INTRODUCTION

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Materials Management Division oversees hazardous waste handling across Michigan to ensure it is managed properly and in a manner that protects public health and our environment. Hazardous waste includes both characteristic and listed hazardous wastes as defined Part 111, Hazardous Waste Management, of the Michigan Natural Resources and Environmental Protection Act, 1994 PA 451 (NREPA), as amended, the Part 111 rules (see Identification and Listing of Hazardous Waste), the corresponding regulations found in the federal Resource Conservation and Recovery Act (RCRA) 40 CFR Part 261, and as summarized in the Waste Characterization guidance.

This guidance 1) provides the definition of a very small quantity generator (VSQG) of hazardous waste; 2) summarizes the VSQG requirements found under Rule 304 of Part 111 rules; 3) summarizes the VSQG episodic generator requirements found under Rule 316 of the Part 111 rules; and 4) summarizes the requirements that apply to VSQG liquids (liquid hazardous waste) under Part 121, Liquid Industrial By-Products, of the NREPA.

VSQG HAZARDOUS WASTE DEFINITION

A VSQG generates less than or equal to the following amounts of hazardous waste in a calendar month:

- 100 kilogram (kg) (approximately 220 pounds) of non-acute hazardous waste or roughly 25 gallons or less depending on the density of the hazardous waste;
- 1 kg (approximately 2.2 pounds) of acute hazardous waste;
- 1 kg (approximately 2.2 pounds) of severely toxic hazardous waste; and
- 100 kg (approximately 220 pounds) of any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous waste or severely toxic hazardous waste.

NOTE: Acute hazardous wastes include P-listed wastes in Table 205a in the Part 111 rules and wastes that have an (H) in the hazard code column to the right of the waste description in Table 203a in the Part 111 rules. Severely toxic hazardous wastes have an “S” in their waste number and are listed in Table 202 in the Part 111 rules.

When evaluating a site’s hazardous waste generator category, generators must count all of the hazardous waste generated across the entire site. Generators should not count hazardous waste managed to meet the universal waste requirements, used oil being recycled, or other non-hazardous liquid industrial by-products. For more information about managing those materials, see the Universal Waste, Used Oil and Liquid Industrial By-Products Generator guidance documents.
VSQG WASTE EXEMPTIONS

VSQGs may mix their hazardous waste with nonhazardous wastes. This mixture is exempt from being counted if the resulting mixture does not exhibit a characteristic. If the resulting mixture exhibits a characteristic of hazardous waste, the resultant mixture is a newly generated hazardous waste and must be counted. VSQGs may also mix hazardous waste with used oil and manage the mixture as used oil with the exception of a mixture of used oil and halogenated hazardous waste.

Hazardous waste that is managed as part of an episodic event in compliance with Part 111 is also exempt from being counted. Episodic events are discussed further in this document.

VSQG HAZARDOUS WASTE ACCUMULATION LIMITS

FSQGs do not have accumulation time limits; however, they do have the following accumulation quantity limits:

- **Nonacute hazardous waste:** If a VSQG accumulates > 1,000 kg of nonacute hazardous waste, the VSQG must manage the waste under the conditions for a small quantity generator (SQG). The beginning of the 180/270-day accumulation time limit begins when onsite accumulation equals or exceeds 1,000 kg of nonacute hazardous waste.
  
  If a VSQG accumulates > 6,000 kg of nonacute hazardous waste, the VSQG does not meet the exemption and is an unlicensed storage site.

- **Acute or severely toxic hazardous waste:** If a VSQG accumulates > 1 kg of acute or severely toxic hazardous waste, the VSQG must manage the waste under the conditions for a large quantity generator (LQG). The beginning of the 90-day accumulation time limit begins when onsite accumulation exceeds 1 kg.

- **Cleanup residues from spills of acute hazardous waste:** If a VSQG accumulates > 100 kg of cleanup residue from spills of acute hazardous waste, the VSQG must manage the waste under the conditions for a Large Quantity Generator (LQG). The beginning of the 90-day accumulation time limit is when onsite accumulation exceeds 100 kg.

