

Hazardous Waste Reporting and Record Keeping



Reports and Records: Crucial RCRA Compliance Elements

- Overview of required reports
 - biennial hazardous waste report
 - exception report
- Overview of required records
 - waste analysis information reports
 - manifests
 - land disposal restriction notices

Who Must Submit Biennial Hazardous Waste Reports and When?

- Apply to large quantity generators (LQGs) only.
- 40 CFR 262.41 outlines requirements.
- Shipping waste off-site and treating, storing, or disposing of waste on-site trigger reporting requirement.
- Report submitted by March 1 of each even-numbered year for previous calendar year.
- Treatment, storage, or disposal facilities (TSDFs) and exporters must meet additional requirements.

Biennial Report Includes

- Information on generator
- Calendar year covered
- Information on off-site facilities and transporters used
- Information on wastes shipped
- Description of waste minimization efforts
- Certification of accuracy

Manifest Exception Reporting For Off-Site Shipments



Another Required Report: Exception Report

- LQGs must receive signed copy of manifest within 35 days of date it was accepted for shipment or contact transporter/TSDF to determine status.
- If manifest not received after 45 days, generator must file exception report with EPA/state.

Exception Reporting (Continued)

- SQGs must receive signed copy of manifest within 60 days or submit copy to EPA/state with statement that signed manifest was not returned.

Waste Analysis Records

- Waste analysis records are a key compliance document
- Generators may document hazardous waste determination through:
 - Testing of the waste according to the methods in 40 CFR Part 261
 - Applying process knowledge to the waste

Generator Records That Must Be Maintained



Generator Record Keeping

- Generator must keep for 3 years:
 - signed manifests
 - biennial report
 - exception reports
 - records of waste characterization
 - LDR notifications and certifications
- Retention time is automatically extended in cases of unresolved enforcement action.

Additional TSDf Records



Additional TSDF Report Requirements

- Apply to permitted and interim-status TSDFs.
- Reports include:
 - manifest discrepancy report;
 - unmanifested waste report;
 - reports of releases, fires, explosions, groundwater contamination, facility closure etc., as required under 40 CFR 264.77 and 265.77; and
 - biennial report.

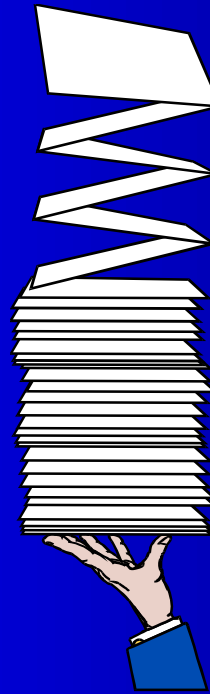
Biennial Report Includes

- Information on TSDF
- Calendar year covered
- Information on waste received from off-site facilities
- Information on TSDF activities
- Description of waste minimization efforts, if also the generator
- Certification of accuracy

TSDf Record Keeping Includes

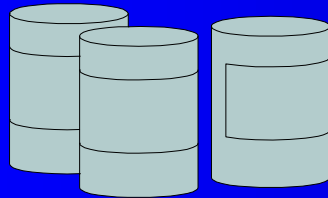
- Required records
 - manifests
 - operating record
 - biennial report
- 40 CFR 264.74 and 265.74 states that all records, including plans, must be furnished upon request and made reasonably available.

Why Are Records Important? They Ensure Accountability



How Do Records Ensure Accountability? Examples

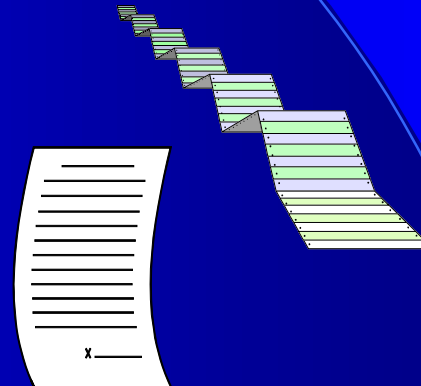
Generate hazardous waste



Analyze waste according to TSDF waste analysis plan



Waste analysis records: MSDS or analytical data



Put Yourself In The Regulator's Shoes. What Would You Think If?

- ➡ Waste analysis records for characterization based on process knowledge are not maintained.
- ➡ Profile sheets do not adequately reflect waste analysis (e.g., required waste codes missing).

Can These Be Detected Through Records?

- Off-site contractor changed data without reporting change to generator (biennial report therefore inaccurate).
- Hazardous waste shipped off-site as nonhazardous.

Summary

- Administrative requirements document responsibility and effective *or* improper waste management.
- Generator reports include biennial and exception reports.
- TSDF reports include biennial, unmanifested waste, discrepancy, and special reports.
- Records and reports are more than just a nuisance requirement! They establish accountability.