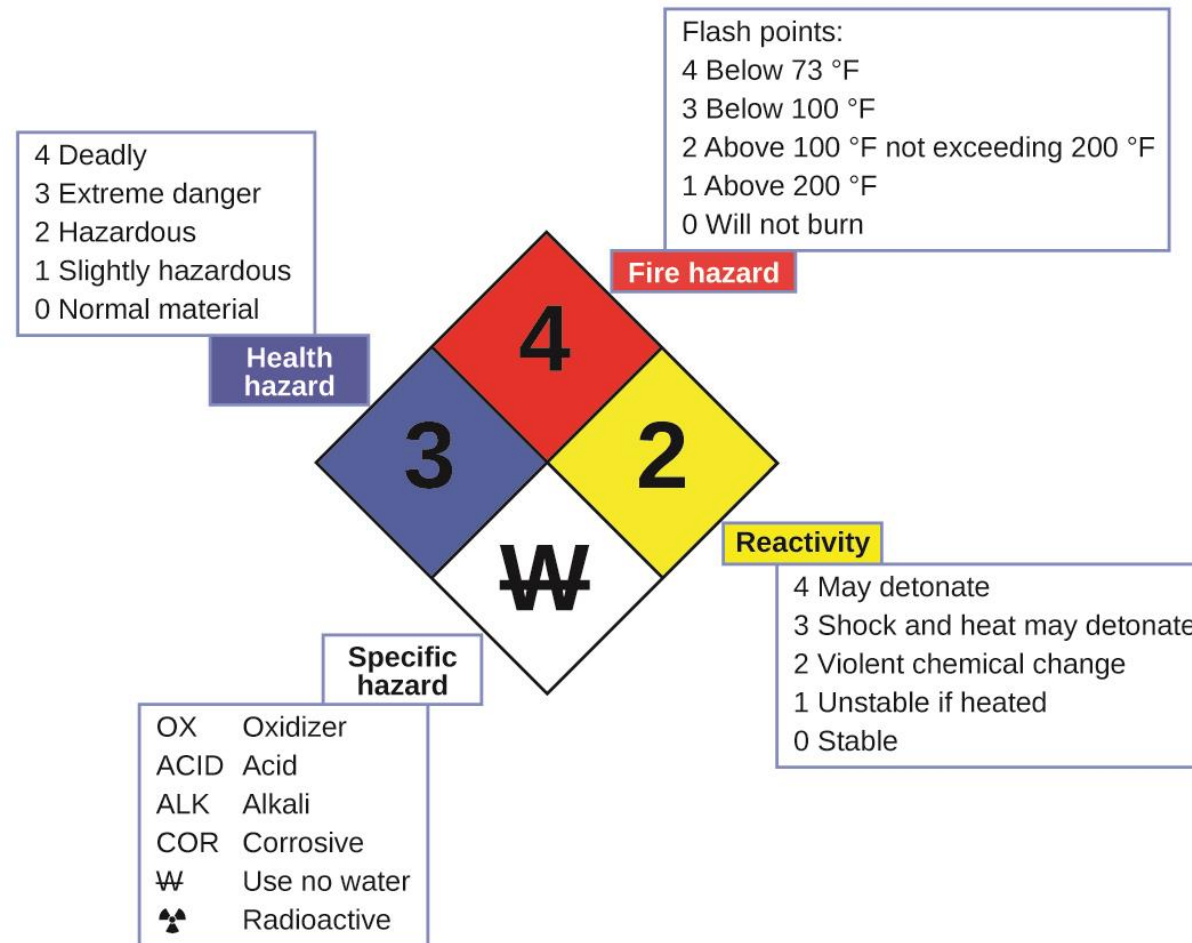
Flammable

Self-Reactive



Examples of Labels that Indicate the "Hazards"

Chemical hazard label consistent with the National Fire Protection Association code 704



Multiple Hazards

Indication of ALL hazards of the contents





Episodic Generation Marking/Labeling Requirements

VSQG: 40 CFR 262.232(a)(4)(i) & (ii)

SQG: 40 CFR 262.232(b)(4)(i) & (ii)



Mark/label containers and tanks with:

- The **date** upon which the episodic event began
 - Must be clearly visible for inspection on each container
 - For tanks, use inventory logs, monitoring equipment, or other records to identify the date upon which each episodic event begins
 - Inventory logs or records (above) must be kept on-site and readily available for inspection



Additional Episodic Generation Requirements

40 CFR 262.232(a)(4)(iii)



For VSQGs:

- Episodic hazardous waste must be managed in a manner that minimizes the possibility of a fire, explosion, or release of hazardous waste or hazardous waste constituents to the air, soil, or water.
- Containers and tanks must be in good condition and compatible with the episodic hazardous waste being accumulated.
- Containers must be kept closed except to add or remove episodic hazardous waste.



