

Frequently Asked Questions – Maryland’s Biennial Report of Hazardous Waste Activities for 2017

1. Who is required to file?

You are required to file the report if **any** of the following apply:

- You **generated** 100 kilograms (220 pounds) or more of hazardous waste in any month in 2017.
- You **generated** more than 1 kilogram (2.2 pounds) of acute hazardous waste in any month in 2017. (Acute hazardous wastes are identified in Code of Maryland Regulations (COMAR) 26.13.02.05C(1), C(2) and C(6).)
- You had on site at any time in 2017 more than 100 kilograms (220 pounds) of hazardous waste (**accumulation**).
- You had on site at any time in 2017 more than 1 kilogram (2.2 pounds) of acute hazardous waste (**accumulation**).

NOTE: Maryland requirements are **more** stringent than the federal reporting requirements.

2. Where can I find the forms on-line or find more information on-line?

A PDF file containing the forms and instructions can be found at:

<https://rcrainfo.epa.gov/rcrainfoweb/action/main-menu/view>

Note, you must take into account Maryland-specific instructions when filling out the report, so if you download the forms from the EPA web site, make sure that you obtain the supplemental material on Maryland-specific requirements from the Technical Services and Operations Program. You can find the supplemental material at the Maryland Department of the Environment’s biennial report web page, available from a link at:

<http://mde.maryland.gov/programs/LAND/HazardousWaste/Pages/biennialreport.aspx>

3. What period does the report cover?

The report should reflect hazardous waste management activities during calendar year 2017. Information on activities in 2016 should **not** be included.

4. When is the report due?

The report is due by **March 1, 2018**.

5. Where do I submit the report?

The report should be submitted to:

**Maryland Department of the Environment
Land and Materials Administration
Technical Services and Operations Program
1800 Washington Boulevard, Suite 650
Baltimore, MD 21230-1719**

6. Can I submit my report electronically?

Yes. The Department **encourages** generators to submit the report electronically. The database that the Department is making available free of charge can be located at: www.arminc.net.

More information on electronic filing, including a link to the required database, is available on the Hazardous Waste Program's Biennial Hazardous Waste Reports web page, available at: <http://mde.maryland.gov/programs/LAND/HazardousWaste/Pages/biennialreport.aspx>

7. What if I did not ship hazardous waste in 2017?

You are required to submit a report if you meet the filing criteria based on the amount of hazardous waste you generate in any calendar month and the maximum amount of waste you have on site at any time. (See Question #1, "Who is required to file?" in this list of questions.) If you meet any of the filing criteria, you are required to file even if you did not ship any hazardous waste in 2017. For example, even if you did not ship any hazardous waste in 2017, if you had more than 220 pounds of hazardous waste on site at any time in 2017, you must file the report.

8. What if I did not generate hazardous waste in 2017?

Even if you did not generate hazardous waste in 2017, you are required to file a report if either of the following apply:

- You had on site at any time in 2017 more than 100 kilograms (220 pounds) of hazardous waste (**accumulation**).
- You had on site at any time in 2017 more than 1 kilogram (2.2 pounds) of acute hazardous waste (**accumulation**).

9. I was not mailed a notification letter. Does that mean I do not have to report?

Not necessarily. If you meet any of the criteria that require you to file a report, you must file whether or not a notification was mailed to you. Forms are **not** being mailed this reporting period. Instructions and forms can be obtained by going to EPA's RCRAInfo public website: <http://mde.maryland.gov/programs/LAND/HazardousWaste/Pages/index.aspx>

Note that you must take into account Maryland-specific instructions when filling out the report, so if you download the forms from the EPA's RCRAInfo public web site, make sure that you either obtain the supplemental material on Maryland-specific requirements from the Maryland Department of the Environment's biennial report website available from a link at <http://mde.maryland.gov/programs/LAND/HazardousWaste/Pages/biennialreport.aspx>

10. I received a biennial report packet in the mail and my company does not generate hazardous wastes. What should I do?

Submit the RCRA Subtitle C Site Identification Form (8700-12) from the biennial report package and include an explanation for submittal in the comment section (Question 18).

11. I received a biennial report packet in the mail for only one of my company's sites. Is this the only site that must report?

You are required to file a report for **each** site (each location with its own EPA ID number) that meets any of the criteria listed under "Who is required to file?" in this list of questions. Forms can be obtained by going to EPA's RCRAInfo public website.

