SMALL QUANTITY GENERATOR REQUIREMENTS

The Waste and Hazardous Materials Division (WHMD) oversees waste requirements for Small Quantity Generators (SQG) of hazardous waste who are subject to Part 111, Hazardous Waste Management, of the Natural Resources and Environmental Protection Act 1994 PA 451 (NREPA), as amended, and rules along with the federal Resource Conservation and Recovery Act (RCRA) and rules. Hazardous waste includes both characteristic and listed wastes as defined in the Part 2 Identification and Listing of Hazardous Waste of the Part 111 administrative rules. The Michigan regulations identify more hazardous wastes than the federal regulations. To be a SQG, a business would:

- Generate in a calendar month more than 220 pounds (100 kg) but less than 2,200 pounds (1,000 kg) of non acute hazardous waste. As an estimate of liquid waste, this is approximately 25 to 250 gallons depending on the density of the hazardous waste.
- Generate in a calendar month less than 2.2 pounds (1 kg) of acutely toxic or severely toxic hazardous waste. Acutely hazardous wastes have “P” in their waste number and severely toxic wastes are those with an “S” in their waste number. Additional acutely hazardous wastes are identified by an (H) in the hazard code column of the other listings.

If a business generates different amounts than listed, they will have different requirements. Also, there are other agencies that have requirements pertaining to hazardous waste.

The WHMD hazardous and liquid industrial waste inspection forms are available if a business wants to do a compliance self audit. The forms include abbreviated citations for both state and federal regulations. If doing a voluntary, internal evaluation consider meeting the environmental self audit criteria.

SMALL QUANTITY GENERATORS OF HAZARDOUS WASTE MUST DO THE FOLLOWING:

1. **Conduct a Waste Characterization**

   Businesses need to determine if the waste they generate is hazardous or non hazardous. If the materials used, or the waste generating process changes, or there are other activities at the business that may impact the type of waste, it will be necessary to re-evaluate the waste characterization. The regulations do not require a specific timeframe like annually to re-evaluate the waste. Keep any records obtained in this determination (i.e., analysis results, material safety data sheet (MSDS), or other documentation such as product information from a supplier or manufacturer) at least three years from the time the waste was last sent for treatment, storage, or disposal. The amount of hazardous waste that is generated in a calendar month can affect a business’ generator status.

   See the “Waste Characterization” guidance for waste determination information.

   ✭ Not properly characterizing waste and keeping documentation are common violations.

2. **Obtain a Michigan Site Identification Number**

   If the business doesn’t already have a site identification number (sometimes called an EPA number) for hazardous waste generation at this location, it will be necessary to apply for one. Submit the form EQP 5150, or go to the Michigan Timely Application and Permit Service (MiTAPS) to apply online. There is a $50 application fee. All regulated waste activities need to be identified on the notification form. For example, if the business is a SQG and also generates used oil, they would file as a SQG and a liquid industrial waste generator.
If regulated activities change at a business, update the information on file with WHMD. For example, if a business only generated liquid industrial waste (antifreeze and used oil) and had a Michigan waste identification number that started with “MIG,” but now also generates SQG amounts of hazardous waste, they must re-notify as a SQG and liquid industrial waste generator and obtain a new site identification number.

If operations move to a new location, the business needs to obtain a new site identification number. The number is site specific and does not go with the business when it moves to another address.

If it isn’t known for sure if a business has a site identification number, or what activities are on file, search the Waste Data System (WDS). If you don’t know the site identification number, it is recommended to first conduct a search by using only the street number and zip code in the appropriate address fields. By searching on an address, you avoid getting no matches when a business may be in the system under one name, but commonly known as something else. If you know the site identification number, type that in the WDS Quick Search field. If you need help or don’t have Internet access, call your WHMD District Office or 800-662-9278 for assistance.

Facilities are also required to pay an annual user fee based on their hazardous waste generator status and have hazardous waste manifest processing fees.

Not having or using incorrect identification numbers are common violations.

