

Hazardous Waste Documentation Retention: What Do You Need to Keep, and for How Long?

FROM OUR EXPERTS

Jennifer Mester, CHMM, on maintaining and retaining hazardous waste documentation



In order to remain in compliance with hazardous waste regulations, many facilities that generate hazardous waste need to keep records relating to their waste generation and disposal for at least three years.

But what does that mean for the day-to-day hazardous waste operations of your facility? Our Compliance Program Manager, Jennifer Mester, answers all your questions about waste documentation, including which facilities must comply, what you need to keep, and for how long.

What is your generator category and how do the regulations apply to you?

Facilities that are classified as Small Quantity Generators (SQGs) and Large Quantity Generators (LQGs) need to retain all waste generation and disposal records (40 CFR sections 262.11(f), 262.40, 262.44, and 268.7).

If your facility is classified as a Very Small Quantity Generator (VSQG), the regulations do not specifically say that you need to retain hazardous waste documentation. However, VSQGs are required to properly identify their hazardous wastes and ensure delivery to an approved TSDF. They would need to maintain any documentation to prove this, but they do not fall under the record retention regulations for SQGs and LQGs.

FEDERAL GENERATOR CATEGORY	GENERATION	STORAGE
Very Small Quantity Generator (VSQG)	Less than 100 kg (220 lb) of hazardous waste generation and less than 1 kg (2.2 lb) of acute hazardous waste generation per calendar month	Less than 1,000 kg (2,200 lb) of hazardous waste storage and less than 1 kg (2.2 lb) of acute hazardous waste storage at any one time
Small Quantity Generator (SQG)	Between 100 kg (220 lb) and 1,000 kg (2,220 lb) of hazardous waste generation and less than 1 kg (2.2 lb) of acute hazardous waste generation per calendar month	Between 1,000 kg (2,200 lb) and 6,000 kg (13,200 lb) of hazardous waste storage and less than 1 kg (2.2 lb) of acute hazardous waste storage at any one time
Large Quantity Generator (LSQG)	More than 1,000 kg (2,200 lbs) of hazardous waste generation or more than 1 kg (2.2 lb) of acute hazardous waste generation per calendar month	Exceeds 6,000 kg (13,200 lbs) of hazardous waste storage or 1 kg (2.2 lb) of acute hazardous waste storage at any one time

What documents do you need to keep?

Facilities need to keep records that prove that their waste was properly characterized. They also need to maintain records that support their status classification (e.g. as SQGs or LQGs), and final disposal of the hazardous waste.

Specifically, this includes the following documents:

- **Characterization Information for Each Wastestream** (this could include lab analysis, documented process knowledge, SDSs, or other information used to make the waste characterization)
- **Waste Profile**
- **Generation Records**
- **Manifests** (including return copies from TSDFs)
- **Land Disposal Restrictions**
- **Inspection Records**
- **Training Records**
- **Biennial/Annual/Quarterly Reports**

If regulations require it, your facility must also maintain a **Contingency Plan**, and ensure it's kept up to date to reflect the current conditions of your facility.

How long do you need to keep the documents?

Federal regulations require all documents to be maintained for three years. However, states with authorized hazardous waste programs can require documentation to be maintained for longer. For example, Maine requires generators to maintain their hazardous waste documents for ten years! Be sure to check your state regulations to ensure compliance over the long term.

What format should documentation take?

You can maintain the required documentation in paper or digital format — it's up to you. All that regulators require is that the information is kept up-to-date and accessible. You'll need to be able to present any of the documents listed above if the EPA or a state regulatory agency requests it during a scheduled inspection or an unplanned visit or data request.

Hazardous vs. Non-Hazardous Waste

Here's a tip: If your facility generates hazardous waste, your waste documentation shouldn't stop at hazardous materials. In fact, you're required to characterize all wastes generated at the facility, and you must maintain documentation to prove that your non-hazardous waste is indeed not hazardous. Regulators can ask for characterization information on all types of waste, so it's important to keep rigorous and up-to-date documentation about all of your waste.

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