



**RCRA SUBTITLE C
EPA IDENTIFICATION NUMBER, SITE STATUS,
AND SITE TRACKING GUIDANCE
For Managing Data in RCRAInfo**

FINAL

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APPENDIX A – LIST OF RCRA DOCUMENTS REFERENCED IN THE GUIDANCE

1 - INTRODUCTION

A Resource Conservation and Recovery Act (RCRA) Subtitle C Site Activity Status Workgroup, comprised of State, regional, and headquarters' representatives, was formed at the request of the WIN/INFORMED Coordinating Committee in mid-June 2003 to delineate active and inactive RCRA Subtitle C sites for data entry purposes and provide training materials on tracking information related to their activity status. In addition, the Workgroup was tasked to finalize the Environmental Protection Agency (EPA) Identification (ID) Number guidance document created in 2001 as the result of a recommendation in the Universe Identification and Waste Activity Monitoring Program Area Analysis Final Report. This document is the product of those efforts and covers three general principles:

- 1) "One RCRA EPA ID for One RCRA Subtitle C Site",
- 2) Track All Handlers Nationally, and
- 3) Active/Inactive Site Status for Data Entry.

It was written, among other things, to assist EPA and state (Implementer) personnel by providing summaries of existing EPA statutory and regulatory requirements, interpretations, and policies in the area of EPA ID Numbers; and for managing the EPA ID Number data in RCRAInfo. Readers are cautioned not to rely on the summaries provided in performing EPA ID number related functions, but instead to refer directly to the applicable statute or regulation or other official sources. This document also includes recommendations regarding the tracking of information pertaining to non-notifiers and Active/Inactive Hazardous Waste Sites.

This ID Number document is based on various RCRA policy memoranda and other documents issued by EPA. This document is intended to be a 'Living Document' that will be periodically updated to reflect regulatory or policy changes regarding assigning, managing, and tracking EPA ID Numbers in RCRAInfo. This document discusses various situations where assignment of an EPA ID Number is required by the applicable statutes and regulations. However, this guidance does not impose additional requirements nor does it identify all possible situations needing EPA ID Numbers. Implementers should consult the relevant statutes and regulations governing ID Numbers, and contact the appropriate personnel within their agency for guidance on specific cases.

This document does not change in any way any notification or other requirements in RCRA Subtitle C or in any State's authorized hazardous waste management program. It is prepared mainly for the purposes of data management and to help identify for the public hazardous waste management sites that might be active or inactive. The contents of the document do not reflect any legal determination about whether a person or facility may be subject to the requirements of RCRA or a State's authorized program or the regulatory status of a facility for purposes of compliance and enforcement.

EPA and State Environmental Agencies assign ID Numbers to sites throughout the various regulatory programs. The RCRA Subtitle C Program is one of the programs that assign program-specific EPA ID Numbers. Federal regulations and official documents refer to the ID numbers issued by the RCRA Subtitle C program as "EPA ID Numbers," but this document refers to them as "RCRA EPA ID Numbers" to avoid confusion with ID numbers used in other programs.

EPA's general policy is "one RCRA site equals one RCRA EPA ID number." EPA or an authorized State assigns a RCRA EPA Identification Number to a RCRA site owner or operator who applies for an EPA ID Number using the Notification of Regulated Activity form (EPA form 8700-12, also known as the Site Identification form), an equivalent State form, or by submitting all the information required on such form in another format. Once a specific RCRA EPA ID Number is assigned to an owner or operator at a RCRA site location, the issuing agency generally uses that specific RCRA EPA ID Number for assignment to any

subsequent owner or operator at that RCRA site location. One of the exceptions to this policy is a transporter. Transporters are allowed to take their RCRA EPA ID Number with them if certain conditions are met. The issuing agency assigns the specific RCRA EPA ID Number upon application by the subsequent owner or operator.

Over the past several years, EPA has sent letters to site representatives and issued a number of memoranda detailing how RCRA EPA ID Numbers are assigned. However, to-date, no comprehensive guidance is available on RCRA EPA ID Number assignment. The general approach used by State and EPA program staff is that for any given location, only one RCRA EPA ID Number is issued and the RCRA EPA ID Number does not change over time.

At the same time, there have been cases of assignment of multiple RCRA EPA ID Numbers for the same RCRA Subtitle C site. For example, some owners/operators request that the Implementer (EPA or State agency) assign a new RCRA EPA ID Number when they take over an existing RCRA Subtitle C site, to avoid association with the previous owner/operator's environmental record. As a result, some applicants receive a new RCRA EPA ID Number, thus generating multiple numbers for a site.

Effective data reporting and sharing depends on a generally consistent national practice with respect to the assignment of RCRA EPA ID Numbers to RCRA Subtitle C sites. Therefore, **our general recommendation is one site/one ID**, but we do recognize that in practice it may be necessary to have exceptions. The topics discussed in this guidance are merely guidelines that can be used as a resource when questions arise regarding RCRA EPA ID Numbers and as a training tool for those new to the assignment and management of RCRA EPA ID Numbers.

In order to get a better “picture” of the generation and movement of waste throughout the country, it is important that, when tracked, data be made available nationally. Currently when tracked, conditionally exempt small quantity generators are tracked inconsistently across the country. In addition, the collection of this data is not mandatory and is not collected in a uniform format in every State. Some States have collected this information, but have not sent it to the national database. The lack of complete and systematic information collection and transmittal hinders the ability of EPA, States, and the public to have a true picture of hazardous waste management.

RCRA Subtitle C regulations do not distinguish between the generation of waste on an ongoing basis versus waste generated from a single event at a RCRA Subtitle C site. We believe that it is appropriate to provide additional information to assist in the tracking of temporary or emergency sites in RCRAInfo and to collect and make available nationally information about these sites in order to provide a fuller picture of RCRA Subtitle C sites and waste movement from these sites.

Another issue affecting the ability to track site information for all sites is the presence of non-notifier data in RCRAInfo. Implementers disagree on what non-notifier data to collect and when to send non-notifier data forward to the national database and to the public. Uniform methods of sending forward non-notifier data and dealing with sites that were considered to be non-notifiers but were then determined to be “not subject to RCRA Subtitle C regulations” is crucial for the consistent tracking of all RCRA Subtitle C site information.

This section describes the process of using existing data in RCRAInfo to identify “active” and “inactive” sites, that is sites where some activities regulated under Subtitle C the Resource Conservation and Recovery Act (RCRA) or an authorized State hazardous waste program may occur. Having designated these sites, the addition of an “Active” flag in RCRAInfo is recommended to facilitate, for Implementers and the public, access to the readily available information about each site's potential activities (or non-activities).

The primary benefit of a consistent approach to designating an active or inactive site in RCRAInfo will be the elimination or reduction of duplicate data entry and potentially contradictory or incomplete reporting. This will allow Implementers to focus inspection resources on active sites that generally pose the greatest risk to human health and the environment. An equally important benefit will be clearer reporting to the public through such systems as Window to My Environment (WME), Envirofacts, and Enforcement and Compliance History Online (ECHO).¹

This section is intended to provide guidance to EPA and States on how to utilize the “Active” flag in RCRAInfo. It does not:

- (1) alter existing regulations and laws;
- (2) create any legally binding requirements on EPA, State Implementers or the regulated community;
- (3) reflect the regulatory status of a facility or activity for purposes of determining regulatory obligations or compliance; or
- (4) create any right or benefit, substantive or procedural.

1.3.1 Background

Designating, at the national level, active and inactive sites that satisfy the various program needs have presented challenges. These challenges are often due, in part, to the requirements of RCRA and authorized state hazardous waste programs, as well as the process by which the Implementers gather, enter, and manage information in RCRAInfo (and other databases). For example, some of the intricacies of the RCRA program and information management needs that have to be considered are:

- (1) the federal RCRA Subtitle C program does not require notification to the Agency when RCRA waste handling activities cease at a site, except for TSDFs if the change causes a modification to the permit or permit status;
- (2) site activity status in RCRAInfo is most often obtained from site notification and, less often, determined by the State or EPA or imposed by a permit or order;
- (3) the documents received from a representative of a site may be inconsistent with manifests or other reliable sources of information available to the Implementer; and/or
- (4) some state Implementers do require sites to provide annual or biennial certifications, which serve as notification to the State of changes in operational status or type of waste activity conducted, however, this data does not necessarily make it into RCRAInfo.

The approach currently used by Implementers, that has been developed over time and in some respect with limited guidance, does not provide a nationally consistent picture because the information collected can vary from state to state and because regional and state Implementers have a variety of procedures for indicating site activities in RCRAInfo. A consistent approach and common designation for a site’s status (i.e., active versus inactive) is a step toward having all parties report site activity in a meaningful and nationally consistent way.

Additionally, the public increasingly expects swift access to more information in order to support increased public involvement in agency decision-making. Due partly to RCRAInfo’s current inability to flag sites as being active or inactive EPA public access Web sites such as Window to My Environment (WME), Envirofacts, and Enforcement and Compliance History Online (ECHO) may not sufficiently distinguish inactive sites from active ones. This difficulty in understanding a site’s status may limit the public’s ability to participate meaningfully in dialogues on program implementation, agency performance, and the protection of

¹ An additional benefit will be that the EPA public access Web sites will clearly identify all sites in a state that can ship waste.

human health and the environment. Again a consistent approach and common designation in RCRAInfo helps provide the public with site activity status in a way that is more consistent and meaningful on a national level.

1.3.2 How to Designate a Site as Active or Inactive in RCRAInfo

RCRAInfo will contain a single “Active” flag, which would summarize a site’s activities to easily designate the site as “Active” if the flag is set to “on”, and “Inactive” if the flag is set to “off”. RCRAInfo would provide each site’s overall activity status along with each activity that contributed to the site’s status (active/inactive). This information would be passed to all EPA public access Web sites for display to the public. When displaying a site, EPA public access Web sites will routinely suppress inactive sites, but allow users the option to choose to have inactive sites displayed. Whenever an EPA public access Web site could show both active and inactive sites, the display will include each site’s overall activity status. Whenever EPA public access Web sites display site detail, they will list all activities present at a site as a concatenated list of acronyms or abbreviations for all activities present at the site. The acronyms or abbreviations will be the short tags listed in Table 4. Help documents and mechanisms at the web sites will explain the activities.

1.3.3 Why is it Important to Designate Active and Inactive Sites

The RCRAInfo database is intended to track any hazardous waste activity that has occurred at or on a piece of land or site. The following is a list, though not all-inclusive, of some example of why gathering, identifying, and managing data related to activities at RCRA sites is critical.

A. Active Sites

Identification of information that is as up-to-date and accurate as possible on RCRA waste handling activities across the nation is needed for the following:

- Tracking waste,
- Program planning and analysis,
- Reporting of GPRAs measures and national accomplishments for the Permitting, Corrective Action, and Enforcement Program Offices,
- Helping facilitate up-to-date oversight of authorized state hazardous waste programs,
- Providing more accurate universe numbers and universe distribution for grant funding and evaluation of proposed regulatory changes or initiatives,
- Evaluating the effect and effectiveness of the goals laid out by the Resource Conservation Challenge,
- Assuring quality data,
- Identifying non-compliance,
- Identifying compliance trends/patterns,
- Responding to Congressional and inter-government requests for information, and
- Responding to Freedom of Information Act requests.

Many Implementers believe that the current site universe in RCRAInfo may not adequately reflect the active site or inactive site universes (e.g., up-to-date information, verification of site activities). Thus, the result could be that it appears a significant number of sites or persons are not being inspected, when in fact, these sites or persons have gone out of business. Another concern about not knowing the universe is that targeting and inspection resources are wasted when inspections are targeted in an oversize universe that includes many inactive sites. Thus, sites that are actively generating, treating, storing, disposing, or transporting RCRA Subtitle C waste need to be identified and a mechanism made available for tracking activity status information within RCRAInfo and reporting it on EPA public access Web sites.

B. Inactive Sites

As important as it is to identify as clearly as possible the active sites in RCRAInfo, it is just as important to maintain as up-to-date as possible through clarification and/or verification the status of inactive sites since sites are not deleted from RCRAInfo after they become inactive. Information concerning inactive sites needs to be retained in RCRAInfo and on public access Web sites because:

- The public wants to be informed of the types of risks associated with waste handling activities in their communities. The public uses this information to research land use and to be informed of all sites that have ever been regulated.
- Liability survives inactivity. Historical information in the database aids investigations when wastes are found at or near the site.
- If a site that was inactive for a time becomes active again, this guidance recommends it use the original RCRA EPA ID Number previously assigned to the site, even if it is being activated under new site ownership. Therefore, RCRAInfo must keep a record of every site or RCRA EPA ID Number that has been issued.
- RCRAInfo is the Agency's database of record against which paper documents are researched. Public access Web sites serve a similar purpose, allowing the regulated community, the public, and local governments to search, study, and verify a site's information.

2 - DEFINITIONS

Relevant Definitions from 40 CFR 260.10²

EPA Identification Number

is the number assigned by EPA to each generator, transporter, and treatment, storage, or disposal facility.

Facility

is all contiguous land, and structures, other appurtenances, and improvements on the land, used for treating, storing, or disposing of hazardous waste. A facility may consist of several treatment, storage, or disposal operational units (e.g., one or more landfills, surface impoundments, or combinations of them).

Generator

is any person, by site, whose act or process produces hazardous waste identified or listed in part 261 of this chapter or whose act first causes a hazardous waste to become subject to regulation.

Individual Generation Site

is the contiguous site at or on which one or more hazardous wastes are generated. An individual generation site, such as a large manufacturing plant, may have one or more sources of hazardous waste but is considered a single or individual generation site if the site or property is contiguous.

On-site

is the same or geographically contiguous property which may be divided by public or private right-of-way, provided the entrance and exit between the properties is at a cross-roads intersection, and access is by crossing as opposed to going along, the right-of-way. Non-contiguous properties owned by the same person but connected by a right-of-way which he controls and to which the public does not have access, is also considered on-site property.

Operator

is the person responsible for the overall operation of a facility.

Owner

is the person who owns a facility or part of a facility.

