DEFINITIONS

This section contains definitions of terms helpful for completing the Hazardous Waste Report. For terms defined in the Code of Federal Regulations (CFR), the appropriate citation is provided. Each reference to a regulation found in 40 CFR 260 through 279 means that regulation as adopted by Kansas in KAR 28-31-260 through 28-31-279. If there is a conflict between a State definition and a Federal definition, the State definition shall control (see KAR 28-31-260 and 28-31-260a).

Accumulation A site that does not hold RCRA Interim Status or a RCRA permit may accumulate hazardous waste for a short period of time before shipping it off site. The waste must be accumulated in either tanks or containers; it may not be accumulated in surface impoundments.

Generators of more than 1,000 kg (2,200 lb) of hazardous waste per month may accumulate their waste for up to 90 days before shipping it off site.

Generators of 100 kg (220 lb) to 1,000 kg (2,200 lb) of hazardous waste per month may accumulate their waste for up to 180 days before shipping it off site. If the nearest treatment, storage, disposal, or recycling facility to which they (SQG) can send their waste is more than 200 miles away, they may accumulate their waste for 270 days. See 40 CFR 262.34.

Act or RCRA The Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended by the Hazardous and Solid Waste Amendments of 1984, 42 U.S.C. Section 6901 *et seq.*

Acute Hazardous Waste Any hazardous waste with an EPA hazardous waste code beginning with the letter "P" (40 CFR 261.33(e)) or any of the following "F" codes: F020, F021, F022, F023, F026, and F027 (40 CFR 261.31). These wastes are subject to stringent quantity standards for accumulation and generation (40 CFR 261.5(e)).

Authorized Representative The person responsible for the overall operation of the site or an operational unit (i.e., part of a site), e.g., superintendent or plant manager, or person of equivalent responsibility.

Authorized State A State that has obtained authorization from the EPA to direct its own RCRA program.

Boiler An enclosed device using controlled flame combustion and having the following characteristics:

- The unit has physical provisions for recovering and exporting energy in the form of steam, heated fluids, or heated gases;
- The unit's combustion chamber and primary energy recovery section(s) are of integral design (i.e., they are physically formed into one manufactured or assembled unit);
- The unit continuously maintains an energy recovery efficiency of at least 60 percent, calculated in terms of the recovered energy compared with the thermal value of the fuel;
- The unit exports and utilizes at least 75 percent of the recovered energy, calculated on an annual basis (excluding recovered heat used internally in the same unit, for example, to preheat fuel or combustion air or drive fans or feedwater pumps); or
- The unit is one which the Regional Administrator has determined, on a case-by-case basis, to be a boiler, after considering the standards in 40 CFR 260.32

By-Product Material For purposes of the Hazardous Waste Report, a by-product material is: (1) any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material; and (2) the tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content (defined in the Atomic Energy Act of 1954).

Code of Federal Regulations (CFR) Codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the Federal Government. The Code is divided into 50 titles, which represent broad areas subject to Federal regulation. Each title is divided into chapters that usually bear the name of the issuing agency. Each chapter is further subdivided into parts covering specific regulatory areas. The CFR title applicable for the Hazardous Waste Report is "40," as in "40 CFR 262.34."

Confidential Business Information (CBI) Information a facility does not wish to make available to the general public for competitive business reasons. Confidential Business Information (CBI) may be claimed for certain information in your report. A claim may be made in accordance with 40 CFR Part 2, Subpart B. The State statute regarding confidentiality of hazardous waste information is KSA 65-3447.

Delisted Wastes Site-specific wastes excluded from regulation under 40 CFR 260.20 and 260.22. A waste at a particular generating site may be excluded by petitioning the EPA Administrator for a regulatory amendment. These wastes are listed in Appendix IX of 40 CFR Part 261.

Disposal The discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

Environmental Protection Agency (EPA) EPA, also called U.S. EPA, means the United States Environmental Protection Agency. Some State environmental authorities may be called the EPA also, as in "Illinois EPA."

EPA Identification (ID) Number The number assigned by KDHE to each hazardous waste generator, hazardous waste transporter, and treatment, storage, or disposal facility; United States importer of hazardous waste; mixed waste (hazardous and radioactive) generator; recycler of hazardous waste; exempt boiler and/or industrial furnace burning or processing hazardous waste; large quantity handler of or destination facility for universal wastes; disposer of hazardous waste with an underground injection permit; used oil transporter, used oil processor/re-refiner, off-specification used oil fuel burner, used oil fuel marketer; or site undergoing corrective action.