Generator accumulation beyond the SQG or LQG timelines require a hazardous waste storage license. See the [Summary of Hazardous Waste Generator Accumulation Requirements](#) for details on the additional requirements SQGs and LQGs must meet.

VSQG CHARACTERIZATION AND ACCUMULATION REQUIREMENTS

VSQGs are required to comply with the following characterization and accumulation requirements:

- **Characterize** all waste streams and keep records of the determination for at least three years. The generator may determine if the waste meets one or more of the characteristics of hazardous waste by applying knowledge and/or testing the waste.

- **Maintain** information to support the VSQG monthly generator status determination for at least three years.

- **Accumulate** the VSQG hazardous waste in containers or tanks that are in good condition, compatible with the waste, kept closed except when adding or removing waste, and free of any liquids or residues on the exterior of the containers and tanks.

- **Label** each container or tank of hazardous waste with a description of the waste. Examples include “used oil,” “spent antifreeze,” “paint waste,” or “spent solvent.”

- **Accumulate** the VSQG hazardous waste in an area that is protected from weather, fire, physical damage, and vandals and in a manner that prevents hazardous waste or hazardous waste constituents from escaping, directly or indirectly, into soil, surface water, groundwater, drains, or sewers and so that fugitive emissions do not violate the air pollution control regulations under Part 55 of the NREPA.

- **Ensure** no hazardous wastes with free liquids are landfilled.
VSQG HAZARDOUS WASTE DISPOSAL OPTIONS

A VSQG can treat or dispose of its hazardous waste in an on-site facility, if authorized under the NREPA, or it can ensure delivery to an off-site treatment, storage, or disposal facility that is one of the following:

1. A Michigan facility licensed under Part 111 for that waste type or be operating under R 299.9502(3), (4), or (5).

2. An out-of-state facility authorized to manage hazardous waste by the state under a hazardous waste management program that is approved under 40 CFR Part 271.

3. An out-of-state facility permitted or licensed under 40 CFR Part 270.


5. A Michigan facility that stores or treats the waste and that is in compliance with the applicable requirements of Parts 31, 55, 115, and 121 of the NREPA.

6. A Michigan facility that disposes of the waste and that is in compliance with the applicable requirements of Parts 31, 55, 115, and 121 of the NREPA.

7. An out-of-state facility that is permitted, licensed, or registered by that state to manage municipal waste that, if managed in a municipal waste landfill, is subject to 40 CFR Part 258.

8. An out-of-state facility that is permitted, licensed, or registered by that state to manage nonmunicipal waste that, if managed in a nonmunicipal waste disposal unit after the effective date of these rules, is subject to 40 CFR 257.5 to 257.30.

9. A facility that beneficially uses or reuses, or legitimately recycles or reclams, the waste or treats the waste before the beneficial use or reuse or legitimate recycling or reclamation.

10. An off-site publicly owned treatment works, if the waste is in compliance with all federal, state, and local pretreatment requirements and, if the waste is shipped by vehicle, the conditions of R 299.9503(3)(b) are met.

11. For universal waste that is managed under Rule 228, a universal waste handler or universal waste destination facility.

12. An LQG under the control of the same person as the VSQG. Control means the company has the power to direct the policies of the generator, whether by the ownership of stock, voting rights, or otherwise. Contractors who operate generator facilities on behalf of a different person are not considered to "control" the generators.

Note: VSQGs are exempt from the land disposal restriction regulations when sending their waste to one of the treatment, storage, or disposal options listed above.