Person

is an individual, trust, firm, joint stock company, Federal Agency, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of a state, or any interstate body.

Transporter

is a person engaged in the offsite transportation of hazardous waste by air, rail, highway, or water.

Universal Waste

is any of the following hazardous wastes that are managed under the universal waste requirements of part 40 CFR 273 of this chapter:

- (1) Batteries as described in 40 CFR 273.2 of this chapter;
- (2) Pesticides as described in 40 CFR 273.3 of this chapter;
- (3) Thermostats as described in 40 CFR 273.4 of this chapter; and
- (4) Lamps as described in 40 CFR 273.5 of this chapter.

Universal Waste Handler

(1) Means

- (i) A generator of universal waste; or
- (ii) The owner or operator of a facility, including all contiguous property, that receives universal waste from other universal waste handlers, accumulates universal waste, and sends universal waste to another universal waste handler, to a destination facility, or to a foreign destination.

(2) Does not mean:

- (i) A person who treats (except under the provisions of 40 CFR 273.13 (a) or (c), or 273.33 (a) or (c)), disposes of, or recycles universal waste; or
- (ii) A person engaged in the off-site transportation of universal waste by air, rail, highway, or water, including a universal waste transfer facility.

Universal Waste Transporter

is a person engaged in the off-site transportation of universal waste by air, rail, highway, or water.

Used Oil

is any oil that has been refined from crude oil, or any synthetic oil, that has been used and as a result of such use is contaminated by physical or chemical impurities.

Vessel

includes every description of watercraft, used or capable of being used as a means of transportation on the water.

Other Relevant Definitions³

Active Site designation

is an indication based on the information currently in the Agency's RCRAInfo database, that there may be an activity on a site that could be subject to the Resource Conservation and Recovery Act, Subtitle C, or to a state's authorized hazardous waste program. This designation has no legal significance and does not constitute a legally enforceable or binding determination about the status of a particular site or the obligations of an owner or operator.

Co-generator

is all parties that contribute to the generation of a waste or cause the waste to become subject to regulation. Depending on the situation, the operators or the owners of a process unit or material and the persons who remove the waste from process units may assume individual or collective responsibilities of a generator. Any party that is a co-generator is jointly and severally liable as the generator.

Contiguous

is being in actual contact: touching along a boundary or at a point. (see definition of on-site)

Emergency RCRA EPA ID Number

is a number issued to waste generators and transporters during spills and other unanticipated events.

³ These are not definitions that currently appear in 40 CFR 260.10; we define them here solely for the purpose of this Guidance document. These particular definitions as they are presented here are not intended to have any application outside of this document.

Episodic Generator

is a generator who periodically changes generator category by exceeding or falling below its normal generation limits in any given calendar month.

Implementer

is the State or EPA Regional office, depending on the level of RCRA State authorization or per agreement between the agencies, who assigns RCRA EPA ID Numbers and tracks RCRA Subtitle C sites.

Inactive Site designation

is an indication based on the information currently in the Agency's RCRAInfo database, that there may not be an activity on a site that could be subject to the Resource Conservation and Recovery Act, Subtitle C, or to a state's authorized hazardous waste program. This designation has no legal significance and does not constitute a legally enforceable or binding determination about the status of a particular site or the obligations of an owner or operator.

Non-notifier

is any person, by site conducting RCRA Subtitle C-regulated activities without notification to EPA or authorized State. Note: Identifying a person as a non-notifier has no regulatory significance and does not constitute a legally enforceable or binding determination about the status of a particular person under RCRA Subtitle C or a State's authorized hazardous waste management program.

Non-Notifier Flag

is an indicator that a site is conducting or is suspected of conducting RCRA Subtitle C-regulated activities without proper notification to EPA or authorized State. Note: A non-notifier flag has no regulatory significance and does not constitute a legally enforceable or binding determination about the status of a particular site under RCRA Subtitle C or a State's authorized hazardous waste management program.

Site (RCRA Subtitle C Site or RCRA Site)⁴

is the physical plant or location at which one or more of the following regulated waste activities occurs: the generation, transportation, treatment, storage, or disposal of hazardous wastes; recycling of hazardous wastes; the accumulation of 5,000 kg or more of universal wastes; and the transportation (and temporary storage during transportation), processing/re-refining, burning, or marketing of used oil. A site may consist of several treatment, storage, or disposal operational units. A site also may consist of an area undergoing corrective action. (For entities that only transport regulated wastes, the term site refers to the headquarters of that entity's operation.) Note: Identifying a plant or location as a "site" has no regulatory significance and does not constitute a legal determination about the status of a particular site under RCRA Subtitle C or a State's authorized hazardous waste management program.

Temporary RCRA EPA ID Number

is a number issued to waste generators and transporters that do not generate waste from ongoing industrial processes, but rather generate through remediation or "one-time events," such as plant cleanout, closure or process equipment change and therefore, the period of operation as a hazardous waste RCRA Subtitle C site is limited and typically short.

3 - ACRONYMS AND ABBREVIATIONS

The following is an alphabetical compilation of acronyms and abbreviations used throughout this document.

A

AOC – Acknowledgement of Consent

B

BIF – Boiler Industrial Furnace

BR - Biennial Report

C

CA - Corrective Action

CERCLA - Comprehensive Environmental Response, Compensation and Liability Act

CESQG - Conditionally Exempt Small Quantity Generator

CFR - Code of Federal Regulations

CME - Compliance, Monitoring and Enforcement

D

DEA – Drug Enforcement Agency

E

ECHO - Enforcement and Compliance History Online

EPA - Environmental Protection Agency

F

FC - Foreign Country

FINDS - Facility Index System

FOIA - Freedom of Information Act

FRS – Facility Registry System

FUDS – Formerly Used Defense Sites

G

GOCO – Government Owned, Contractor Operated

H

HHW – Household Hazardous Waste

I

INFORMED - Information Needs For Making Environmental Decisions

L

LQG - Large Quantity Generator

LQUWH - Large Quantity Universal Waste Handler

O

OECA – Office of Enforcement and Compliance Assurance

P

PCB – Polychlorinated Biphenyl

POTW – Publicly Owned Treatment Works

R

RCRA - Resource Conservation and Recovery Act

RCRAInfo - Resource Conservation and Recovery Act Information

RD&D – Research, Development, and Demonstration

S

SI - Site Identification

SQG - Small Quantity Generator

T

TSD – Treatment, Storage and Disposal

TSDF - Treatment, Storage and Disposal Facility

U

UO - Used Oil

URL – Uniform Resource Locator (Web address)

U.S.C. – United States Code

W

WIN - Waste Information Needs

WME- Window to My Environment

4 - OVERVIEW OF RCRA EPA ID NUMBERS

This section provides an overview and context for RCRA ID Numbers and is divided into four topics:

4.1 RCRA Regulations On Obtaining A RCRA ID Number

RCRA EPA ID Numbers are assigned to:

1. Generators, transporters, and owners/operators of facilities that treat, store or dispose of listed or characteristic hazardous wastes (40 CFR Part 261), except those hazardous wastes that are exempted from RCRA Subtitle C regulation;
2. Transporters, processors, refiners, marketers, and fuel burners of used oil (40 CFR Part 279.1) either on or off-specification; and
3. Large quantity handlers of universal wastes. (40 CFR 273.32)

Statutes and regulations in authorized States may require notification for additional activities.

Generators of solid waste as defined in 40 CFR 261.2, must determine if that waste is hazardous as directed by 40 CFR 262.11. Generators of 220 pounds (100 kg) per month or greater of hazardous waste or generators of 2.2 pounds (1 kg) of acute hazardous waste or greater are required to formally notify EPA of the types of hazardous waste they plan to generate by applying for a RCRA EPA ID Number (40 CFR 262.12) for that site. Likewise hazardous waste transporters (40 CFR 263.11) and owners/operators of treatment, storage, and disposal facilities (40 CFR 264.11 and 265.11) are also required to notify the Agency in order to receive the appropriate RCRA EPA ID Number for managing hazardous waste.

The standards for the management of used oil can be found in 40 CFR 279. Specifically, used oil transporters are required to have a RCRA EPA ID Number per 40 CFR 279.42. Used oil processors and refiners are subject to the requirements for a RCRA EPA ID Number under 40 CFR 279.51. Used oil burners who burn off-specification used oil are subject to the requirements to have a RCRA EPA ID Number as defined in 40 CFR 279.62. Regulatory requirements to have a RCRA EPA ID Number for used oil fuel marketers are defined in 40 CFR 279.73.

Large quantity handlers of universal wastes are required to obtain a RCRA EPA ID Number according to 40 CFR 273.32. A generator who accumulates 11,000 pounds (5,000 kg) or more of universal waste at any time is a large quantity handler. Owners/Operators of universal waste destination facilities are subject to the regulations of an owner/operator of a TSDF and, therefore, are required to obtain a RCRA EPA ID Number according to 40 CFR 264.11 and 40 CFR 265.11.

4.2 How ID Numbers are Assigned Across Various Regulatory Programs

EPA, the States, and Tribal programs assign ID Numbers across the various regulatory programs. The ID Numbers assigned vary by program in format and in the number issued to a site. For example, a review of a large chemical plant found eight different programs each with a single ID Number or multiple ID Numbers assigned to the site or owner/operator. In addition, the site is given a Facility Registry ID Number (FRS) that is used to link the various program ID Numbers. This site had 53 distinct ID Numbers and did not have an ID Number for four other programs. For the most part, these ID Numbers vary greatly in format across the programs, however, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA [Superfund]) program and Polychlorinated Biphenyls (PCB) program ID Numbers often cause confusion because they resemble RCRA EPA ID Numbers.

Years ago, all media program ID Numbers were generated through the Facility Index System (FINDS.) In this system, an ID Number could be the same for CERCLA, RCRA Subtitle C, and PCB activities. EPA staff used the FINDS system to determine which media programs had certified the use of that ID Number. In 1995, the

RCRA Subtitle C and CERCLA programs broke away from the FINDS system as it disinvested in location-specific ID Numbers for each specific company. Because both CERCLA and RCRA EPA ID Numbers are location-specific, multiple ID Numbers representing different media programs began to appear in the regulated universes.

RCRA EPA ID Numbers must appear on RCRA manifests that are required to move RCRA regulated wastes off-site on both RCRA Subtitle C and CERCLA sites. CERCLA ID Numbers are issued for administrative purposes, and should not be used to move RCRA Subtitle C regulated wastes from a site undergoing Superfund or CERCLA activities unless its CERCLA ID Number is issued to it as a RCRA ID.

For the PCB program, the RCRA EPA ID Number can be used. According to the instructions for the Notification of PCBs activity (EPA Form 7710-53), “**Item 2 – EPA identification number (if already assigned under RCRA):** Enter the Identification Number the site was assigned under the RCRA hazardous waste notification regulations. . . . A notifier may use their RCRA EPA Identification Number prior to receipt of written verification from EPA once they have confirmed EPA is in receipt of their PCB notification form.”

4.3 History of RCRA EPA ID Numbers

The RCRA EPA ID Number typically consists of 12 characters, although ID numbers assigned for State use can contain fewer characters. Generally, the first two characters represent a state postal code or a two-letter code indicating a Tribe or Trust Territory, except for the “FC” code which is used in the Hazardous Waste Report by receiving facilities to indicate a waste received from a foreign country.

The use of the third character of the RCRA EPA ID Number has changed over the years. The significance of the third character is as follows (XX is any state postal code):

- XXR: Current RCRAInfo generated permanent RCRA EPA ID Number format, started in February 1995.
- XX0-9: Federal permanent number format that preceded the XXR prefixes. These numbers have not been issued since February 1995. Federal facilities were also issued numbers with this prefix prior to August 1993.
- XXD: Federal permanent number format that preceded the XX0-9 number. CERCLA numbers are in this format. EPA systems did not assign this prefix for RCRA Subtitle C sites after August 1993.
- XXT: Number format prior to the XXD number format.
- XXP: Temporary RCRA EPA ID Numbers issued by States or EPA.

All other characters in the third digit are ID Numbers assigned by the Implementer to denote special Implementer-specific meanings (e.g., temporary or State ID Numbers.)

4.4 Use of Other ID and Notes Fields in RCRAInfo⁵

The RCRAInfo Handler module has an Other ID table in which Implementers may track previous or other ID Numbers associated with a primary RCRA EPA ID Number. The table allows multiple entries per site, associates each Other ID Number with a code that characterizes it, and with a 480-character Notes field that can describe extenuating circumstances in the assignment or use of the ID Number.

Routine searches in RCRAInfo look at identification numbers in the Other ID table as well as at the primary RCRA EPA ID Number. RCRAInfo Site Identification screens and some reports show all these identification numbers. When a search on one RCRA EPA ID Number brings up several sites or brings up another RCRA EPA ID Number, the user should look in Other ID and Notes to discover the relationships among the identification numbers.

The Other ID table can be used:

- To cross-reference identification numbers when a new RCRA EPA ID Number is assigned to a site with an existing RCRA EPA ID Number (See Section 6.4 New RCRA EPA ID Number for Site with an Existing RCRA EPA ID Number);
- To track formerly-used identification numbers at a site that had multiple identification numbers (due, perhaps, to data management errors or State-specific procedures) and has had those identification numbers consolidated under a single current RCRA EPA ID Number;
- To cross-reference original and newly-created RCRA EPA ID Numbers when a site is divided into separate parcels, each with its own new RCRA EPA ID Number;
- To track a State-assigned ID or an identification number from another system that some users expect in RCRAInfo (e.g., a site's CERCLA ID Number when it differs from its RCRA EPA ID Number, Section 6.21).

We recommend the Notes field in HANDLER2 be used to document any information regarding unusual or extenuating circumstances at a site that cannot be covered by existing RCRAInfo fields.

⁵ See recommendations 28 through 32 in the accompanying RCRA Subtitle C Site Activity Status Report for changes recommended to implement this. Currently the Other ID table is available only to translators of RCRAInfo data.

5 - GUIDANCE ON GENERAL ISSUANCE OF A RCRA EPA ID NUMBER

The basic mechanism for assigning a RCRA EPA ID Number is the same no matter whether it is through RCRAInfo or a system used by a translator; the user would search for any previously assigned numbers for a specific location and decide whether to assign a new number or whether an existing number has already been assigned. The following information describes the recommended steps in this process and is not meant to take the place of the RCRAInfo Help documentation.

