



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
LAND AND EMERGENCY
MANAGEMENT

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COVERSHEET: EXPLANATION OF CITATION AND/OR TERMINOLOGY CHANGES IN THIS POLICY DOCUMENT

This policy document remains wholly in effect, but some or all of the regulatory citations within it have changed. These changes do not alter the existing regulatory interpretations.

As part of the [2016 Hazardous Waste Generator Improvements Rule](#), many of the regulations that apply to hazardous waste generators were moved to, or reorganized within, title 40 of the Code of Federal Regulations (CFR) part 262. To view a crosswalk between the old and new citations, please visit the [Hazardous Waste Generator Regulations Crosswalk webpage](#).

The Hazardous Waste Generator Improvements Rule also made changes to terms that may be included in this document. The most common term change was replacing “conditionally exempt small quantity generators” (CESQGs) with “very small quantity generators” (VSQGs). In addition, EPA defined the term “central accumulation area” (CAA) to mean a generator’s 90- or 180-day accumulation area for hazardous waste.

A handwritten signature in black ink that reads "Jessica Young". The signature is written in a cursive, flowing style.

Jessica Young
Chief of the Recycling and Generator Branch
Office of Resource Conservation and Recovery

9441.1987(10)

RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

FEBRUARY 87

1. Small Quantity Generator Determination

A recycler regenerates listed spent solvent (F005) that he receives from off-site. The recycler burns the still bottoms and a portion of the reclaimed solvent on-site in an industrial furnace. He sells the remaining reclaimed solvent to two companies: one that will burn it as fuel and one that will use the solvent for its solvent properties. How does the recycler count the still bottoms and reclaimed solvent for the purpose of small quantity generator monthly quantity determinations?

The recycler must include the still bottoms in his quantity determinations because they are hazardous wastes generated on-site and burned for energy recovery. As a hazardous waste fuel, they are subject to 40 CFR Part 266 Subpart D. According to §261.5(c), a generator must count wastes subject to Part 266 subpart D in his monthly quantity determination. The reclaimed solvent fuels that are burned on-site and marketed off-site are subject to Part 266 Subpart D and the counting requirements.

The only waste quantity that the recycler does not include in his quantity determinations is the reclaimed solvent that will be used for its solvent properties. 40 CFR 261.3(c)(2)(i) exempts reclaimed materials that will be used beneficially from regulation as waste as long as they are not burned for energy recovery or used in a manner constituting disposal. Because the reclaimed solvent will be used as solvent and not a fuel or product applied to the land, it would not be included in the monthly quantity determinations.

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