Additional Episodic Generation Requirements

40 CFR 262.232(a)(4)(iii)



For VSQGs:

- Tanks must have procedures in place to prevent overflow
- Tanks must be inspected at least once each operating day
 - To ensure all applicable discharge control equipment are in good working order and
 - To ensure the tank is operated according to its design by reviewing the data gathered from monitoring equipment



Additional Episodic Generation Requirements



40 CFR 262.232(b)(4)(i) ref. 40 CFR 262.16(b)(2)

For SQGs...manage containers of episodic hazardous waste by the regular SQG container requirements specified in 40 CFR 262.16(b)(2) (briefly stated):

- Containers must be in good condition and compatible with the episodic hazardous waste being accumulated.
- Containers must be kept closed except to add or remove episodic hazardous waste.
- Containers must not be opened, handled, or accumulated in a manner that may rupture the container or cause it to leak.
- Weekly inspections must be completed.
- Hazardous waste must not be placed in containers that previously held incompatibles.
- Incompatible wastes must not be placed in the same container.
- Containers of incompatibles must be separated.



Additional Episodic Generation Requirements

40 CFR 262.232(b)(4)(ii) ref. 40 CFR 262.16(b)(3)

For SQGs...manage tanks of episodic hazardous waste by the regular SQG tank requirements specified in 40 CFR 262.16(b)(3) (very briefly stated):

- Meet general operating conditions for tanks
- Inspections
- Secondary containment
- Closure
- Special conditions for accumulation of ignitable and reactive waste.

Episodic Generation Manifest Requirements

VSQG: 40 CFR 262.232(a)(5)

SQG: 40 CFR 262.232(b)(5)



- Both VSQGs and SQGs must comply with hazardous waste manifest provisions of 40 CFR 262 subpart B when episodic event hazardous waste is shipped off-site to a RCRA designated facility
 - Manifests must be kept for three years (however, we recommend you keep them forever)
- Yes, even VSQGs must use a manifest for episodic hazardous waste shipments



Hazardous Waste Manifest Requirements

Question: Do VSQGs and SQGs have to use a uniform hazardous waste manifest when shipping episodic hazardous waste?

Answer: Yes, a uniform hazardous waste manifest must be used for all episodic events and episodic hazardous waste must be shipped to a RCRA designated treatment, storage, or disposal facility using a hazardous waste transporter.



When do I need to ship episodic hazardous waste off-site?

VSQG: 40 CFR 262.232(a)(6)

SQG: 40 CFR 262.232(b)(5)

Question: By when does the episodic hazardous waste need to be transported off-site?

Answer: The VSQG and SQG have 60 days from the start of the episodic event to complete the event and ship all episodic hazardous waste off site to a RCRA designated facility for treatment, storage, or disposal.

If the episodic hazardous waste is not off site within 60 days after the start of the episodic event, then it is counted towards the generator's monthly generation level.



Shipping Episodic and Non-Episodic Hazardous Waste

Question: Can regularly generated hazardous waste (non-episodic hazardous waste) be shipped off site at the same time the episodic hazardous waste is shipped off site?

Answer: Yes, regularly generated hazardous waste may be shipped off site at the same time and in the same load as the episodic hazardous waste.

More shipping tips on the next slide....



Shipping Episodic and Non-Episodic Hazardous Waste

- The generator must ensure the accumulation times limits are met for both the regularly generated hazardous waste (90 days for LQG or 180/270 days for SQG) and the episodic hazardous waste (must be off site 60 days after the event starts).
 - Just because a generator wants to ship the hazardous waste together, does not allow an exceedance in the maximum length of time either the regularly generated hazardous waste or the episodic hazardous waste may remain at the site.



Shipping Episodic and Non-Episodic Hazardous Waste

- The manifest should indicate the amount of episodic hazardous waste that is shipped.
 - Anytime episodic hazardous waste is shipped, if the manifest does not indicate the amount of episodic hazardous waste, the manifest will make the generator appear out of compliance with the hazardous waste requirements (i.e., the manifest will indicate LQG amounts of hazardous waste subject to specific stringent requirements when the generator was actually subject to the episodic generation provision).