5.1 Checking the Form

The first step in processing a notification form is to check it for completeness and accuracy. Most notification forms received are complete. However, there are instances when a call to the site or owner/operator is necessary to obtain additional information or when the form must be mailed back for completion. Common examples of a lack of completeness and accuracy are:

- The form is missing one or more required pieces of information.
- The handwriting on the form is illegible.
- The activity information is questionable, such as a checked TSD box when the activity requires a permit.
- There is no signature to certify the form.
- In the case of subsequent notifications, the basic information on the form such as name and/or address does not match what is found in the database for the existing RCRA EPA ID Number.

If changes result from a phone call with the site contact person, document this on the form. Some changes may be made without contacting the facility but it is prudent for Implementers to state these business rules in writing and document the changes on the form. Examples of these are correcting the spelling, abbreviating fields to fit the allocated space, converting the facility supplied SIC code to the corresponding NAICS code, and fixing a NAICS code with a typographical error. Some Implementers also have business rules on what to do when the full month/day/year has not been supplied or is unknown for the Date Became Owner/Operator field.

After reviewing the form for complete information, the next step is to determine whether the form is an initial notification or a subsequent notification. The check boxes in the Reason for Submittal section are designed to indicate this; an additional indicator is whether the RCRA EPA ID Number has been provided on the form or not. If a new owner/operator notifies for a location that already has a RCRA EPA ID Number, it can still be an initial notification if that owner/operator has not previously submitted a notification form.

If the form does not list a RCRA EPA ID Number, we recommend the user conduct a search of RCRAInfo to determine if the location has previously been assigned a number. (Even if a RCRA EPA ID Number is listed on the form, the user needs to compare the new information with what is already listed in the database in case any questions arise.)

5.2 Conducting a Search for a RCRA EPA ID Number

The concept of searching is deceptively simple. A less than thorough search can result in multiple RCRA EPA ID Numbers assigned to the same location, which is a situation that should be avoided unless it is necessary to accommodate special circumstances. The search is a critical step in the RCRA EPA ID Number assignment process. Experienced users have learned that the most efficient search is a balancing act of trying to retrieve as many potential matches as possible without retrieving so many they become hard to browse or sort through. We recommend that the user determine search criteria that are not too broad but will not exclude possible matches. A suggested hierarchy for what combinations of fields to use in the search is:

Partial street name and city
Partial street name and county
Partial handler name and city, county, or state Zip code

Try multiple combinations of criteria to be sure a match was not overlooked. For example, in rural areas searching by city alone may be sufficient but may not be practical for urban areas where city and suburb names can be used interchangeably. The US Postal Service's Web site at <http://zip4.usps.com/zip4/welcome.htm> has a zip code lookup that will verify the correct zip code, city name, and county for a specific address.

In RCRAInfo, use the percent sign (%) wildcard to do a "contains" search. For example, the search criteria of *%smith%* in the street name field will retrieve all RCRA EPA ID numbers whose street name field contains the word "smith". This results in a list of all the handlers on that street regardless of their street number. When searching please be aware that some Implementers enter the street number in the street number field and others enter it with street name. You may also try a wildcard search in the facility name or city name fields. For example, if the city name is "North Royalton" and you are not sure if it was entered as "North Royalton" or abbreviated as "N Royalton", use *N% Royalton* as the search criteria.

5.3 Entering the Data

If a thorough search was done and there are no matches, generate a new RCRA EPA ID Number. If a possible match was found, but it is not certain that it is the same location, review historical records on the existing RCRA EPA ID Number and call the contact person on the notification form to obtain more information as necessary.

When the notification form is from a new owner/operator at a location with an existing RCRA EPA ID Number, read their submittal thoroughly to see if they mention the former owner/operator or state that there has been a change in their organization; typically this would be in a cover letter attached to the form. Compare the information submitted to the most recent notification record. If there is no clear indicator of an organizational change and the RCRA EPA ID Number is active, it is recommended that, before assigning the new owner/operator the existing RCRA EPA ID Number, the Implementer should verify with the contact person that the old owner/operator is no longer in business at this location. This verification prevents errors in RCRA EPA ID Number assignment.

Once convinced that there are no issues with a subsequent notification, enter the new source record. Beginning with the deployment of RCRAInfo Version 2, we advise following the document concept so that historical data can be maintained over time.

5.4 Acknowledging the Notification Processing

Implementers typically send a reply to the site owner/operator to acknowledge the processing of the notification form. This can range from an e-mail acknowledgement to a form letter that lists the RCRA EPA ID Number to a tailored letter and printout listing the current notification data for the site. The latter is recommended since this gives the site an opportunity to catch any errors and to have a record that can be stored in their files for future reference.

5.5 Authorized State Responsibilities

When a State becomes authorized for all or part of the RCRA Subtitle C Program, then the RCRA authorized program operates in lieu of the federal RCRA program and certain responsibilities move from EPA and the Regional Office to the State's RCRA Hazardous Waste Management Program. If the State is authorized under its RCRA State program to issue RCRA EPA ID Numbers, we encourage the State to follow this national guidance on how RCRA EPA ID Numbers are issued, especially with respect to the use of a valid State postal code.

6 - GUIDANCE ON ISSUING A RCRA EPA ID NUMBER IN SPECIAL CASES

The following section describes various situations where the assignment of a RCRA EPA ID Number is not always straightforward. It summarizes EPA’s existing statutory and regulatory authorities, interpretations, and policies on the issues raised in such situations, and consolidates them here. This section does not present any new regulations or requirements, interpretations, or policies on these issues and merely brings in one comprehensive place statements that EPA has made elsewhere on these issues. If there are any inconsistencies or discrepancies between the summaries and the original source, the original source controls. The descriptions in the table below do not constitute an exhaustive list of all situations, but provides guidance on how to handle similar situations and are discussed in greater detail following the table. Implementers should contact the appropriate personnel within their agency for guidance on specific cases that do not conform to the situations discussed in the document.

Special Case	Guidance (describes recommended ways of addressing these issues)
Ownership Changes – New Owner not involved in RCRA Subtitle C Regulated Activities	New owner is not required to notify and the information in RCRAInfo remains unchanged, except for facility status, which could become inactive once the Implementer is notified. <i>(See Section 6.1 for additional information.)</i>
Ownership Changes – New Owner is involved in RCRA Subtitle C Regulated Activities	EPA’s position, as stated in the preamble in 45 FR 12746, a new owner should generally notify. Generally, the new owner is given the previous RCRA EPA ID Number issued at that site. <i>(See Section 6.2 for additional information.)</i>
Owners/Operators that Relocate	A new RCRA EPA ID Number would be assigned for the new location (or a previously issued RCRA EPA ID Number for that site would be reactivated, if applicable). <i>(See Section 6.3 for additional information.)</i>
New RCRA EPA ID Number for Site with an Existing RCRA EPA ID Number	The existing RCRA EPA ID Number for the site would be assigned to the next owner/operator of the site, regardless of ownership or past history. <i>(See Section 6.4 for additional information.)</i>
Episodic Generators	The RCRA EPA ID Number is typically issued in the same way as any generator of RCRA Subtitle C waste. <i>(See Section 6.5 for additional information.)</i>
Sites Using an Incorrect RCRA EPA ID Number	Situations where the owner/operator of a site is identified as utilizing an incorrect RCRA EPA ID Number or RCRA EPA ID Number not assigned to the site operator/owner, can be addressed under the appropriate State or federal policy. <i>(See Section 6.6 for additional information.)</i>
Sites that Merge into One Site	The regulatory agency in contact with the owner or operator typically determines which property’s existing RCRA EPA ID Number would be inactivated. <i>(See Section 6.7 for additional information.)</i>
Co-generation	RCRA EPA ID Number is typically assigned to a site with all owners/operators referenced in RCRAInfo. <i>(See Section 6.8 for additional information.)</i>
Multiple Generators on a Contiguous Property	Individual RCRA EPA ID Number may be issued to each of the tenants. <i>(See Section 6.9 for additional information.)</i>
FUDS, GOCOs and Federal Tenants	Each situation would generally be addressed separately taking into account who the owner/operator of the generating entity is as well as the owner of the property. <i>(See Section 6.10 for additional information.)</i>
Elongated Contiguous Sites	Generally all portions under a single RCRA EPA ID Number. <i>(See Section 6.11 for additional information.)</i>

Special Case	Guidance (describes recommended ways of addressing these issues)
Importers	The RCRA EPA ID Number must, under 40 CFR 262.60(B)(1), be assigned to a United States address, with the first two characters of the RCRA EPA ID Number the same as the state postal code of the importer. <i>(See Section 6.12 for additional information.)</i>
Importers – Maquiladora	It is recommended that the United States company use its current RCRA EPA ID Number as the generator ID Number. <i>(See Section 6.13 for additional information.)</i>
Transporters	In general, one RCRA EPA ID Number is issued to these transport companies at the principal business location that covers all vehicles belonging to that company. <i>(See Section 6.14 for additional information.)</i>
Ships and Vessels and RCRA EPA ID Numbers	RCRA EPA ID Numbers are issued to United States non-naval marine vessels of all types when hazardous waste generation above the conditionally exempt small quantity generator (CESQG) level occurs or when transportation of hazardous wastes is involved. Foreign flag vessels within the territorial waters of the United States may also need a RCRA EPA Identification Number if ship-generated wastes are removed from the vessel to a shore facility. <i>(See Section 6.15 for additional information.)</i>
RCRA EPA ID Numbers for Generator Cruise Ships	An individual cruise ship would be assigned one RCRA EPA ID Number as a generator of hazardous waste for the purposes of RCRA. The number would be issued to it in its American-based homeport state, which is the state of its corporate offices or main port of call. <i>(See Section 6.16 for additional information.)</i>
RCRA EPA ID Numbers for Generator Vessels	Hazardous waste in vessels can also be considered generated for EPA RCRA ID Number purposes when the vessels are put into reserve or are otherwise no longer in service. <i>(See Section 6.17 for additional information.)</i>
RCRA EPA ID Numbers for Vessel Maintenance Activities	The person who performs the duties of a generator must have and use a RCRA EPA ID Number for the site at which hazardous wastes are removed from vessel, by 45 FR 72027. <i>(See Section 6.18 for additional information.)</i>
RCRA EPA ID Numbers and Dock/Port Owner/Operators or Service Contractors	As an alternative to issuing a specific RCRA EPA ID Number to a specific vessel, the issuing Authority (e.g., EPA or State Agency) might want to consider whether to allow the dock or port operator to either assume the generator responsibilities or become a co-generator with any United States or Foreign Flag vessel using their own EPA RCRA ID Number. <i>(See Section 6.19 for additional information.)</i>
RCRA EPA IDs for Vessels as Transporters	When a hazardous waste manifest is required, vessels that commercially transport hazardous wastes are subject to Subtitle C transporter requirements. <i>(See Section 6.20 for additional information.)</i>
Superfund Sites	A Superfund site would be issued a permanent RCRA EPA ID Number in the same manner as any RCRA Subtitle C-regulated generator or treatment/storage/disposal (TSDF). <i>(See Section 6.21 for additional information.)</i>
Abandoned Sites	Typically, a generator RCRA EPA ID Number is issued for an abandoned site if a person needs to send the waste off-site. <i>(See Section 6.22 for additional information.)</i>
Off-Site Spills	The party causing the spill would be the generator who obtains a RCRA EPA ID number for the location of the spill. <i>(See Section 6.23 for additional information.)</i>
Wastes that Migrate Off-Site	The RCRA EPA ID Number of the site whose waste has migrated to off-site locations generally would be used for activities such as corrective actions resulting from the waste migration. <i>(See Section 6.24 for additional information.)</i>

Special Case	Guidance (describes recommended ways of addressing these issues)
Clandestine Drug Laboratories	Rapid issuance of RCRA EPA ID Numbers for emergencies or unusual circumstances is extended to DEA agents to allow shipment of waste from secured laboratories off-site immediately to a TSD facility. <i>(See Section 6.25 for additional information.)</i>
Household Hazardous Waste	RCRA EPA ID Numbers are site-specific, with the exception being curbside collections that may use a contractor or transporter RCRA EPA ID Number or may receive a special RCRA EPA ID Number for the project or area. <i>(See Section 6.26 for additional information.)</i>
Publicly Owned Treatment Works	A POTW desiring to receive off-site waste must, under 40 CFR 261.5(c)(2), have a RCRA EPA ID Number so that the manifest can be properly filled out. <i>(See Section 6.27 for additional information.)</i>
Mobile Treatment Units	Mobile treatment units alone cannot receive a permit or a RCRA EPA ID Number. They would generally, by RCRA ONLINE NUMBER 12037, be permitted separately and issued a RCRA EPA ID Number for use at each location. <i>(See Section 6.28 for additional information.)</i>
Indian Country	The RCRA EPA ID Number will begin with the state postal code of the state in which the site is located unless it is part of the Navajo which uses the code “NN.” We recommend that a state should contact the EPA Regional Office concerning such sites in that state. <i>(See Section 6.29 for additional information.)</i>
State-Only Sites	We recommend Implementers enter States-only activities into RCRAInfo under a single RCRAInfo generated ID number. <i>(See Section 6.30 for additional information.)</i>

6.1 Ownership Changes - New Owner Not Involved in RCRA Subtitle C Regulated Activities

A new owner of a site that is not involved in RCRA Subtitle C regulated waste activities is not required to notify. In these cases, the Implementer can obtain site information by methods other than a notification form. Information obtained from a source other than the regulated entity can be entered in RCRAInfo under an Implementer source. For example, when a new owner of a site informs an Implementer it has never conducted RCRA Subtitle C-regulated activities, a new Implementer source record would be entered after appropriate confirmation. The “I” source record for the site’s RCRA EPA ID Number would indicate no current waste activities and would generally list the approximate date of when RCRA Subtitle C-regulated activity ceased with a note to reference the source of the information. Since the new owner has not notified of RCRA Subtitle C-regulated activity, its company name and owner should not be entered but, if the Implementer wanted it could be entered in the notes. Any subsequent ownership changes at the site, if there are no RCRA Subtitle C-regulated activities, should also not be tracked.

