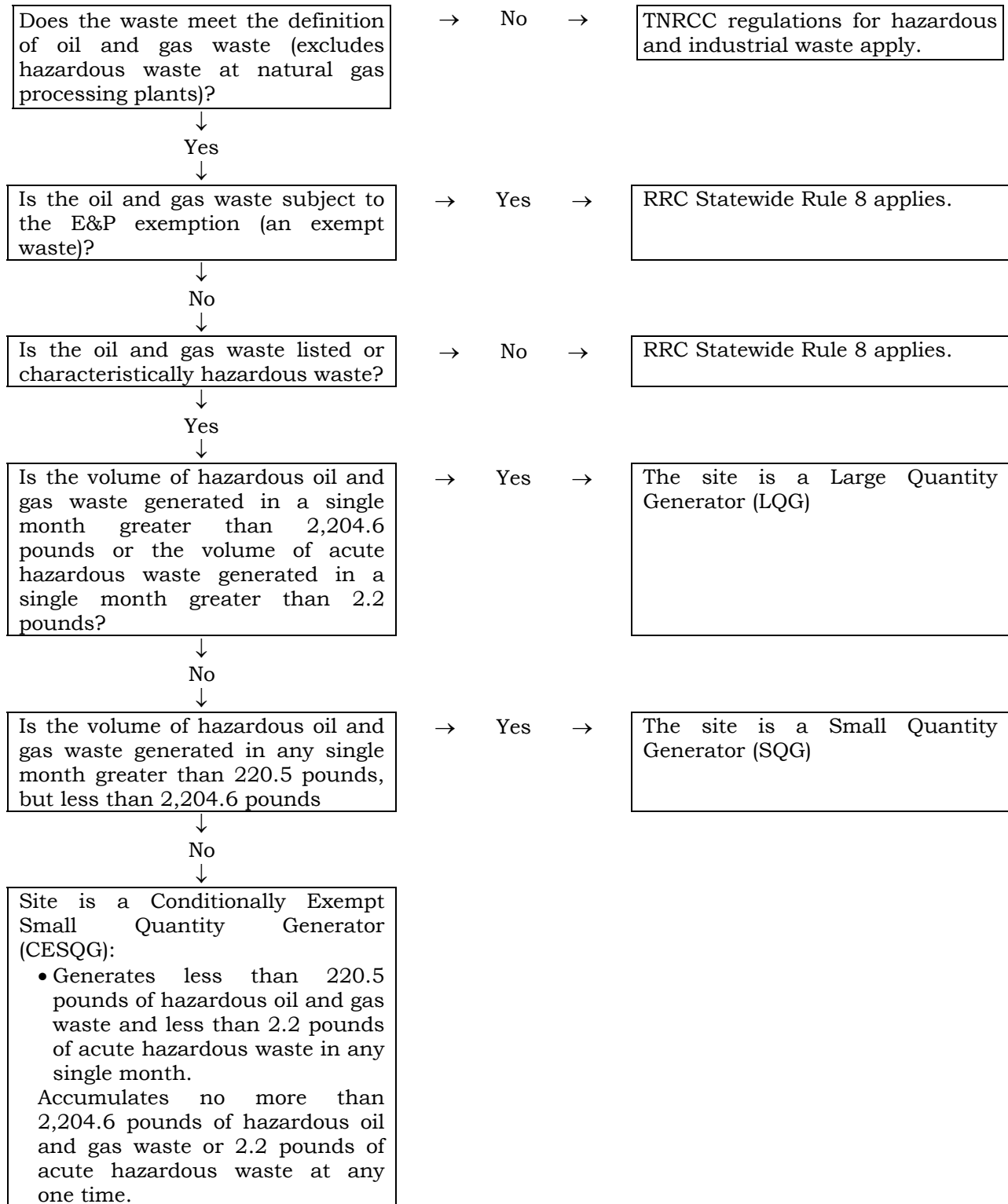


APPENDIX H

RULE 98 REQUIREMENTS CHART

**Hazardous Oil and Gas Waste Generator Classification
Decision Tree**



ACTIVITY	REQUIREMENTS UNDER RCRA		
	CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR (CESQG)	SMALL QUANTITY GENERATOR (SQG)	LARGE QUANTITY GENERATOR (LQG)
Registration	Not Required	Obtain EPA ID number, Notify RRC	Obtain EPA ID number, Notify RRC
Reporting	None	Annual	Annual
Record Retention	3 years	3 years	3 years
Accumulation Time	Indefinite	180 days (or 270 days if > 200 miles from TSD facility) 30-day Commission-granted extension	90 days 30-day Commission-granted extension
Container Standards for On-Site Accumulation	No leaks Compatible with waste Keep closed Mark "Hazardous Wastes"	No leaks Compatible with waste Keep closed and handle so as to not rupture Separate storage of incompatible wastes Mark "Hazardous Wastes" Mark date accumulation begins	No leaks Compatible with waste Keep closed and handle so as to not rupture Inspect weekly Store ignitable and reactive wastes 50' from property line Separate storage of incompatible wastes Mark "Hazardous Wastes" Mark date accumulation begins
Tank Standards for On-Site Accumulation	None (NOTE: If treating waste on-site as permitted by Rule 98, a CESQG must comply with applicable tank standards.)	Compatible with waste 2' freeboard in open tanks Automatic shut-off of continuous feed Inspect tank monitoring data, fluid level and piping daily Inspect tank construction weekly No storage of ignitable or reactive wastes w/o pretreatment No mixing of incompatible wastes Mark "Hazardous Waste" At closure, decontaminate tanks and associated equipment	Adequate design standards No leaks Secondary containment Spill/overflow protection Inspect operating systems daily Inspect cathodic protection systems annually Remove tanks unfit for use No storage of ignitable or reactive wastes w/o pretreatment No mixing of incompatible wastes Mark "Hazardous Waste" At closure, remove or decontaminate tanks and associated equipment and minimize hazards Properly dispose of contaminated media

				REQUIREMENTS UNDER RCRA		
ACTIVITY	CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR (CESQG)	SMALL QUANTITY GENERATOR (SQG)	LARGE QUANTITY GENERATOR (LQG)			
