



IDAHO
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QUALITY

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Counting Spent Solvents to Determine Hazardous Waste Generator Status

Generator Responsibility

A solid waste generator, as defined in 40 CFR 261.1 and 261.2, must determine if the solid waste is a regulated hazardous waste under the State of Idaho Hazardous Waste Management Act/Federal Resource Conservation and Recovery Act (RCRA). A generator must then determine the facility's generator status by totaling the amount of regulated hazardous waste generated in a calendar month and accumulated in excess of the accumulation quantities under 40 CFR 262.13-262.14 and 262.16-262.17.

Generators fall into three categories:

- Very small quantity generator (VSQG)—220 lb generated each month or 2,200 lb accumulated on site
- Small quantity generator (SQG)—Between 220 lb and 2,200 lb generated each calendar month or 13,200 lb accumulated on site
- Large quantity generator (LQG)—2,200 lb generated each month or 13,200 lb accumulated on site

Generation and accumulation of acutely hazardous waste (AHW) for a facility's generator status are not covered in this document.

Spent Solvents

One type of solid waste is a spent material defined in 40 CFR 261.1(c)(1): "A 'spent material' is any material that has been used and as a result of contamination can no longer serve the purpose for which it was produced without processing."

Spent material may be recycled for reuse either at the facility or off site. Spent solvent is one common type of solid waste generated by a variety of industries. If the spent solvent meets the definition of a regulated hazardous waste under 40 CFR 261.3 as either listed and/or characteristic, the facility must count the spent solvent toward the facility's generator status.

How to Count Spent Solvents for On-Site Recycling

Scenario A

A facility does not recycle a regulated spent solvent on site but disposes or recycles off site. The entire amount of spent solvent generated is counted in the facility's generator status.

Scenario B

A facility accumulates spent solvent prior to recycling.

Because of accumulation prior to recycling, the spent solvent becomes subject to the applicable requirements of 40 CFR 262.14–262.17, and the entire amount of spent solvent must be counted toward the facility's generator status.

The still bottoms or sludge from the recycling process **should not** be counted because the spent solvent has already been counted once when generated and accumulated.

Once the spent solvent is recycled, the usable solvent is no longer regulated as a hazardous waste but is managed as a product.

If a solvent is recycled more than once in a calendar month and accumulated prior to each recycling, the amount of accumulated spent solvent must be counted each time and added toward the facility's generator status. The still bottoms or sludge from each recycling process **should not** be counted because the spent solvent has already been counted once per each generation and accumulation.

Scenario C

A facility does not accumulate spent solvent prior to recycling. Spent solvent is recycled on a continuous or daily basis, within 24 hours of generation. The State of Idaho has determined 24 hours as the allowable time limit for accumulation of spent materials prior to the recycling process to allow for continuous or batch recycling on a daily basis. Only the amount of still bottoms generated from the recycling process must be counted toward the facility's generator status. Because the spent solvent is recycled on a daily basis, the total spent solvent is not required and **should not** be counted toward the facility's generator status.

If a solvent is spent and recycled more than once in a calendar month without accumulation prior to each recycling, the amount of still bottoms or sludge must be counted each time and added toward the facility's generator status. The total amount of spent solvent entering each recycling process **should not** be counted each recycling process.

A more detailed description of counting spent material and recycled hazardous waste is found in Federal Register Vol. 51, No. 56, Monday, March 24, 1986.

For More Information

Contact the Idaho Department of Environmental Quality Hazardous Waste Unit at (208) 373-0502 or your nearest regional office:

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