Shipping Episodic and Non-Episodic Hazardous Waste

- To identify which shipment or which part of a shipment is the episodic hazardous waste:
 - The episodic hazardous waste can be shipped on a separate manifest from the regularly generated hazardous waste. A note should be made on the episodic hazardous waste manifest in Box 14 of the manifest noting that the waste was generated from an episodic event; or
 - If the regularly generated waste and episodic waste are shipped on the same manifest, the manifest must distinguish the episodic waste from other regularly generated waste by entering them on a separate line of the manifest with a note on Box 14 indicating which waste stream was the episodic hazardous waste; or
 - If the waste streams are not placed on separate lines of the manifest, a note in Box 14 of the manifest indicating the amount of the episodic hazardous waste is necessary.



Shipping Episodic and Non-Episodic Hazardous Waste

- Both the episodic hazardous waste and regularly generated hazardous waste have requirements for the generator to maintain paperwork.
 - The required paperwork (notification, manifest, etc.,) associate with an episodic event should be kept together.
 - If episodic hazardous waste is shipped on a separate manifest from the regularly generated hazardous waste, it is easy for the generator to maintain the paperwork associated with that episodic event.
 - If regularly generated hazardous waste and episodic hazardous waste are shipped on the same manifest, the generator should maintain copies of the same manifest in both the episodic event files and the regularly generated manifest files.



Episodic Generation Recordkeeping Requirements

VSQG: 40 CFR 262.232(a)(7)

SQG: 40 CFR 262.232(b)(6)



- Must maintain the following for three years from the end of the episodic event:
 - Beginning and end dates of episodic event
 - Description of the types & quantities of hazardous waste generated during the event
 - Description of how hazardous waste was managed
 - Name of the RCRA receiving designated facility
 - Name(s) of the hazardous waste transporters
 - Approval from Hazardous Waste Section if a second event was petitioned during the same calendar year (approved RCRAInfo notification or email)



Episodic Generation Fees

N.C.G.S. 130A-294.1(e) and (f)



- The same fees (N.C.G.S. 130A-294.1) apply to Episodic Generators that apply to permanent generators of hazardous waste
- North Carolina billing year is July 1 through June 30
- The fees are based on the amount of hazardous waste generated in a calendar month:
 - 220 lbs. up to 2,200 lbs.: \$175
 - 2,200 lbs. or more: \$1,400



Episodic Generation Fees

N.C.G.S. 130A-294.1(e) and (f)



Depending on the weight of hazardous waste generated during the episodic event, the generator is subject to the following annual fees (or the difference in an annual fee if the generator has already paid an annual fee as a SQG)

- A person who generates either 1 kg or more of any acute hazardous waste, or 1,000 kg or more of non-acute hazardous waste, in any calendar month during the year beginning 1 July and ending 30 June shall pay an annual fee of \$1,400.
- A person who generates 100 kg or more of non-acute hazardous waste in any calendar month during the year beginning 1 July and ending 30 June but less than 1,000 kg of non-acute hazardous waste in each calendar month during that year shall pay an annual fee of \$175.00.



Billing Year vs. Generation Year for Episodic Generation



- The North Carolina billing year is July 1 to June 30.
- The episodic events are tracked by calendar year: January 1 to December 31
 - i.e., a site may have one episodic event per calendar year (or two if a petition for a second is approved)

For example, if a facility had an episodic event in May and then petitioned for a second event in the same calendar year (say in September), this is allowed under the episodic generation provision (based on calendar year), however, the site will be billed for having events in two different billing years.



Episodic Generation Prohibitions



- Both VSQG and SQG are prohibited from accumulating episodic hazardous waste on a drip pad or containment building
 - Drip pads and containment buildings are special structures with their own set of requirements (40 CFR 265 subpart W for drip pads; 40 CFR 265 subpart DD for containment buildings)
- A facility using the episodic generator provision may not also use the VSQG consolidation at a LQG provision for the episodic hazardous waste
 - The episodic hazardous waste must be shipped to a RCRA designated facility



Is my site subject to large quantity generator requirements?

Question: If a generator generates more than 2,200 lbs. of hazardous waste from an episodic event and complies with the episodic generation provision conditions of 40 CFR 262 Subpart L, must the generator comply with the LQG requirements for RCRA training, contingency plan, biennial report and closure?

Answer: A VSQG or SQG that generates LQG amounts of hazardous waste but complies with the episodic generation provision conditions of 40 CFR 262 Subpart L does not have to comply with the LQG requirements for RCRA training, contingency plan, biennial report and closure. The only requirements that apply to the episodic hazardous waste are those described in 40 CFR 262 Subpart L.



