

## SPECIAL INSTRUCTIONS

These instructions explain how to complete the Hazardous Waste Report for wastes and sites with unique regulatory or reporting requirements.

**ASBESTOS, PCBs, WASTE OILS** – In most cases, **do not** report asbestos, PCBs, and waste oils. However, you **must** report them **if any** of the following conditions exist:

- (1) If your State specifically requires that these wastes be reported;
- (2) If a listed RCRA hazardous waste (i.e., EPA hazardous waste code that begins with “F,” “K,” “P,” or “U”) is mixed with asbestos, PCBs, or waste oil, in which case the entire mixture is a hazardous waste; or
- (3) If the waste possesses one or more of the characteristics that result in assigning EPA hazardous waste code beginning with “D.” (This does not apply to used oil that is recycled as explained below.)

**Do not** report “used oil that is recycled and is also a hazardous waste solely because it exhibits a hazardous characteristic (criterion 3 above). Used oil that is recycled includes any used oil which is reused, following its original use, for any purpose (including the purpose for which the oil was originally used). Such term includes, but is not limited to, oil which is re-refined, reclaimed, burned for energy recovery, or reprocessed.” (40 CFR 261.6(a)(4))

**GROUNDWATER CONTAMINATED BY HAZARDOUS WASTE** – Groundwater contaminated by RCRA hazardous waste **is not** considered a solid waste and is, therefore, not classified as a hazardous waste. However, because hazardous waste is “contained in” the groundwater, it must be treated “as if” it was a RCRA hazardous waste if it is removed for treatment, storage, or disposal.<sup>1</sup>When reporting groundwater contaminated by hazardous waste in the Hazardous Waste Report, observe the following conventions:

- (1) Enter “0” in the GM Form – Item 1.F (Quantity Generated). Explain in Item 4 - Comments that it is groundwater, not a hazardous waste that was generated on-site.
- (2) Report quantities managed on-site (GM Form, Item 2, On-site Process Systems 1 and 2); quantities shipped off-site for management (GM Form, Item 3); and quantities received from off-site and managed on-site (WR Form, Item E).

<sup>1</sup>To determine if the contaminated media must be reported at all (generated OR treated): If the contamination is due to a characteristic waste, then it is the generator’s responsibility to determine if the contaminated groundwater is a hazardous waste. Once the characteristics are eliminated, the media is no longer considered to “contain” hazardous waste. If a facility has first removed groundwater and is claiming that the groundwater is contaminated with a listed hazardous waste or “contains” listed hazardous waste, EPA Regions or Authorized States should make a site-specific determination of whether the media is a RCRA Waste. Please see: “Management of Remediation Waste Under RCRA,” EPA530-F-98-026, October 14, 1998. RCRA Online Document No. 14291. Available online at: <https://rcrapublic.epa.gov/files/14291.pdf>.

**LAB PACKS** – The following rules apply to the reporting of lab pack wastes in the Hazardous Waste Report:

- (1) You may aggregate lab pack wastes if they have the same Form Code. However, you must report them as separate wastes under the following conditions:
  - If they contain **RCRA acute hazardous wastes** (i.e., EPA hazardous waste codes F020, F021, F022, F023, F026, F027, and all “P” waste codes). Report separately from lab packs containing other RCRA hazardous wastes (all other EPA hazardous waste codes).
  - If they are managed differently from each other. For example, report lab packs shipped to landfills separately from those incinerated.
- (2) Enter a Form Code indicating lab packs (i.e., W001 or W004) on the GM Form, in Section 5 – Item E or on the WR Form, in Section 6- Item G. These Form Codes are to be used with any lab pack, whether the wastes are gaseous, liquid, solid, or sludge.
- (3) It is **not** necessary to report every EPA hazardous waste code included in a batch of lab packs. Record one, or a few predominant, EPA hazardous waste codes in Section 5 – Item B of the GM Form, or Item B of the WR Form. If there are many EPA hazardous waste codes associated with the batch of lab packs, enter “LABP” in the first four-character field in Section 5 – Item B of the GM Form, or Item B of the WR Form in Section 6; then enter “NA” in the remaining spaces for the EPA hazardous waste codes.
- (4) When reporting quantities for lab packs:
  - **Include** the weight of the containers if they are disposed (e.g., landfilled) or treated (e.g., incinerated) with the waste.
  - **Exclude** the weight of the containers if the waste is removed from the containers before treatment or disposal.

**RCRA-RADIOACTIVE MIXED WASTES** – By themselves, source material, special nuclear material, or by-product materials, as defined by the Atomic Energy Act of 1954 and amended by 42 U.S.C. 2011 et. Seq., are not classified as hazardous wastes under RCRA. However, if these materials are mixed with a RCRA hazardous waste, the material is controlled under RCRA regulation, as well as under the Atomic Energy Act (DOE, NRC, and EPA) regulations, and is to be reported in the Hazardous Waste Report.

**SUBPART K LABORATORY WASTE CLEAN-OUT** – A Subpart K laboratory clean-out conducted in accordance with 40 CFR 262.213(a), is defined as: once per 12 months per laboratory, a laboratory will have 30 days to conduct a clean-out and will not have to count the hazardous waste that consists of unused commercial chemical products (either listed or characteristic) generated during those 30 days towards the eligible academic entity’s generator status for the purposes of on-site accumulation. See 40 CFR 262.213(a)(1-4) for other Subpart K laboratory clean-out requirements.

