

## WHAT'S NEW?

The document called RCRA Subtitle C Instructions and Forms consolidates the instructions and forms for the Notification of RCRA Subtitle C Activities (Site Identification Form), Hazardous Waste Report, and the RCRA Hazardous Waste Part A Permit Application. The RCRA Subtitle C Instructions and Forms supersedes all other documents related to RCRA Subtitle C reporting as listed above.

This document highlights the changes from the previous instructions and forms.

## RCRA SUBTITLE C IDENTIFICATION FORM

### 2016 HAZARDOUS WASTE GENERATOR IMPROVEMENTS FINAL RULE

Recently EPA published the 2016 Hazardous Waste Generator Improvements Final Rule which made revisions to the hazardous waste generator regulatory program (81 FR 85732). Facilities that recycle regulated hazardous waste without first storing the waste (i.e., the facility does not have a RCRA Part B storage permit) must now report. (See 40 CFR 261.6 (c)(2)(iv)).

There also are several changes to the Site Identification Form as a result of this new regulation, primarily in Item 10 "Type of Regulated Waste Activities". Specific changes include requiring:

- Facilities that either recycle hazardous waste with a RCRA permit (i.e., store the hazardous waste prior to recycling), or recycle hazardous waste without first storing the material they receive to notify. (See 40 CFR 261.6 (c)(2)(iv) which references 40 CFR 265.75 to notify EPA.)
- Very small quantity generators (VSQGs), previously called conditionally exempt small quantity generators (CESQGs), to notify EPA, if necessary, to obtain a RCRA ID if taking advantage of the episodic generation provision at 40 CFR 262.232 (a) in Item 13.
- Small quantity generators (SQGs) to notify EPA if taking advantage of the episodic generation provision at 40 CFR 262.232 (b) in Item 13 and to re-notify beginning in 2021 and every 4 years thereafter unless a State program has more frequent reporting/notification requirements (See 40 CFR 262.18).
- Large quantity generators (LQGs) to notify EPA when:
  - Consolidating wastes from VSQGs under the control of the same person in Item 14. (See 40 CFR 262.17 (f)). Such LQGs must complete the Addendum to the Site Identification Form: LQG Consolidation of VSQG Hazardous Waste, and identify the RCRA Identification Number of the VSQG (if applicable), name, address, emergency contact phone number and contact name of every VSQG for which they are receiving hazardous wastes.
  - Closing either a waste accumulation unit (optional) or their facility, both prior to closing and after conducting closure performance operations in Item 15 (See 40 CFR 262.17 (a)(8)).

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## 2016 HAZARDOUS WASTE EXPORT-IMPORT REVISIONS FINAL RULE

As a result of the 2016 Hazardous Waste Export-Import Revisions Final Rule (81 FR 85696, November 28, 2016), recognized traders arranging for export or import of hazardous waste, including hazardous waste managed under the alternate standards of 40 CFR Part 266 and the universal waste standards of 40 CFR Part 273, are required to have EPA Identification numbers. A recognized trader is defined in 40 CFR 260.10 as a person domiciled in the United States, by site of business, who acts to arrange and facilitate transboundary movements of wastes destined for recovery or disposal operations, either by purchasing from and subsequently selling to United States and foreign facilities, or by acting under arrangements with a United States waste facility to arrange for the export or import of the wastes. Additionally, revisions to 40 CFR 266.80(a) make exporters and importers of spent lead-acid batteries (SLABs) subject to 40 CFR 262.18 requirements to obtain EPA Identification numbers.

There also are several changes to the Site Identification Form either as a result of this new regulation or to clarify existing requirements, primarily in Item 11 “Additional Regulated Waste Activities”. Specific changes include:

- Requiring recognized traders to notify EPA of their import and export activities (Item 11.4).
- Requiring exporters and importers of SLABs to notify EPA of their import and export activities (Item 11.5).
- Requiring large and small quantity generators to include both the hazardous wastes the generator has physically generated on site and any hazardous wastes that the generator has regulatorily generated by importing (e.g., an act first causing a hazardous waste to become subject to RCRA regulations) in determining the amount generated in any calendar month (Item 10.A.1.a and 10.A.1.b.)

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## 2015 DEFINITION OF SOLID WASTE FINAL RULE

On January 13, 2015, EPA published the Definition of Solid Waste (DSW) final rule (80 FR 1694), which revised the regulations related to certain exclusions from solid and hazardous waste regulation. Changes have been made to the Site Identification Form, particularly to the Addendum to the Site ID Form: Notification of Hazardous Secondary Material Activity including the deletion of the Financial Assurance question and updating the list of Excluded Wastes and Hazardous Secondary Material (HSM) Facility Codes.

