

Satellite Accumulation

Nevada Division of Environmental Protection (NDEP) and United States Environmental Protection Agency (EPA) hazardous waste regulations allow for “satellite accumulation” of hazardous waste (40 CFR § 262.34 (c)). This regulatory provision allows up to 55 gallons of hazardous waste (or one quart of acutely hazardous waste), to be accumulated at or near the point of generation, and up to 55 gallons of hazardous waste to be accumulated prior to the date placed on the container and accumulation time-limits begin.

This fact sheet has been prepared to explain how this regulation applies to generators in Nevada. Throughout this fact sheet the reference to 55 gallons of hazardous will be understood to also refer to the limit of one quart for acutely hazardous waste.

Conditionally Exempt Small Quantity Generators and Small Quantity Generators

Note: Some of the waste management requirements for Conditionally Exempt Small Quantity Generators (CESQG) may be less stringent than these. However, complying with these minimum management standards for Small Quantity Generators (SQG) is recommended as a responsible waste management practice.

NDEP recognizes many small quantity generators with small business locations, the central storage area for hazardous waste may be at or near the point of generation of a waste stream. Therefore, in interpreting at or near the point of generation for SQGs and CESQGs, NDEP allows satellite accumulation units to be located at the point where a waste is being generated or the satellite accumulation unit may be co-located within the central storage area.

Within 3 days of the container becoming full (55 gallons), the container must be labeled with the accumulation start date, the EPA waste code number, and moved to the central storage area. Containers must be in good condition, be compatible with the waste they contain, and be closed at all times when material is not being added or removed. The containers must be clearly labeled with the words “hazardous waste”, or a description of the material they contain (preferably both).

If more than one location is used to satellite accumulate the same or similar waste streams, justification should exist as to why both locations are necessary, particularly if more than 55 gallons of the waste stream is satellite accumulated between the two or more locations. One may never accumulate more than 55 gallons of a particular hazardous waste stream at one satellite location without a date being placed upon the container, and that container moved to the central storage area within 3 days. On a weekly basis, the satellite storage units should be inspected to ensure the units are stored closed with properly fitting lids, the labels are present and properly maintained, and the units are not leaking.

Large Quantity Generators—Permitted and Interim Status Storage Facilities

For large quantity generators (LQG) and storage facilities, satellite accumulation should be in a location at or near the point of generation of a particular waste stream and not located at the central storage area. The same storage unit management provisions as outlined above apply to LQGs, Permitted and Interim Status Storage Facilities.

If more than 55 gallons of a particular waste stream accumulate a satellite location, the date must be placed upon the container within three days. A facility should be prepared to justify the satellite location is at or near the point of generation. It is recognized that the requirement for a satellite accumulation unit to be “under the control of the process operator” may not be directly applicable to some situations; for example, contaminated wipers which are generated by a number of workers. A LQG or storage facility should be prepared, however, to show that a satellite accumulation unit is either under the control of the process operator or someone who is responsible for managing that particular waste stream.

Note: Regardless of the satellite accumulation rule, a generator is responsible for assuring that incompatible wastes are not stored near one another without being separated by means of a dike, berm, or other form of physical containment.

40 CFR § 262.34 (c)

- (1). A generator may accumulate as much as 55 gallons of hazardous waste or one quart of acutely hazardous waste listed in §261.33(e) in containers at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste. Without a permit or interim status, and without complying with paragraph (a) of this section provided he:
 - i Complies with 40 CFR §265.171, 265.172, 265.173(a) of this chapter; and
 - ii Marks his containers either with the words “hazardous waste’ or other words that identify the contents of the container.
- (2). A generator who accumulates either hazardous waste or acutely hazardous waste listed in 40 CFR § 261.33(e) in excess of the amounts listed in paragraph (c)(1) of this section, at or near the point of generation must, with respect to that amount of excess waste, comply within three days with paragraph (a) of this section or other applicable provisions of this chapter. During the three day period, the generator must continue to comply with paragraphs (c)(1)(i) through (ii) of this section. The generator must mark the container holding the excess accumulation of hazardous waste with the date the excess amount began accumulating.

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DISCLAIMER: This guidance document is intended as general information and is not provided nor intended to act as a substitute for legal advice or other professional services. BEP advises the regulated community to read all applicable regulations set forth in both US Code of Federal Regulations (Title 40 C.F.R. Parts 260-279) and the Nevada Hazardous Waste Regulations and to keep informed of all subsequent revisions or amendments to these regulations. This guidance document was developed by BEP with funding support provided by the Nevada Division of Environmental Protection.

