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**SETTING FLAGS FOR THE BIENNIAL REPORT**  
**(SUPPORTING INFORMATION FOR IMPLEMENTERS)**

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**Office of Resource Conservation and Recovery**  
**U.S. Environmental Protection Agency**

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## 1. Introduction

This document provides information to implementers (i.e., States and EPA Regions) on how to develop some of the data elements that need to be submitted to RCRAInfo as part of the Biennial Report data collection process. These RCRAInfo data requirements were developed from the recommendations in the WIN/INFORMED Universe Identification and Waste Activity Monitoring Program Area Analysis (UID/WAM PAA). Implementers will need to follow these procedures in submitting their Biennial Report data. In particular, this document explains to implementers:

- How to set the “Federal Generator Status” for the RCRA Subtitle C Site Identification Form (Site ID Form); and
- How to set the “Include In National Report” flags for the Site ID, Generation and Management (GM), and Waste Received from Offsite (WR) Forms.

## 2. How to Set the “Federal Generator Status” for the Site ID Form

As part of the recommendation in the UID/WAM PAA for creating the Site ID Form, the States and EPA agreed to a related requirement:

***Collect both State and Federal generator status from States.*** *The generator status submitted to EPA’s RCRAInfo system for each RCRA Site will now require two values to be provided: one for the generator status as defined by the State regulations; and a second for the equivalent Federally defined generator status.*

States will report their State Generator Status as identified by their own regulatory definitions and will also report the generator universe as identified by the Federal regulatory definition based on the best of their ability to determine it. For many States this will be the same data; for States that are either more stringent or broader in scope than the Federal regulations, however, these values may differ for some of their RCRA Sites. Every RCRA Site will have two generator statuses in the system - the State defined status and the Federal defined status.

Note: Reporters are instructed to indicate on the Site ID Form their generator status **as of the date** submitting the Site ID Form. Some sites may have changed their status by the time they submit the report.

## 3. How to Set the “Include in National Report” Flags for the Site ID, GM, and WR Forms

Waste generation and management information reported on the Biennial Report forms (GM and WR Forms) will be used to produce **The National Biennial RCRA Hazardous Waste Report** (National Biennial Report) that summarizes generation, management, shipment, and receipt volumes for the nation. When compiling the report data, EPA must be able to distinguish waste that is counted for the national report from waste that should not be counted.

The following discussion explains what will be included in the National Biennial Report, what implementers will submit to EPA, and how EPA will compile the data for the report.

### 3.1. What EPA Will Include in the National Biennial Report

EPA has created flags in RCRAInfo at both the RCRA site level (Site ID Form) and the waste level (GM and WR Form). EPA will use these to differentiate the waste to be used for calculations in the National Biennial Report from other wastes. The flag is referenced as “Include in National Report.”

In the Hazardous Waste Report Instructions and Form booklet [EPA Form 8700-13 A/B] (Section “Instructions for Filing the Hazardous Waste Report,” Subsection “Which Forms to Submit and What to Report”), EPA states what the RCRA site must report on GM and WR Forms:

*A site required to file the Hazardous Waste Report must submit Waste Generation and Management (GM) Form(s) for all hazardous waste that was used to determine the site’s generator status.*

*A site required to file the Hazardous Waste Report must submit Waste Received From Off-site (WR) Form(s) if, during the reporting year, it received RCRA hazardous waste from off-site and managed the waste on-site (including subsequent transfer off-site).*

See instructions for filling out the GM and WR Forms.

It is the responsibility of each implementer (i.e., State or EPA Region) to determine which sites and wastes should be included and excluded. The implementer must provide either a “Yes” or “No” flag for each Site ID Form and for each of the site’s GM and/or WR Forms. The implementer must set the Site ID Form flag to “Yes” for those sites that were Federal large quantity generators (LQGs) or treatment, storage, and disposal facilities (TSDFs) during the reporting year. The implementer must set the Site ID Form flag to “No” for those generator sites that were not Federal LQGs and are also not TSDFs.