Excluded Wastes Wastes excluded from the definition of solid or hazardous waste under 40 CFR 261.3 and 261.4. For a partial listing, see the "Excluded Waste" section in the "Other Reference Information and Code Lists" document available online at www.kdheks.gov/waste.

GM Form Waste Generation and Management Form.

Generators See the four following State classifications:

Large Quantity Generator (LQG): A generator who meets **either** (or both) of the following criteria:

- Generates 1,000 kilograms (2,200 pounds) or more of hazardous waste in any single calendar month; **or**
- Generates or accumulates acutely hazardous waste and other waste listed in 40 CFR 261.5(e) in quantities equal to or greater than the generation limits listed in 40 CFR 261.5(e).

Small Quantity Generator (SQG): A generator who meets **all** of the following criteria:

- Generates more than 100 kilograms (220 pounds) of hazardous waste in any single calendar month; **and**
- Generates less than 1,000 kilograms (2,200 pounds) of hazardous waste in any single calendar month; **and**
- Generates and accumulates acutely hazardous waste and other waste listed in 40 CFR 261.5(e) in quantities less than the generation limits listed in 40 CFR 261.5(e).

Kansas Small Quantity Generator (KSQG): A generator that meets **all** of the following criteria:

- Generates 25 kilograms (55 pounds) or more of hazardous waste in any single calendar month; **and**
- Generates no more than 100 kilograms (220 pounds) of hazardous waste in any single calendar month; **and**
- Generates and accumulates acutely hazardous waste and other waste listed in 40 CFR 261.5(e) in quantities less than the generation limits listed in 40 CFR 261.5(e).

Conditionally Exempt Small Quantity Generator (CESQG): A generator who meets **both** of the following criteria:

- Generates less than 25 kilograms (55 pounds) of hazardous waste in any single calendar month; **and**
- Generates and accumulates acutely hazardous waste and other waste listed in 40 CFR 261.5(e) in quantities less than the generation limits listed in 40 CFR 261.5(e).

Hazardous Waste A hazardous waste as defined in 40 CFR 261.3.

Hazardous Waste Generator Any person, by site, whose act or process produces hazardous waste identified or listed in 40 CFR Part 261.

Hazardous Waste Number or Code, EPA The number (or code) assigned by the EPA to each hazardous waste listed in 40 CFR Part 261, Subpart D and to each characteristic identified in 40 CFR Part 261, Subpart C. The codes consist of one letter (D, F, P, U, or K) and three numbers. See the list in the "EPA Hazardous Waste Codes" section in "Other Reference Information and Code Lists" document available online at www.kdheks.gov/waste.

Hazardous Waste Storage The holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of, or stored elsewhere.

Hazardous Waste Transfer Facility Refer to "Transfer Facility" definition.

Hazardous Waste Transporter Refer to "Transporter" definition.

Hazardous Waste Treatment Any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize such hazardous waste, or so as to recover energy or material resources from the hazardous waste, or so as to render such hazardous waste non-hazardous, or less hazardous; safer to transport, store, or dispose of; or amenable for recovery, amenable for storage, or reduced in volume. Such term includes any activity or processing designed to change the physical form or composition of hazardous waste so as to render it non-hazardous.

Incineration Burning of certain types of solid, liquid, or gaseous materials; or a treatment technology involving destruction of waste by controlled burning at high temperatures (e.g., burning sludge to remove the water and reduce the remaining residues to a safe, non-burnable ash that can be disposed safely on land, in some waters, or in underground locations).

Industrial Furnace Any of the following enclosed devices that are integral components of manufacturing processes and that use thermal treatment to accomplish recovery of materials or energy: cement kilns; lime kilns; aggregate kilns; phosphate kilns; coke ovens; blast furnaces; smelting, melting, and refining furnaces; titanium dioxide chloride process oxidation reactors; methane reforming furnaces; pulping liquor recovery furnaces; combustion devices used in the recovery of sulfur values from spent sulfuric acid; halogen acid furnaces, as defined under industrial furnace in 40 CFR 260.10; and such other devices as the Administrator may add to this list.

Interim (Permit) Status Period during which the operator/owner of an existing TSD facility is treated as having been issued a RCRA permit even though he/she has not yet received a final determination. An existing facility should have automatically qualified for interim status if the operator/owner filed both timely "notification" and the first part (Part A) of the RCRA permit application. Interim status continues until a final determination is made to issue or deny the permit. Operator/owner of new facilities cannot by definition qualify for interim status; rather, they need a RCRA permit prior to beginning construction of a hazardous waste management facility.