<https://rcrainfo.epa.gov/rcrainfoweb/action/main-menu/view>

Note you must take into account Maryland-specific instructions when filling out the report, make sure that you obtain the supplemental material on Maryland-specific requirements from

<http://mde.maryland.gov/programs/LAND/HazardousWaste/Pages/biennialreport.aspx>

12. The printed instruction booklet says to file Form OI only if the site's state requires it. Does Maryland require Form OI to be filed?

No, Maryland does not require Form OI to be filed.

13. Where can I find Maryland's hazardous waste regulations?

Maryland's hazardous waste regulations are found in the Code of Maryland Regulations (COMAR) at COMAR 26.10.01 through 26.13.10. They can be found on the Maryland Division of State Documents website. Go to <http://www.dsd.state.md.us/COMAR/ComarHome.html> and click on "COMAR Online". Several search options are presented.

14. Do I have to report on waste minimization efforts? If so, how should I report?

COMAR 26.13.03.06B(1)(d)(vi) requires that the biennial report include a description of efforts undertaken during the reporting year to reduce the volume and toxicity of waste generated. This requirement is satisfied by entering the appropriate waste minimization code from the report instructions in Item G of the Waste Generation and Management Form (GM Form).

15. I no longer generate hazardous waste. Do I need to file a report?

You are required to submit a report if you met any of the filing criteria in 2017 based on the amount of hazardous waste you generated in each calendar month of 2017 and the maximum amount of waste you had on site at any time in 2017. (See Question #1, "Who is required to file?" in this list of questions). If you met any of the filing criteria, you are required to file even if you no longer generate hazardous waste. For example, if you had more than 220 pounds of hazardous waste on site at any time in 2017, you must file the report.

16. The Site ID Form asks for information on generator status based on federal generator category definitions (Large Quantity (LQG), Small Quantity (SQG), and Very Small Quantity (VSQG)). Should I provide information based on my generator status under federal regulations or based on my generator status under Maryland regulations?

For the purposes of completing the report forms, you should base your answers on the **federal** generator category definitions.

17. Where can I find more information about waste minimization/pollution prevention?

Additional information is available at the following websites:

<http://www.epa.gov/epawaste/hazard/recycling/index.htm>

http://mde.maryland.gov/programs/BUSINESSINFOCENTER/GreeningYourBusinessFacility/Pages/p2_websites.aspx

<http://mde.maryland.gov/programs/LAND/RecyclingandOperationsprogram/Pages/index.aspx>

18. Are all sections of the RCRA Subtitle C Site Identification Form potentially applicable in Maryland?

No. The following sections are not applicable for Maryland generators:

- Question 12, “Eligible Academic Entities with Laboratories”, is not applicable, since Maryland has not adopted Subpart K of Part 262, Title 40 of the Code of Federal Regulations (40 CFR Part 262, Subpart K).
- Question 13, “Episodic Generation”. The “No” box should be checked, and “Addendum to the Site Identification Form: Episodic Generator” should **not** be completed. Maryland has not adopted the regulations cited in Question 13.
- Question 14, “LQG Consolidation of VSQG Hazardous Waste”. The “No” box should be checked, and “Addendum to the Site Identification Form: LQG Consolidation of VSQG Hazardous Waste” should **not** be completed. Maryland has not adopted the regulations cited in Question 14.
- Question 15, “Notification of LQG Site Closure”. Maryland has not adopted the regulations cited in Question 15.
- Question 16, “Notification of Hazardous Secondary Material (HSM) Activity”. The “No” box should be checked, and “Addendum to the Site Identification Form: Notification of Hazardous Secondary Material Activity” should **not** be completed. Maryland has not adopted the regulations cited in Question 16.
- Question 17, “Electronic Manifest Broker”. The “No” box should be checked. At this time, e-Manifest has not been adopted.

19. If I filed for a temporary EPA ID number in 2017, do I need to complete the report?

Whether you need to report depends on whether you meet the filing criteria based on the amount of hazardous waste you generated in each calendar month in 2017 and the maximum amount of hazardous waste you had on site at any time in 2017. (See Question #1, “Who is required to file?” in this list of questions). If you meet any of the filing criteria, you must submit a report no matter whether you have a temporary EPA ID number or a permanent EPA ID number for your site.

20. What if I have additional questions?

If you have any questions or need assistance, you may contact Paul “Brian” Sodeman at 410-537-3397 or by email at paul.sodeman@maryland.gov or Section Head, Jennifer Hopper at 410-537-3350 or by email at jennifer.hopper@maryland.gov.