VSQG TRANSPORT AND SHIPPING REQUIREMENTS

When shipping VSQG liquids in Michigan, VSQGs must use a permitted and registered liquid industrial by-products transporter or self-transport the VSQG liquids safely in accordance with any United States Department of Transportation (US DOT) requirements that apply if the VSQG liquids were generated by the owner/operator transporting the waste and came from equipment that the owner/operator owns.
The VSQG is required to document the transport of VSQG liquids using a shipping document that includes the:

- VSQG name
- VSQG address
- Transporter name
- Type and volume of VSQG liquids shipped.
- Date the VSQG liquids were shipped.
- Receiving facility name.
- Receiving facility address
- Receiving facility Site ID Number

Both the VSQG and the transporter must certify the shipping document verifying the information is accurate. Both the VSQG and transporter must maintain a copy of the shipping document for at least three years from the date of shipment. The receiving facility must notify the VSQG within a reasonable period of time that it received the shipment documented on the shipping document from the transporter. A record of the receiving facility notification must be maintained by the VSQG and the receiving facility for at least three years from the date of shipment.

For more information on documenting VSQG shipments, see the Liquid Industrial By-Products Generator guidance and Liquid Industrial By-Products Frequently Asked Questions. Shipping documentation is not required for disposal of VSQG solid hazardous waste. However, shipping documents are recommended for VSQG solids to verify proper handling and disposal and for tracking any LQG consolidation activities. If VSQG solid hazardous waste are disposed of at a landfill, the VSQG must maintain the landfill waste profile approval as part of the waste characterization record to verify the landfill disposal was a legitimate disposal option for the VSQG solid hazardous waste.

**CONTROLLING LQG CONSOLIDATION OF VSQG WASTE**

When an LQG and a VSQG are under the control of the same person, the VSQG can send its hazardous waste to the LQG for consolidation and disposal as a hazardous waste. When using this option, the VSQG must:

- **Characterize** all waste streams and keep record of the determination for at least three years. Records obtained in this determination may include analysis results, material safety data sheets, waste profile approval from a landfill, or other documentation such as product information from a supplier or manufacturer.
- Maintain information to support the VSQG monthly generator status determination for at least three years.
- Mark each container of hazardous waste with the words "Hazardous Waste."
- Mark each container of hazardous waste with a description of the waste or the hazardous waste number, and an indication of the hazards of the contents. The hazard indication options include marking it with the hazardous waste characteristic(s) (ignitable, toxic, corrosive, and/or reactive), the hazard communication consistent with the US DOT regulations placards, a pictogram consistent Global Harmonization Standards for worker protection, or markings consistent with the National Fire Protection Association chemical hazard labels.
- Accumulate the hazardous waste in an area protected from weather, fire, physical damage, and vandals and in a manner that prevents hazardous waste or hazardous waste constituents from escaping by gravity into the soils, directly or indirectly, into surface or groundwaters, or into drains or sewers and so that fugitive emissions do not violate the air pollution control regulations under Part 55 of the NREPA.
- Ensure no hazardous wastes with free liquids are landfilled.

When using this option, the LQG must:

- Notify EGLE of the VSQG hazardous waste consolidation activities using the Site Identification (ID) Form (EQP 5150 Form) at least 30 days prior to receiving the first shipment from the VSQG.
- Label the container with the date accumulation starts, which is the date the hazardous waste was received from the VSQG.
• If the LQG consolidates incoming hazardous waste from a VSQG with its own hazardous waste in tanks or containers or with hazardous waste from other VSQGs, the LQG must label each container or tank with the earliest date any hazardous waste was placed in the container at the LQG location.

• Maintain adequate aisle space at all times for emergency personnel to access hazardous waste.

• Maintain records for each shipment that include the following details for at least three years:
  - the VSQG name;
  - the VSQG site address;
  - a VSQG contact, phone number, and e-mail;
  - a description of the hazardous waste received; and
  - the quantity and the date the hazardous waste was received.

• Manage consolidated waste as fully regulated LQG hazardous waste.

• Send the VSQG waste for final treatment or disposal at a licensed hazardous waste treatment, storage, or disposal facility within 90 days of the accumulation date.

• Use a permitted and licensed hazardous waste transporter.

