



townhall.virginia.gov

Exempt Action Final Regulation Agency Background Document

Agency name	Waste Management Board
Virginia Administrative Code (VAC) citation(s)	9VAC20-81 (primary) 9VAC20-130 (secondary)
Regulation title(s)	Solid Waste Management Regulations (primary) Solid Waste Planning and Recycling Regulations (secondary)
Action title	Amendment to change terminology of Conditionally Exempt Small Quantity Generator (CESQG) to Very Small Quantity Generator (VSQG)
Final agency action date	December 17, 2018
Date this document prepared	December 5, 2018

While a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1 VAC7-10), and the *Virginia Register Form, Style, and Procedure Manual for Publication of Virginia Regulations*.

Brief Summary

Please provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

The amendment updates these regulations to be consistent with changes that were recently made to the Virginia Hazardous Waste Management Regulations. EPA's Hazardous Waste Generator Improvements Rule (GIR) was adopted, by the Board, as part of Annual Update 2017, Amendment 19 to the Virginia Hazardous Waste Management Regulations, 9VAC20-60. The GIR rule changed the term CESQG to "Very Small Quantity Generator (VSQG)". Under this regulatory action, 9VAC20-81 and 9VAC20-130 are being revised to reflect this new term, VSQG, utilized by the federal and state hazardous waste regulations.

In 9VAC20-81-10, the definition of CESQG is being deleted and a definition of very small quantity generator (VSQG) is being added. The term CESQG in the definition of sanitary landfill has been updated with the term VSQG.

In 9VAC20-81-95 D 14, the term CESQG has been updated with the term VSQG.

In 9VAC20-81-250 C 1 c, the term CESQG has been updated with the term VSQG.

In 9VAC20-130-10, the term CESQG in the definition of sanitary landfill has been updated with the term VSQG.

Statement of Final Agency Action

Please provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

On December 17, 2018, the Waste Management Board took final action to adopt amendments to the Solid Waste Management Regulations (9VAC20-81) and Solid Waste Planning and Recycling Regulations (9VAC20-130) and affirmed that the Board will receive, consider and respond to requests by any interested person at any time with respect to reconsideration or revision. The regulatory action will be filed as soon as possible, consistent with the Administrative Process Act.

The amendments to the regulations are exempt from the state administrative procedures for adoption of regulations by the provisions of § 2.2-4006 A 4 c of the Code of Virginia for regulations amended to meet the requirements of federal law or regulations.