3. Label Waste Containers and Have Labels Visible for Inspection

Generators must clearly label waste containers, e.g. drums, totes, roll-off boxes, and have labels visible for inspection. Accumulation labels may be purchased, or information can be stenciled or written on the containers, or a shipping label may be used.

Labeling Hazardous Waste — containers located in an accumulation area must have the following information on the label:

- "Hazardous Waste,"
- Hazardous waste number, and the
- Date when waste was first put into container.

Labeling Satellite Containers — a business may accumulate limited amounts of hazardous waste near any point of generation when under the control of the operator of the process. More than one container can be used as long as the total volume does not exceed 55 gallons for non-acutely hazardous waste, or one quart for acutely hazardous waste.

Satellite container(s) in use must be labeled with:

- "Hazardous Waste," and the
- Hazardous waste number or chemical name of the contents in the container. You may list both if you want.

Once the limit has been reached, the satellite container(s) must be:

- Labeled with the date the limit (55 gallons or 1 quart) was exceeded,
- Labeled with the waste number if the chemical name was used on the satellite label, and
- Moved to the accumulation area within three days.

Labeling Universal Waste — see the Universal Waste guidance for requirements.

Improper labeling is a common violation.
4. Meet On-site Accumulation Requirements

**General requirements**

- SQG are limited how long and how much hazardous waste can be kept on-site:
  - Accumulated hazardous waste may be kept on-site up to 180 days, or 270 days if the waste is shipped over 200 miles, to a licensed Treatment, Storage, Disposal (TSD) or recycling facility.
  - The total amount of waste accumulated on-site must not exceed 13,200 pounds (6,000 kg).
- Have sufficient aisle space to allow movement of people and emergency response equipment. The waste regulations do not specify width requirements, but the MIOSHA standard Part 75 for flammable and combustible liquids requires one clear aisle at least 3 feet wide.
- The area where the waste is accumulated must be protected from weather, fire, physical damage, and vandals.
- Hazardous waste must be managed so hazardous waste, or hazardous waste constituents, cannot escape by gravity into the soil, into surface water or groundwater, or into drains or sewers, and fugitive emissions are not in violation of the air quality provisions of Part 55 of Act 451. Discuss air requirements with the Clean Air Assistance Program at 800-662-9278 or your Air Quality Division District Office.
- In addition to the waste requirements for accumulation areas, a business should check with the local fire department, their insurance company, and Department of Labor and Economic Growth, MIOSHA Consultation, Education, and Training Division at 517-322-1809 regarding additional requirements.

**Containers**

- Use containers that are in good condition and replace any leaking containers. Before shipping, make sure they are packaged according to US DOT requirements.
- Use containers that are compatible with the wastes stored in them. Look at the MSDS for suggestions or websites such as www.flw.com/material/index.html.
- Keep containers closed during accumulation, except when adding or removing waste. If using funnels, it is recommended to use those with the self closing feature.
  - **Having open containers, including leaving open funnels in drums, are common violations.**
- Inspect containers weekly for signs of corrosion or leaks. A written inspection log is not required for SQG but is recommended.
- Incompatible materials must not be put in the same container, and must be separated or protected from each other by physical barriers or sufficient distance, in order to avoid fires, explosions or releases.
- Containers must not be opened, handled, or stored in a manner which may rupture the container or cause it to leak. The MIOSHA standard Part 75 for flammable and combustible liquids does not allow stacking of containers over 30 gallons capacity. This standard also addresses fire storage cabinets, indoor storage rooms, etc.
- Secondary containment:
  - **Is not required for satellite containers.**
  - **Is required when a SQG has hazardous waste in containers or tanks accumulated in amounts greater than 2,200 pounds (1,000 kg).**
    - For wastes that contain free liquids OR any type of F020, F021, F022, F023, F026 and F027 listed wastes:
      - Containment must be able to hold the greater volume of either 10 percent of the total liquid volume of all the containers, or 100 percent of the largest container.
An impervious base must be under the containers and be free of cracks. The base must be able to contain spills, leaks, or precipitation until it can be removed. The MDEQ requires coatings on concrete for it to be considered impervious.

