

HAZARDOUS WASTE NOTIFICATION REQUIREMENTS and INSTRUCTIONS

The Environmental Protection Agency (EPA) promulgated changes to the general pretreatment regulations (55 FR 30082) that affect both publicly owned treatment works (POTWs) and industrial users of POTWs. The change requires industrial users to submit a notification of hazardous waste discharged to the sanitary sewer. **Industrial users are required to make this notification.** Those who discharge listed or characteristic hazardous waste under the Resource Conservation and Recovery Act (RCRA) to POTWs have special reporting requirements. (Listed and characteristic wastes under RCRA are described in the Code of Federal Regulations 40 CFR Part 261). Industrial users not discharging these types of hazardous waste must still certify that they do not discharge them. This notification must be reported as indicated in the submittal requirements section.

Hazardous Waste Covered by the Notification:

Any discharge to the sewer of **more than fifteen (15) kilograms** per calendar month of a RCRA hazardous waste, or a discharge of any quantity of an **acutely hazardous** waste identified in 40 CFR 261.33(e).

Exemptions:

A discharge of **fifteen (15) kilograms or less** of a RCRA hazardous waste during a calendar month need not be reported, except for the acutely hazardous wastes identified in 40 CFR 261.30(d) and 261.33(e). A subsequent discharge of **more than fifteen (15) kilograms** during a calendar month, or of any quantity of an acutely hazardous waste, must be reported. Pollutants already reported under 40 CFR 403.12(b), (d), and (e) (reporting requirements for categorical users) are **not** subject to this notification requirement.

The Notification Must Contain the Following Information (see form below):

- Name of the hazardous waste as set forth in 40 CFR Part 261.
- EPA hazardous waste number.
- Type of discharge to the sewer (continuous, batch or other).
- A certification that the industrial user has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

If the industrial user discharges **more than 100 kilograms of hazardous waste per calendar month** to the POTW, the notification must also include the following information; to the extent such information is known and readily available to the industrial user:

- An identification of the hazardous constituents contained in the wastestream.
- An estimate of the mass and concentration of such constituents in the wastestream discharged during the calendar month in which the report is made.
- An estimation of the mass of constituents in the wastestream expected to be discharged during the twelve months following the notification.

How to Count the Volume of Hazardous Waste Discharged:

If a hazardous waste is mixed with a non-hazardous process or non-process wastestream and the entire mixture is then discharged to the sewer, the volume of hazardous waste in the entire wastestream is counted according to the RCRA "mixture rule" in 40 CFR 261.3(a)(2)(iv). The effect of this rule is summarized as follows:

Characteristic Wastes: These are wastes that are classified as hazardous only because they exhibit one of the hazardous characteristics identified in 40 CFR 261.20-24 (i.e., they are ignitable, corrosive, reactive, or toxic). If these wastes are mixed with non-hazardous materials and the mixture is then discharged to the sewer, the notification must be submitted only if the entire mixture actually discharged is more than fifteen kilograms per calendar month and if the entire mixture discharged still exhibits the characteristic(s).

Listed Wastes: These are wastes that are classified as hazardous pursuant to 40 CFR 261.30-33. If these listed wastes are mixed with non-hazardous materials and then discharged to the sewer, the entire wastestream is considered hazardous and the notification must be submitted. Thus only if the entire wastestream containing the hazardous waste amounted to fifteen kilograms per month or less would the exemption discussed above apply.

Questionable Wastes: If an industrial user has any doubt about whether a mixture discharged to the sewer is hazardous, or if the user does not wish to perform any necessary calculations under the mixture rule, the user should submit the notification.

Submittal Requirements:

- Notification must be submitted no later than 180 days after the discharge of a hazardous waste.
- All HRSD Direct Discharge Permitted Industrial Users must submit a notification no later than 180 days after the effective date of an initial HRSD Industrial Wastewater Discharge Permit.
- All HRSD Direct Discharge Permitted Industrial Users must submit a notification, with each permit renewal request.
- In the case of regulations under Section 3001 of RCRA identifying new hazardous wastes, the notification must be submitted within 90 days of the effective date of such regulations.
- In the case of any substantial changes in the volume or character of any wastestream to the sewers, the user must notify the POTW in advance in accordance with 40 CFR 403.12(p)(4).
- Per HRSD Best Management Practice (BMP) programs.

Submit To: HRSD

Pretreatment & Pollution Prevention Department
P.O. Box 5902
Virginia Beach, VA 23471-0902

For Additional Information:

General questions about the requirements should be directed to Ms. Angela Kilgore of the HRSD Pretreatment & Pollution Prevention Department at (757) 460-7042 or p3data@hrsd.com. Questions about whether your waste is hazardous should be directed to the EPA RCRA Hotline at (800) 424-9346.



HAZARDOUS WASTE NOTIFICATION FORM

Publicly Owned Treatment Works: **HRSD, P.O. Box 5902, Virginia Beach, VA 23471-0902**

Facility Name: _____

HRSD Permit #: _____

Physical Address: _____

City, State, Zip: _____

Contact Person: _____ Title: _____

Phone Number: _____ Email Address: _____

In any month during the past 12 months, did your facility discharge to the sewer >15 kilograms (kg) of RCRA hazardous waste or any quantity of acutely hazardous waste as specified under 40 CFR 261.30(d) and 261.33(e) or 40 CFR 261 Subparts C and D?

YES ☐ NO ☐

Is any hazardous waste currently being discharged, or do you have any plans to discharge any hazardous waste, to the sanitary sewer?

YES ☐ NO ☐

If the answer to **both** questions above is **NO**, complete Section III and submit the form.

If you answered **YES** to **either** of the above questions, complete the applicable portions (Section I and/or II) of the remainder of this form, sign the certification (Section III) and submit the form.

SECTION I - HAZARDOUS WASTE INFORMATION

If **any** acutely hazardous waste or more than **15 kilograms** of any hazardous waste per calendar month is discharged to the sewer, please include the following items of information in the table below for each hazardous waste, **to the extent such information is known and readily available**. (Use additional sheets if necessary.)

I certify that I have a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree I have determined to be economically practical.

Name of Waste	EPA Hazardous Waste Number	Type of Discharge (Continuous, Batch or Other)

SECTION II - HAZARDOUS CONSTITUENT INFORMATION

If more than **100 kilograms** of any hazardous waste per calendar month is discharged to the sewer, please include the following items of information in the table below for each hazardous waste, **to the extent such information is known and readily available**. (Use additional sheets if necessary.)

I certify that I have a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree I have determined to be economically practical.

Name of Constituent	Mass in Waste stream (this month)	Concentration in Waste stream (this month)	Mass in Waste stream (next 12 months)

SECTION III - CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NAME _____
(Print)

NAME _____
(Signature)

TITLE _____

DATE _____