

HW Newsletter

Hazardous Materials Program
Waste Management and Prevention Division
Department of Environmental Conservation

MAY 2025



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SQGs: Update Your Notification

If you are a small quantity generator (SQG) of hazardous waste, please be aware that you must update your notification by September 1, 2025. “Notification” is not a new concept—the requirement for all hazardous waste generators, transporters, and permitted facilities to notify Vermont DEC and receive an EPA ID Number has long been established in the [Vermont Hazardous Waste Management Regulations \(VHWMR\)](#). We have also always required handlers to submit a corrected notification form if facility information changes. However, the requirement to update your notification on a recurring interval is relatively new, and the method for notifying has evolved from submitting a paper form to taking action online.

Per § 7-304(b)(1) of the VHWMR, SQGs must update their notification by September 1, 2025, and every four years thereafter. The ensuing deadline is September 1, 2029. This

requirement was established when the VHWMR were last revised and came into effect February 1, 2022. To be clear, this is required even if your information is current and changes are necessary—by renotifying, you are certifying that the information for your facility is accurate.

Updated notifications must be completed and submitted online. As we discussed in the previous issue of the newsletter, with the new hazardous waste manifest rule (the “final Third Rule”) now in effect, SQGs/LQGs are now *required* to have an account in the U.S. Environmental Protection Agency (EPA) RCRAInfo system. Hazardous waste handlers utilize their RCRAInfo account to access hazardous waste manifests in the e-Manifest system. In addition, they use their account to update their notification by revising (if applicable), signing, and submitting EPA Form 8700-12.

“...SQGs must update their notification by September 1, 2025, and every four years thereafter.”

Note that if you are an SQG and you have updated and re-signed your notification following the February 1, 2022, effective date of the regulations, you do *not* need to do an additional update in order to meet the requirement (unless your facility information needs to be updated). If you are an LQG, you must update your notification by March 1 of each even-numbered year (next due in 2026), and this is accomplished by submitting the biennial report. If you are a VSQG, be aware that while you *are* required to notify as a generator of hazardous waste, you do not need to update your notification on a recurring basis. If the information for your VSQG facility changes, you are required to renotify in order to update the information. Please refer to our webpage on [EPA Site Identification Numbers](#) for more information on RCRAInfo and EPA Form 8700-12. If you have questions about updating your notification, please contact Wendy Edwards (802- 522-0261, wendy.edwards@vermont.gov). •

Observations from the Field

In the first issue of the calendar year, we like to provide a summary of the violations observed over the course of the prior federal fiscal year (FFY). We are continuing the tradition here with an overview of what was observed throughout FFY 2024, which ran from October 1, 2023, through September 30, 2024.

THE BIG PICTURE

The program completed a total of 76 inspections in FFY 2024. The large majority of field visits involved compliance evaluation inspections (CEIs). We also conducted several compliance assistance visits (CAVs), as well as a few focused compliance inspections and follow-up inspections. To learn more about the different types of visits we conduct and to access related resources, refer to our [Hazardous Waste Inspections](#) webpage.

In the summer of 2024, as was the case in 2023, significant flooding occurred across Vermont. Some of our hazardous waste inspectors also work in the DEC Spills Program, and they were tasked with managing additional work related to the flooding. Nevertheless, the Program managed to complete 64 CEIs (henceforth referred to as “inspections” in this article) in FFY 2024. Of these inspections, 14% involved large quantity generators (LQGs) and/or treatment, storage, and disposal facilities (TSDFs); 28% involved small quantity generators (SQGs), and the remaining 58% involved very small quantity generators (VSQGs).

Table 1: Most Common Violations Observed in FFY 2024

37%	SQGs/LQGs did not follow requirements for emergency arrangements (not applicable to VSQGs).
22%	SQGs/LQGs did not comply with standards for short-term storage areas (STSAs) (not applicable to VSQGs).
20%	Generators did not properly label containers of hazardous waste.
9%	Generators did not properly manage universal waste.

