

# Hazardous Waste Connection

Compliance Information for Generators in Kansas

Spring 2011

Vol. 11, No. 1

## INSIDE

Director's Comments.....	2
New Generator Classification System .....	3
Compliance Assistance Visits.....	3
Contacts .....	4

## Updated Hazardous Waste Regulations are in Effect

by Rebecca Wenner, Bureau of Waste Management

As of April 29, Kansas has an updated set of Hazardous Waste Regulations. While the “new” hazardous waste regulations look very different than they previously did, the actual requirements that generators must comply with have changed very little. Contact KDHE for a complete copy of the new regulations or check online at [www.kdheks.gov/waste](http://www.kdheks.gov/waste). The following list is not all inclusive, but is a summary of the changes that may affect you:

- Adopting new Federal Regulations (CFRs) through 2006 (Yellow copy) – This does not include the new definition of solid waste.
- Numbering system – the new regulations have a completely new numbering system.
- Generator classification changes, including new definitions, classes, and names (see table in this newsletter)
- New regulations for generators of between 55 and 220 lbs per month of hazardous waste:
  - Monthly rather than weekly inspections (also includes generators of 0 to 55 lbs)
  - Ability to take hazardous waste to a household hazardous waste facility permitted to manage business waste (also includes generators of 0 to 55 lbs)
  - Requirement to train employees within 6 months of hire followed by recurrent annual training with documentation of all training (more stringent than previous requirements)
  - Accumulation of 2,200 pounds or more of hazardous waste on-site will cause them to become a small quantity generator
  - New option for posting preparedness and prevention information when the facility has no land line and is dependent on cell phones

(Continued on Page 3)

Hazardous Waste Connection  
Kansas Department of Health & Environment



Prepared and Distributed by  
Bureau of Waste Management

Direct inquires and opinions to:  
KDHE – BWM  
Hazardous Waste Connection  
1000 SW Jackson  
Suite 320  
Topeka, KS 66612-1366

For subscription information:  
email: [bwm\\_web@kdheks.gov](mailto:bwm_web@kdheks.gov)

[www.kdheks.gov](http://www.kdheks.gov)  
[www.kdheks.gov/waste](http://www.kdheks.gov/waste)

*KDHE Mission*  
As the state's environmental protection and public health agency, KDHE promotes responsible choices to protect the health and environment for all Kansans.

## Hazardous Waste Assistance

by Jim Rudeen, Bureau of Waste Management

Kansas Department of Health and Environment (KDHE) recognizes that it can be difficult to read and fully understand the hazardous waste regulations, even if you have years of environmental compliance experience. That is why KDHE has historically developed tools to assist generators in maintaining compliance. Over the past few months, we have revised our existing compliance tools to conform to our updated regulations and developed new tools where we saw a need. These outreach tools come in several forms including: posters, technical guidance documents, policies, example forms, and other documents. In the past, we created a compact disk (CD) containing most of these items. As we finish revising these items, we will make an updated CD available. As these tools are completed, they will be available on our website or by request. Here are a few tools you can access to help stay in compliance:

**Posters:** Two posters are available, one for satellite accumulation container management and one for storage container management. Our goal with the posters is to give a visual aid to facilities to help with the day-to-day management of containers.

(Continued on Page 2)



## Director's Comments

by Bill Bider, Director, Bureau of Waste Management

Do you struggle to keep up with the environmental regulations that are applicable to your facility? If you do, you are certainly not alone, and if you are reading this newsletter, that is a good sign. It means you care enough to learn new things and your efforts are likely to yield good results. Kansas Department of Health and Environment recognizes that hazardous waste rules are complex, so we try to help waste generators and handlers gain a better understanding of the regulations. As pointed out in this newsletter, we have several tools which are designed to improve understanding and compliance. I want to strongly encourage you to take advantage of these compliance tools including a Compliance Assistance Visit (CAV) if you are eligible. Even if you are not eligible, you can call our regional or Topeka offices to simply discuss your questions and uncertainties. You should not fear harsh enforcement is likely to occur if you call us, even if we learn that you are doing something wrong. Instead, we will work with you to fix your self-identified problem. We are seeking "compliance" in order to protect the environment and safety of workers, not enforcement and penalties.

