



## Silver-Only Generator (CESQG)

This fact sheet summarizes the reduced regulatory requirements for “silver-only” hazardous wastes mandated by SB 2111 (Costa), Chapter 309, Statutes of 1998, Health and Safety Code (HSC) Section 25143.13. The fact sheet primarily addresses onsite generation and treatment of “silver-only” hazardous wastes as it pertains to Conditionally Exempt Small Quantity Generators (CESQG).

### Summary

SB 2111 mandates that “silver-only” hazardous wastes are to be regulated only to the extent that they are regulated under the federal Resource Conservation and Regulatory Act (RCRA). This change only applies to “silver-only” hazardous wastes. Onsite treatment of photo-imaging solutions and wastewaters will no longer be subject to Tiered Permitting authorization requirements. Generators of “silver-only” wastes continue to be considered hazardous waste generators, but are eligible for reduced management and transportation requirements.

### Key Points

- “Silver-only” hazardous wastes will be identified as hazardous due to the silver content according to the federal RCRA regulatory level of five milligrams/liter (mg/l), using the Toxicity Characteristic Leaching Procedure (TCLP) [40 CFR 261.24].
- “Silver-only” generators are still considered hazardous waste generators because they remain subject to RCRA regulatory requirements and meet the definition of “generator” [40 CFR 261 and 261.10].
- Businesses that generate no more than 100 kilograms (approximately 27 gallons or 220 pounds) per month exclusively of “silver-only” hazardous wastes are exempt from most RCRA generator requirements as Conditionally Exempt Small Quantity Generators (CESQGs) [40 CFR 261.5].
- Although subject to reduced waste management requirements, CESQGs must:
  - Determine whether their waste is “silver-only” [40 CFR 261.5(g)(1)].
  - Not accumulate onsite more than 1,000 kilograms of waste at any time [40 CFR 261.5(g)(2)].
  - Ensure that their “silver-only” hazardous waste is either recycled (reclaimed) or disposed at a facility that is permitted or otherwise authorized to manage the waste [40 CFR 261.5(g)(3)].
- CESQGs that treat photo-imaging solutions and wastewaters to remove silver will be regulated only to the extent it is regulated under RCRA, and not require California Tiered Permitting authorization.
- Sludge generated by the treatment of “silver-only” containing solutions and wastewaters, which are hazardous only for their silver content, are not considered solid waste, and therefore not hazardous waste, when reclaimed [40 CFR 261.2(c)(3)].
- CESQGs that ship silver sludge offsite for reclamation are not required to manifest the shipment or obtain an identification number. However, they must be able to provide documentation that the sludges are being reclaimed [40 CFR 261.2(f)]. Examples of acceptable documentation include contracts with refiners and/or receipts from the sludge transporter for shipments of sludge to a refiner.
- SB 2111 provisions do not affect or apply to Publicly Owned Treatment Works (POTW) waste discharge requirements established under the federal Clean Water Act or California’s Porter-Cologne Water Quality Control Act.
- Examples of businesses which generate “silver-only” hazardous wastes from photography, printing, and X-ray development wastes include:
  - One hour photo shops
  - Professional photofinishers

- Printer, graphic arts
  - Dental offices/clinics
  - Medical offices/clinics
  - Veterinary hospitals/clinics
  - Police
  - Motion picture labs
  - Hospitals
  - Chiropractic offices
  - Schools with industrial labs
  - Government agencies
- Examples of wastes that are hazardous for constituents other than silver and are not affected by provisions of SB 2111 include:
    - RCRA listed wastes from electroplating
    - Dental amalgam that contain hazardous characteristic metals
    - Corrosive cleaning/etching solution wastes

---

**Note:** This fact sheet is intended for informational purposes only and may not encompass all the laws and regulations to this topic. More details may be found at Cal/EPA Department of Toxic Substance Control: [www.dtsc.ca.gov](http://www.dtsc.ca.gov). If further information is needed, call the County of Los Angeles CUPA at (323) 890-4045, or your local district office.

#### References

- *SB 2111 (Costa), Chapter 309, Statutes of 1998*
- [Title 40, Code of Federal Regulations, Sections 261-261.2](#)