We are pleased to share that for a second year in a row, there were zero referrals to DEC's Environmental Enforcement Office for formal prosecution based on last year's inspections. However, in 44% of inspections, at least one instance of non-compliance with the VHWMR was observed; these facilities received a notice of alleged violation (NOAV). This figure is down slightly when compared to FFY 2023, where 48% of facilities inspected were issued an NOAV.

What follows is an overview of the most common areas of violations that our hazardous waste inspectors observed over the course of the inspection year (see Table 1 on previous page). Notably, these were the most common types of violations for FFY 2024 and previously for FFY 2023. Our hope is that by flagging these requirements and referring to related guidance materials, hazardous waste generators will be better able to achieve and maintain compliance. Please be aware that the requirements discussed below are summarized for inclusion in this newsletter; you should always refer to the regulations for comprehensive requirements.

EMERGENCY PREPAREDNESS AND PREVENTION (SQGs/LQGs)

All hazardous waste generators are required to conduct hazardous waste management operations in a manner that minimizes the possibility of fire, explosion, or a release of hazardous materials. While VSQGs are not held to standards beyond this basic requirement, SQGs/LQGs must take additional steps in the area of emergency preparedness and prevention. However, of all SQGs/LQGs inspected last year, 37% were in violation of at least one aspect of the emergency-related requirements established in [Subchapter 3](#) of the VHWMR. This has been a common area of violations for the previous couple of years for both SQGs and LQGs. The requirements are specific to generator category, and with this in mind we developed the [Emergency Preparedness and Prevention - SQGs](#) fact sheet and the [Emergency Preparedness and Prevention - LQGs](#) fact sheet. We encourage you to review these resources to remain aware of the requirements that apply to your facility.

“For both SQGs and LQGs, common violations related to making emergency arrangements with local police and fire departments, emergency response contractors, and local hospitals.”

The most common violation for SQGs involved the requirement to post emergency information, including the contact information for emergency coordinator(s) and the location of fire extinguishers and spill control material. For LQGs, the most common violation pertained to the requirement to maintain a contingency plan that includes a quick reference guide and is provided to

local emergency responders. For both SQGs and LQGs, common violations related to making emergency arrangements with local police and fire departments, emergency response contractors, and local hospitals. Please refer to the fact sheet mentioned above for additional details on what is required and how to achieve compliance.

STANDARDS FOR SHORT-TERM STORAGE AREAS (SQGs/LQGs)

SQGs/LQGs are required to meet specific standards for their short-term storage areas (STSAs) regarding design, operation, inspections, security, and container management. These standards are established in § 7-311 of Subchapter 3. VSQGs are not required to maintain STSAs. Of all SQGs/LQGs inspected, 22% were out of compliance with at least one standard related to their STSA(s).

The most common violations we observed in this area throughout the last inspection year related to inventory and inspection. SQGs/LQGs must maintain an inventory of each container of hazardous waste they currently have in storage, and they need to keep this inventory in an area away from the STSA. The STSA must also be inspected at least once every seven days. If the generator is managing waste according to “shift accumulation” standards (this is very uncommon), they must conduct inspections daily. In either case, inspections must be documented in a log, and records for the past three years must be retained.

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Other common violations related to having proper signage (e.g., “Danger” and “No Smoking”) placed in the STSA that is visible from 25 feet. There are also requirements specific to labeling containers of hazardous waste that are located in an STSA; refer to the next section for additional context. For more information on proper STSA management, please refer to the fact sheet on [Accumulation and Storage of Hazardous Waste](#).

LABELING CONTAINERS OF HAZARDOUS WASTE

One of the most common areas of non-compliance involved hazardous waste container labeling. Requirements for proper labeling apply to all generator categories (VSQG, SQG, and LQG), and 20% of all inspected facilities were issued at least one violation in this area.