Episodic Event Spans Over Two Calendar Years

Question: An episodic event spans two calendar years (e.g., the event starts December 1, 2019 and ends on January 29, 2020). Which calendar year will the episodic event count towards?

Answer: Typically, the episodic event will count for the calendar year in which the event starts.

- If the majority of the episodic event occurs in one year, it is possible that it could count for that calendar year. For example, if the episodic event began on December 30, 2019 and ended on February 27, 2020, the episodic event may count towards the 2020 calendar year.
- The Inspector and the Compliance Branch Supervisor may use their discretion when determining which calendar year the episodic event is counted towards.
- Currently, there are no federal regulations, state rules, policy or guidance that provides information on how to make this determination.



Two planned Projects during One Episodic Event

Question: I want to have a planned episodic event where I complete two projects: clean out a tank and separately remove excess product inventory that is no longer used. Can I do this?

Answer: Yes, a site may combine more than one project into the same episodic event as long as the 60 day limit for the episodic event is not exceeded and all conditions of 40 CFR 262 subpart L are met for both episodic waste streams.

When a site notifies of two projects during one episodic event, information about both projects needs to be specified in Section 13 of the episodic notification (done electronically on RCRAInfo). See the Episodic Notification slides at the end of this presentation for additional information.



Petitioning for a Second Episodic Event

40 CFR 262.233



A VSQG or SQG may petition to manage one additional episodic event per calendar year

- The petition must include:
 - The reason(s) why an additional episodic event is needed and the nature of the episodic event
 - The estimated amount of hazardous waste to be managed from the event
 - How the hazardous waste is to be managed
 - The estimated length of time needed to complete management of the hazardous waste generated from the episodic event (not to exceed 60 days)
 - Information regarding the previous event including the nature of the event, whether it was planned or unplanned event, and how the generator complied with the conditions



Petitioning for a Second Episodic Event

40 CFR 262.233



If a site petitions for a second episodic event in a calendar year, it must be the opposite type of event from the first event.

- If the first event is planned, then any second event would have to be unplanned.
- If the first event is unplanned, any second event would have to be planned.



Petitioning for a Second Episodic Event

40 CFR 262.233



A VSQG or SQG may petition to manage one additional episodic event per calendar year

- The petition must be made to the Hazardous Waste Section by:
 - Sending an email to the Hazardous Waste Section Inspector followed by an
 - Electronic notification made via RCRAInfo, myRCRAid module
- The generator must retain written approval for 3 years from the date the episodic event ended



Who Do I Contact with Questions about Episodic Generation?

Question: Who do I contact if I have questions about the episodic generation provision?

Answer: Contact your local Hazardous Waste Section Inspector.

Click on this link for a map showing the Inspector region and contact information:

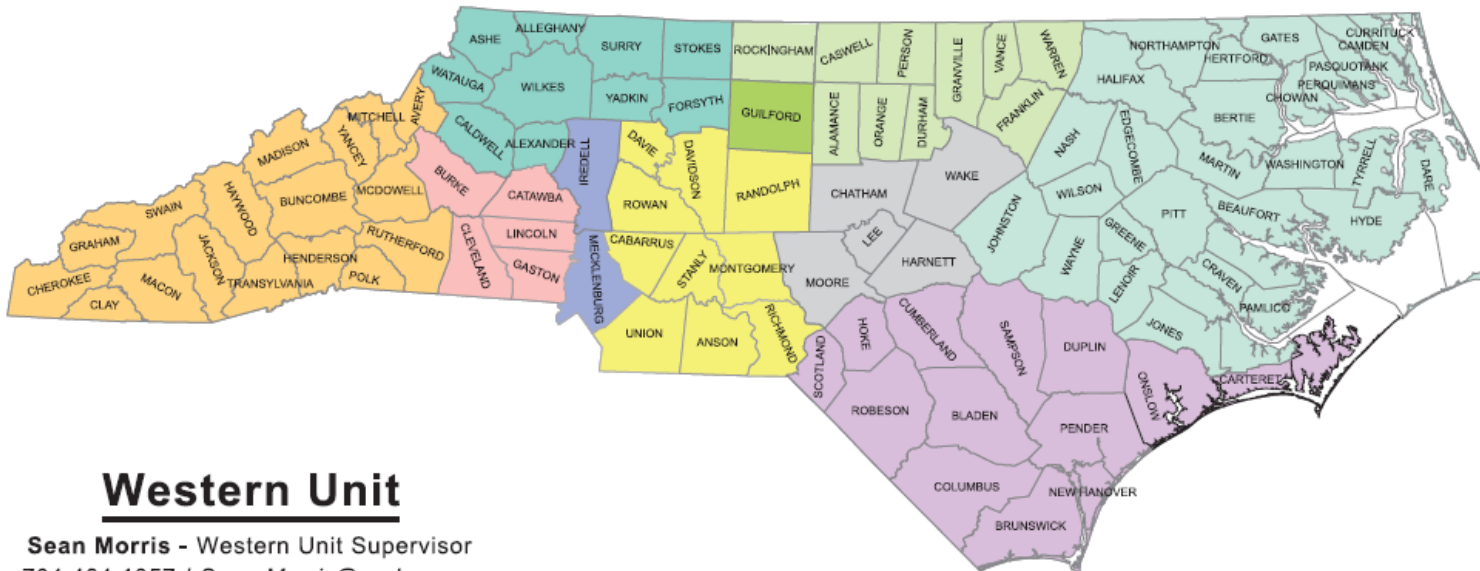
https://files.nc.gov/ncdeq/Waste+Management/DWM/HW/Compliance/Compliance_Map_by_Inspector.pdf