Large Quantity Handler of Universal Waste A universal waste handler (as defined in 40 CFR 273.9) who accumulates a total of 5,000 kilograms (11,000 lb) or more of universal wastes (batteries, pesticides, mercury-containing equipment [e.g., thermostats], or lamps - calculated collectively) at any time. This designation is retained through the end of the calendar year in which the 5,000 kilogram (11,000 lb) limit is met or exceeded.

Management, or HazardousWaste Management Systematic control of the collection, source separation, storage, transportation, processing, treatment, recovery, or disposal of hazardous waste (40 CFR 260.10).

Manifest, Uniform Hazardous Waste The shipment document EPA Form 8700-22 and, if necessary, Form 8700-22A, originated and signed by a generator in accordance with the instructions included in the appendix to 40 CFR Part 262. The "cradle to-grave" paperwork must accompany a shipment of hazardous waste as it moves from the generator to the transporter and eventually to the hazardous waste management facility.

Mixed Waste Waste that contains both hazardous and source, special nuclear, or by-product material subject to the Atomic Energy Act (AEA), RCRA section 1004(41), 42 U.S.C. 6903 (63 FR 17414; April 9, 1998).

Municipality A city, village, town, borough, county, parish, district, association, Indian tribe or authorized Indian tribal organization, designated and approved management agency under Section 208 of the Clean Water Act, or any other public body created by or under State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

Off-Site Facility A hazardous waste treatment, storage, disposal, or recycling area located at a place away from the generating site.

Off-Specification Used Oil Burner A site where used oil not meeting the specification requirements in 40 CFR 279.11 (off-specification used oil) is burned for energy recovery in devices identified in Section 279.61(a).

Off-Specification Used Oil Fuel Used oil fuel that does not meet the specification provided under 40 CFR 279.11.

OI Form Off-site Identification Form.

On-Site Facility A hazardous waste treatment, storage, disposal, or recycling area located on the generating site.

On-Specification Used Oil Fuel Used oil fuel that meets the specification provided under 40 CFR 279.11.

Operator The person responsible for the overall operation of a RCRA site. Note: This is the legal entity which controls the RCRA site operation rather than the plant or site manager. This is usually a company or business name, not an individual. See **Person**.

Owner The person who owns a RCRA site or part of a RCRA site. Note: This includes the owner(s) of the buildings(s) and/or land (e.g., property owner). This may be an individual, company, or business name. See **Person**.

Person 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.

Process System For purposes of the Hazardous Waste Report, a process system refers to one or more units used together to treat, recover, or dispose of a hazardous waste. The process system begins at the unit where the hazardous waste first enters and consists of all other treatment, recovery, or disposal units downstream from the point of entry. Note that storage is **not** considered a process system, except for storage at a bulking and re-shipping facility (H141).

Classify each process system with a Management Method code that best identifies the **last substantive purpose/operation it performs.** For example, a process system to remove dissolved metals from wastewater prior to shipping the sludge off site typically includes equalization, pH adjustment, chemical precipitation, flocculation, clarification/settling, and dewatering of the sludge removed from the bottom of the clarifier. The chemical precipitation

process best identifies the last purpose of this treatment system – to remove metals from the wastewater. If this wastewater treatment system is RCRA-regulated, it would be reported as H070 (Chemical Treatment). If the sludge will be disposed at the reporting site in a landfill, the code will be H132 (landfill) and will need to be reported on a separate GM Form because it is a residual from a treatment process. However, this process is exempt if the treated water flows to a POTW or a NPDES outfall with no RCRA-regulated storage or treatment units in the system, and should not be reported. For a list of Management Method Codes, see the "Other Reference Information and Code Lists" document available online at www.kdheks.gov/waste.

Process Unit For purposes of the Hazardous Waste Report, a process unit refers to a single type of treatment (e.g., tank, distillation column, surface impoundment) in which hazardous waste is treated, disposed, or recycled.

Resource Conservation and Recovery Act (RCRA) The Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act (RCRA) (40 CFR 270.2). It is the Federal statute that regulates the generation, treatment, storage, disposal, recycling, and/or transportation of solid and hazardous waste.

RCRA Interim (Permit) Status Refer to "Interim (Permit) Status" definition.

