

November, 2018

HAZARDOUS WASTE GENERATOR IMPROVEMENTS RULE

The recently promulgated EPA Hazardous Waste Generator Improvements Rule contains a provision that allows a Very Small Quantity Generator (VSQG) to send its hazardous waste to a Large Quantity Generator (LQG) that is under the control of the same person. The two limiting factors are “VSQG to LQG” and “under the control of the same person.” The prior rule on hazardous waste was not as explicit in terms of constraining hazardous waste transfer. There was a degree of ambiguity as to what practices were allowed. The ambiguity has now been eliminated (only hazardous waste facilities termed Treatment, Storage and Disposal Facilities with Part A and Part B RCRA permits are allowed to accept hazardous waste from others, except as prescribed by the above limited provision).

“Person” is defined in Sec. 260.10 to mean an individual, trust, firm, joint stock company, federal agency, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of a state or any interstate body. “Under the control of the same person” means the power to direct the policies of the generator, whether by the ownership of stock, voting rights, or otherwise, except that contractors who operate as generators on behalf of a different person shall not be deemed to “control” such generators. **In effect, the VSQG to LQG provision only works for transfer between entities within the same corporation.**

Historically, the EPA and its state counterparts (such as the California EPA) aggressively pursue violators of hazardous waste regulations according them a high priority for civil, and often times, criminal prosecution. It’s essential that each location review its waste management practices to ensure they are in conformance with the regulations. Please contact David Templeman at david.templeman@cbs.com or 412-642-5055.

Protect Yourself and Others During Flu Season

- Get vaccinated! Vaccination is the most important way to prevent the spread of the flu.
- Stay at home if you are sick. The CDC recommends that workers who have a fever and respiratory symptoms stay at home until 24 hours after their fever ends.
- Wash your hands frequently with soap and water for 20 seconds or use an alcohol-based hand rub if soap and water are not available.
- Avoid touching your nose, mouth, and eyes.
- Cover your coughs and sneezes with a tissue, or cough and sneeze into your upper sleeve(s).
- Wash your hands after coughing, sneezing, or blowing your nose.
- Keep frequently touched common surfaces (e.g., telephones, computer equipment, etc.) clean.
- Try not to use a coworker's phone, desk, office, computer, or other work tools and equipment.
- Avoid shaking hands or coming in close contact with co-workers and others who may be ill.
- Stay in shape. Eat a healthy diet. Get plenty of rest, exercise, and relaxation.