The requirements for labeling containers of hazardous waste are established in Subchapter 3 of the VHWMR. VSQGs have relatively limited requirements in this area; they need to label such containers with the words, “Hazardous Waste” and other words that identify the contents. 11% of VSQG facilities were in violation of this requirement throughout last year’s inspections.

During the last inspection year, one out of every three (33%) SQG/LQG facilities was issued a violation related to requirements for labeling hazardous waste. For these generators, the requirements for labeling depend on whether containers are being used for accumulation or storage. The requirements for labeling *satellite accumulation* containers differ from those for *accumulation containers placed within*

STSAs, which are in turn different from those that apply to containers temporarily *storing hazardous waste placed in STSAs*. SQGs/LQGs also have limits for how long they may store hazardous waste onsite, standards for operating their STSAs as previously mentioned, and other requirements that pertain to the management of containers. With this in mind, it is critical that container labels are in line with how the containers are used onsite. In addition to proper STSA management, the fact sheet mentioned in the preceding section of this article sheds further light on how to properly mark containers of hazardous waste.

It's worth mentioning that containers that are being used for holding used oil, universal waste, hazardous waste pharmaceuticals, or other exempt wastes (e.g., antifreeze, contaminated wipes) must be appropriately labeled—these containers should not be labeled as “hazardous waste”. For example, 5% of all facilities inspected did not properly mark containers of used oil as “Used Oil”, and they received a violation as a result. Similarly, containers holding universal waste must be labeled to indicate their contents (e.g., “universal waste batteries”). The next section of this article expands on the management of universal waste. For more guidance on managing containers of used oil, hazardous waste pharmaceuticals, or exempt wastes, refer to the webpage linked at the very end of this article.

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UNIVERSAL WASTE STANDARDS

Universal wastes including but not limited to thermostats, mercury-containing lamps, postconsumer paint, and aerosol cans may be managed according to the alternative management standards established in [Subchapter 9](#). If these standards are not followed, such waste is regulated as hazardous waste. Of all facilities inspected in the last inspection year, 9% received a violation for mismanaging universal waste.

The most common violation we observed regarding universal waste was the requirement for generators to demonstrate the length of time that universal waste has been accumulating onsite. This is typically achieved by placing the universal waste in a container and marking the container with the earliest date that any universal waste in the container became a waste (i.e., dating with the “first drop”); using a log or an electronic tracking form are also acceptable approaches. Universal waste must be shipped offsite within one year of being generated—unless more than one year is necessary for proper recovery, treatment, or disposal of the waste, in which case the generator must prove the additional time is

necessary. Refer to the fact sheet on [Universal Waste](#) for an overview of these broad requirements that apply to all categories of this type of waste.

Broadly speaking, we have observed that many facilities have moved away from fluorescent lighting in favor of LEDs, which are not regulated under the VHWMR. That being said, of all issued violations related to universal waste, 71% were specific to mercury-containing lamps. When managing universal waste lamps, generators must ensure that containers are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Generators typically retain the original box for storage purposes. Containers must remain closed, and once full, they must be sealed with tape; they may not be stacked higher than five feet. As alluded to in the previous section, containers must be labeled with one of the following phrases: "Universal Waste-Lamps", "Waste Lamps", or "Used Lamps".

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RESOURCES

As noted elsewhere in this issue, guidance on a variety of topics is available via our [Resources for Hazardous Waste Handlers](#) webpage. Also, please be aware that we offer compliance assistance visits (CAVs) to the regulated community on an ongoing basis. The purpose of CAVs is to assist hazardous waste handlers with following regulatory requirements, and with this in mind, we offer this type of visit without the risk of enforcement. CAVs typically include a review of a facility's hazardous waste documents; a walkthrough of areas where hazardous waste is generated and stored; and post-inspection follow-up with directives for returning to compliance, if applicable. We completed a total of 10 CAVs in the previous inspection year. In our experience, these visits enable facilities to discuss any issues or questions they have regarding the VHWMR, and they often result in a return to compliance with the regulations. Please contact us using the information at the end of this newsletter if you are interested in a CAV, and we will work to get you on the schedule. Be aware, particularly if you are an LQG or TSDF, that a CAV cannot substitute for an inspection; CAVs are offered in addition to other inspections conducted by the Program. ●