• Document shipment for disposal on a Uniform Hazardous Waste Manifest.

• Report in the LQG’s Biennial Report the types and quantities of hazardous wastes it has received from participating VSQGs. A different source code is used for the VSQG consolidated waste to distinguish from the LQG’s own generated hazardous waste.

VSQG waste can be mixed with LQG waste or other VSQG waste as long as the wastes are compatible, it is managed to meet Rule 307 LQG exemption, and the consolidation (treatment) is performed to meet Rule 503(1)(i) generator treatment exemption. When VSQG waste is mixed with LQG waste or other VSQG waste, the 90-day waste accumulation clock starts on the earliest accumulation date for all of the waste that is consolidated.

There is no accumulation limit for how much waste can be consolidated at an LQG from VSQGs that they control. There are no quantity limitations to be eligible for shipments from the VSQG, but the VSQG must stay within its own accumulation and generation limits. If the VSQG and the LQG are in different states, both states must have adopted the consolidation provision for the activity to be authorized. If the hazardous waste is transported through states other than the VSQG and LQG home states, check to see if there are additional requirements in the other transit states to be sure all requirements are met for transport.

Note: VSQGs are not required to use a Uniform Hazardous Waste Manifest when sending the waste for consolidation to a LQG under the control of the same person. This does not eliminate the need to comply with US DOT requirements. Any shipment of hazardous waste that meets the definition of a hazardous material would be subject to US DOT’s packaging, marking, labeling, placarding, and shipping paper requirements. See VSQG transport and shipments section above for additional transport and shipping details for VSQG shipments.

VSQG REQUIREMENTS FOR PLANNED AND UNPLANNED EPISODIC EVENTS

A VSQG can maintain their existing generator category during a planned or unplanned episodic event if the site meets the requirements specified in Rule 316 of the Part 111 rules. VSQGs are limited to one episodic event per calendar year; however, the generator may petition EGLE for a second episodic event. The second episodic event cannot be the same as the first episodic event (if the first event in the calendar year was planned, the second must be unplanned and vice versa). To maintain VSQG status during an episodic event, the VSQG must comply with the following, in addition to the VSQG requirements listed above:

- Notify EGLE of a planned episodic event at least 30 calendar days before the event using the Site ID Form. The notification must include the start date and end date of the episodic event, the reason(s) for the
event, types and estimated quantities of hazardous waste expected to be generated as a result of the episodic event, and shall identify a facility contact and emergency coordinator with 24-hour telephone access to discuss the notification submittal or respond to an emergency.

- Notify EGLE by phone, email, or fax within 72 hours of an unplanned episodic event, followed by written notification of the unplanned episodic event using the Michigan Site ID Form. The notification must include the start date and end date of the episodic event, the reason(s) for the event, types and estimated quantities of hazardous waste expected to be generated as a result of the episodic event, and shall identify a facility contact and emergency coordinator with 24-hour telephone access to discuss the notification submittal or respond to an emergency.

- Obtain a Site ID which is issued in response to submittal of the Site ID form.

- Accumulate hazardous waste in containers or tanks, not on drip pads or containment buildings.

- Containers and tanks must be in good condition and compatible with the hazardous waste therein.

- When accumulating hazardous waste in containers, the container must be marked or labeled with:
  - the words “Episodic Hazardous Waste,”
  - the hazardous waste number,
  - an indication of the hazards associated with the waste that could include marking it with the hazardous waste characteristic(s) (ignitable, toxic, corrosive, and/or reactive), the hazard communication consistent with the US DOT regulations placards, a pictogram consistent Global Harmonization Standard for worker protection, or markings consistent with the National Fire Protection Association chemical hazard labels, and
  - the date upon which the episodic event began.

- If the quantity of hazardous waste accumulated onsite ever exceeds 1,000 kilograms, accumulate the hazardous waste containers in an area that complies with the containment requirements of 40 CFR 264.175 and inspect the area weekly for leaks.