6.2 Ownership Changes - New Owner Is Involved in RCRA Subtitle C Regulated Activities

EPA’s position, as stated in the preamble in 45 FR 12746, is that a new owner at a site should generally notify if they are involved in RCRA Subtitle C regulated waste activities that require a notification. Owners/operators are not automatically given a previous RCRA EPA ID Number at a site and are required to submit a Notification form. Further guidance on how this is done can be found in 6.3 “Owners/Operators that Relocate”.

6.3 Owners/Operators that Relocate

When an owner/operator relocates, a new RCRA EPA ID Number would be assigned for the new location (or a previously issued RCRA EPA ID Number for that site would be reactivated, if applicable).

For the new location:

1. EPA's position, as stated in the preamble in 45 FR 12746, is that a new owner at a site should generally complete a notification form to obtain a new or re-activated RCRA EPA ID Number for the new location.
2. If a number already exists for that location, the existing RCRA EPA ID Number is generally assigned to the new company when the new company completes a notification form for that location.
3. If the new location does not already have an RCRA EPA ID Number, the notification form would be completed as an initial notification and a RCRA EPA ID Number generated for that location.

Reuse of the existing RCRA EPA ID Number depends on:

1. Whether a new company moves into the old location and if the new company generates regulated wastes. EPA's position, as stated in the preamble in 45 FR 12746, is that a new owner at a site should generally complete a RCRA Subtitle C notification form if it will be conducting RCRA Subtitle C regulated activities on the site, to indicate both the new site name and ownership changes and regulated activity status;
2. Whether the previous owner will continue regulated waste activities at the location.

A generator with transporter activities is normally issued a site-specific RCRA EPA ID Number covering both its waste generation and transportation activities. If the transporter activities (only) move to a different location within the same state but remain under the same ownership and are considered a component of the generation site, the transporter activities generally do not need a new RCRA EPA ID Number. The Corporate Headquarters would usually be considered to continue to reside at the old location. A new RCRA EPA ID Number is typically issued, however, for the transporter if the transporter activities move and all ties with the original generator are severed.

6.4 New RCRA EPA ID Number for Site with an Existing RCRA EPA ID Number

Since RCRA EPA ID Numbers are location-specific, the RCRA EPA ID Number issued to the site would generally go to the next owner/operator of the site, regardless of ownership or past history. In most cases, the Notes field can be used to explain unusual situations or clarify undesirable history from previous owners.

However, there are times when the previous owner/operator has continuing obligations for the site and the new owner/operator is generating a waste stream that has no connection to the previous RCRA Subtitle C activities. This may be a situation when a second RCRA EPA ID Number is issued to the site; we recommend that such action be cross-referenced and documented in RCRAInfo using the Other ID table and the Notes field. Although the location address will be the same for all RCRA EPA ID Numbers, they can be differentiated by indication of suite numbers, floors, or locations on a floor.

6.5 Episodic Generators

There are generally two options for dealing with episodic generators. Some States may have specific guidelines on when episodic generators should renotify. In either case, we recommend the issuing of RCRA EPA ID Number to the site owner/operator be handled in the same way as any generator of RCRA Subtitle C waste.

- 1) The owner/operator of a site may choose to renotify each time the site's generator status changes so that such information can be tracked in RCRAInfo. However, neither the regulations nor the instructions for the RCRA EPA ID Number application form require the owners/operators of a site to renotify when generator status changes. Some Implementers feel that such a requirement would be burdensome on them and the generators as well.
- 2) We recommend leaving the generator status constant throughout the year. The status would generally be determined based on when generation does occur so the site is not under-reporting waste generation activities. We recommend that the owner/operator be provided with enough technical outreach to

understand the accumulation and storage time limits involved in each type of generator status. Some States may have specific guidelines on when episodic generators are recommended to re-notify.

6.6 Sites Using an Incorrect RCRA EPA ID Number

A situation where the owner/operator of a site is identified as utilizing an incorrect RCRA EPA ID Number or RCRA EPA ID Number not assigned to the site operator/owner, can be addressed under the appropriate State or federal policy.

6.7 Sites that Merge into One Site

Typically, if adjacent properties merge to come under one owner and/or operator, the regulatory agency in contact with the owner or operator would determine which property's existing RCRA EPA ID Number would be inactivated. The decision taken would be documented in the site files for both RCRA EPA ID Numbers as well as the RCRAInfo Handler Module Notes field. In addition, a cross-reference would generally be made in the Other ID table in both sites' handler records (see 8.9 How to Inactivate a RCRA EPA ID Number).

6.8 Co-generation

Co-generation occurs when more than one distinct company is involved in generating a waste stream at a single site. EPA has maintained a long-standing position that co-generators should mutually agree (by contract or other means) who will perform the duties of generator on behalf of all the parties. EPA expects the designated party to perform generator responsibilities, including applying for a RCRA EPA ID Number. EPA, however, holds all co-generators liable for his/her responsibilities in any enforcement action as a result of a violation of regulations. [45 FR 72026 and RCRA ONLINE NUMBER 11005.]⁶

6.9 Multiple Generators on a Contiguous Property

Contiguous property is a property that is one continuous plot of land or several plots of adjoining land. Multiple operators can exist on sites such as a large manufacturing building or industrial park with several tenants, a large corporation with financially distinct entities on a single contiguous property, or an office building holding multiple tenants, etc. In all such cases, where there is separate generation of waste streams, we recommend an individual RCRA EPA ID Number be issued to each tenant if the above-mentioned criteria are met. Although the location address will be the same for all operators, they should be differentiated by indication of suite numbers, floors, or locations on a floor. The owner/operator of each company is responsible for the waste activities on the property as well as the legal owner of the property. State RCRA Subtitle C programs may have specific laws that are applicable in addition to the federal program, so requests for multiple RCRA EPA ID Numbers would generally be evaluated on a case-by-case basis by the authorized State.

Any ownership changes may make additional RCRA EPA ID Numbers necessary depending on the waste activity on the site. The use of the Other ID table can be used to track changes in the RCRA EPA ID Number. Care is to be taken to ensure facilities are not being subdivided in order to avoid regulation.

6.10 FUDS, GOCOs and Federal Tenants

Situations where federal agencies are the owner or operator at a site may sometimes be confusing. The federal agency may be operating with a contractor in a co-generation status, as a sole owner/operator and also as one of several generators on a piece of property. Each situation would generally be addressed separately taking into account who the owner/operator of the generating entity is as well as the owner of the property. Once these determinations have been made, a decision can be made as to what guidance is appropriate (i.e., co-generators, multiple generators on a contiguous property, etc.).

6.11 Elongated Contiguous Sites

Elongated contiguous sites may typically cover large distances and may even span county, borough, or state lines. Generally, all portions of an elongated contiguous site under a single RCRA EPA ID Number would generally be located within the state issuing the RCRA EPA ID Number. Examples of elongated contiguous sites are pipelines, sewer systems, and city transit stations without distinct addresses.

Requests for a RCRA EPA ID Number by elongated contiguous property should be evaluated based on the criteria of land ownership, allocation of the waste generation to entities, and context of the project (one-time versus ongoing waste generation). If the site is issued one RCRA EPA ID Number, the site file should document the decision and provide a map of the points of waste generation covered by the RCRA EPA ID Number (if possible).

6.12 Importers

It is the responsibility of a waste importer to carry out all normal generator requirements, as well as specific requirements for the imported wastes. EPA uses the term “importer” broadly to include numerous parties, such as waste brokers, TSDFs, or transporters, among others, depending upon the situation. When multiple parties are involved in importing waste, those parties may all be subject to the importer requirements. However, one party may assume and perform the importer duties on behalf of all the parties. Importers must, under 40 CFR 262.60(b)(1), have a United States address. The importer of the hazardous waste must have a RCRA EPA ID Number. The RCRA EPA ID Number must be assigned to a United States address, with the first two characters of the RCRA EPA ID Number the same as the state postal code of the importer. Facilities may use their current RCRA EPA ID Number for their import activities.

6.13 Importers - Maquiladoras

Maquiladoras are facilities in Mexico that have a special relationship with the Mexican government. US-owned Maquiladoras receive all raw materials for the product they manufacture from the United States and at the end of the manufacturing process all materials or components must return to the United States, including hazardous waste. To prevent these United States companies from establishing “storefront” generators at the border, it is recommended that the United States company use its current RCRA EPA ID Number as the generator ID Number. For example, a company in Michigan would be asked to use its RCRA EPA ID Number starting with “MI” as the generator of the waste, even though the waste may never enter the State of Michigan.

6.14 Transporters

Companies who transport hazardous waste or used oil may operate out of one or more locations with one or more vehicles/conveyances. In general, one RCRA EPA ID Number is issued to these transport companies at the principal business location that covers all vehicles belonging to that company. The primary consideration in determining if more than one RCRA EPA ID Number is necessary is site ownership. If a transporter/site is a franchise with individual owners/operators, then each owner/operator should apply for a separate RCRA EPA ID Number for his/her location. If the transporter ownership resides with one entity, although there may be many locations, only one RCRA EPA ID Number would typically be issued, therefore, every vehicle owned by that company would use the company RCRA EPA ID Number for all shipments. If a transporter is also a generator at any location, that location must, under 40 CFR 263.10(c), have a site-specific RCRA EPA ID Number and the guidance regarding generators with RCRA EPA ID Numbers applies.

The RCRA EPA ID Number belonging to a transporter typically moves with the transporter when he/she relocates within a state unless they were a generator at the old location. The RCRA EPA ID Number is typically tied to the corporate office or a primary location within the state, and if that office moves, the location address can change for a transporter. If the transporter moves out-of-state, we recommend that the existing RCRA EPA ID Number be inactivated since the RCRAInfo system requires the state postal code of the site’s physical location match the first two digits of the RCRA EPA ID Number. Since authorized States may have

fee-based systems tied to the generation/disposal of wastes, the specific state should be consulted on the procedure for assigning RCRA EPA ID Numbers to transporters.

A transporter's RCRA EPA ID Number is valid for transportation activities in all 50 States, Indian Country, and the Territories. Some States may have requirements that are more stringent than the federal regulations. [RCRA ONLINE NUMBER 11567 and 14428]

6.15 Ships and Vessels and RCRA EPA ID Numbers

RCRA EPA ID Numbers are issued to United States non-naval marine vessels of all types when hazardous waste generation above the conditionally exempt small quantity generator (CESQG) level occurs or when transportation of hazardous wastes is involved. Foreign flag vessels within the territorial waters of the United States may also need a RCRA EPA Identification Number if ship-generated wastes are removed from the vessel to a shore facility. The term "vessel" includes every description of watercraft [See 40 CFR 260.10]. RCRA Section 3022 provides guidance on when hazardous waste is considered "generated" and subject to RCRA Subtitle C regulations.

6.16 RCRA EPA ID Numbers for Generator Cruise Ships

We recommend that an individual cruise ship be assigned one RCRA EPA ID Number as a generator of hazardous waste for the purposes of RCRA. A cruise ship should determine its American-based homeport state, which is the state of its corporate offices or main port of call. The cruise ship should notify the selected state or appropriate EPA regional office of its hazardous waste activities and determine its generator size in accordance with 261.5(c). The homeport state or region will issue a RCRA EPA ID Number. EPA recommends issuing RCRA EPA ID Numbers based on a ship's International Maritime Organization (IMO) number. Assigned RCRA EPA ID Numbers typically are recommended to remain with the ship and are to be used on all hazardous waste manifests. State assigned numbers will not impact the applicability of state-specific RCRA requirements in other states. [See the December 4, 2001 Liz Cotsworth Memo "Cruise Ship Identification Numbers and State Required Annual Reporting Components" RCRA ONLINE NUMBER 14580 or (http://www.epa.gov/owow/oceans/cruise_ships/haz_tracking.html)].

6.17 RCRA EPA ID Numbers for Generator Vessels

For marine vessels, the point at which hazardous waste is typically considered "generated" is the point when the vessel reaches a port or dock located in United States waters and hazardous wastes are physically "off-loaded" and removed from the vessel to a shore facility. As stated above, hazardous waste in vessels can also be considered generated for EPA RCRA ID Number purposes when the vessels are put into reserve or are otherwise no longer in service. Both U.S. and foreign flag vessels within the territorial waters of the United States may need a RCRA EPA ID Number if ship-generated wastes are removed from the vessel to a shore facility. The issuing authority for the RCRA EPA ID Numbers would typically determine whether the number should be a permanent number or a temporary EPA RCRA ID Number based upon the frequency of hazardous waste generation and other specific facts for each situation. The incorporation of ship registry numbers into the EPA RCRA ID Number for "non-cruise" ship vessels may be useful where IMO numbers also exist for these types of vessels.

6.18 RCRA EPA ID Numbers for Vessel Maintenance Activities

Periodic activities that generate large quantities of waste include major repair work done in shipyards, refurbishing portions of the ship while docked, and cleaning out sumps or other waste collection devices. For these situations, the identity of the generator depends on where the work is done, the owner/operator of the shipyard, and the agreement of the shipyard or port in becoming a generator or co-generator with the ship owner. The person who removes hazardous waste from a vessel will be jointly and severally liable, along with the owner and operator of the vessel and the owner of the material in the vessel, as a generator. The person

who performs the duties of a generator must, under 40 CFR 262.12, have and use a RCRA EPA ID Number for the site at which hazardous wastes are removed from vessel.

6.19 RCRA EPA ID Numbers and Dock/Port Owner/Operators or Service Contractors

As an alternative to issuing a specific RCRA EPA ID Number to a specific vessel, the issuing Authority (e.g., EPA or State Agency) might want to consider whether to allow the dock or port operator to either assume the generator responsibilities or become a co-generator with any United States or Foreign Flag vessel using their own EPA RCRA ID Number. The issuing Authority might also consider whether to allow the service contractor (other than the dock or port operator) hired to remove hazardous wastes from a vessel to assume generator responsibility or become a co-generator with the United States or Foreign Flag vessel using their own EPA RCRA ID Number.

