

Proper hazardous waste storage and management can help your shop pass inspections with ease, save time and money by avoiding fines, keep your shop safe, reduce health risks for your workers, and protect your community's environment. The following information is an explanation of the regulations concerning hazardous waste transportation and disposal divided into sections based on what you and your workers may find in auto body shops and auto repair shops.

EPA RCRA Regulations

Hazardous wastes are regulated by the U.S. Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (MassDEP) under the [Resource Conservation and Recovery Act \(RCRA\)](#) if they are **ignitable, corrosive, reactive, or toxic**, or if they are included on a list of hazardous wastes. While many of your wastes are easily identified as hazardous, such as used solvents, there are other materials, like dust from sanding or used filters and rags that may be hazardous because they contain hazardous substances. If you are uncertain whether your shop should manage a substance as hazardous waste, it is preferable to consult an expert or perform testing through a [MassDEP certified laboratory](#) than to take a chance. Businesses that generate hazardous waste are responsible for that waste from cradle-to-grave.

How to Begin

Understand how the regulations work

MassDEP has produced a useful [guide for Small Quantity Hazardous Waste Generators](#). The EPA has also created a [RCRA regulation overview](#) and a [User Friendly Overview of Hazardous Waste](#).

Identify your hazardous wastes

Ask your vendor if any products you use are listed as hazardous waste by [EPA under RCRA](#) or by MassDEP under [310 CMR 30.131-30.135](#). You may have to look at the chemicals listed in the links above and compare them with the Safety Data Sheets (SDS) for each chemical you use. Any waste that contains a listed waste is hazardous (the complete mixture). Your best option is to discuss this with your supplier who may already have this information.

Evaluate whether you have [characteristic wastes](#), which are defined as ignitable, reactive, corrosive and toxic.

If you have a mixed waste that includes multiple products and chemicals (a paint mixture, for example), and are unsure whether or not to manage the substance as hazardous waste, send out a sample to a [MassDEP certified laboratory](#) that performs Toxicity Characteristic Leaching Procedure (TCLP test). That test will inform your shop how to handle the substance. You should keep all TCLP test data in your files, and will only be required to retest if the manufacturer changes the formula or you business starts using a different product.

Quantify how much waste you generate in a month

That will determine your generator status.

Your shop will have different reporting, storage, and transportation requirements based on how much waste is generated per month. Most auto shops are either a Very Small Quantity Generator (VSQG) or a Small Quantity Generator (SQG), and a very small percentage of shops are Large Quantity Generators (LQG). It is important to note that shops may have a separate generator status for hazardous wastes and oil based on the accumulation of each. However, the following are the generation limits for all three hazardous waste categories:

Very Small Quantity Generator (VSQG):

These businesses generate less than 220 lbs (about 27 gallons, depending on the substance) of hazardous waste and no acutely hazardous waste per month. Up to 2,200 lbs (270 gallons or about five 55 gallon drums) can be accumulated on site over any length of time. For these, there is no annual compliance fee. VSQGs can hire an approved hazardous waste management company or self-transport up to 55 gallons (one drum) of waste at a time to an approved hazardous waste management company. VSQGs can also transport waste oil to another business or location for use in a waste oil heater (for more information, see the “Waste Oil Management” fact sheet). See further transportation information below.

Small Quantity Generator (SQG):

These businesses generate between 220 and 2,200 lbs of hazardous waste and up to 2.2 lbs of acutely hazardous waste per month. This waste must be shipped by an approved hazardous waste management company within 180 days and the accumulation at your shop must always be limited to 13,200 lbs at one time.

Large Quantity Generator (LQG):

These businesses produce more than 2,200 lbs of hazardous waste or more than 2.2 lbs of acutely hazardous waste per month. They are required to ship waste by way of an approved hazardous waste management company within 90 days. Any amount of hazardous waste can be accumulated onsite as long as it is stored correctly and shipped on time.

Acutely hazardous waste

Only one kilogram (just over 2.2 lbs) of this kind of waste will place you in the LQG category, and any amount makes you an SQG, if not an LQG. Check the list at MA [310 CMR 30.136](#).

Registration with MassDEP

If your shop generates any hazardous waste, you must register with MassDEP. VSQGs and SQGs need to submit a [Hazardous Waste Generator Registration Form](#). The thresholds listed above hold true for both hazardous waste and waste oil. If your shop produces a much smaller quantity of either item, it is recommended to register separately and hold two different generator statuses.

