





DEPENDING ON YOUR HAZARDOUS WASTE GENERATOR CATEGORY, YOU MAY BE ABLE TO OPT OUT OF SUBPART P PER 266.504

To determine your hazardous waste generator category:

- Very Small Quantity Generator (VSQG)
- Small Quantity Generator (SQG)
- Large Quantity Generator (LQG)
- Acute HW = P-Listed Waste
- Non-Acute HW = U - Listed or Characteristic D Codes

Generator Status	Acute HW Generated Monthly	Non-Acute HW Generated Monthly
VSQG	≤ 1 kg (and)	≤ 100 kg
SQG	< 1 kg (and)	> 100 kg and < 1000 kg
LQG	> 1 kg (or)	≥ 1000 kg

If you are a VSQG you can opt out of participating in Subpart P BUT YOU MUST:

- Determine the amount of Hazardous Waste you generate on a monthly basis
- Include any Hazardous Waste Pharmaceuticals sent to a Reverse Distributor
- Follow 40 CFR §262.14 (VSQG)

If you are a VSQG and you DO NOT opt-out of Subpart P then you have to comply with:

- EPA Notification - §266.502
- Accumulation Time Limits - §266.502 (f) & §266.501 (f)
- Training Personnel - §266.502 (b)
- Containers for Accumulation - §266.504 (a)
- Labeling Containers - §266.504 (c)
- DEA/HWP Exemption - §266.506
- Biennial Reporting - §266.503 (a)
- Rejected Shipments - §266.502 (h)
- Waste Manifest Requirements - §266.502 (h) (i) (j)
- Delivery Confirmation - §266.503 (e) (i)
- Spill Response - §266.503 (f) & §266.502 (k)
- Recordkeeping - §266.503

If you opt-out of Subpart P you must still comply with:

- Nicotine Amendment
- Send PCHW to an RD - §266.504
- Sewering Ban Rule - §266.505
- Empty Containers are now considered Non-Hazardous - §266.507

VSQG’s must send potentially creditable Hazardous Waste pharmaceuticals to an RD and non-creditable Hazardous Waste pharmaceuticals to a Hazardous Waste Disposal Facility.

If you have Potentially Creditable Hazardous Waste Pharmaceuticals that are:

- In the original manufacturer's packaging
- Prescription
- Undispensed
- Less than 1 year past expiration date

...Then, it can be sent to PharmaLink for evaluation based on the manufacturer’s return policy and credit determination.

If you have sharps, syringes, sharp/syringe combos without pharmaceuticals and medical waste...  
...Then, it must be sent to a medical waste disposal facility.

If you have non-creditable Hazardous Waste Pharmaceuticals, such as:

- Pharmaceuticals in a broken or leaking container
- Repackaged Pharmaceuticals
- Dispensed Pharmaceuticals
- Pharmaceuticals that have been expired for over one (1) year
- Investigational new drugs
- Contaminated PPE
- Floor sweepings
- Clean-up Materials

...Then, it must be sent to a TSDF (Transfer, Storage and Disposal Facility) that accepts Hazardous Waste for destruction.

IF YOU ARE A VSQG THAT OPTS IN TO PARTICIPATING IN SUBPART P, A SQG OR A LQG, YOU MUST:



NOTIFICATION

Notify the EPA you are a healthcare facility operating under Subpart P.



LABELING

Label containers storing non-creditable hazardous waste pharmaceuticals with the phrase "Hazardous Waste Pharmaceuticals."



TRAINING

Train your personnel that will be managing your non-creditable hazardous waste.



STORAGE

Maximum on-site accumulation time: One (1) year. You must have a separate accumulation area and maintain inventory of non-creditable hazardous waste.



WASTE AND WASTE STREAM DETERMINATION

Determine whether your non-creditable waste is hazardous or medical waste. If hazardous, determine which waste stream.



REPORTING

Biennial reporting is required.



CONTAINER TYPE

Store non-creditable hazardous waste in a container that will be compatible with its contents.



RECORDKEEPING

Must keep a copy of the manifest for each shipment of non-creditable hazardous waste for three (3) years.