## Hazardous Waste Assistance *(Continued from Page 1)*

**Policy Positions:** Policies are developed for many reasons including clarification of discrepancies in federal and state regulations, KDHE's interpretations of complex regulations, and clarification of responsibilities between parties.

**Technical Guidance Documents:** (TGDs) are developed to provide easy to understand explanations of the regulations. We have revised all existing TGDs for the updated regulations and have developed several new ones. New TGDs include counting of waste when using a recycling unit, how to make and document hazardous waste determinations, and the definition of listed and characteristic hazardous wastes.

**Forms/Recordkeeping:** KDHE frequently cites recordkeeping violations for inadequate or missing documents/forms. We have developed several example forms over the years to assist the regulated community in maintaining compliance with recordkeeping requirements. Available forms include weekly/monthly inspection forms, training documentation forms, hazardous waste determination documentation forms, emergency information posting (LQG and SQG), and a sample job description (LQG).

**Checklists/Guidelines:** Other available documents include copies of the checklists used by KDHE inspectors, the Hazardous Waste Generator Handbook, and the Training/Compliance Manual. The Hazardous Waste Generator Handbook is a useful guide for all generator sizes that provides an overview of applicable requirements. The Training/Compliance Manual is designed for KSQGs and SQGs to make and document their hazardous waste determinations, maintain appropriate records, and train their employees on hazardous waste management.

KDHE also provides **Compliance Assistance Visits** (CAVs) to hazardous waste generators that have never been inspected or haven't been inspected in a long time. More information on CAVs is available in this issue.

Another often overlooked resource is the staff at KDHE in both the district offices and the central office in Topeka. Our staff is knowledgeable about all aspects of the hazardous waste regulations. They can serve as a free resource to assist in answering all questions about regulatory compliance. They can be reached by telephone, e-mail, or anonymously through our website. In our view, a facility that is asking questions about how to be in compliance is the least likely to be in need of an inspection because they are obviously taking steps to ensure that they are in compliance.

### Have Questions or Need More Information?

Recordkeeping forms and checklists/guidelines: [http://www.kdheks.gov/waste/forms\\_hazwaste.html](http://www.kdheks.gov/waste/forms_hazwaste.html).

Policies: [http://www.kdheks.gov/waste/p\\_policies.html](http://www.kdheks.gov/waste/p_policies.html)

Technical Guidance Documents: [http://www.kdheks.gov/waste/p\\_techguides.html](http://www.kdheks.gov/waste/p_techguides.html)

To request a poster, email [bwmweb@kdheks.gov](mailto:bwmweb@kdheks.gov) (specify which poster you are requesting)

More information:  
Jim Rudeen - 785-296-1603  
[jrudeen@kdheks.gov](mailto:jrudeen@kdheks.gov)  
Rebecca Wenner - 785-296-1604  
[rwenner@kdheks.gov](mailto:rwenner@kdheks.gov)

# New Generator Classification System Now in Effect



One of the most noticeable changes to the regulations is how Kansas Department of Health and Environment defines generators and the new name for each generator class. We previously had three generator classes, the Small Quantity Generator, Kansas Generator, and EPA Generator. Under the new regulations, we now have four generator classes: Conditionally Exempt Small Quantity Generator (CESQG), Kansas Small Quantity Generator (KSQG), Small Quantity Generator (SQG), and Large Quantity Generator (LQG). The names of our generator classes were changed to more closely match the federal terms of CESQG, SQG, and LQG. The following table summarizes the changes in terminology.