Onsite Storage for VSQGs and SQGs

Regulations for storing hazardous waste and waste oil include requirements for the accumulation area, storage containers, and communication about the materials and nature of their associated hazards. Raw materials, and anything other than hazardous materials, may not be stored in your hazardous waste storage area. The full regulations regarding storage and transport of hazardous material by generator status can be found at [310 CMR 30.341- 353](#). The LQG and SQG businesses have more requirements

associated with onsite storage and recordkeeping. However, all generators of hazardous waste must follow the guidelines listed below.

The Storage Area Must Have:

- Clear demarcation by a visible line, tape, fence, or separate room.
- A sign posted that says “HAZARDOUS WASTE” in large capital letters.
- Protection against unauthorized entry. This includes placing the hazardous waste area in the “employees only” zone of your shop.
- Containers that sit on a surface free of cracks or gaps and are impervious to the hazardous wastes being stored and away from floor drains.
- Outdoor storage areas also require secondary containment in the form of a berm or other containment structure that can capture spills or leaks. If any spills do occur, these need to be promptly cleaned up as a hazardous spill. See the “Spill Prevention and Cleanup” fact sheet for more information on clean-up methods and reportable spill quantities.
- Pallets on which to place the waste if containers are stacked.
- Drums that can be viewed from all sides to ensure their integrity.
- Emergency information posted by the phone closest to hazardous waste storage area.
- Only hazardous waste within its borders.

Hazardous Waste Containers Must:

- Be clearly labeled with the words - “HAZARDOUS WASTE,” the name of the individual waste – Example: “SOLVENTS,” and the type of hazard – Examples include “TOXIC, IGNITABLE, etc.”
- Be clearly labeled with the date on which accumulation began (day, month, year) if your shop produces between 220 and 2,200 lbs of hazardous waste per month (applicable to a SQG generator status rather than a VSQG).
- Contain only like types of waste. Do not mix oil waste with other types of waste.
- Be cleaned before filling and kept tightly sealed at all times. This prevents the mixing of incompatible wastes.
- Be inspected weekly to ensure continued good condition.

Transportation and Recordkeeping for VSQGs and SQGs

Regardless of your shop’s generator status, MassDEP inspectors look for clear records of hazardous waste accumulation and transportation information.

Manifests

All generators of hazardous waste (except VSQGs that self-transport and keep those records, see below) are required to retain their manifests that include detailed transportation information and accumulation quantities and dates. These manifests must be kept for three years. For information on manifests, see EPA's [Hazardous Waste Manifest System](#).

Self-Transport Requirements for VSQGs

- VSQGs can transport no more than one 55 gallon drum at a time and may only transport wastes generated on their premises.
- Transport only compatible wastes.
- The wastes must be transported in properly sealed and labeled containers (see the labeling requirements above) that are secured to the vehicle.
- Your shop must also meet the shipping requirements of MassDOT and the Department of Public Safety.
- There must be a copy of your shop's generator registration in the vehicle.
- You must transport to a waste hauler willing to accept wastes that are self-hauled.
- In lieu of keeping shipping manifests, VSQG self-transporters must keep records of the quantities transported, dates, the destination of the waste, and the proofs of receipt of the waste by the facility or generator.

In the event of a spill or leak while transporting hazardous waste, call the MassDEP Emergency Response Line at (888) 304-1133.

Find Additional Information

- See this MassDEP fact sheet on hazardous waste requirements for VSQG and SQG:
[A Summary of Requirements for Small Quantity Generators of Hazardous Waste](#)
- See MassDEP's page on VSQGs:
[The Very Small Quantity Generator of Hazardous Waste](#)
- See the EPA's Frequently Asked Questions page with information on e-Manifests:
[e-Manifest Frequent Questions](#)
- MassDEP puts out a list of approved transporters that is regularly updated:
[Hazardous Waste Transporters](#)
- See MassDEP's page of complete Hazardous Waste information:
[Hazardous Waste Management](#)
- See the EPA's page on Hazardous Waste Regulations:

[Hazardous Waste Regulations](#)

- If your shop is unsure whether or not a substance needs to be managed as hazardous waste (it is a blended waste such as mixed paint), here are some lists of certified laboratories:

[MassDEP certified laboratories](#)

[Laboratories That Test Hazardous Waste](#)

Note that the previous text summarizes only those MA regulations that pertain to hazardous waste management as they are likely to be relevant to auto shops. MassDEP has numerous other regulations that auto shops must comply with, most notably regulations governing management of solvents, paints (see the “Spray Painting Regulations” fact sheet), used oil (see the “Waste Oil Management” fact sheet) and regulations on industrial wastewater (see the “Wastewater Management” fact sheet).

For free and confidential technical assistance or questions, contact:

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