- When accumulating hazardous waste in tank(s), the hazardous waste tanks must be marked or labeled with the words "Episodic Hazardous Waste" and an indication of the hazards associated with the waste. Examples include:
  - marking it with the hazardous waste characteristic(s) (ignitable, toxic, corrosive, and/or reactive);
  - marking it using hazard communication consistent with the US DOT regulations placards;
  - a pictogram consistent Global Harmonization Standard for worker protection; or
  - markings consistent with the National Fire Protection Association chemical hazard labels.

- When accumulating hazardous waste in tank(s), the generator must use inventory logs, monitoring equipment, or other records to identify the date upon which each episodic event begins and keep the records on-site and readily available for inspection.

- Tanks must be inspected at least once each operating day to ensure all applicable discharge control equipment, such as waste feed cutoff systems, bypass systems, and drainage systems are in good working order and to ensure the tank is operated according to its design by reviewing the data gathered from monitoring equipment such as pressure and temperature gauges from the inspection.

- When accumulating hazardous waste in tank(s), ensure the tank(s) have full secondary containment and a leak detection system to alert personnel to leaks, or implement established workplace practices to ensure leaks are promptly identified.

- When accumulating hazardous waste in a tank(s), use inventory logs, monitoring equipment, or other records to identify the date upon which each episodic event begins and keep the records onsite and readily available for inspection.
• Manage the hazardous waste 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 which could threaten human health or the environment.

• Send the episodic hazardous waste for treatment, storage and/or disposal within 60 days of the start of the episodic event to a licensed hazardous waste disposal facility using a Uniform Hazardous Waste Manifest.

• Maintain the following records of the VSQG episodic event for at least three years from the end of the episodic event:
  o The beginning and end dates of the episodic event.
  o A description of the episodic event.
  o The types and quantities of hazardous wastes generated during the event.
  o A description of how the hazardous waste was managed and the name of the hazardous waste designated facility that received the hazardous waste.
  o The name(s) of hazardous waste transporters.
  o An approval letter from EGLE, if the generator petitioned for a second event in the calendar year.

**VSQG Best Management Practices**

VSQGs should ensure there is sufficient aisle space for emergency response staff and equipment to respond to an emergency. Generally, one clear aisle at least 3 feet wide is needed to access the hazardous waste accumulation area. Secondary containment for VSQG hazardous waste is also recommended. This helps prevent spills and costly clean-up activities and enhances worker protection. Although VSQGs are not required to have an emergency response plan and procedures under the waste regulations, VSQGs may be subject to other emergency planning regulations depending on the amount of chemicals and oil storage capacity at the site.

If an environmental emergency occurs, use the following for reporting the event:

- EGLE, Pollution Emergency Alert System (PEAS) at 800-292-4706 (within Michigan) or 517-373-7660 (outside Michigan).
- Local emergency responders at 911.
- The U.S. Environmental Protection Agency, National Response Center at 800-424-8802.

If a release does occur, VSQGs must cleanup all releases of hazardous waste including contaminated soil as soon as practical.

VSQGs should test and maintain emergency equipment such as spill kits, fire extinguishers, and communication devices like internal alarm systems, two-way radios, etc., to ensure they will operate properly in the event of an emergency. An emergency coordinator should be available at all times who can assist with evacuation and responding to an emergency. Consider using the EGLE posting near key areas for staff to use in the event of an emergency. And, be sure all staff are trained on the procedures for responding to an emergency. For more details on emergency response planning, see the Contingency Plan and Emergency Response Procedures for Large Quantity Generators.
ADDITIONAL RESOURCES

To learn more, consider the following:


To find disposal options, search online using any search engine, see the list of vendors that assist with the collection of household hazardous waste, or contact your local household hazardous waste coordinator. For additional assistance from EGLE staff, contact the Environmental Assistance Center at 800-662-9278 or [EGLE-Assist@Michigan.gov](mailto:EGLE-Assist@Michigan.gov) and ask them for hazardous waste program staff in your county.

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