6.20 RCRA EPA ID Numbers for Vessels as Transporters

As a general rule of thumb, a RCRA EPA ID Number is not typically required or assigned to a transporter if a RCRA manifest is not required to accompany the hazardous waste. However, when a hazardous waste manifest is required, US owned vessels that commercially transport hazardous wastes are subject to Subtitle C transporter requirements. Likewise, Foreign-flagged vessels that engage in hazardous waste transportation activities within the territorial waters of the United States and such transportation is not considered or otherwise associated with hazardous waste imports or exports, would also be subject to Subtitle C transporter requirements.

United States or Foreign Flagged vessels that are engaged in hazardous waste import or export activities, generally, do not require a RCRA EPA ID Number while operating in the territorial waters of the United States. For these situations, since the port is generally considered to be either the “cradle” (for imports) or the “grave” for (“exports”), a manifest would not be used and, as such, a RCRA EPA ID Number would not be issued or assigned to the transport vessel [see RCRA ONLINE NUMBER 11894].

6.21 Superfund Sites

A Superfund site would be issued a permanent RCRA EPA ID Number in the same manner as any RCRA Subtitle C-regulated generator or treatment/storage/disposal (TSDF). RCRA EPA ID Numbers should be established at the beginning of Superfund remediation activities since wastes generated by the cleanup can only be removed from the site (or stored for more than 90 days) using an active RCRA EPA ID Number. If a CERCLA ID Number exists, it may be possible to add the “Certification of the CERCLA ID Number by RCRA”⁷ to the existing CERCLA ID Number, rather than generating a new RCRA EPA ID Number. If the CERCLA ID and the RCRA EPA ID are different, the CERCLA ID could be added to the Other ID table. If the Potentially Responsible Parties have not been legally established, the site owner will be EPA or the State (whoever is responsible for managing the remediation) until the responsible parties are defined. The RCRAInfo site name should match the CERCLA site name because the CERCLA program determines the legal name, posts it in the Federal Register, and then tracks it on the “EPA Enforcement Docket.” Hazardous remediation waste “counts” like any other RCRA Subtitle C waste, and the site’s activity status is determined like other sites.

6.22 Abandoned Sites

In situations of abandoned sites, EPA or the State cleaning up the site may be considered the generator of the waste and the contact person if responsibility/liability cannot be immediately assigned. Hazardous wastes at abandoned sites can be generated in many ways, e.g., residuals from a treatment process, management of

⁷ A RCRA Certification means adding the site to RCRAInfo with the EPA ID assigned by CERCLA used as the RCRA ID.

contaminated soils, and rinse water from decontamination of people. Typically, we would issue a RCRA EPA ID generator number to, among other things, move these hazardous wastes off-site.

It is important for contact persons at these sites to notify the RCRA Subtitle C program (State or Regional) contact when activities at the site have ceased and waste will no longer be removed from the site. Monitoring wells and clean-up technology such as pump and treat may require the RCRA EPA ID Number to remain active since many times carbon filters and collected samples result in waste generation. We recommend the Region or an authorized State to administratively inactivate the RCRA EPA ID Number when appropriate.

6.23 Off-Site Spills

The party causing the spill would be the generator who obtains a RCRA EPA ID Number for the location of the spill. The name of the site should generally identify the activity and the responsible party. By clearly identifying the generator and the site, the RCRA EPA ID Number accurately reflects responsibility. (see 7.3 Emergency and Temporary RCRA EPA ID Numbers).

6.24 Wastes that Migrate Off-site

Migrating wastes can contaminate large expanses of property or bodies of water, owned by entities other than the owner of the site who received the original RCRA EPA ID Number. The RCRA EPA ID Number of the site whose waste has migrated to off-site locations would generally be used for activities such as corrective actions resulting from the waste migration at the off-site locations. In case a new RCRA EPA ID Number is issued, then we recommend that the other RCRA EPA ID Number be cross-referenced and documented in RCRAInfo using the Other ID Table and Notes field.

6.25 Clandestine Drug Laboratories

Many different types of hazardous wastes can be found at clandestine drug laboratories including acids, bases, and solvents. As the party accepting responsibility for chemical waste found at these sites, local law enforcement or federal law enforcement (i.e., the Drug Enforcement Agency [DEA]) becomes the generator of the waste and is responsible for managing it in accordance with applicable RCRA Subtitle C regulations, including obtaining a RCRA EPA ID Number. In cases of an imminent hazard, however, RCRA Subtitle C requirements can be waived (RCRA 7003). EPA's policy regarding rapid issuance of RCRA EPA ID Numbers for emergencies or unusual circumstances is extended to DEA agents to allow shipment of waste from secured laboratories off-site immediately to a TSD facility. The policy allows the law enforcement agency to obtain RCRA EPA ID Numbers by telephone request. [RCRA ONLINE NUMBER 12855]

RCRA EPA ID Numbers, usually temporary or emergency RCRA EPA ID Numbers, issued for Clandestine Drug Laboratories would be transmitted to RCRAInfo. (See 7.3 Temporary and Emergency RCRA EPA ID Numbers.) For additional information refer to "The Guidelines for Cleanup of Clandestine Drug Laboratories," which is found on EPA's web site at <http://www.nepis.epa.gov/>.

6.26 Household Hazardous Waste (HHW)

HHW is excluded from federal regulations as hazardous waste (40 CFR 261.4 (b)(1)). To qualify for this exclusion, waste has to be generated by individuals in their homes and the waste stream must be composed exclusively of materials found in the wastes generated by consumers in their homes. Waste from building construction, renovation and demolition, even if generated at a household, is not covered under the household waste exclusion. [RCRA ONLINE NUMBER 13358] EPA has clarified that lead paint debris generated by contractors in households is also "household waste" and thus excluded from the RCRA Subtitle C hazardous waste regulations. Thus, the exclusion applies to waste generated by either residents or contractors conducting lead-based paint activities in residences. [RCRA ONLINE NUMBER 14459] States, however, may choose to regulate HHW under State programs, and the programs may vary among the States. If a RCRA EPA ID

Number is assigned to a site with a HHW exemption, we commend that the standard process for assigning a RCRA EPA ID Number be followed.

Though the exclusion from the definition of hazardous waste applies to HHW collected during a HHW collection program States can issue RCRA EPA ID Numbers to HHW collections, centers, and events. These numbers are site-specific, with the exception being curbside collections that can use a contractor or transporter RCRA EPA ID Number or can receive a special RCRA EPA ID Number for the project or area.

6.27 Publicly Owned Treatment Works (POTWs)

A POTW can receive hazardous waste from another facility without needing a treatment, storage, or disposal permit, if the off-site waste is immediately put into the POTW's treatment works. A POTW desiring to receive off-site waste must, as required by regulation, have a RCRA EPA ID Number so that the manifest can be properly filled out. A POTW that generates RCRA Subtitle C-regulated waste in the normal course of operation can dispose of it either by immediately placing it into an on-site wastewater treatment unit and be exempt from monthly waste count per 40 CFR 261.5(c)(2), or by sending it to a conventional off-site RCRA Subtitle C-regulated service provider. [RCRA ONLINE NUMBER 14206]

6.28 Mobile Treatment Units

Mobile treatment unit owners/operators are generally contractors who go to a site to clean out a materials storage area. Mobile treatment units alone cannot receive a permit or a RCRA EPA ID Number. They generally should, according to EPA's position in RCRA ONLINE NUMBER 12037, be permitted separately and issued a RCRA EPA ID number for use at each location. If the unit stayed on the same contiguous property, but moved around it, one RCRA EPA ID Number could be used.

6.29 Indian Country

"Indian country" means (a) all land within the limits of any Indian reservation under the jurisdiction of the United States government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. (18 U.S.C. § 1151.)

Generally, federal and tribal laws apply, and state laws have no effect within Indian country. EPA will generally assign RCRA EPA ID Numbers for sites in Indian country. The RCRA EPA ID Number will begin with the state postal code of the state in which the site is located unless it is part of the Navajo which uses the code "NN." A state should contact the EPA Regional Office concerning such sites in that state.

6.30 State-only Sites

The baseline RCRA program requires Implementers to track a site and its activities in RCRAInfo if the activities are ones for which the site must file a Notification of Regulated Activity (EPA form 8700-12), also known as the Site Identification form. The baseline RCRA program also encourages Implementers to track certain other activities (e.g., CESQGs, non-notifiers, temporary, and emergency RCRA IDs) in RCRAInfo. Activities that the baseline RCRA program requires or requests Implementers to track in RCRAInfo are termed "federal" activities. Sites with federal activities are termed "federal" sites.

Some States implement a RCRA Program that is "broader in scope" or "more stringent than" the baseline federal RCRA program. Under such a program, a State can regulate activities not nationally tracked in RCRAInfo. A State can track "State-only" activities in RCRAInfo and can also choose to track sites that have "State-only" activities exclusively. Such sites are termed "State-only" sites. A State can also choose to

temporarily consider a site to be a State-only site. For example, a State can track a possible non-notifier site in RCRAInfo as a State-only site while investigating whether there is reason to track the site as a federal site.

States can have some options for assigning a State-only site's primary ID (i.e., the ID under which it is tracked in RCRAInfo).

A State can use a RCRAInfo-generated primary ID for all its sites, regardless of whether the site has federal activities, State-only-activities, both, or neither.

Alternatively, a State can assign State-generated primary IDs to some or all of its State-only sites. Should the site become a federal site, these States would reenter the site into RCRAInfo under a RCRAInfo-generated ID, would deactivate or delete the old ID, and would probably enter the old State-only ID in the Other ID table under the new ID.

A State can assign two IDs to a site: a RCRAInfo-generated federal ID under which to track federal activities, and a State-generated ID under which to track State-only activities. One reason for having two IDs and two RCRAInfo records is to be able to release federal information at EPA public access web sites while preventing the release of State-only information. When this is the case, the information associated with the State-only ID would be flagged as not released to the public. The State might link the federal and State-only IDs by cross-referencing each in the Other ID table.

RCRAInfo offers States the option to not release any RCRAInfo information about a site on EPA public access web sites or in other routine releases with two exceptions:

1. Information about the site is still subject to an explicit request for it under FOIA,
2. The site's latest Site Identification information is released on an EPA public access web sites if the site has filed a Biennial Report.

Otherwise, if an Implementer sets the site's extract flag in RCRAInfo to "No" (i.e., blanks out the checkbox), the site is not displayed on an EPA public access web sites (except when its Site Identification information shows the site has filed a Biennial Report). If the State checks a site's extract flag box in RCRAInfo (i.e., enters an 'X', the default value), Site Identification and all other non-enforcement sensitive information is released. Some States choose not to release their State-only sites.

Another RCRAInfo option allows States to define State-only activities (e.g., used oil generation) in RCRAInfo. A State can define as many activities as it choose and decide whether each State-only activity is to be released to the public based on its usage value. If the State chooses to have a State-only activity released, EPA public access web sites will report the activity at sites where it is present; otherwise, as the default, State-only activities are not released to the public.

We recommend Implementers enter State-only activities in RCRAInfo under a single RCRAInfo generated ID number. There are notable benefits to this approach.

1. A site's ID can remain the same as federal and State-only activities come and go, thereby reducing the number of ID Numbers issued and preventing multiple and varying types of numbers for a particular site.
2. GIS data coverage will have cleaner RCRA data layers because a site will have only one ID number. Records Centers and others who rely on ID Numbers would generally not have to track and cross-reference additional IDs.
3. Once the site is entered into RCRAInfo, other States can view it.
4. The State generally controls whether the site's Site Identification information is released to the public, and separately controls which State-only activities are released when the site is released. If the State enters State-only sites into RCRAInfo and releases their information to the public, the public can

readily query public access web sites for information on the site, which may reduce public inquiries to the State.

5. Once a site is entered into RCRAInfo, its inspections, violations, and enforcement actions can be entered through the CM&E module, and EPA will generally “credit” them as Implementer accomplishments.

7 - Maintaining Information About RCRA EPA ID Numbers in RCRAInfo

7.1 TRACK ALL CESQGS NATIONALLY

Implementers who track Conditionally Exempt Small Quantity Generators (CESQG) were requested by a recommendation in the Universe Identification/Waste Activity Monitoring PAA Final Report to voluntarily pass the information to the national database and publicly available databases. This means in cases where the information is tracked in RCRAInfo with the Extract Flag set to “No” (blank) a change to “Yes” (X) is needed. If the CESQG information is held in another database, we recommend that this information be loaded into the RCRAInfo National database where possible. This recommendation does not apply retroactively. An Implementer can choose to make historical CESQG information available publicly by setting the Extract Flag to “X.”

This recommendation gives Implementers and the general public a greater picture of the waste generator universe. However, since only a partial view of the CESQG universe will be presented, we recommend taking care to avoid potential misunderstanding over the scope of sites that are actually regulated. We also recommend that disclaimers be made in all systems, where this data is released, that the CESQG’s reporting of information is not mandatory and, therefore, includes only those sites for which activities have been reported. Not all Implementers track CESQG information or are able to enter the requested information in RCRAInfo.

7.2 TRACKING NON-NOTIFIERS NATIONALLY

Generators that generate solid waste as defined in 40 CFR 261.2 must determine if the waste is hazardous as directed in 40 CFR 262.11. Generators of hazardous waste above the CESQG level are required to formally notify EPA. Hazardous waste transporters and treatment, storage, and disposal facilities are also required to notify the Agency in order to receive the appropriate RCRA EPA ID Numbers for managing hazardous waste (40 CFR 263.11 and 264.11). Through RCRAInfo, States and EPA track non-notifiers to identify a site’s waste management practices. Non-notifiers are subject to penalties under the RCRA Subtitle C program.

Note that sites not subject to Subtitle C, or are subject to Subtitle C but are not required to obtain a RCRA EPA ID Number under federal requirements, should **not** be listed as non-notifiers in RCRAInfo. If ID numbers are tracked in RCRAInfo for these sites, an Implementer source record would be sufficient to indicate that the number was assigned for administrative purposes only.