Safety	<p>Minimize risk of fire, explosion or discharge</p> <p>Proper notification of authorities as required by law, including notification of RRC when federal law requires that notice be given to the National Response Center.</p>	<p>Same as CESQG plus,</p> <p><u>Preparedness and Prevention</u></p> <ul style="list-style-type: none"> • internal communication system • phone or radio • portable fire extinguisher • alarms • adequate aisle space • arrangements with local fire and emergency response authorities <p><u>Contingency Plan and Emergency Procedures</u></p> <ul style="list-style-type: none"> • emergency coordinator • post emergency information • ensure employee familiarity with emergency equipment and procedures 	<p>Same as SQG plus,</p> <p><u>Personnel Training</u></p> <p>Meet requirements of 40 CFR '265.16</p>			
Discharge	<p>All generators must: Remove free product; clean-up to background levels or as required by the RRC; obtain an emergency TSD permit from the RRC, if necessary; Notify appropriate authorities of the discharge (e.g. notify National Response Center and RRC, if required, give notification under Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or "Superfund") if necessary).</p>					
Ultimate Disposal of Waste	<p>No on-site treatment (unless treatment is exempt from requirements of rule), storage, disposal, recycling, reclamation or burning of waste is permitted. LQGs and SQGs must transport waste to permitted TSD facility, to a recycling or reclamation facility that is regulated by the TNRCC, EPA or another state, to a burner or marketer of hazardous waste fuel (and comply with special provisions in the rule) or export out of the country (and comply with special requirements for international shipments).</p>					
Transport Preparation	<p>None</p>	<p>DOT packaging</p> <p>DOT labeling</p> <p>DOT marking</p> <p>DOT placarding</p> <p>Prepare manifest</p> <p>File manifest exception report, if necessary</p>	<p>DOT packaging</p> <p>DOT labeling</p> <p>DOT marking</p> <p>DOT placarding</p> <p>Prepare manifest</p> <p>File manifest exception report, if necessary</p>			

	REQUIREMENTS UNDER RCRA		
ACTIVITY	CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR (CESQG)	SMALL QUANTITY GENERATOR (SQG)	LARGE QUANTITY GENERATOR (LQG)
Transporter Requirements	All transporters must obtain EPA ID numbers. A transporter who is registered with either the TNRCC or the RRC and has an EPA ID number satisfies the oil and gas waste hauler provisions of SWR 8. Transporters must comply with specific manifest requirements and may deliver waste only to the facility designated on the manifest. Transporters are subject to the same discharge requirements as generators. (Note: Most transporters must also be certificated motor carriers.)		