**North Carolina Department of Environmental Quality
Division of Waste Management
Hazardous Waste Section - Compliance Branch**

REGIONAL INSPECTOR MAP

Brent Burch - Branch Head / 828.321.9585 / Brent.Burch@ncdenr.gov



Western Unit

Sean Morris - Western Unit Supervisor
704.464.1357 / Sean.Morris@ncdenr.gov

Richard Concepcion - Environmental Chemist
828.578.6927 / Richard.Concepcion@ncdenr.gov

Jeff Menzel 828.419.5034 Jeff.Menzel@ncdenr.gov	Nick Guglielmi 919.935.2010 Nick.Guglielmi@ncdenr.gov
Ernie Lawrence 336.352.5742 Ernest.Lawrence@ncdenr.gov	Rose Pruitt 919.270.3476 Rose.Pruitt@ncdenr.gov
Andrew Martin 919.270.3507 Andrew.Martin@ncdenr.gov	

Eastern Unit

Heather Goldman - Eastern Unit Supervisor
919.270.2186 / Heather.Goldman@ncdenr.gov

Autumn Romanski - Environmental Chemist
919.280.1510 / Autumn.Romanski@ncdenr.gov

Dan Girdner 919.621.7747 Daniel.Girdner@ncdenr.gov	Aram Kim 919.707.8267 Aram.Kim@ncdenr.gov	Andrea Stermer 919.270.3871 Andrea.Stermer@ncdenr.gov
Jenne Walker 919.707.8224 Jenne.Walker@ncdenr.gov	Wes Hare 910.442.0922 Wes.Hare@ncdenr.gov	



Notification of an Episodic Event

VSQG: 40 CFR 262.232(a)(2)

SQG: 40 CFR 262.232(b)(2)



Episodic Generation Notification in RCRAInfo



- Notification of an episodic event is done electronically using the RCRAInfo database, myRCRAid module.
 - The notification is the equivalent of an electronic EPA 8700-12 form
- To sign in to RCRAInfo or to register go to this website link:
<https://rcrainfo.epa.gov/rcrainfoprod/action/secured/login>
- Anyone using RCRAInfo must register first. Link to a tutorial about registering for RCRAInfo Industry Application:
<https://files.nc.gov/ncdeq/Waste%20Management/DWM/HW/8700-guidelines/Electronic-Filing-of-EPA-Notifications.pdf>



Instructions for completing the EPA 8700-12 Form

- The instruction book for the EPA 8700-12 form is a good reference while completing either an initial notification or subsequent updates.
- The Instruction book for the EPA 8700-12 form can be found at this EPA website link: https://rcrainfo.epa.gov/rcrainfoweb/documents/rcra_subtitleC_forms_and_instructions.pdf
- Questions on how to complete/update the electronic notification form in RCRAInfo Industry Application? Please see the next slide of this presentation for contacts if you have questions.
- Please remember you will not be submitting a paper copy of the EPA 8700-12 form. The Instruction book is for reference only. You will submit all notifications electronically using RCRAInfo.



Questions about RCRAInfo?

Melodi Deaver 919-707-8204
Melodi.Deaver@ncdenr.gov

Andrew Minter 919-707-8265
Andrew.Minter@ncdenr.gov



Episodic Generation Notification Process



- The episodic generation notification is:
 - Initially administratively reviewed by the RCRAInfo Processing Assistant (Andrew Minter) and
 - Then an email is sent to the Hazardous Waste Section Inspector for approval.
- The HWS Inspector will often contact you to get information about the episodic event or ask follow-up questions to ensure the notification meets the prescribed time frames and definition of an episodic event.
- You can speed up the approval process by sending an email to your Hazardous Waste Section Inspector (and cc: Andrew Minter) providing information about the episodic event.