Non-notifier information can be used as one source of information in targeting industry sectors for compliance assistance and enforcement. Non-notifier information in RCRAInfo can be tracked if RCRA Subtitle C Implementers properly enter and update data contained in the following RCRAInfo fields discussed below. It is important to note that any determinations reflected in the data bases are merely staff level judgments based on information presently before the Agency and thus do not reflect official Agency determinations.

RCRA EPA ID

We recommend that potential non-notifier sites identified through compliance evaluation be assigned a RCRA EPA ID Number. We also recommend taking care **NOT** to set the Extract Flag to “X” in RCRAInfo until a site is verified as subject to RCRA Subtitle C regulations. We suggest that sites subsequently found not subject to RCRA Subtitle C regulations remain in RCRAInfo without being made available to the public via Envirofacts or ECHO.

Not Subtitle C

This indicator is marked when a facility's information suggests that it does not engage in RCRA Subtitle C activities. By marking this indicator, the inspections at these facilities will be counted by EPA as "inspections pursuant to RCRA Subtitle C statutory authority, or State equivalent authority, while the site is determined to be not subject to Subtitle C."

Evaluation Date

The evaluation date is the date of the compliance evaluation, which serves as the discovery date of the non-notifier. This date is recorded in the *Evaluation Date* field on the RCRAInfo Data Entry Screen in the Compliance, Monitoring, and Enforcement Module and used as the Date Received in the Handler Module.

Received Date

A new source record should be created when an owner/operator submits a formal notification indicating that its site is subject to RCRA Subtitle C regulation. The *Received Date* for this source record should be the date upon which the non-notifier submits the formal notification.

Non-Notifier Flag

When information suggests a non-notifier, the Non-Notifier flag in RCRAInfo should be set to "X" to indicate that the relevant site is a non-notifier site. If the determination is made later that the site is actually not subject to RCRA Subtitle C regulations, the Non-Notifier flag should be changed to "E" to indicate that it was initially thought to be a non-notifier site but was subsequently determined to be exempt from requirements to notify. Once the non-notifier notifies, the Non-Notifier flag should be changed from "X" to "O" to indicate that the site was a former non-notifier.

Sites for which there has been no notification can be initially identified by means other than a formal compliance evaluation (e.g., a citizen compliant). However, a site should not be entered into RCRAInfo as a non-notifier site unless information typically from a compliance evaluation inspection suggests that the site conducts activity that would require them to apply for a RCRA EPA ID Number.

Quarterly Review of Non-Notifier Records

In order to ensure that non-notifier data is both accurate and timely, we recommend that the Implementer conduct periodic reviews of the non-notifier data in RCRAInfo. At a minimum, we suggest that implementing agencies conduct quarterly reviews of current non-notifier records for those sites marked with an "X" in the non-notifier field.

7.3 TRACK ALL EMERGENCY & TEMPORARY RCRA EPA ID NUMBERS

All emergency and temporary small and large quantity generator sites would generally be assigned a unique RCRA EPA ID Number and information about these sites would typically be made available nationally. The RCRA Subtitle C regulations generally do not distinguish between RCRA Subtitle C sites at which hazardous waste is generated on an ongoing basis versus waste generated from a single event. States are required by regulations to provide EPA on a national basis information on all generators of RCRA Subtitle C waste. This report is to be collected nationally, every single site should be associated with a RCRA EPA ID Number. Information about these RCRA Subtitle C sites should be collected and made available nationally along with information about ongoing generators, providing a full picture of all regulated RCRA Subtitle C sites and waste movement. State regulations vary on the amount of documentation and information that is collected. The RCRA EPA ID Numbers assigned to these sites must have a valid postal code for the first two characters.

Emergency generator sites are those where the generation situation is unforeseen, uncontrollable, short-term, and not expected to exceed 30 days. Emergency generator sites need to be distinguished from typical RCRA Subtitle C regulated sites since the standards of quality and completeness applied to the associated information would probably be less stringent. Emergency generator sites typically do not have to submit a complete Site Identification Form. Rather, a brief telephone notification form is acceptable to take provisional details on the incident site, to ensure that a RCRA EPA ID Number has not already been assigned.

A temporary generator site is where waste is not generated from ongoing industrial processes, but rather through remediation or “one-time events,” such as plant cleanout and closure or process equipment change. Unlike emergency generator sites, the implementing agency usually receives a Notification form and issues a RCRA EPA ID number. However, the period of operation as a hazardous waste RCRA Subtitle C site is limited and typically short.

Site information for emergency generator sites should be entered under an “E” source in RCRAInfo and temporary generator sites under a “T” source. Such locations will be indicated as emergency or temporary generator sites to facilitate systematic reference and to indicate that a less stringent standard for data quality is to be expected. Even though not all of the national information needs will be met, there are certain data elements that are required:

- RCRA EPA Identification Number
- Location address, City and Zip
- Discovery date (Receipt date)
- Site name (generator of the waste)
- Site contact name and address
- Mailing address
- Waste codes, if available

The period of activity of the emergency generator site may be difficult to determine in all cases. To close the loop for such sites, functionality needs to be developed in RCRAInfo to provide a timed tickler notifying the regulator that the site is still active in the system and deactivation may be required. This may be done through a tickler file or through a process in which the emergency response staff inactivates a site when clean up is complete. A report already exists in RCRARep that performs this function.

8 - ACTIVE AND INACTIVE UNIVERSE

8.1 Determining a Site's Status

Information to be utilized for designating a site's activity status is found in the three RCRAInfo modules of Handler, Permitting, and Corrective Action and can be subcategorized into five kinds of regulated activities. The overall activity status of a site is "active" if the site has activities from any of the five subcategories below. If a site does not have any activity in any of the five subcategories then the site is deemed "inactive". Only activities that are known to EPA or a state with an authorized hazardous waste program that have been entered into RCRAInfo will be considered in determining a site's activity status. RCRAInfo and EPA public access Web sites will indicate when a site is "active" and will report all activities that contribute to the determination that the site is "active." The designation of a site as "active" or "inactive" has no legal or regulatory significance. Owners, operators and other parties may not rely on such a designation to determine whether they are subject to or in compliance with a requirement of RCRA or a State's authorized hazardous waste management program system.

The subcategories of activities are listed below with each subcategory further explained in the following pages. These subcategories have no legal or regulatory significance. The decision that an activity belongs in one of these subcategories may not be relied upon to determine whether the activity is subject to a requirement of RCRA or a State's authorized program, to determine compliance with such a requirement, or to determine the enforcement authority of EPA or a State.

- 1) **Site Identification (SI) Activities** are the regulated activities (except TSD and "Other" Universal Waste⁸) reported in Section 10 on the federal RCRA Subtitle C Site Identification (SI) Form (or 8700-12) or state-equivalent form. Only current activities (as determined by the RCRAInfo universe calculations) are considered. If any of these activities are checked as present at a site, then the site is considered to have SI activities.
- 2) **TSD Activities** are treatment, storage, disposal (TSD) activities for which EPA may enforce federal RCRA TSD regulations, permits, and orders or a state may enforce regulations, permits, and orders under its authorized hazardous waste management plan. A site is considered to have TSD activities if one or more of its TSD units have a current Legal/Operating status code combination on the TSD Legal/Operating Status matrix in Table 3 indicating it is in the Regulated ("R") Universe.⁹
- 3) **Converters** conduct no specific activity and are a special case. They are former TSD units that a site "converted" to hazardous waste activities not requiring a permit, but have not been closed by the site as required by EPA or a state. A site is considered to have Converter status if one or more of its units have a current Legal/Operating status code combination on the TSD Legal/Operating Status matrix in Table 3 indicating it is in the Converter ("V") Universe.¹⁰
- 4) **CA Activities** are those Corrective Action (CA) activities for which a site is subject to enforceable RCRA obligations. The presence of the site in the Corrective Action Workload Universe is the method by which a site is determined to be active.¹¹
- 5) **State-specific Activities** are activities, other than those listed under the previous four subcategories, which a state regulates and tracks in RCRAInfo and whose presence at a site the State considers sufficient reason to determine the site to be "active." These additional activities may be "same as,"

⁹ These definitions may be revised by the WIN/INFORMED Permit Corrective Action (PCA) Program Area Analysis (PAA) Workgroup currently revising the RCRAInfo Permitting and Corrective Action modules.

¹⁰ Ibid. (same as previous footnote)

¹¹ Ibid.

“more stringent than,” or “broader in scope” than federal regulations. They are generally state variants of SI or TSD activities.

The Workgroup suggests that the Active Flag be displayed in the same way as several of the Permitting Universe flags currently are. Similar to the LIBST model, the Active Flag would use the acronym HPACS. The following list provides a definition for each character:¹²

- H** Handler activities (activities found on the federal SI form or a state-equivalent form) (*Corresponds to subcategory 1 above.*)
- P** Permitting activities (site has at least one unit that is “active” according to the Legal and Operating Status Matrix in this Report) (*Corresponds to subcategory 2 above.*)
- A** Corrective Action activities (site is in the Corrective Action Workload Universe)(*Corresponds to subcategory 3 above.*)
- C** Converter (the site has at least one unit that is a converter according to the Legal and Operating Status Matrix in this Report) (*Corresponds to subcategory 4 above.*)
- S** State-specific activities (site has state-defined activities in the Permitting or Handler module which the State wants included in the activity status calculation) (*Corresponds to subcategory 5 above.*)

This format allows those who view RCRAInfo data, either in RCRAInfo or through a public access system, to quickly determine why a site is active. If all characters in this calculation are missing, the field displays as ‘-----’ and the site is inactive. If the Implementer determines a site should be inactive but is not, the content of the HPACS field allows users to determine what module is making the site active. The Implementer could then determine if, in accordance with this guidance, it should indeed take the appropriate measures to inactivate the site.

8.2 Site Identification Form Activities

RCRA requires notification to EPA or a State with an authorized hazardous waste program of most activities regulated under the federal Resource Conservation and Recovery Act (RCRA), Subtitle C, or under an authorized State’s hazardous waste management regulations/statutes at a site. The owner/operator of a site submits a notification/SI form 8700-12 listing its activities. A site’s SI activities are those that are reported on the federal RCRA Site Identification (SI) form or an equivalent state form. Most RCRAInfo SI activity information comes from site submissions, but a state or EPA can determine whether different or additional SI activities exist at a site or if originally reported activities are no longer being conducted and then record their determination in RCRAInfo. (Note: For determining active status under this subcategory, the TDS Site Identification activities are not used, as they will be used as part of subcategory 2 and 3.) A site is required to submit an SI form only in its initial notification, as a part of the federal Hazardous Waste Report if the site functioned as a Large Quantity Generator (LQG) during a Biennial Report (BR) cycle, and as part of a TSD Part A Permit Application; consequently, RCRAInfo information on SI activity may be out-of-date. The latest information, whether from the State, EPA, or the site, is treated as currently true.

¹² These definitions have no legal or regulatory significance and their use to define an activity may not be relied upon to determine whether the activity is subject to a requirement of RCRA or a State’s authorized program, to determine compliance with such a requirement, or to determine the enforcement authority of EPA or a State.

The following are SI activities, but is not an all-inclusive list of RCRA regulated activities. Their presence¹³ at a site makes the site “active.” It should be noted that, information on some activities might not reflect the current situation at a site. For example, information may be out-of-date if a site has not renotified (or has not been required to do so) when an activity became regulated. Generally, each activity known to be present at a site will appear in the site’s detail in RCRAInfo and on public access Web sites. On-line documentation and other Help mechanisms will document this out-of-date issue and other data quality issues, such as the following:

- Hazardous Waste LQGs, SQGs, Recyclers, Exempt Small Quantity Burners, Exempt Smelting/Melting/Refining Furnaces, Underground Injection Controls are required to notify. Their information is complete, but not necessarily up-to-date. Some Implementers may confuse state and federal generator regulations when determining the status of an LQG, SQG (Small Quantity Generator), or CESQG (Conditionally Exempt Small Quantity Generator).
- Transporters can notify in one state and use the RCRA EPA ID Number issued by that state nationwide. Some states license out-of-state Transporters that operate in their state, and some states currently track or have previously tracked out-of-state Transporters in RCRAInfo, sometimes under their out-of-state RCRA EPA ID Number and sometimes under another RCRA EPA ID Number that begins with the in-state postal code. Only Transporters tracked as such by a state appear in RCRAInfo as Transporters in the state. If a state inspects an out-of-state Transporter it does not track in RCRAInfo, RCRAInfo uses some information supplied by the state that originally issued the Transporter a RCRA EPA ID Number to create a record, but does not include regulated activities. Transporter data are incomplete at the state level and may not be up-to-date.
- CESQGs are under no federal requirement to notify, but some states require them to, or require them to specify their CESQG status if they are otherwise required to notify. Some CESQGs request RCRA EPA ID Numbers because some Transporters will not pick-up the CESQGs waste unless they have a RCRA EPA ID Number. States that do not require CESQGs to notify usually track CESQGs in RCRAInfo when a site reduces generation from LQG or SQG to CESQG volumes or when a CESQG is entered into RCRAInfo to track an inspection conducted at its site. Such states may also track CESQGs that report CESQG activity when reporting other activity (e.g., TSD). Although such state’s CESQG data are incomplete, their individual sites are more accurately portrayed than they would be if their CESQG activity were omitted, particularly if the omission would make the site appear inactive. Nationwide, CESQG data are neither complete nor up-to-date.
- US Importers of Hazardous Waste, Mixed Hazardous/Radioactive Waste Generators, and Universal Waste Handlers and Destination Facilities were added to the SI form in 2002. Owners/operators that previously notified for these sites when these regulations went into effect were not required to renotify so these data are missing for sites with older information. This data may not be complete or up-to-date.
- Used Oil (UO) Transporters, Transfer Facilities, Processors, Re-refiners, Off-Specification Burners, Marketers Who Direct Shipments to Off-Specification UO Burners, and Marketers Who First Claim UO Meets Specifications were added to the SI form in November 1993. Owner/operators that previously notified for such sites were not required to renotify so UO activities are missing for sites with older information. This data may not be complete or up-to-date.