The waste generated from this clean-out should be reported on the GM Form with a source code of “G17 – Subpart K Laboratory Waste Clean-out” with a generation amount of zero (0) (Item 1. H). The amount shipped off-site or managed on-site will be reported in Items 2 or 3 of the GM Form as appropriate.

Laboratory waste that is generated during routine operations (e.g., spent solvents or spent acids/bases) should be reported separately from Subpart K laboratory clean-out wastes. Routinely generated laboratory waste should be reported with source code(s) other than G17.

**WASTES RECEIVED FROM VERY SMALL QUANTITY GENERATORS (VSQGs)** – Waste management facilities sometimes receive hazardous waste from large numbers of VSQGs or other sites that do not have RCRA EPA Identification Numbers. To minimize the response burden for filling out the **WR Form** for these wastes, you may aggregate the wastes across generating sites, in accordance with these guidelines:

- (1) All the wastes must have the same EPA hazardous waste code (Item B), State hazardous waste code (Item C), Form code (Item G), and Management Method code (Item H).
- (2) Wastes received from different States must be reported separately. For the off-site handler EPA Identification Number (Item D), the entry should include the two-letter postal code of the originating State, followed by the letters “VSQG”.

For example, wastes received from several VSQGs in the State of Alaska (AK) that share a common EPA hazardous waste code, State hazardous waste code, Form code, and Management Method code could be aggregated in a single waste block of the WR Form (e.g., Waste 1). In Item D, the off-site handler EPA ID number is entered as “AKVSQG.” **Note:** This method of completing Item D can also be used for VSQG waste that is not aggregated.

**WASTES RECEIVED FROM FOREIGN COUNTRIES – Reporting on the GM Form** – If your site was the generator of record and was the U.S. Importer for hazardous waste received from a site located in a foreign country (other than U.S. territory or protectorate), complete a GM Form. Enter G62 in Item 1.D (Source Code) and provide the Country Code from which the waste was received. Include the Import Notification and other foreign generator information in the Comments. Also, mark “Yes” on the Site ID Form, Item 10.A.3 – United States Importer of Hazardous Waste. Report on the OI Form the name and address of all foreign generators if this form is required by your State. If you are a TSDf as well as an importer of record, refer to the following instructions about an alternative to reporting on GM Forms.

**Reporting on the WR Form** – If your site received hazardous waste directly from a generator at a site located in a foreign country (other than a U.S. territory or protectorate), complete a WR Form for the waste treated, recovered, or disposed at your site. Only the first TSD site receiving foreign hazardous waste should report the waste in WR. If this waste is then shipped to another domestic site it is not counted as imported waste on the WR by the second site. If the foreign site has an EPA assigned Identification (ID) Number listed in the Code Description section or in the lookup table in RCRAInfo, fill out the WR Form as you would for a domestic site, using this number on the list or the list in the lookup table in the RCRAInfo. If the site does not have an EPA assigned ID number on the list or in the lookup table, report the code “FC” for foreign country followed by the name of the country in the space for the EPA ID Number or add the new handler or update the old one (e.g., when there is a name change) in the lookup table in RCRAInfo. If your State requires the OI Form, the name and address of the foreign handler does not need to be in the comments section of the WR Form.

Federal requirement for imported hazardous wastes is under 40 CFR 264.75 and 265.75 for TSDfS and/or the 40 CFR 262.41 for importers complying with generator requirements (or equivalent authorized State requirements)

As the owner or operator of the TSDf receiving hazardous waste import shipments, you must report such hazardous waste import shipments using the WR Form, as appropriate. If your facility was acting as the importer of record, you assumed generator requirements for those import shipments and must also report the import shipments as generated hazardous wastes from a foreign source using the GM Form.

An EPA-acceptable alternative for you to meet your generator biennial reporting requirement for those import shipments would be for you to add a statement to the comment field of your WR form for those import shipments noting that your TSDf was the importer of record for the listed import shipment(s). Please check with your authorized State Agency on how best to meet your generator biennial reporting requirements.

If your facility was not acting as the importer, EPA strongly encourages the importer to comply with the biennial reporting requirements in 40 CFR 262.41 (or equivalent authorized State requirements). All parties possibly acting as the importer could be held jointly and severally liable for compliance with the generator requirements of Part 262<sup>2</sup>.

**WASTES SHIPPED TO FOREIGN COUNTRIES**— Reporting on the GM Form, Item 3.B —Facilities that export hazardous waste must file a separate Annual Report under 40 CFR 262.83(g). This Annual Report will be in addition to the Hazardous Waste Report, if your State requires you to submit a Hazardous Waste Report with hazardous waste exported to a site located in a foreign country. If your State requires you to report exported hazardous waste, facilities that export hazardous waste should list in GM Item 3.B a Foreign Site Identification Number listed in the Code Description section or in the lookup table in RCRAInfo. If a site located in a foreign country to which hazardous waste is shipped is not on the list, enter “FC” followed by the name of the country as the EPA Identification Number or add the new handler or update the old one (e.g., when there is a name change) in the lookup table in RCRAInfo.

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<sup>2</sup> Memo from John Skinner, Director of EPA’s Office of Solid Waste to Harry Seraydarian, Director, Toxics and Waste Management Division, EPA Region IX, June 25, 1985, available online at <https://rcrapublic.epa.gov/files/11085.pdf>.