Episodic Generation Notification in RCRAInfo



- This provision allows a VSQG or an SQG to generate additional quantities of hazardous waste -- temporarily exceeding its normal generator category limits and still maintain its existing generator category, provided it complies with the specified conditions identified in 40 CFR 262.232 (a) and (b).
- One of the specified conditions is notification of the episodic event.
- To notify of the episodic event complete the required information on the RCRAInfo, myRCRAid, Site Identification (ID) form.

The next slides provide more information.



Episodic Generation Notification in RCRAInfo

- For Section 10.A.1, select your regular/normal generator category from the drop down menu.
- Then go to Section 13 to indicate the episodic event.
- Do NOT mark 10.A.2 as a Short Term Generator.

10. Type of Federal Regulated Waste Activity

A. Hazardous Waste Activities

1. Generator of Hazardous Waste (Federal) *

3 - Very Small Quantity Generator x

2. Short Term Generator

3. Treater, Storer, or Disposer of Haz Waste

No

4. Receives Hazardous Waste from Off-site

No

5. Recycler of Hazardous Waste

Select Recycler Activity

6. Exempt Boiler and / or Industrial Furnace

None selected

- If you are normally a VSQG, select this on Section 10.A.1.
- If you are normally an SQG, select this on Section 10.A.1.

10. Type of Federal Regulated Waste Activity

A. Hazardous Waste Activities

1. Generator of Hazardous Waste (Federal) *

2 - Small Quantity Generator x

2. Short Term Generator

3. Treater, Storer, or Disposer of Haz Waste

No

4. Receives Hazardous Waste from Off-site

No

5. Recycler of Hazardous Waste

Select Recycler Activity

6. Exempt Boiler and / or Industrial Furnace

None selected



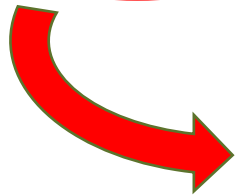
Episodic Generation Notification in RCRAInfo



13. Episodic Generation

Are you an SQG or VSQG generating hazardous waste from a planned or unplanned episodic event, lasting no more than 60 days, that moves you to a higher generator category? If "Yes", you must fill out the Addendum for Episodic Generator.

No



13. Episodic Generation

Are you an SQG or VSQG generating hazardous waste from a planned or unplanned episodic event, lasting no more than 60 days, that moves you to a higher generator category? If "Yes", you must fill out the Addendum for Episodic Generator.

Yes

- On Section 13 - "Episodic Generation" toggle the "Yes/No" bar to "Yes" if you are a VSQG or SQG notifying that you are taking advantage of the episodic generator event provision in 40 CFR 262.232.
- Upon toggling to "Yes" the Addendum will open and provide the fields that are required to be completed.



Three Sections of the Addendum:

- Type of Event and Dates
- Emergency Contact Info
- Waste Description

13. Episodic Generation

Are you an SQG or VSQG generating hazardous waste from a planned or unplanned episodic event, lasting no more than 60 days, that moves you to a higher generator category? If "Yes", you must fill out the Addendum for Episodic Generator.

Yes

Episodic Event

Episodic Event Type *

Select Episodic Event Type

Beginning Date *

End Date *

Emergency Contact

First Name *

Middle Initial

Last Name *

Phone *

Extension

Email

Waste *

At least one waste record must be provided.

Description	Quantity (lbs)	Waste Codes (Federal)	Waste Codes (State)	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Episodic Generation Notification in RCRAInfo

For "Type of Event" (i.e., planned or unplanned), select from the list of reasons for the planned or unplanned events.

If the event does not fit the options provided select "Planned Other" or "Unplanned Other" and include any information about the event in Section 18 – Comments.

13. Episodic Generation

Are you an SQG or VSQG generating hazardous waste from a planned or unplanned episodic event, lasting no more than 60 days, that moves you to a higher generator category? If "Yes", you must fill out the Addendum for Episodic Generator.