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## OTHER REVISIONS

The Reason for Submittal, Item 1 on the Site Identification form, was revised to make submissions easier. The reason for submittal now has the following options:

- *Obtaining or updating an EPA ID number for an on-going regulated activity that will continue for a period of time. (Includes HSM activity)*  
This combines the previous “To provide an Initial Notification (first time submitting site identification information / to obtain an EPA ID number for this location) and “To provide a Subsequent Notification (to update site identification information for this location)” reasons.

- *Submitting as a component of the Hazardous Waste Report*  
This was the previous “As a component of the Hazardous Waste Report”
- *Notifying that regulated activity is no longer occurring at this Site*  
This is a new option to indicate that no Resource Conservation and Recovery Act (RCRA) regulated or State regulated Subtitle C hazardous waste activity is being conducted at the site or will be conducted at the site.
- *Obtaining or updating an EPA ID number for conducting Electronic Manifest Broker activities*  
This is a new option to allow Electronic Manifest Broker to obtain an EPA Identification number in order to create and broker manifest transactions for handlers of hazardous waste. An Electronic Manifest Broker is considered a user of the electronic manifest system that has a contractual relationship and elects to use the system to obtain, complete and transmit an electronic manifest format supplied by the EPA electronic manifest system for handlers of hazardous wastes.
- *Submitting a new or revised Part A Form*  
This combines the previous “As a component of a First RCRA Hazardous Waste Part A Permit Application” and “As a component of a Revised RCRA Hazardous Waste Part A Permit Application” reasons.

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## NEW ITEMS

The following items have been added to the Site Identification Form.

- Added e-mail, telephone number extension, fax, and notes to the owner section;
- Added address, e-mail, telephone number and extension, fax, and notes to the operator section;
- Added indicators for Episodic Generation, LQG Consolidation of VSQG Hazardous Waste, and Notification of LQG Site Closure;
- Added an indicator for Electronic Manifest Broker;
- Added the Addendum for LQG Consolidation of VSQG Hazardous Waste; and
- Added the Addendum for Episodic Generator.

## HAZARDOUS WASTE REPORT

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### REVISIONS TO SOURCE CODE

G25 has been revised to read “Treatment, disposal, or recycling of hazardous wastes – report a management method code, e.g., indicated in Item G of WR Form for the management method (enter the related management method code, a H code, but not H141) that produced the residuals.”

G51 is included to address LQGs that receive hazardous wastes from VSQGs that are under the control of the same person, as defined at 40 CFR 260.10. Generation quantity must be zero to avoid double counting.

G61 is revised to read “Received from off-site for storage/bulking and transfer off-site for treatment or disposal (to match H141 received waste quantities from Form WR’s). Generation quantity must be zero to avoid double counting.”

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## REVISIONS TO MANAGEMENT METHOD CODE

The management method code “H132” currently defined as landfill or surface impoundment that will be closed as landfill (to include treatment and/or stabilization) is being separated into two management method codes:

- H130 – Surface impoundment that will be closed as a landfill (with prior treatment and/or stabilization)
- H132 – Landfill (with prior treatment and/or stabilization)

The definitions of management method codes “H135” and “H141” have been revised as follows:

- H135 – Discharge to sewer/POTW or NPDES with prior management (e.g., storage or transported prior to discharge to POTW or NPDES)
- H141 – The site receiving this waste stored/bulked and transferred the waste with no reclamation, recovery, destruction, treatment, or disposal at that site. Do not use in Item 1.D for Source Code G25 nor in Item 2 (on-site management) of the GM Form. If reported on a WR Form, you should report a matching waste stream with a G61 source code and a generation quantity of 0 on the GM Form.

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## CLARIFICATION FOR IMPORT AND EXPORT SHIPMENTS

Beginning with the 2017 Hazardous Waste Report, EPA is implementing site-specific Foreign Site Identification Numbers for use in reporting foreign handlers on the Hazardous Waste Report Forms for both hazardous waste imports and exports. This allows the regulatory agencies to track hazardous wastes from cradle to grave.

For exports of hazardous waste, use Foreign Site Identification Number only if your State requires you to report exported hazardous waste shipment in the GM Item 3.B of the Hazardous Waste Report. You are still required to submit an Annual Report to EPA separately (see 40 CFR 262.83(g)).

For imports of hazardous waste, an EPA-acceptable alternative for you to meet your generator biennial reporting requirement is 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 for import shipments.