For those sites which have the Site ID Form flag set to “Yes,” the implementer must determine whether a waste will be counted. The implementer must set the flag to “Yes” for every GM and WR Form that he/she wants EPA to use for the National Biennial Report. The implementer would set a specific GM or WR Form flag to “No” if the form has, for example, only State-waste codes (i.e., a form without any Federal RCRA waste codes).

Note: Some sites may have changed their status by the time they submit the report. These reporters will mark the Site ID Form generator status box and TSD status box according to their site’s status **as of the date they certify the Site ID Form**. The implementer will need to review the comments provided on the Site ID Form comments box and the GM Form data to determine whether their Site ID Form flag should be set to “Yes.”

If the implementer sets the Site ID Form flag to “No,” EPA will not use data from any of the site’s GM or WR Forms. For example, EPA would not compile any of the wastes reported for a small quantity generator (SQG) since its Site ID Form flag would be set to “No.” The implementer must also set the flag for every GM and WR Form submitted for these sites to “No.”

### 3.2. What Implementers Submit to EPA

EPA’s Hazardous Waste Report Instructions and Forms booklet [EPA Form 8700-13 A/B] contains only the requirements for Federal RCRA reporting. Many States require sites to submit a variety of other information with the Federally required data (see instructions for filing the Hazardous Waste Report and instructions for filling out the GM and WR Forms). You can only maintain data in RCRAInfo for sites that have EPA Identification numbers and for the data fields shown on the Federal forms. Implementers have three options for maintaining the data in RCRAInfo.

- **Option 1.** The implementer wants to maintain in RCRAInfo all the data he/she received from all sites. The implementer would submit all the data collected (limited to data fields shown on the Federal form)

from all the sites for his/her State. The implementer would set the “Include in National Report” flag to either “Yes” (Y) or “No” (N) for each Site ID Form. A site’s data may be maintained even if the site only reported non-Federal, State-only information on a GM or WR Form; in this case, the “Include in National Report” flag must be set to “No” for the specific GM or WR Forms.

- **Option 2.** The implementer would use this option if he/she wants to maintain in RCRAInfo all the data only for those sites that are to be included in the National Biennial Report. The implementer would only submit data for the sites which have the flag set to “Yes.” He/she would submit all of these sites’ GM or WR Forms; the forms would be set to either “Yes” or “No.”

Note: The implementer may have a TSDf which did not generate or manage waste during the reporting year. Since they must report, the implementer would set the Site ID Form flag to “Yes” even if they do not have GM or WR Forms.

- **Option 3.** This option is similar to Option 2. The implementer would use this option if he/she wants to maintain in RCRAInfo only the sites that are to be included in the National Biennial Report, but maintain only the waste data used to compile the report. As in Option 2, the implementer would select only those sites that have “Yes” for the Site ID Form flag. For these sites, however, the implementer would submit only those GM or WR Forms with flags set to “Yes.” The implementer would not submit any GM or WR Forms that are set to “No.”

Note: The implementer may have a TSDf which did not generate or manage waste during the reporting year. Since TSDfs must report, the implementer would set the Site ID Form flag to “Yes” even if they do not have GM or WR Forms.

### **3.3. How EPA Will Compile the Data for the National Biennial Report**

The first step for all the calculations is the selection of those RCRA Sites with the Site ID Form flag is set to “Yes.”

From the submitted data, EPA will compile the total number and a list of Current LQGs and Current Non-LQGs reporting and the quantity of RCRA hazardous waste they generated. EPA also will compile the total number and list of Current TSDfs and Current Non-TSDfs reporting and the quantity of RCRA hazardous waste they managed. EPA will also calculate several other quantities, including: waste shipped, waste received, interstate waste shipped, and interstate waste received.

### **3.4. Data that Will be Included in the National Biennial Report**

For those sites which have the Site ID Form flag set to “Yes,” the implementer must determine whether a waste will be counted. The implementer must set the flag to “Yes” for every GM Form and WR Form that he/she wants EPA to use for the National Biennial Report. The implementer would set a specific GM or WR Form flag to “No” if the form has, for example, only State-waste codes (i.e., a form without any Federal RCRA waste codes).