Keep an Eye Out

We use this recurring section of the newsletter to keep you aware of upcoming deadlines and other important information. Please make note of the following:

ANNUAL HAZARDOUS WASTE GENERATOR REGISTRATION FEES

We want to thank all hazardous waste generators that paid their annual registration fee by April 30,

2025. We took a different approach this year as far as communicating the deadline. Rather than send thousands of hard-copy letters via mail, we distributed reminders via email to all facilities that have an email address on file in our database. One reminder went out in March, and another was sent in April. The large majority of generators have paid their fees and are in good standing.

If you did not receive a courtesy reminder on the subject, please check that your information is up to date in RCRAInfo. Generators are responsible for maintaining current contact information for their facility as it pertains to the state's hazardous waste database. See the end of previous article in this newsletter for more information on accessing and using RCRAInfo, and contact Wendy Edwards if you need assistance with updating your information (802- 522-0261, wendy.edwards@vermont.gov).

TOXIC USE AND HAZARDOUS WASTE REDUCTION (TUHWR) PLANNING

We would like to thank all TUHWR planners that submitted their annual progress reports and fee payments by the March 31, 2025, deadline. Please be aware that the final round of deliverables for the current three-year planning cycle will be due March 31, 2026, and as is customary, we will distribute a reminder to this effect around the turn of the next calendar year. Planners should also note that a new three-year cycle begins in 2026. This means that either a Complete Plan, Plan Summary, or EMS Alternative Application is due by July 1, 2026. We will be sure to use this newsletter and other forms of outreach to keep you aware of deadlines.

As a reminder, all TUHWR forms and information are accessible on the [TUHWR webpage](#). For additional context, TUHWR planning is required by statute ([10 V.S.A. §§ 6623-6633](#)) for facilities that use toxic substances and/or generate hazardous waste beyond specific thresholds. Planning is intended to provide those facilities with a summary of their toxics use and hazardous waste generation and to facilitate the consideration of alternatives. If you are unsure whether your facility is required to plan, or if you have further questions, please contact us using the information at the end of this newsletter.

COMPLIANCE ASSISTANCE VISITS (CAVs)

Please be aware that hazardous waste generators may request a CAV at any time. The primary goal of CAVs is to assist generators with following requirements of the VHWMR, and we offer them without the risk of enforcement. Our Program's approach is flexible, and the areas of focus can be adjusted based on the needs of the facility. Read the end of the "Observations from the Field" article earlier in this newsletter for additional context. If you are interested in a CAV at your facility, please contact us using the information at the end of this newsletter. ●

New Guidance Resources

Our [Resources for Hazardous Waste Handlers](#) webpage includes links to guidebooks, fact sheets,

webinar recordings, and more. If you have not already done so, we encourage you to bookmark the page as a reference. Below are a few resources that we have posted on our website since the last issue of the newsletter was distributed. We will continue to add new information when it becomes available.

FACT SHEETS

Salvage Yards - This fact sheet assists salvage yard operators with understanding and following the VHWMR by providing an overview of the standards for container management and the requirements for managing wastes that are common for this type of generator.

Underground Storage Tank (UST) Facilities - This fact sheet is targeted at facilities that store gasoline, diesel, kerosene, or other petroleum products or hazardous materials in USTs; and outlines the VHWMR requirements for managing waste generated through conducting hydrostatic testing of containment sumps. ●

FOR MORE INFORMATION PLEASE CONTACT:

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<https://dec.vermont.gov/waste-management/hazardous>