The base must be sloped or the containers elevated to prevent the containers from coming into contact with any liquid.

The area must contain 10% of the volume of the containers OR 100% of the volume of the largest container, whichever is greater.

Run-on into the area must be prevented unless the area has sufficient excess capacity beyond that is required to contain the run-on.

Spills, leaks and precipitation must be removed in a timely manner to prevent overflow. Discuss on-site discharging of precipitation removed from containment with the Water Bureau District Office.

Containment provides squirt protection so if the container ruptures, the liquids stay within the containment area.

For wastes with NO free liquids:

- The containment area must be sloped and operated to drain liquid from precipitation.
- The containers must be elevated or protected from contact with accumulated liquid.

**Tanks**

There are different requirement for “existing tanks” and “new tanks” see the “Small Quantity Generator Tank System Inspection Form” for more details and discuss any questions with your WHMD inspector.

- Do not place incompatible materials in the same tank so as to cause a fire, explosion or release.
- Do not place materials in a tank if they could cause rupture, leakage, corrosion or failure of the tank or its inner liner.
- Operate uncovered tanks with at least 2 feet (60 cm) of freeboard or secondary containment unless equipped with a containment, drainage or diversion structure that will hold that volume of waste.
- Use tanks equipped with a waste feed cutoff or bypass system when waste is continuously fed into it.
- Daily inspect location of present discharge control equipment, waste feed cutoff system, data gathering from monitoring equipment, and the level of waste in the tanks, to ensure compliance with the freeboard requirement. Keep written records for at least 3 years.
- Weekly inspect the tank and the surrounding area for signs of corrosion or release. Keep written records at least 3 years.
- Do not place ignitable and reactive waste in a tank unless the waste is mixed prior to or immediately following placement in the tank to render the waste non-ignitable or non-reactive; the waste is protected from any material or conditions that may cause the waste to ignite or react; or the tank is used solely for emergencies.
- Do not place hazardous waste in an unwashed tank that previously held an incompatible waste.
- Depending on tank contents, meet aboveground or underground storage tank regulations if applicable.
- Upon closure of the business, remove all hazardous waste from the tank, discharge control equipment and discharge confinement structures, and ensure the site is “clean”. Discuss hazardous waste closure requirements with the Waste and Hazardous Materials Division District Office.

**Drip pads**

- See R 299.9306(1)(a)(iii) and discuss requirements with the WHMD District Office.
5. Meet Shipping and Disposal Requirements

- When hiring a company to transport hazardous waste and liquid industrial waste including used oil, only contract with permitted and registered transporters to take the waste to licensed TSD facilities or recycling facilities that meet regulations.

- If discharging waste to a municipal wastewater treatment system, have prior approval from the local sewer authority. They may require industrial pretreatment prior to discharge. It is recommended this is written approval.

- Have placards available for your type of hazardous waste and comply with the applicable US DOT 49 CFR 172 Subpart F. Also meet the other USDOT requirements for shipping wastes off-site including labeling, marking, and appropriate shipping containers. In addition to the waste information required on the accumulation label, make sure the container has the hazardous waste warning, generator's name, address, and manifest document number. Note this is different information than what is minimally required when the container is in the accumulation area. Call the Michigan State Police Motor Carrier Division at 517-336-6580 or US DOT at 800-467-4922 for which placards to have and for more transportation information.

  ☑ Failing to have appropriate US DOT placards available for transporters is a common violation.

- Submit land disposal restriction forms (LDR), also called land ban, to the TSD facility with the initial shipment of that hazardous waste. LDRs are only required for hazardous waste shipments. Most TSD facilities will provide the form(s) and help their customers complete them. Keep the LDR at least 3 years from the date of the last shipment of that waste. It is recommended to set up a filing system so the LDRs and manifests are readily available during an inspection. The optional manifest tracking form has a column to also track LDRs.