Yes

Episodic Event

Episodic Event Type *

Select Episodic Event Type

- PLANNED EXCESS CHEMICAL INVENTORY REMOVAL
- PLANNED TANK CLEANOUTS
- PLANNED SHORT-TERM CONSTRUCTION OR DEMOLITION
- PLANNED EQUIPMENT MAINTENANCE DURING PLANT SHUTDOWN
- PLANNED OTHER
- UNPLANNED ACCIDENTAL SPILLS
- UNPLANNED PRODUCTION PROCESS UPSETS
- UNPLANNED PRODUCT RECALLS

Phone *

Extension

Last Name *

Email



Episodic Generation Notification in RCRAInfo

13. Episodic Generation

Are you an SQG or VSQG generating hazardous waste from a planned or unplanned episodic event, lasting no more than 60 days, that moves you to a higher generator category? If "Yes", you must fill out the Addendum for Episodic Generator.

Yes

Episodic Event

Episodic Event Type *
Select Episodic Event Type

Beginning Date * **End Date ***

- The "BEGINNING DATE" (or start date) and "END DATE" (expected completion date) are the dates of the episodic event (either planned or unplanned). The END DATE must be no more than 60 days after the BEGINNING DATE.
- For planned events, the notification must be submitted 30 days prior to the BEGINNING DATE.



Episodic Generation Notification in RCRAInfo

Emergency Contact		
First Name *	Middle Initial	Last Name *
<input type="text"/>	<input type="text"/>	<input type="text"/>
Phone *	Extension	Email
<input type="text"/>	<input type="text"/>	<input type="text"/>

- For the "Emergency Contact" Section of the Addendum, enter information requested including the name and telephone number of an emergency contact at the site.
- Fields with red asterisks are required fields.
- Please always include an email address.

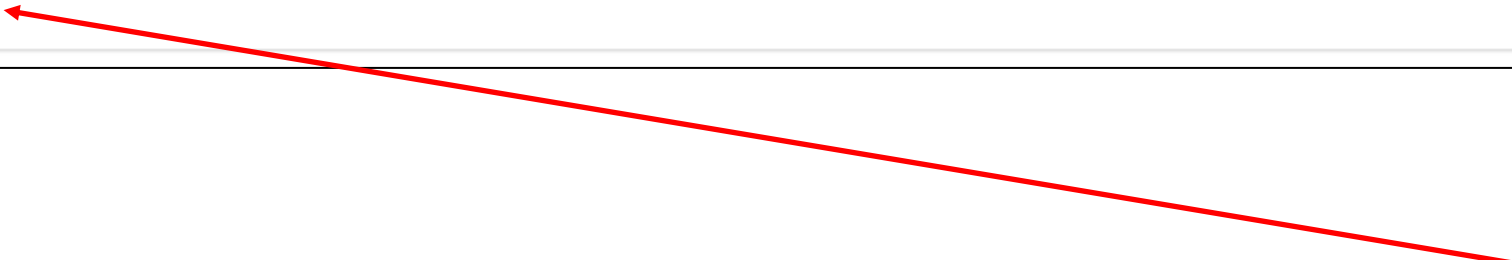


Episodic Generation Notification in RCRAInfo

Waste *

Description	Quantity (lbs)	Waste Codes (Federal)	Waste Codes (State)	
-------------	----------------	-----------------------	---------------------	--

Add



- For the "Waste" Description Section of the Addendum, click the "Add" button to open a window to provide the waste description.



Episodic Generation Notification in RCRAInfo

Enter the:

- The "Waste Description" (words describing the waste) and
- The "Estimated Quantity" (in pounds) that will be generated as a result of the episodic event.
- The fields marked with a red asterisks are required.

Add Episodic Generator Waste

G. Waste Description *

H. Estimated Quantity (lbs) *

I. Hazardous Waste Codes (Federal) * Selected
None selected

Clear All

I. Hazardous Waste Codes (State) Selected
No codes available for your State

Clear All

Save Changes Close

Episodic Generation Notification in RCRAInfo

Select the applicable federal waste codes from the drop down list.

Click on the box to the left of the waste code to select the waste code.

Add Episodic Generator Waste

G. Waste Description *

H. Estimated Quantity (lbs) *

I. Hazardous Waste Codes (Federal) *

None selected

Search

Select all

D001

D002

D003

D004

D005

Selected

Selected

Save Changes Close

Episodic Generation Notification in RCRAInfo

North Carolina does not have any state waste codes.

When you have entered all required information, click on the "Save Changes" button.

The screenshot shows a web form titled "Add Episodic Generator Waste". It contains the following sections:

- G. Waste Description ***: A text input field.
- H. Estimated Quantity (lbs) ***: A text input field.
- I. Hazardous Waste Codes (Federal) ***: A dropdown menu showing "None selected" and a "Selected" text input field.
- I. Hazardous Waste Codes (State)**: A text input field with the message "No codes available for your State".