See the discussions below for setting the flag for reporters that have no GM or WR Form for the National Biennial Report, for reporting waste exported (shipped off-site) to foreign countries, for reporting on-site management without a RCRA permit, and for setting the flag for management that should not be reported under the Federal rules.

### 3.5. Reporters with No GM Form Set to “Yes”

If the reporter has no GM Forms set to “Yes,” then the flag at the Site ID Form level should be set to “No.” States may include these reporters in the data in RCRAInfo but we will not show them in the National Biennial Report. All reporting TSDFs, however, must be set to “Yes” even if they have no GM or WR Forms set to “Yes;” the National Biennial Report lists all reporting TSDFs.

### 3.6. Foreign Exports

Some States require reporting of waste exported (shipped off-site) to foreign countries. The Hazardous Waste Report Instructions and Form booklet indicates that generators should not use the Biennial Report GM Form for Federal exports of hazardous waste:

*RCRA hazardous wastes exported directly to a foreign country **should not be reported** on the GM Form (unless required by your state). Facilities that export hazardous waste must file a separate Annual Report under 40 CFR 262.56.*

**However, some States require this waste to be reported in the Biennial Report.** In these cases, waste shipped off-site (Section 3) to foreign countries (EPA ID to which waste was shipped is entered as FC with foreign country name) should be marked “Yes.” These reports will be included in the National Biennial Report.

### 3.7. On-Site Management without a RCRA Permit

There seems to be some confusion generators reporting treatment and recycling activities without being permitted TSDFs, i.e., not having a Federally required RCRA permit (and marking the TSD or recycler boxes on the Site ID Form); some States, nevertheless, require permits for these activities (the implementer would know if his/her State has this rule). Several types of treatment and recycling are allowed without a permit. Some examples are: decharacterization of D001, D002, and D003 wastes in containers; and recycling solvents. So, there are several management method codes that generators might list in GM Form Section 2. These data should be set as “Yes” for “Include in National Report.”

### 3.8. Wastewaters

If in the Federal scheme a waste should not be reported, then the State must set the flag for such a GM Form as “No” for the “Include in National Report” when including the data with the other data files for RCRAInfo. A State may, alternatively, elect to delete such GM Forms and thereby not send it to RCRAInfo. The implementer must review the GM Forms in order to determine whether the wastewater should be included or excluded.

The implementer may take the following steps to identify hazardous wastewaters and determine whether these wastewaters should be included or excluded:

- Based on data reported in GM Forms, develop a list of waste streams managed onsite that are represented by management method codes:
  - H070 (chemical treatment - reduction/destruction/oxidation/precipitation)<sup>1</sup>;
  - H081 (biological treatment);

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<sup>1</sup> For reporting year 2013, previous codes H071 (chemical reduction), H073 (cyanide destruction), H075 (chemical oxidation), H076 (wet air oxidation) and H077 (other chemical precipitation) were all consolidated under the new management method code H070.

- H100 (physical treatment only), with special interest on waste streams managed through adsorption or air/stream stripping<sup>2</sup>;
  - H121 (neutralization only); and
  - H135 (discharge to sewer/POTW or National Pollutant Discharge Elimination System (NPDES)).
- Conduct research on these waste streams, if relevant, by:
    - Obtaining and reviewing process information; and
    - Finding how the waste is managed after generation.
  - Compare information compiled through research to the relevant regulations.
  - Find out if the waste is managed in such a way that exempts it from reporting – whether the hazardous waste is **managed immediately upon generation in an onsite elementary neutralization unit, WWTU, or totally enclosed treatment facility**.

**If the hazardous waste is managed immediately upon generation in an onsite elementary neutralization unit, WWTU, or totally enclosed treatment facility, the “Include in National Report” flag should be set as “N” (No).**

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<sup>2</sup> For reporting year 2013, previous H082 (adsorption), H083 (air or steam stripping), H101 (sludge treatment and/or dewatering), H103 (absorption), H123 (settling or clarification), and H124 (phase separation) were all consolidated under the new management method code H100. Of special interest for purposes of identifying hazardous wastewaters are waste streams managed onsite through adsorption or air/stream stripping (i.e., previous management method codes H082 or H083).