  ☑ Missing or incorrect information on LDRs, and not having LDRs on file, are common violations.

- Use a Michigan Uniform Hazardous Waste Manifest when shipping hazardous waste off-site. A SQG that has a tolling arrangement is exempt from manifesting hazardous waste but is still required to use a manifest under the liquid industrial waste regulations if the material is a liquid. Tolling arrangements are allowed if a waste is being transported off-site and reclaimed under a contractual agreement and if certain procedures are followed:

  - The contract must specify the type of waste and frequency of shipments, and the SQG must keep the contract on-site at least three years after the contract expires.
  - The vehicle used to transport the waste to the recycling facility, and deliver the regenerated material back to the generator, must be owned and operated by the reclaimer.
  - The SQG must meet the LDR requirements. Keep a copy of the notification and certification on-site at least three years after the contract is terminated.

The TSDF and/or transporter may provide manifests and help generators complete them. If they don't, order manifests from companies listed on the MDEQ manifest website. A national manifest system will be implemented in late 2006 and the described manifest requirements may change. Information will be posted on the Internet at www.michigan.gov/deqwaste when available.

For questions about the US DOT descriptions listed on the manifest, contact the Michigan State Police Motor Carrier Division at 517-336-6580 or US DOT at 800-467-4922.
Keep copies of the manifests received from the designated facility which received the waste, where they are readily available for review and inspection for a period of three years from date of shipment. The optional manifest tracking form and flow chart may help organize manifest record keeping. You may also use the Waste Data System to confirm that the business and the TSDF has submitted the hazardous waste manifests to MDEQ.

- Submit copy of the manifest to the MDEQ by the 10th of the following month after the shipment is made to: MDEQ WHMD, PO Box 30038, Lansing, Michigan, 48909.
- If the hazardous waste is being shipped out-of-state and the receiving state requires a specific manifest, use that required manifest. If the out-of-state TSDF does not submit a copy of the manifest with the third signature to the MDEQ, the generator must submit a copy to the WHMD to the address listed above.
- If the hazardous waste is being shipped out-of-state and the receiving state does not require a specific manifest, use a Michigan Uniform Hazardous Waste Manifest and comply with normal distribution procedures and also make sure a copy of the manifest signed by the out-of-state TSD facility is submitted to WHMD. Some TSD facilities are providing that service to their customers, but it is the business’ responsibility to make sure a copy has been submitted.
- If the business does not receive a copy of the manifest with the signature from the designated TSD facility within 60 days of the shipment date, submit an exception report to the above address. Include the following:
  1. A legible copy of the manifest.
  2. Summary of attempts of trying to track down the manifest or shipment.

- If exporting hazardous waste internationally, there are additional requirements. See R 299.9309 and R 299.9310.

Failing to submit copies to the MDEQ, especially when shipping waste to out of state TSDFs; using wrong site identification number; and not meeting record retention requirements are common manifest violations.

6. Meet Emergency Planning and Response, and Employee Training Requirements

- Follow standards for "Preparedness and Prevention," in case of fire, explosion, or a release of hazardous waste. [See rule R299.9306(4)(e) and 40 CFR 262.34(d)(4), 265 Subpart C]
  i. Maintain and operate the business to minimize the possibility of fire, explosion or release of hazardous waste.
  ii. Equip the business with the following, and test and maintain the equipment:
     ♦ Internal communication or alarm system for emergency instructions to the business's personnel.
     ♦ Devices such as telephones, two-way radios capable of summoning emergency assistance from local police, fire and emergency response teams.
     ♦ Portable fire extinguishers, fire control equipment, including special extinguishing equipment, spill control equipment and decontamination equipment. Look at the product MSDS for suggested emergency response equipment.
     ♦ Adequate volume of foam and/or water for fire control to supply hoses, automatic sprinklers, or water spray systems.
  iii. Make arrangements with local police, fire department, hospitals, and hired response companies. Arrangements consist of sending a diagram or discussing the layout of the business, access roads, evacuation routes, and submitting to local hospitals the possible types of injuries or illnesses resulting from hazardous waste on-site. If local authorities decline the agreement, the owner or operator must document that refusal. It is recommended you keep photocopies of the cover letter or other documentation of submitting this information. If you make verbal arrangements, document who you spoke with and the date.