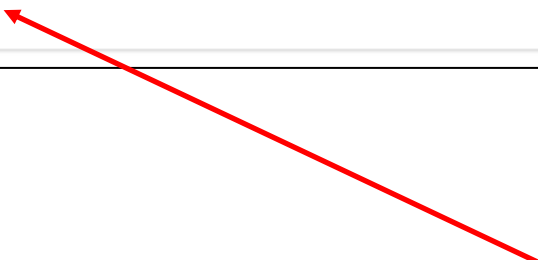
At the bottom of the form, there are two buttons: "Save Changes" (highlighted with a red circle) and "Close".

Episodic Generation Notification in RCRAInfo

Waste *

Description	Quantity (lbs)	Waste Codes (Federal)	Waste Codes (State)	
-------------	----------------	-----------------------	---------------------	--

Add



- If you need to add descriptions for additional episodic hazardous wastes generated during this event, click on the "Add" button again.



Episodic Generation Notification in RCRAInfo

Example completed Section 13 - Episodic Generation Notification

Note that this is part of the Site Identification form that must be submitted to notify of the episodic event.

13. Episodic Generation

Are you an SQG or VSQG generating hazardous waste from a planned or unplanned episodic event, lasting no more than 60 days, that moves you to a higher generator category? If "Yes", you must fill out the Addendum for Episodic Generator.

Yes

Episodic Event

Episodic Event Type *
PLANNED EXCESS CHEMICAL INVENTORY REMOVAL



Beginning Date * 07/26/2020 **End Date *** 09/23/2020

Emergency Contact

First Name * John **Middle Initial** **Last Name *** Smith

Phone * 919-123-4567 **Extension** **Email** john.smith@noemail.com

Waste *

Description	Quantity (lbs)	Waste Codes (Federal)	Waste Codes (State)	
Unused toluene from excess inventory product tank clean out	15600	D001,U220		 

Episodic Generation Notification in RCRAInfo

18. Comments

Public Comments

Episodic event notification was discussed with the Hazardous Waste Inspector, Rose Pruitt, on June 25, 2020. This is the first episodic event notification for this calendar year.

- Remember to enter information in Section 18 – Comments.
 - Always note any changes that were made to the form from the last time it was filed
- Comments about the episodic event may include:
 - Information on whether it is the first or second episodic event notification and
 - Any information discussed with the Hazardous Waste Section Inspector or
 - Other information that may speed up the approval process
- Above is an example of the comments to enter about the episodic event





Questions?



Photograph Credits

- Slide 6:

- <https://www.worldofchemicals.com/670/chemistry-articles/liquidating-non-moving-chemical-inventory.html>
- <https://kaztag.info/en/news/clearing-works-of-araks-tanker-in-mangistau-to-continue-in-spring-2018>
- <https://www.metso.com/showroom/oil-and-gas/good-planning-is-the-key-to-a-successful-plant-shutdown/>

- Slide 8:

- <https://www.pressdemocrat.com/news/2231189-181/emergency-crews-clean-up-windsor>
- <https://www.ehs.iastate.edu/research/laboratory/spills-leaks>

- Slide 9:

- <https://insideclimatenews.org/news/21032019/military-climate-change-flood-risk-offutt-air-force-base-army-corps-levee-failure>
- <https://www.newsbreak.com/arkansas/springdale/news/0NhVckwU/springdale-warehouse-fire-continues-to-burn-into-saturday>
- <https://emergency.fsu.edu/hazards/chemical-spills>

- Slide 10:

- [https://www.reddit.com/r/3Dprinting/comments/cyewk8/maybe someone can advise on the new 3d printer/](https://www.reddit.com/r/3Dprinting/comments/cyewk8/maybe_someone_can_advise_on_the_new_3d_printer/)



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 - <https://www.angieslist.com/research/auto-body-repair/> (Photo by Brandon Smith)
- Slide 24:
 - <https://www.pfonline.com/articles/best-practices-for-industrial-paint-storage>
- Slide 25:
 - <https://www.santamonicafire.org/Content.aspx?id=21767>
- Slide 26:
 - <https://www.rainforrent.com/case/new-top-loading-sulfuric-acid-method-reduces-spills-and-ruptures-at-paper-mill/>
- Slide 27:
 - <https://www.wikiwand.com/en/Bunding>
- Slide 28:
 - <https://lynxcreekhydrovac.com/index.php/services/tdg-combo-vac-trucks/>