Generators	Old (Current) Kansas Generator Classification	New (Proposed) Kansas Generator Classification	Federal (EPA)
Generators of less than 25 kg (55 lbs) of hazardous waste/month	Kansas small quantity generator	Conditionally exempt small quantity generator (CESQG)	Conditionally-exempt small quantity generator (CESQG)
Generators of 25 kg (55 lbs) or more but no more than 100 kg/month		Kansas small quantity generator (KSQG)	
Generators of greater than 100 kg (220 lbs) but less than 1,000 kg (2,200 lbs) of hazardous waste/month	Kansas generator	Small quantity generator (SQG)	Small quantity generator (SQG)
Generators of 1,000 kg (2,200 lbs) or more of hazardous waste/month	EPA generator	Large quantity generator (LQG)	Large quantity generator (LQG)

## Updated Hazardous Waste Regulations

(Continued from Page 1)

- New regulations for generators of between 220 and 2,200 lbs per month:
  - Requirement to train employees within 6 months of hire followed by recurrent annual training with documentation of all training
  - Waste storage time limit of 180 days (or 270 when shipping waste more than 200 miles)
  - Allowed to accumulate up to 13,200 lbs (6,000 kg) on-site
  - Accumulation of 13,200 lbs or more of waste or exceeding time limit will cause them to become an unpermitted treatment, storage, and disposal facility (TSDF).
  - New option for posting preparedness and prevention information when the facility has no land line and is dependent on cell phones
- 60-day time limit to update Notification of Regulated Waste Activity form when information changes.
- Commercial Chemical Product is defined to help distinguish between waste and product.

The majority of requirements for generators are **NOT** changing, including:

- Basic container management requirements (labeling, dating, condition, closure, etc.)
- Acute hazardous waste (P-List) requirements
- Used oil requirements
- Universal waste requirements
- Recordkeeping
- Manifests
- Annual monitoring fees

## Compliance Assistance Visits now Available

The Bureau of Waste Management has recently implemented a Compliance Assistance Visit (CAV) program for waste generators and other waste management facilities to help facilities assess their compliance status. This program is especially helpful for businesses that have new management or new regulatory compliance staff.

Participation in the CAV program is voluntary and shields companies from random compliance inspections as long as all compliance concerns have been corrected.

The following website is available to parties wishing to receive a CAV: <https://www.dhe.state.ks.us/Community/se.ashx?s=11B9BDC96159C137>.

For additional information on the CAV policy visit [http://www.kdheks.gov/waste/policies/BWM\\_10-01\\_Compl\\_Asst\\_Visits.pdf](http://www.kdheks.gov/waste/policies/BWM_10-01_Compl_Asst_Visits.pdf).





PRSRT STD  
U.S. Postage Paid  
Topeka, Kansas  
Permit No. 157

**Bureau of Waste Management**  
1000 SW Jackson, Ste 320  
Topeka, Kansas 66612-1366

264-21

**ADDRESS SERVICE REQUESTED**

## Contacts

### Hazardous waste generator issues

Rebecca Wenner 785-296-1604 [rwenner@kdheks.gov](mailto:rwenner@kdheks.gov)  
Jim Rudeen 785-296-1603 [jrudeen@kdheks.gov](mailto:jrudeen@kdheks.gov)

### Special waste disposal

Tony Guy 785-296-0681 [tguy@kdheks.gov](mailto:tguy@kdheks.gov)

### Hazardous waste transporter registration

Sarah Fulton 785-296-0005 [sfulton@kdheks.gov](mailto:sfulton@kdheks.gov)

### Hazardous waste permitting

Mostafa Kamal 785-296-1609 [mkamal@kdheks.gov](mailto:mkamal@kdheks.gov)

### Groundwater monitoring

Brad Roberts 785-296-5639 [broberts@kdheks.gov](mailto:broberts@kdheks.gov)

### Bureau Director

Bill Bider 785-296-1612 [wbider@kdheks.gov](mailto:wbider@kdheks.gov)

### District Offices

North Central District - Salina	785-827-9639
Northeast District - Lawrence	785-842-4600
Northwest District - Hays	785-625-5663
South Central District - Wichita	316-337-6020
Southeast District - Chanute	620-431-2390
Southwest District - Dodge City	620-225-0596
Satellite Office - Ulysses	620-356-1075



Kansas Department of Health and Environment  
Bureau of Waste Management  
1000 SW Jackson, Suite 320 Topeka, KS 66612-1366  
Ph 785-296-1600 or 1-800-282-9790 Fax 785-296-8909  
[www.kdheks.gov/waste](http://www.kdheks.gov/waste) [www.kansasdontspoilit.com](http://www.kansasdontspoilit.com)