

Highlights of **GAO-06-99**, a report to congressional requesters

**Why GAO Did This Study**

The Environmental Protection Agency (EPA) is responsible for regulating hazardous wastes (such as mercury) under the Resource Conservation and Recovery Act (RCRA). Under RCRA, mercury-containing hazardous waste must meet specific treatment standards before land disposal. But, certain difficult to manage waste due, in part, to its large particle size, can follow alternate “debris” standards that provide diverse treatment options. This report examines (1) the mechanisms that EPA uses to track the treatment and disposal of mercury-contaminated debris and the quantity of this waste, (2) the extent to which EPA, states, and industry share a common understanding of the types of mercury-containing wastes that can be treated and disposed of as debris, and (3) EPA and state controls that are in place to monitor compliance with EPA’s treatment and disposal requirements for mercury-contaminated debris.

**What GAO Recommends**

GAO recommends that EPA (1) clarify and better describe the types of waste that can and cannot be reported under the “debris” reporting category and (2) conduct further outreach to communicate the types of mercury-containing wastes that can be treated and disposed of according to the alternative treatment standards for debris. In oral comments on a draft of this report, EPA agreed with GAO’s recommendations.

[www.gao.gov/cgi-bin/getrpt?GAO-06-99](http://www.gao.gov/cgi-bin/getrpt?GAO-06-99).

To view the full product, including the scope and methodology, click on the link above. For more information, contact John B. Stephenson at (202) 512-3841 or [stephensonj@gao.gov](mailto:stephensonj@gao.gov).

**HAZARDOUS WASTE**

**EPA Needs to Clarify the Types of Mercury Waste That Can Be Treated and Disposed of Using the Debris Regulations**

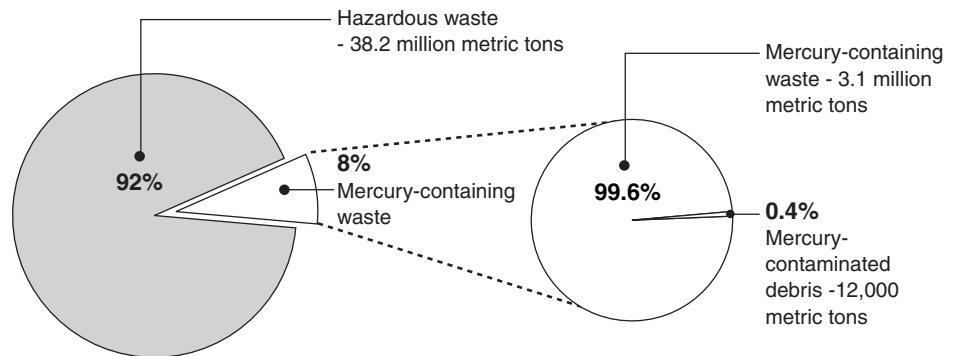
**What GAO Found**

EPA uses its RCRAInfo database to maintain information on all hazardous waste, including mercury-contaminated debris. EPA reported that in 2003, mercury-contaminated debris constituted about 12,000 metric tons—or about 0.4 percent of all mercury-containing waste and about 0.03 percent of all hazardous waste. However, EPA’s data on mercury-contaminated debris may be incomplete. Reporting on the physical form of the waste (debris is one of many physical forms) is optional, and businesses did not submit this optional information in about 9 percent of instances when they reported treating and disposing of mercury-containing waste in 2003. In addition, EPA’s reporting category for debris does not provide a complete list of items that EPA considers to be debris, and debris can be reported in other categories.

The 48 states and the District of Columbia and the 14 commercial hazardous waste landfill operators that responded to our survey do not share a common understanding of the types of mercury-containing waste that EPA allows to be treated and disposed of as debris. For example, in their responses, officials in 21 states and operators of 6 commercial hazardous waste landfills identified as debris waste that is explicitly not debris, such as intact devices containing mercury, and may have used the debris regulations for such waste. Consequently, EPA cannot be certain that businesses are appropriately managing their mercury-containing waste as debris.

EPA’s mandatory waste tracking and documentation requirements serve as controls to monitor compliance with EPA’s treatment and disposal requirements for mercury-contaminated debris. EPA and state oversight inspections and enforcement programs provide additional compliance monitoring with the alternative treatment standards for debris.

**Percentage of Hazardous Waste with Mercury and the Portion of the Mercury-Containing Waste That Was Debris in 2003**



Source: GAO analysis of EPA’s RCRAInfo data.