



North Carolina Department of Environmental Quality
Division of Waste Management
Hazardous Waste Section

Consolidation Provision
40 CFR 262.14(a)(5)(viii) and 40 CFR 262.17(f)

- **Applicability:** A large quantity generator (LQG) may accumulate/consolidate, on-site, hazardous waste received from a very small quantity generator (VSQG) provided the two generators are under the control of the same person and the VSQG and LQG meet specific conditions described below.
- **Definitions:**
 - "Control" means the power to direct the policies of the generator, whether by the ownership of stock, voting rights, or otherwise, except that contractors who operate generator facilities on behalf of a different person as defined in 40 CFR 260.10 shall not be deemed to "control" such generators.
 - "Person" (as defined in N.C.G.S. 130A-290 - substituted for 40 CFR 260.10) means an individual, corporation, company, association, partnership, unit of local government, State agency, federal agency, or other legal entity.
- **Conditions:**
 - The **VSQG(s)** must mark/label containers to be consolidated at a LQG with the following (40 CFR 262.14(a)(5)(viii)):
 - The words "Hazardous Waste" and
 - An indication of the hazards of the contentsExamples include, but are not limited to,
 - ~ The applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic);
 - ~ Hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding);
 - ~ A hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or
 - ~ A chemical hazard label consistent with the National Fire Protection Association code 704.
 - The **LQG** that accumulates/consolidates VSQG hazardous waste must comply with the following (40 CFR 262.17(f)):
 - Notify of the accumulation/consolidation activity:
 - ~ Notify the Hazardous Waste Section (electronically using the RCRAInfo, Industry User Application - myRCRAid) at least 30 days prior to receiving the first shipment from a VSQG(s); and
 - ~ Identify on the form the name(s) and site address(es) for each VSQG, and the name and business telephone number for a contact person for each VSQG; and
 - ~ Update the facility information using RCRAInfo, Industry User Application - myRCRAid within 30 days after a change in the name or site address for the VSQG.
 - Maintain records of shipments for 3 years from the date the hazardous waste was received from the VSQG.
 - ~ Records must identify the name, site address, and contact information for the VSQG and include a description of the hazardous waste received, including the quantity and the date the waste was received.
 - Comply with all the LQG requirements for all hazardous waste received from a VSQG.

- ~ The LQG must comply with the independent requirements of 40 CFR 262.10(a)(1)(iii) and the conditions for exemption in 40 CFR 262.17 for all hazardous waste received from the VSQG(s).
- For purposes of the accumulation start date: Each container or hazardous waste management unit must be marked with the date accumulation started (i.e., the date the hazardous waste was received from the VSQG). If the LQG is consolidating incoming hazardous waste from a VSQG with either its own hazardous waste or with hazardous waste from other VSQGs, the LQG must label each container or unit with the earliest date any hazardous waste in the container was accumulated on site.
- The LQG must ensure the hazardous waste received from VSQG(s) is reported on the biennial report.