

Episodic Generation



**ENVIRONMENTAL
QUALITY**

WASTE MANAGEMENT & RADIATION CONTROL

Episodic Generation

- * Regulated in R315-262-230 thru 233 Utah Admin. Code
- * Applies to VSQGs and SQGs only!!



Awesome FACT SHEET:

<https://documents.deq.utah.gov/waste-management-and-radiation-control/hazardous-waste/DSHW-2019-001401.pdf>



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<https://deq.utah.gov/division-waste-management-radiation-control>

Why Manage as an Episodic Event?

- * Exempt from being Counted Toward Generator's Monthly Quantity (R315-262-13(c)(8))
- * Prevents increased regulatory and reporting requirements for short term events
- * No Biennial Report required



However.....

- Ship by Hazardous Waste Transporter
- Ship using Hazardous Waste Manifest to a TSDF
- Generator Must Obtain an EPA ID # via EPA Form 8700-12
- Must Notify Director via EPA Form 8700-12



Short Term Generator vs Episodic Generator

* **Short-term generators** are not considered **episodic generators** because **episodic generators** (i.e., VSQGs and SQGs) regularly generate **hazardous waste** as part of their operations but elevate to a higher **generator** category as a result of a planned **or** unplanned event.

- **Short-term generators** receive an EPA ID No. **UTPXXXXXXXX** versus an Episodic Generator (VSQG/SQG) **UTDXXXXXXXX** or **UTRXXXXXXXX** number.
- Once the **Short-Term generation** is completed, the generator must **not** use that number for general HW activities.



What is an Episodic Event?

Episodic Event Means:

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 wastes that exceeds the calendar month quantity limits for the generator's usual category.



Planned Episodic Event

Means:

Generator Planned & Prepared for Event.

Examples:

- * Regular Maintenance,
- * Tank Cleanouts,
- * Short-Term Projects, and
- * Removal of Excess Chemical Inventory



Unplanned Episodic Event

Means:

Generator did not Plan or Reasonably did not expect the event to occur

- * Includes Production Process Upsets,
- * Product Recalls,
- * Accidental Spills, or
- * “Acts of Nature,” such as Tornado, Hurricane, or Flood.



How Many Events Per Year?

1 Episodic Event per Year

- * Can be either a Planned or Unplanned event
- * Generator has **one** additional opportunity to Petition the Director for a Second Event ***of the other type of event***



Petition for Another Episodic Event

- * Petition Process Would Allow a Generator a Maximum of **One Planned and One Unplanned Event per Year**
- * Example 1:
 - * A Generator Conducts a Clean Out in the Spring (planned) and then has an Unexpected Recall in October (unplanned).
 - * **Generator would petition the Director for the unplanned event.**



Example 2

- * A Generator's tank ruptures and spills 500 gallons of chromium waste onto the ground (unplanned-oops!)
- * Sadly, the generator was planning to do tank cleanouts in the fall—what to do...



The generator can do an “Unplanned Event” for the spilled waste and then petition the Director for a “Planned event” in the fall.



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Example 3

Unfortunately, the generator has another large release of hazardous waste (unplanned event-staff needs training)



Can the generator petition the Director for a 2nd unplanned event?



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Rules to Remember

60-DAY Clock

Starts When?

- * **Planned Event** is the First Day that Waste is Generated
- * **Unplanned Event** is the First Day of the Storm, Spill, or Other Unexpected Event Occurred



Rules to Remember

- * Episodic Event can only last 60 Days, All Hazardous Waste Must be Shipped Off Site by day 60
- * If the waste is not shipped off site, the Waste Counts Toward the Generator's Waste Generator (Enhanced regulations)
- * If a Generator Doesn't Know if the Event is Going to be Episodic, the Division Recommends Notifying



How to Notify the Director

- * **Planned Event:** Notify 30 or More Days **Prior** to the Event
- * **Unplanned Event:** Notify Within 72 hours of the Event by Emailing the site ID Form to (dwmrcsubmit@utah.gov) within 72 hours



How to Notify the Director For an Episodic Event

- * Both VSQGs and SQGs Must Notify Using Site ID Form (EPA Form 8700-12)
- * VSQG Must request an EPA ID Number (Automatic Upon Submitting the Site ID Form)



Form Notification Elements Episodic Addendum

- * Start and End Dates of the Event (≤ 60 Calendar Days)
- * Reason for the Event
- * Types of Hazardous Waste
- * Estimated Quantities of Hazardous Waste
- * Emergency Coordinator Contact Information



EPA ID Number

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OMB# 2050-0024; Expires 05/31/2020

D. Pharmaceutical Activities

<input type="checkbox"/> Y <input type="checkbox"/> N	1. Operating under 40 CFR 266 Subpart P for the management of hazardous waste pharmaceuticals—if “Yes”, mark only one. Note: See the item-by-item instructions for definitions of healthcare facility and reverse distributor.
<input type="checkbox"/>	a. Healthcare Facility
<input type="checkbox"/>	b. Reverse Distributor
<input type="checkbox"/> Y <input type="checkbox"/> N	2. Withdrawing from operating under 40 CFR 266 Subpart P for the management of hazardous waste pharmaceuticals. Note: You may only withdraw if you are a healthcare facility that is no longer an LQG or SQG.

12. Eligible Academic Entities with Laboratories—Notification for opting into or withdrawing from managing laboratory hazardous wastes pursuant to 40 CFR 262 Subpart K.

