

*This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.*

## Hazardous Waste Report: Frequently Asked Questions

### 1. What is the Hazardous Waste Report?

The Hazardous Waste Report, commonly referred to as the “Biennial Report”, is a mechanism for the collection of information from hazardous waste generators and hazardous waste treatment, storage or disposal facilities. The report describes each hazardous waste generated, the activity by which the wastes are generated and the waste quantity. The report also lists the management method by which each waste is treated, recycled or disposed and the quantity managed. The Hazardous Waste Report data can be used by federal and state agencies for planning and developing regulations and compliance monitoring and enforcement activities.

### 2. Who is required to file a Hazardous Waste Report?

[Title 128 - Nebraska Hazardous Waste Regulations](#) require anyone subject to the requirements for large quantity generators (generates more than 1,000 kilograms (2,200 pounds) of hazardous waste per month) at any time during a calendar year and/or facilities that treat, store or dispose (TSD) of hazardous waste to prepare and submit by **March 1** of each even-numbered year a Hazardous Waste Report for the reporting cycle using forms furnished by the Nebraska Department of Environment and Energy (NDEE). All one-time large quantity generators (also known as episodic large quantity generators) are required to report the total amount of hazardous waste generated for the entire calendar year and not just for the month(s) they were a large quantity generator.

### 3. How do I file a Hazardous Waste Report with NDEE?

NDEE will be accepting biennial reports through the RCRAInfo Industry Application. The use of EPA’s RCRAInfo web interface will greatly simplify and streamline the process from years past. Visit <https://rcrainfo.epa.gov/rcrainfoprod/> to create a log in and complete your report.

### 4. What if my last Notification 8700-12 Form submitted to the NDEE lists my facility as a large quantity generator (LQG), however, my facility was not a LQG in calendar year 2023?

Report your **current** hazardous waste generator status in Site Identification (Site ID) Form Item 10.A.1 even if your current status is different from the status you had during 2023 that requires you to file the 2023 Hazardous Waste Report.

If your facility was not a large quantity generator of hazardous waste in 2023, you must complete and return a RCRA Subtitle C Activity (EPA Form 8700-12) to re-notify the Department of your current generator status. Please indicate in Item 13 – Comments that you were not required to

submit the Hazardous Waste Report for the 2023 reporting cycle and state the reason for same. A Notification form may be found at <http://dee.ne.gov/NDEQProg.nsf/PubsForm.xsp?databaseName=CN=DEQSER6/O=NDEQ!!Publica.nsf&documentId=677087118B9C45C906256CB60067676C&action=editDocument>.

It is also important to notify of any change of facility name, site contact, owner/operator and/or generator status. If you have made any changes to your facility data since submitting your last Site ID Form, please note them in the Site ID Form Comments section and be sure to mark "subsequent notification" as well as "component of hazardous waste report" under the Site ID Form Reason for Submittal.

Utilization of the [RCRAInfo](#) web interface to complete the Biennial Report will also help verify all of your information for submission.

#### **5. Does the NDEE require completion of all sections of the Site ID Form?**

No. Completion of the following Site ID Form activities and waste descriptions are not required by the NDEE:

- Used oil Activities
  1. Used Oil Transporter
  2. Used Oil Processor and/or Re-refiner
- Eligible Academic Entities with Laboratories
- Waste Codes for State – Regulated (i.e., non-Federal) Hazardous Wastes
- Notification of Hazardous Secondary Material (HSM) Activity

The [RCRAInfo](#) Industry Application should grey-out those boxes on your digital form.

#### **6. Does the NDEE require completion of the Off-Site Identification (OI) Form?**

Yes.

#### **7. Should universal waste be reported?**

No.

#### **8. Who is required to sign the Certification of the Site ID Form?**

The Certification must be signed by owner(s), operator(s), responsible official(s), or authorized representative(s) of a facility that is subject to the hazardous waste reporting requirements. An "authorized representative" is a person responsible for the overall operation of the site (e.g., plant manager or superintendent, or a person of equal responsibility).

The [RCRAInfo](#) Industry Application does utilize a digital signature, which will need to be set up prior to completing your biennial report submission.

#### **9. When is the deadline to file the Hazardous Waste Report?**

The 2023 Hazardous Waste Report must be completed on the [RCRAInfo](#) web application by **March 1, 2024**.

#### **10. What if I can't make the March 1, 2024 deadline?**

If you are unable to submit the forms by **March 1, 2024**, you may request an extension of no more than 30 days. Your request for an extension must be made in writing and sent to NDEE at the address listed above; must state the reason for which the extension is requested; must state the amount of additional time required to file the report (not to exceed 30 days, or April 1, 2024); and must be received by NDEE no later than **April 1, 2024**.

### **11. Does Nebraska require annual reporting?**

No. Nebraska does not have a RCRA annual report requirement.

### **12. Are there any fees required for filing the Hazardous Waste Report?**

No fees are required for filing the Hazardous Waste Report. However, failure to comply with Federal and State regulations regarding Hazardous Waste Reports may result in fines and penalties.

### **13. What documents would be helpful in filling out the forms?**

To prepare the 2023 Hazardous Waste Report, you should consult your records on quantities and types of hazardous waste that your site generated, managed, shipped or received in 2023. Some records that may be helpful are:

- Hazardous Waste Report forms submitted in previous years.
- Records of quantities of hazardous waste generated or accumulated onsite including results of laboratory analysis of your waste.
- Invoices related to waste management and contracts or tolling agreements with off-site facilities managing your wastes.
- Hazardous waste manifest forms.

For reference, the U.S. Environmental Protection Agency (EPA) has prepared a booklet for hazardous waste generators and for facilities that treat, store, or dispose hazardous waste to report their hazardous waste activities for calendar year 2023. The 2023 Hazardous Waste Report Instructions and Forms (8700-13(A/B)) may be viewed at

<https://www.epa.gov/hwgenerators/hazardous-waste-report-instructions-and-form>.

**If you have any other questions, please contact the NDEE at (402) 471-2186.**