Table 1 lists examples of sites that have SI activities and those that do not have them, but are sometimes confused with sites that have SI activities. This table is not all-inclusive. It is recommended that Implementers

¹³ All activities in SI form Section 10, except TSD, are SI activities. All activities on the RCRAInfo SI data entry screen for Section 10 are SI activities except TSD, State Generator of Hazardous Waste, and state-specific activities including “Other” Universal Waste. If any of these activity fields has a value of “Y,” then the site is considered active. If all activities are “N” or “U,” then the site has no known SI activities, but might have other categories of activities that could make it “Active.”

contact the appropriate personnel within their agency for guidance on specific cases that do not seem to conform to the examples discussed in this document.

TABLE 1: SI Activities

<p><u>SI Activities that make a site “active”</u></p> <ul style="list-style-type: none">• Large Quantity Generators (LQG)• Small Quantity Generators (SQG)• Conditionally Exempt Small Quantity Generators (CESQG)• One-time generators• Episodic generators• Limited events of hazardous waste generation• Hazardous waste recyclers• Hazardous waste transporters• Hazardous waste transfer stations• Used oil handlers• Large Quantity Universal Waste Handlers (LQUWH) or destination facilities• Exempt BIF• Sites with verified site identification
<p><u>SI-like Activities that do not make a site “active”</u></p> <ul style="list-style-type: none">• Definitionally excluded waste generators• One-time generators that are done generating and have all hazardous waste removed• No longer generating hazardous waste, still in business, and have all hazardous waste removed• No longer generating hazardous waste, out of business, and have all hazardous waste removed• Never generated hazardous waste• Using an ID Number to transport non-hazardous waste• Tracked under another ID Number (inactive number – see active number)

8.3 Treatment, Storage, Disposal (TSD) Activities

A Treatment, Storage, or Disposal Facility (TSDF) is considered “active” until all its TSD units complete clean closure or post-closure care (and are verified as having done so) or have been referred to Superfund. As long as at least one unit is “active,” it and the entire site are considered to be “active.” An active TSD unit can be one under a permit, under a §3008(h) or §3013 or §7003 Order, referred for Corrective Action, or a unit being operated illegally. These types of units are still regulated under RCRA even if waste is no longer, or not yet, on site.

EPA and States determine the legal and operating status of each TSD unit at a site and track these unit-level determinations in the RCRAInfo Permit Module. EPA and States have thus far used Legal/Operating Status to associate a unit with specific Agency efforts (workload or progress) or specific regulatory requirements (subject to CA or to specific CA or to identify sites subject to full enforcement). This Workgroup uses Legal/Operating status to identify “active” TSD units—that is, a TSD unit for which EPA may enforce federal RCRA TSDF regulations, permits, and orders or a state may enforce its regulations, permits, or orders under its authorized hazardous waste management program.

Table 2 summarizes which Legal/Operating Status codes indicate a unit as an active TSD unit and which indicate it is not. This table is not all-inclusive.

TABLE 2: TSD Activities

<p><u>RCRA “Active” TSDFs</u></p> <p>This site is currently under RCRA Subtitle C regulation (and/or RCRA Corrective Action). This designation applies if any unit at a site has the following as the most recent status.</p> <ul style="list-style-type: none">• EM – Any unit at the site regulated by the provisions for emergency permits under Section 270.61 (unless superceded by an inactive status code)• IS – Interim status• IT – Interim status terminated• LI – Loss of interim status• LP - Loss of pre-mod authorization• NN – Non-notifier• PC – Post-closure permitted• PI – Permitted• PM – Pre-mod authorization• RD – RD&D permitted• RQ – Requested but not approved• RU – Permit by rule• SR – State regulated (depending on states broader in scope . . .)• TA – Temporary authorization• AB – Abandoned – not legally closed and not referred to CERCLA• CA – Referred to corrective action for closure• CP – Closed with waste in place• DC – Delay of closure• IN – Inactive, but not yet RCRA closed• OP – Operating, actively managing RCRA waste
<p><u>RCRA “Inactive” TSDFs</u></p> <p>Not currently under RCRA Subtitle C regulation (Only applies if all units at the site have the following)</p> <ul style="list-style-type: none">• CC - All regulated units clean closed, no corrective action required• DL – All units at which all hazardous waste ever handled by the unit have been delisted• NR – Never regulated as a TSD• PR – Proposed “new” unit, not constructed or never eligible for interim status (IS) or pre-modification authorization (PM), and has never operated illegally• PT – Permit terminated (with inactive operating code of CN, UC, BC, CC, CO, CR, SF, or PF)• BC – Before construction (unless it has a legal status code of PI)• CN – Constructed, not yet operating (unless it has a legal status code of PI or IS)• CO – Completed post-closure care• CR – Conducting activities not requiring a permit – should be limited to units that had no legal requirements to close• PF – Protective filer – were submitted on a Part A but are not RCRA-regulated or do not physically exist• SF – Referred to CERCLA• UC – Under construction (unless it has a legal status code of PI)

* See the following page for an explanation of these codes.

Table 3 is a version of the Legal/Operating Status code Matrix that documents (with an “R” value in a cell) **specific combinations** of Legal/Operating Status codes that indicate an active TSD unit and (with the lack of an “R”) combinations that indicate a unit is not active. The designation of a site as “active” or “Inactive” and its inclusion in this Table has no legal or regulatory significance. Owners, operators, and other parties may not rely on such a designation to determine whether they are subject to or in compliance with a requirement of RCRA or a State’s authorized hazardous waste management program system.

TABLE 3: Legal and Operating Code Matrix for TSD Activities

Op→ Leg↓	OP	CN	UC	BC	IN	CC	CP	CO	DC	CV	CR	AB	SF	PF	CA
PI	R	R	R	R	R		R		R	R		R			R
PC	R				R		R		R	R		R			R
PT	R				R		R		R	V		R			R
PR															
IS	R	R			R		R		R	V		R			R
LI	R				R		R		R	V		R			R
IT	R				R		R		R	V		R			R
TA	R				R		R		R	R		R			R
PM	R				R		R		R	R		R			R
LP	R				R		R		R	V		R			R
NN	R				R		R		R	V		R			R
RQ	R				R		R		R	V		R			R
NR															
DL															
RD	R				R		R		R	R		R			R
RU	R				R		R		R	V		R			R
EM	R				R		R		R	R		R			R
SR	S				S		S		S	S		S			

* See following page for explanation of codes and numbers.¹⁴

The following lists identify the meanings for each of the Universe and Legal/Operating Status Code indicators used in Tables 2 and 3.

Universes:

R=Regulated TSD (new)
S=State-regulated TSD (new)
V=Converter (new)

Legal Status Codes:

PI=Permitted	NN=Non-Notifier/illegal
PC=Post-Closure permitted	RQ=Requested, not approved
PT=Permit Terminated/expired/not continued	NR=Never Regulated as a TSD
PR=Proposed	DL=DeListed
IS=Interim Status	RD=Research, Development, and Demonstration permit
LI=Loss of Interim status	RU=Permit-by-rule
IT=Interim status Terminated	EP=Emergency Permit
TA=Temporary Authorization	SR=State Regulated
PM=Pre-Mod authorization	
LP=Loss of Pre-mod authorization	

Operating Status Codes:

AB=Abandoned	CV=Converted but not RCRA closed
BC=Before Construction	DC=Delay of Closure
CA=referred to Corrective Action for closure	IN=Inactive/Closing, but not yet RCRA closed
CC=Clean Closed	OP=Operating, actively managing RCRA-regulated waste
CN=Constructed, Not yet managing hazardous waste	PF=Protective Filer
CO=Completed post-closure care	SF=referred to CERCLA (SuperFund)
CP=Closed with waste in Place	UC=Under Construction
CR=Conducting activities not Requiring a permit	

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8.4 Converter Status

In the past, some owners/operators converted TSD units to conduct only hazardous waste activities that do not require a permit (e.g., less than 90 day storage, totally enclosed treatment), and were required to clean close the units but did not do so. These owners/operators may claim a converter unit as both an active TSD unit (because it has not fulfilled its obligation to clean close) and an inactive TSD unit (because it does not conduct TSD activities and, in some cases, went through public hearings and cleanup at the time of conversion). Table 3 documents that EPA and States target Converter units in TSD Closure, Post-Closure, and CA Universes, but not in the TSD Enforcement Universe.

In RCRAInfo, a unit is a Converter unit, and its site is a Converter, if it is marked with a “V” (Converter) in Table 3. The PCA PAA may provide guidance on Converters, and may recommend data cleanup and changes to this definition.

8.5 Corrective Action (CA) Activities

Under RCRA, EPA or an authorized State may require a site to fulfill its CA obligations.

Based upon a recommendation for the PCA PAA, the Workgroup defines active status for CA activities by looking at the CA Workload Universe. This universe helps ensure that all sites with ongoing corrective action are accounted for while also helping to capture sites where corrective action is statutorily required to be

1 addressed (i.e., TSDFs), but corrective action has not yet been imposed. In addition, the PCA PAA is also
2 recommending an exit strategy from the universe for sites that have completed corrective action.

3
4 Most sites with CA activities are also active TSDFs and are reported by RCRAInfo and public access Web
5 sites as having both TSD and CA activities. A TSD unit with an Operating Status of “Referred to Corrective
6 Action for Closure” remains an active TSD unit until its Legal/Operating Status is not that of a “Regulated
7 TSDF” on the Legal/Operating matrix in Table 3. Implementers should maintain RCRAInfo data for TSDFs in
8 the Permit module and any CA data in the CA module.

9 10 **8.6 State-Specific Activities**

11 Most regulated activities tracked in RCRAInfo are federally regulated ones for which notifications are
12 federally required. However, the RCRA Program includes “state-specific” regulated activities, which are
13 subject to state regulations and may be the “same as,” “more stringent than,” or “broader in scope” than federal
14 regulations. RCRAInfo allows states to define and track these “state-specific” activities.

15
16 State-specific activities can be subcategorized into State TSD Activity, State Generator Status, and Multiple
17 State-specific Activities including Used Oil Generation and State-specific Universal Waste and are discussed
18 below.

19 20 **8.6.1 State Regulated TSD Activities**

21 A state permitted unit that is not subject to federal RCRA permit requirements, but is regulated under state
22 standards (i.e., state requirements that are not considered part of the state authorized hazardous program), is
23 indicated in RCRAInfo by giving the unit a legal status of “State Regulated” in the Permit Module. In
24 RCRAInfo, a unit is an active state regulated TSD unit and its site is an active state regulated TSDF, if the
25 unit’s current Legal/Operating Status is marked as “State Regulated TSDF” in the Legal/Operating matrix in
26 Table 3. This definition is subject to change based on any future recommendations from the PCA PAA.

27
28 If a state chooses to track state TSD activity, it would enter state-regulated units into the RCRAInfo Permit
29 Module, specifying their current Legal Status as State Regulated. If the unit’s current Legal/Operating Status
30 makes it “State Regulated” (i.e., its current Legal Status is “SR” and its most current Operating Status is “OP,”
31 “IN,” “CP,” “DC,” “CV,” or “AB” as marked in the Legal/Operating matrix in Table 3), then it, and the site,
32 would be considered active as a state TSDF.

33 34 **8.6.2 State Generators**

35 State generator status characterizes a site’s generator status under state regulations. States will report their
36 generator universe as identified by their own regulatory definitions and report the generator universe as
37 identified by the federal regulatory definition to the best of their ability to translate the generator status.

38
39 When a state decides that information is complete and of good quality for one or more of its state generator
40 statuses, and the State decides that sites with such statuses should be considered active, the State will flag the
41 statuses in RCRAInfo and the RCRAInfo calculation will consider sites with those statuses to be active.

42
43 Currently, when a state chooses to track a state generator status in RCRAInfo, the State:

- 44 1) Defines the status in RCRAInfo metadata (in Lu_generator_status2). One metadata attribute for state
45 generator status is “Usage,” which tells whether or not a given status is nationally defined, nationally
46 required, and/or routinely released.
- 47 2) Collects state generator status for pertinent sites (using a state-equivalent SI form or auxiliary state
48 forms or processes).
- 49 3) When entering a site’s SI-type information, selects the site’s state generator status from the list at
50 Generator of Hazardous Waste (State) in Section 10 of the RCRAInfo SI screen. RCRAInfo screens

1 then link the site to the selected status. Characteristics of each state generator status are stored as
2 metadata at the status level, not in the site's data.
3

4 Implementers who wish to create a state generator status code, state-specific activity code, or state universal
5 waste code must do so using the System Administration (SA) functions in RCRAInfo. To add a new code in
6 the Lu_Generator_Status2, Lu_State_Activity, or Lu_Universal_Waste table, users that have SA privileges go
7 to the Lookup Table Maintenance menu and select one of these tables. When the new code is created, a Usage
8 value must be assigned. Usage defines the intended use of the code based on three criteria: is it nationally
9 defined or implementer defined; is it nationally required (core) data; and whether EPA can release it to the
10 public.
11

12 **8.6.3 Multiple State-Specific Activities in the Handler Module**

13 States can define multiple state-specific activities (including universal waste types). States can associate one or
14 more of their state-specific activities with a given site.
15

16 States track a wide variety of state-specific activities:

- 17 • Some track state-specific regulated activities (which can be “same as” federal, “more stringent than”
18 federal, or “broader in scope” than federal regulations).¹⁵
- 19 • Some track site attributes other than regulated activities.¹⁶ Other attributes can be the reason the site
20 went inactive (which was previously tracked in the Hrcra_d_gen field that the UID/WAM PAA
21 dropped) and administrative activities for a site (e.g., site needs to be inspected because it requested a
22 status change).
- 23 • Some track little or none at all, but it is expected that usage may increase as a result of the change,
24 which includes state-specific activities as part of the active and inactive determination.
25

26 Currently, when a state chooses to track additional state-specific activities in RCRAInfo, the State:

- 27 1) Defines each activity in RCRAInfo metadata (in Lu_state_activity). “Usage” is a metadata attribute for
28 a state-specific activity. “Usage” tells whether or not a given activity is nationally defined, nationally
29 required, and/or routinely released.
- 30 2) Collects activity information for pertinent sites (using a state-equivalent SI form or auxiliary state
31 forms or processes).
- 32 3) When entering a site's SI-type information, selects the site's state-specific activity from the list of
33 “State Activities” in Section 10 of the RCRAInfo SI screen. RCRAInfo screens then link the site to the
34 selected activity. Characteristics of each state-specific activity are stored as metadata at the activity
35 level, not in site level data.
36
37
38

¹⁵ For example, a state might distinguish among RCRA, used oil, and PCB wastes as well as differentiate size categories for each (LQG, SQG, CESQG). The State might track RCRA generation in the State Generator Status field and track used oil and PCBs in the state-specific activity-repeating group (with an instance available for each of the waste types, and three mutually exclusive values used to indicate size). Other state-specific activities tracked in Hstate_activity include, but are not limited to, precious metal recycling, burning specification used oil, and small handlers of universal waste.