Failing to make arrangements with fire department, police, hospitals, local emergency planning committees, etc., is a common violation.
Follow the standards set for "Contingency Plan" in case of fire, explosion or release of a hazardous waste [See rule R 299.9306(4)(f)-(l); 40 CFR 262.34(d)(5)]

a. Have an emergency coordinator available at all times. There must be one employee who is on-site or on call with the responsibility for coordinating all emergency response. It is recommended to have alternative coordinators available to cover when the emergency coordinator is not available (e.g. sick or on vacation).

b. Post the following information next to the phone. Call 800-662-9278 to obtain a self adhesive emergency poster or download the template. The
   1. Name and phone number of the emergency coordinator.
   2. The location of fire extinguishers and spill control material, fire alarms, P.A. system, etc.
   3. The telephone number of the fire department unless the business has a direct alarm.

   *Missing, outdated, or incomplete emergency information by telephones are common violations.*

c. Train employees with proper waste handling and emergency procedures relevant to their responsibilities during the business's operations and emergencies. It is recommended to keep training records, but not required for a SQG. HAZWOPER training is not the same as hazardous waste training. Employees must have training specific to the type of hazardous waste they are responsible for or will be handling.

d. The waste regulations require you to report releases if there is a fire, explosion, or other release of hazardous waste, or hazardous waste constituents, that could threaten human health or the environment, or if the generator has knowledge that a spill has reached surface water or groundwater. Immediately notify the department's Pollution Emergency Alerting System (PEAS) at 800-292-4706. The notification must include all of the following information and there is an optional Spill or Release Report form to help organize the information:
   1. The name and telephone number of the person who is reporting the incident.
   2. The business name, address, telephone number, and Michigan site identification number.
   3. The date, time, and type of incident.
   4. The name and quantity of the material or materials involved and released.
   5. The extent of injuries if any.
   6. The estimated quantity and disposition of recovered materials from the incident, if any.
   7. An assessment of actual or potential hazards to human health or the environment.
   8. The immediate response action taken.

   A business may also be subject to other regulations that require release reporting, such as Part 201, federal CERCLA, etc.

A SQG must cleanup all releases of hazardous waste including contaminated soil as soon as practical. Either the Remediation and Redevelopment Division or the Waste and Hazardous Materials Division will oversee the cleanup. See the Part 201 and cleanup information from the Remediation and Redevelopment Division and discuss specific requirements with the MDEQ District Office. Also see EPA Clu-In for hazardous waste cleanup information.

For more emergency planning and response information, see the following:

- [Michigan State Police Emergency Management Division guidance](#) and possibly attend their training or another training provider’s sessions.
- [MIOSHA standards](#) regarding emergency plans, fire exits, fire equipment, evacuation routes, personal protective equipment, etc. Or call the Department of Labor and Economic Growth, Consultation Education and Training Division, at 517-322-1809 for assistance with meeting MIOSHA health and safety requirements.
- [MDEQ environmental planning website](#). Facilities are encouraged to prepare an Integrated Contingency Plan (ICP) if subject to several regulations that require emergency plans.
- [Emergency preparedness links](#) from the National Institute for Occupational Safety and Health
### 7. WHMD District Hazardous Waste Staff