<input type="checkbox"/> Y <input type="checkbox"/> N	A. Opting into or currently operating under 40 CFR 262 Subpart K for the management of hazardous wastes in laboratories— If “Yes”, mark all that apply. Note: See the item-by-item instructions for definitions of types of eligible academic entities.
<input type="checkbox"/>	1. College or University
<input type="checkbox"/>	2. Teaching Hospital that is owned by or has a formal written affiliation with a college or university
<input type="checkbox"/>	3. Non-profit Institute that is owned by or has a formal written affiliation with a college or university
<input type="checkbox"/> Y <input type="checkbox"/> N	B. Withdrawing from 40 CFR 262 Subpart K for the management of hazardous wastes in laboratories.

13. Episodic Generation

<input type="checkbox"/> Y <input type="checkbox"/> N	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?
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**ADDENDUM TO THE SITE IDENTIFICATION FORM:
EPISODIC GENERATOR**

**ONLY fill out this form if:**

- You are an SQG or VSQG generating hazardous waste from a planned or unplanned episodic event, lasting no more than 60 days, that moves the generator to a higher generator category pursuant to 40 CFR 262 Subpart L. Note: Only one planned and one unplanned episodic event are allowed within one year; otherwise, you must follow the requirements of the higher generator category. Use additional pages if more space is needed.

Episodic Event	
1. Planned <input type="checkbox"/> Excess chemical inventory removal <input type="checkbox"/> Tank cleanouts <input type="checkbox"/> Short-term construction or demolition <input type="checkbox"/> Equipment maintenance during plant shutdowns <input type="checkbox"/> Other _____	2. Unplanned <input type="checkbox"/> Accidental spills <input type="checkbox"/> Production process upsets <input type="checkbox"/> Product recalls <input type="checkbox"/> "Acts of nature" (Tornado, hurricane, flood, etc.) <input type="checkbox"/> Other _____
3. Emergency Contact Phone _____	4. Emergency Contact Name _____
5. Beginning Date _____ (mm/dd/yyyy)	6. End Date _____ (mm/dd/yyyy)

Waste 1

7. Waste Description	8. Estimated Quantity (in pounds)				
9. Federal and/or State Hazardous Waste Codes					

Waste 2

7. Waste Description	8. Estimated Quantity (in pounds)				
9. Federal and/or State Hazardous Waste Codes					

Waste 3

7. Waste Description	8. Estimated Quantity (in pounds)
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Petition for 2nd Event In the Same Calendar Year

Petition Requirements:

- * Must Be In Writing to Director
- * Must Include:
 - * Reason for the Event
 - * Nature of the Event
 - * Estimated Amount of Hazardous Waste to be Managed
 - * How the Waste will be Managed
 - * Estimated Length of the Event – Cannot Exceed 60 Days
 - * Information About the Previous Event



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Petition Timing Requirements

Planned Event

- * Written Request per petition requirements
- * Site ID Form Submitted to the Division \geq 30 Days Prior to the Event
- * Generator cannot Manage Hazardous Waste from a Planned Second Event Until Approval is Received from the Director



Petition Timing Requirements

Unplanned Event

- * Director Must be Notified in writing within 72 Hours at dwmrcsubmit@utah.gov
- * A Submittal of Site ID Form and an Indication that this is a Petition for a 2nd Event, within 72 hours
- * Generators **can** Manage Hazardous Waste from an Unplanned Second Event While Waiting Approval
- * If a Petition is Denied the Generator Must Manage the Hazardous Waste Under the Conditions for the Applicable Generator Category



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Management Standards for VSQG

❖ Label Containers:

- "Episodic Hazardous Waste"
- Indication of the Hazards of the Waste, and
- Date the Event Began

❖ For Tanks - Dates can be Tracked by Inventory Logs or Other Records



Management Standards for VSQG

- * **Manage the Hazardous Waste in a Manner that Minimizes the Possibility of an Accident or Release**
 - * Containers must be in Good Condition, Compatible with Waste, & Kept Closed
 - * Tanks Must Have Procedures in Place to Prevent Overflow (e.g., Waste Feed Cutoff System or Bypass System)
 - * Tanks Must be Inspected at Least Once Each Operating Day
- * **Treatment is Not Allowed by VSQGs**



Management Standards for SQG

- * Label Containers of Waste:
 - * “Episodic Hazardous Waste,”
 - * The Indication of the Hazards of the Waste, and
 - * The Date the Event Began
- * For Tanks: Dates can be Tracked by Inventory Logs
- * Manage the Hazardous Waste in Accordance with R315-262-16
- * Cannot Manage Episodic Waste on Drip Pads or in Containment Buildings
- * SQGs must treat episodic hazardous waste or manifest and ship such hazardous waste to a designated facility within 60 calendar days from the start of the episodic event.



Recording Keeping

- * **Records of the Event Must be Kept for 3 Years**
- * **Records Must Include:**
 - * Beginning and End Date of the Event
 - * A Description of the Event
 - * Types of Hazardous Wastes Generated
 - * Quantities of Hazardous Wastes Generated
 - * How the Hazardous Waste was Ultimately Managed and the Name of the TSDF that Received the Hazardous Waste
 - * Name of the Hazardous Waste Transporter(s)
 - * Approval Letter from the Director if a Petition was Submitted and Approved for a Second Event



Contact Information

EPA Form located at:

<https://rcrapublic.epa.gov/rcrainfoweb/documents/notification.pdf>

Division Electronic Document Submission Portal:

dwmrcsubmit@utah.gov

Kaci McNeil, RCRA Form Coordinator: kmcneill1@utah.gov
(801) 536-0228

Deborah Ng, Hazardous Waste & Used Oil Program Manager:
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