¹⁶ The Workgroup recommends that Implementers continue to track attributes other than state-specific activities here since there is nowhere else to track them. Such attributes would not be listed as regulated activities on EPA public access Web sites. If staff at those web sites identify a need to display these attributes, RCRA would work with that staff to properly display these categories of data (if their usage calls for their routine release).

1 **8.7 Active/Inactive Status and the Use of the RCRA EPA ID Number**

2 All active sites should be associated with an active RCRA EPA ID Number. Requests for activation and
3 inactivation of a RCRA EPA ID Number are made through correspondence with the regulating agency;
4 however, the regulating agency sometimes may make this determination due to personal knowledge gained
5 through inspections or other methods. Identifying a site as active has no regulatory significance and does not
6 constitute a legally enforceable or binding determination about the status of a particular site under RCRA
7 Subtitle C or a State's authorized hazardous waste management program; for example it cannot be used to
8 determine whether the owner and operator is a RCRA Subtitle C generator or is subject to RCRA Subtitle C
9 permit requirements, or whether a RCRA EPA ID Number is required.

10 RCRA EPA ID Numbers can become "inactive" in a number of ways. Some examples may include situations
11 where, in addition to waste no longer being present at the site, or, if the site is a TSD, to the site having been
12 clean closed.
13

14
15 The RCRA EPA ID Number is not deleted from the RCRAInfo database. When a new generator or
16 owner/operator or the current generator or owner/operator resumes hazardous waste management activities on
17 the site, we recommend that the site (RCRA EPA ID Number) be identified as "active" in RCRAInfo.
18

19 45 FR 12746 requires generators of RCRA Subtitle C-regulated wastes at a site, to use an active RCRA EPA
20 ID Number for that site. If a site owner/operator is identified as using an inactive RCRA EPA ID Number, we
21 recommend that the owner/operator be contacted by telephone or by mail and asked to update the Agency
22 immediately on the site's hazardous waste activity status change.
23

24 **8.8 Tools to Determine if a Site is Inactive**

25 Returned mail is often an indicator of a site becoming inactive. Other possible indicators are the lack of a
26 Hazardous Waste Report (which may be due to a change in status), site inspections, or personal knowledge of
27 a business. Tools are available to research any uncertainty about the status of a site. The most accurate tool is a
28 site visit, which may not be feasible due to budgetary or other constraints.
29

30 The first option, a less expensive option, should be calling the site using the latest information available. The
31 Internet has several tools available such as local yellow pages directories to determine if a site's phone number
32 or address may have changed. The United States Postal Service also provides the ability to check an address
33 for the correct zip code and city, in case a mailing is returned because they were incorrectly reported. Internal
34 agency processes to update site information when changes are made are also useful; if another program
35 determines a site has moved or closed, passing that information along to all other programs is helpful. In the
36 same manner, when a site visit determines the status of a site has changed, it is important to capture the
37 information in RCRAInfo.
38

39 **8.9 How to Inactivate a RCRA EPA ID Number**

40 RCRAInfo uses the field "Source Type" to explain the origin of the information in the Handler module. The
41 following table lists each "Source Type" and the description of that source.

1

Source Type	Description
A	Part <u>A</u> Permit Application
B	<u>B</u> oth Notification and BR Site Form submitted
E	<u>E</u> mergency Number
I	<u>I</u> mplementer determination (State or EPA Region)
N	<u>N</u> otification submitted
R	<u>BR</u> Form submitted
T	<u>T</u> emporary or one-time Generator

2

3 Entry of an “I” source in RCRAInfo is a way to update a site’s information when the source of the information
4 is not the site. The “I” source is entered by the Implementing agency to update information on a site when the
5 Implementer determines information without correspondence from the site. By adding this record with a
6 received date later than the last notification source, the “I” record becomes the source used to calculate the
7 handler universes as well as the active/inactive universe. The most current source record (based on the receipt
8 date) where the source type is “I”, “N”, “B”, “T”, “E” or “R” (R sources where the year is 2001 or greater) will
9 be used for universe calculations. Older ‘A’ and ‘R’ sources did not collect the needed activity information and
10 therefore are not used.

11

12 To inactivate a site, create a new source record for the RCRA EPA ID Number and change the SI and state
13 handler activities to “No” (activity not occurring). If the inactivation request came from the site, enter a source
14 record of N, E, or T as appropriate. If the Implementer instigates the inactivation, enter an “I” source. Note that
15 the Implementer controls whether a State-specific activity or State generator status code is to be included as
16 part of the active/inactive universe calculation by virtue of the usage code value assigned via the System
17 Administration module of RCRAInfo. If the usage indicates that the activity or status is not to be considered as
18 part of the calculation, then the value of that activity or status is irrelevant for the purposes of the
19 active/inactive universe calculation.

20

21 It is important for Implementers to realize how the HPACS field is derived so they can understand what
22 information to review if the field contents are not as expected. If the field contains only hyphens, then the site
23 is inactive. The inactivation of the other activities by virtue of the event information entered for the site (i.e.,
24 permitting, CA, converter status, and State TSD activities) would generally be done only through the direction
25 of the staff responsible for that facility. By determining what makes a facility active, the user gains insight into
26 how to inactivate a site.

27

28 **8.10 Regulated Activities that Make a Site Active**

29 The following table provides a synopsis of various regulated activities, including both federal and state, what
30 their Short Tag is, whether the activity is on the SI form and/or RCRAInfo SI screens, and which values will
31 flag a site as being active. The identification of “regulated activities” in this table has no legal or regulatory
32 significance. Owners, operators and other parties may not rely on such a designation to determine whether
33 they are subject to or in compliance with a requirement of RCRA or a State’s authorized hazardous waste
34 management program system.

1 **Table 4: Regulated Activities that make a site “active”**

Regulated Activity	Short Tag	On SI Form?	On RCRAInfo SI screen?	What values will flag a site as being active?
Treatment, Storage, or Disposal Facility Activities	TSD	No	No. Calculated from Permitted Unit data in RCRAInfo	Site has one or more TSD units with a current Legal/Operating Status combination on the TSD Legal/Operating Status matrix in Table 3 indicating it is in the Regulated (“R”) universe.
Converter	Convert	No	No. Calculated from Permitted Unit data in RCRAInfo	Site has one or more TSD units with a current Legal/Operating Status combination on the TSD Legal/Operating Status matrix in Table 3 indicating it is in the Converter (“V”) universe.
Corrective Action Activities	CA	No	No. Calculated from RCRAInfo Universe	Site is in the Corrective Action Workload Universe.
Generator of Hazardous Waste (Federal)	LQG or SQG or CESQG	10.A.1.a or b or c	10.A.1 Generator of Hazardous Waste (Federal)	Site’s current generator status is LQG or SQG, or CESQG (i.e., hreport_univ.Genstatus is LQG or SQG or CEG).
United States Importer of Hazardous Waste	US Import	10.A.1.d	10.A.1.d	Site’s current value for “United States Importer of Hazardous Waste” is Yes (i.e., hreport_univ.IMPORTER = “Y”).
Mixed Waste (hazardous and radioactive) Generator	HW/ Radioactive	10.A.1.e	10.A.1.e	Site’s current value for “Mixed Waste (hazardous and radioactive) Generator” is Yes (i.e., hreport_univ.MIXED_WASTE_GENERATOR= “Y”)
Transporter of Hazardous Waste	Transport	10.A.2	10.A.2	Site’s current value for “Transporter of Hazardous Waste” is Yes (i.e., hreport_univ.TRANSPORTER = “Y”).
Recycler of Hazardous Waste (at your site)	Recycle	10.A.4	10.A.4	Site’s current value for “Recycler of Hazardous Waste (at your site)” is Yes (i.e., hreport_univ.RECYCLER = “Y”)

Regulated Activity	Short Tag	On SI Form?	On RCRAInfo SI screen?	What values will flag a site as being active?
Small Quantity On-site Burner Exemption	Exempt SQ BIF	10.A.5.a	10.A.5.a	Site's current value for "Small Quantity On-site Burner Exemption" is Yes under "Exempt Boiler and/or Industrial Furnace" (i.e., hreport_univ ONSITE_BURNER_EXEMPT = "Y").
Smelting, Melting, and Refining Furnace Exemption	Exempt Furnace	10.A.5.b	10.A.5.b	Site's current value for "Smelting, Melting, and Refining Furnace Exemption" is Yes under "Exempt Boiler and/or Industrial Furnace" (i.e., hreport_univ FURNACE_EXEMPTION = "Y").
Underground Injection Control	UIC	10.A.6	10.A.6	Site's current value for "Underground Injection Control" is Yes (i.e., hreport_univ UNDERGROUND_INJECTION = "Y").
Large Quantity Handler of Universal Waste	UWLQ	10.B.1.a through 10.B.1.d	10.B.1 (with owner HQ or US)	Site currently generates or accumulates federal Universal Waste as a "Large Quantity Handler of Universal Waste" (i.e., a current Huniversal_waste. Accumulated or generated = "Y" and Huniversal_waste.universal_waste_owner = "HQ" or "US")
Destination Facility for Universal Waste	UW Dest	10.B.2	10.B.2	Site's current value for "Destination Facility for Universal Waste" is Yes (i.e., current hhandler2. UNIVERSAL_WASTE_DEST_FACILITY = "Y")

Regulated Activity	Short Tag	On SI Form?	On RCRAInfo SI screen?	What values will flag a site as being active?
“Used Oil Activities (Transporter, Transfer Facility, Processor, Re-refiner, Off-specification Used Oil Burner, Marketer Who Directs Shipment of Off-Specification Used oil to Off-Specification Used Oil Burner, Marketer Who First Claims the Used Oil Meets the Specifications	UO Transport, UO Transfer, UO Process, UO Rerefine, UO Off-Spec Burn, Market to Off-spec UO Burner, Claim Meets UO Specs	10.C.1.a through 10.C.4.b	10.C.1.a through 10.C.4.b	Site’s current value for any of the following is Yes: “UO Transport”, “UO Transfer”, “UO Process”, “UO Rerefine”, “UO Off-Spec Burn”, “Market to Off-spec UO Burner”, or “Claim Meets UO Specs” (i.e. corresponding position in hreport_univ. USED_OIL = “Y”)
State Regulated TSD	*TSD	No	No: calculated from Permitted Unit data in RCRAInfo	Site has one or more TSD units with a current Legal/Operating Status combination on the TSD Legal/Operating Status matrix in Table 3 indicating it is in the State Regulated (“S”) universe.
Generator of Hazardous Waste (State)	Asterisk (*) followed by State-specified 10-character code for State Generator Status	No. From State-equivalent SI form or other State forms or procedures	10.A.1 Generator of Hazardous Waste (State)	Site’s current State Generator Status is defined as one that the State wants used in determining if a site is active (i.e., 10-character code in the Lu_generator_status2 entry for site’s Hreport_univ. STATE_WASTE_GENERATOR if its Usage is “to be used in RCRAInfo universe calculations”).
State-specific Activities (present if state defined state-specific activities are in the RCRAInfo Lu_state_activity table)	Asterisk (*) followed by state-specified 5-character code for state-specific activities	No. From state-equivalent SI form or other state forms or procedures	10.D State Activities	Site has a current state activity code, which the State wants used in determining if the site is active (i.e., each Hstate_activity.State_activity_type where the Usage in Lu_state_activity is “to be used in RCRAInfo universe calculations”).
Large Quantity Handler of State-specific Universal Waste	*UWLQ	10.B.1.e through 10.B.1.g or higher	10.B.1 (with owner other than HQ or US)	Site currently generates or accumulates state-specific Universal Waste as a “Large Quantity Handler of Universal Waste” (i.e., a current Huniversal_waste. Accumulated or generated = “Y” and Huniversal_waste.universal_waste_owner is not “HQ” or “US”)

APPENDIX A –LIST OF RCRA DOCUMENTS REFERENCED IN THE GUIDANCE

LIST OF RCRA DOCUMENTS USED IN THE GUIDANCE

<u>RCRA Online Number</u>	<u>Description</u>
11005	November 18, 1980 Letter to Julie R. Cooper of Mobay Chemical Corporation regarding the interpretation of hazardous waste regulations in respect to activities by contractors and sub-contractors and co-generation.
12855	February 5, 1987 Memorandum to the Regions on rapid issuance of identification numbers to sites under investigation by DEA.
13358	March 1990 RCRA/Superfund Hotline Summary dealing with Applicability of the Household Hazardous Waste Exclusion to Waste Generated by Contractors.
14459	July 31, 2000 Memorandum to the Regions on Regulatory Status of Waste Generated by Contractors and Residents from Lead-Based Paint Activities Conducted in Households.
11567	October 30, 1990 Memorandum to David Ullrich, Acting Director Waste Management Division on Transfer Facility Regulation Interpretation.
14428	March 23, 2000 Letter to Ms. Sherene Rahman on Interstate transport of Waste.
14580	December 4, 2001 Memorandum to the Regions on Cruise Ship Identification Numbers and State Required Annual Reporting Components.
11894	February 17, 1995 Letter to Mr. James A. Lassner on Import and Export requirements.
14206	March 26, 1998 Letter to Dale Givens, LDEQ, on clarification of the term "designated facility" as it relates to wastewater treatment units.
12037	January 29, 1982 Memorandum to Region IV on proposed mechanism for handling mobile treatment units