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<tr>
<td>Saginaw Bay</td>
<td>Arenac Huron Osceola Ogemaw Saginaw</td>
<td>Trisha Peters DEQ WHMD</td>
<td>989-686-8025 ext 8204</td>
<td><a href="mailto:peterst@michigan.gov">peterst@michigan.gov</a></td>
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<td>Jenny Bennett DEQ WHMD</td>
<td>989-705-3421</td>
<td><a href="mailto:bennettjl@michigan.gov">bennettjl@michigan.gov</a></td>
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<td>Cadillac</td>
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<td>Dale DeKraker DEQ WHMD</td>
<td>616.356.0228</td>
<td><a href="mailto:dekraked@michigan.gov">dekraked@michigan.gov</a></td>
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<td></td>
<td>Alpena Kalkaska Oldsmeanty</td>
<td>Reed Sneller DEQ WHMD</td>
<td>616.356.0232</td>
<td><a href="mailto:snellerr@michigan.gov">snellerr@michigan.gov</a></td>
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<td>Barry Mecosta Newaygo</td>
<td>Bill Yocum Bryan Grochowski DEQ WHMD</td>
<td>517-335-6218</td>
<td><a href="mailto:yocumw@michigan.gov">yocumw@michigan.gov</a></td>
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<td>Ionia Montcalm Oceana</td>
<td>517-335-6203</td>
<td><a href="mailto:grochowb@michigan.gov">grochowb@michigan.gov</a></td>
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<td>Nadine Deak</td>
<td>269.567.3592</td>
<td><a href="mailto:deakn@michigan.gov">deakn@michigan.gov</a></td>
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<td>Clinton Ingham Eaton Lapeer Genesee Livingston Gratiot</td>
<td>Bill Yocum Bryan Grochowski DEQ WHMD</td>
<td>517-335-6218</td>
<td><a href="mailto:yocumw@michigan.gov">yocumw@michigan.gov</a></td>
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<td>Eaton Lapeer Genesee Livingston</td>
<td>517-335-6203</td>
<td><a href="mailto:grochowb@michigan.gov">grochowb@michigan.gov</a></td>
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<td>Southeast Michigan</td>
<td>Macomb Oakland St. Clair Wayne</td>
<td>Jeanette Noechel</td>
<td>586-753-3846</td>
<td><a href="mailto:noechelj@michigan.gov">noechelj@michigan.gov</a></td>
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<td>Oakland St. Clair Wayne</td>
<td>Jim Day</td>
<td>586-753-3735</td>
<td><a href="mailto:dayja@michigan.gov">dayja@michigan.gov</a></td>
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<td>St. Clair Wayne</td>
<td>Larry AuBuchon</td>
<td>586-753-3840</td>
<td><a href="mailto:aubuchol@michigan.gov">aubuchol@michigan.gov</a></td>
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<td>Wayne</td>
<td>Lynne King</td>
<td>586-753-3842</td>
<td><a href="mailto:kinglk@michigan.gov">kinglk@michigan.gov</a></td>
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<td>Mark Daniels</td>
<td>586-753-3841</td>
<td><a href="mailto:danielsm@michigan.gov">danielsm@michigan.gov</a></td>
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<td>Mike Busse</td>
<td>586-753-3839</td>
<td><a href="mailto:bussem@michigan.gov">bussem@michigan.gov</a></td>
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<td>Tom Sampson</td>
<td>586-753-3849</td>
<td><a href="mailto:sampsont@michigan.gov">sampsont@michigan.gov</a></td>
</tr>
<tr>
<td>Upper Peninsula</td>
<td>Alger Gogebic Mackinac Marquette</td>
<td>Hank Switzer DEQ WHMD</td>
<td>906.346.8526</td>
<td><a href="mailto:switzerl@michigan.gov">switzerl@michigan.gov</a></td>
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This guidance was revised January 2006 by the Environmental Science and Services Division in conjunction with the Waste and Hazardous Materials Division. Regulations are subject to change. Reliance on information from this document is not usable as a defense in any enforcement action or litigation. Refer to the regulations and discuss your requirements with the regulating agency, or contact the Environmental Assistance Center at 800-662-9278 for referral.

The Michigan Department of Environmental Quality (MDEQ) will not discriminate against any individual or group on the basis of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. Questions or concerns should be directed to the MDEQ Office of Personnel Services, PO Box 30473, Lansing, MI 48909.