RCRA Permit A complete RCRA permit is comprised of an operating permit for hazardous waste treatment, storage, and disposal, and a corrective action permit addressing releases from solid waste management unit (SWMUs). To apply for a permit, a site must file a two-part application (Part A and Part B). A facility is not considered to have a complete RCRA permit until both parts have been issued.

RCRA Subtitle C Site (RCRA Site or Site) 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; United States importer of hazardous waste; mixed waste (hazardous and radioactive) generator; exempt boiler and/or industrial furnace burning or processing hazardous waste; large quantity handler of or destination facility for universal wastes; disposing hazardous waste with an underground injection permit; the transportation (and temporary storage during transportation), processing/re-refining, burning, or marketing of used oil; or undergoing corrective action.

A site may consist of several treatment, storage, or disposal operational units. For entities that only transport regulated wastes, the term "site" refers to the headquarters of that entity's operations.

Recycling A site may consist of several treatment, storage, or disposal operational units. For entities that only transport regulated wastes, the term site refers to the headquarters of that entity's operations.

Use, reuse, or reclamation of a material (40 CFR 261.1(c)(7)). "Reclamation" is the processing or regeneration of a material to recover a usable product (e.g., recovery of lead values from spent batteries, regeneration of spent solvents) (40 CFR 261.1(c)(4)). A material is "used or reused" if it is either: (1) employed as an ingredient (including use as an intermediate) in an industrial process to make a product (e.g., distillation bottoms from one process used as feedstock in another process) (40 CFR 261.1(c)(5)). However, a material will not satisfy this condition if distinct components of the material are recovered as separate end products (as when metals are recovered from metal-containing secondary material); or (2)

employed in a particular function or application as an effective substitute for a commercial product (e.g., spent pickle liquor used as phosphorous precipitant and sludge conditioner in wastewater treatment).

Residual A hazardous waste derived from the treatment, disposal, or recycling of a previously existing hazardous waste (e.g., the sludge remaining after initial wastewater treatment).

Short-Term Generator A generator whose generator status is the result of a one-time, non-recurring, temporary event that is not related to normal production processes. In other words, short-term generators produce hazardous waste from a particular activity for a limited time and then cease conducting that activity. Short-term generators would not be considered episodic generators because episodic generators have the potential to generate on a regular basis. Examples of short-term generators include: one-time highway bridge waste generation, underground storage tank removals, generation of off-spec or out-of-date chemicals at a site that normally doesn't generate hazardous waste, remediate or spill clean-up sites with no previous RCRA EPA identification number, and site or production process decommissions by a new operator.

Sludge Any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility exclusive of the treated effluent from a wastewater treatment plant (40 CFR 260.10).

Small Quantity On-Site Burner Exemption The persons who burn small quantities of hazardous waste in an on-site boiler or industrial furnace, in accordance with 40 CFR 266.108, are conditionally exempt from regulation for that activity.

Smelting, Melting, and Refining Furnace Exemption Under 40 CFR 266.100(c), owners or operators of smelting, melting, and refining furnaces that process hazardous wastes solely for metals recovery are conditionally exempt from regulation, except for 40 CFR 266.101 and 266.112, provided they comply with limited requirements set forth in Section 266.100(c). Similarly, 40 CFR 266.100(f) provides that owners or operators of smelting, melting, and refining furnaces that process hazardous wastes for the recovery of precious metals are conditionally exempt from regulation, except for 40 CFR 266.112, provided they comply with limited requirements specified in Section 266.100(f).

Solid Waste Any garbage, refuse, or sludge, or other materials not excluded under 40 CFR 261.4(a). Exclusions include, for example, domestic sewage and any mixture of other wastes that pass through a sewer system to a publicly owned treatment works (POTWs); industrial wastewater discharges that are point source discharges subject to regulation under the Clean Water Act; irrigation return flows; nuclear materials defined by the Atomic Energy Act; and in situ mining materials (see the "Excluded Wastes" section of the "Other Reference Information and Code Lists" document available online at www.kdheks.gov/waste). Wastewaters being collected, stored, or treated before discharge and sludges generated by wastewater treatment are not excluded. The EPA defines hazardous waste as a subset of solid waste.

Source Material As defined by the Atomic Energy Act of 1954: (1) uranium, thorium, or any other material determined by the Nuclear Regulatory Commission pursuant to the provisions of Section 2091 of this title to be source material; or (2) ores containing one or more of the foregoing materials in such concentration as the Commission may, by regulation, determine from time to time.

Special Nuclear Material As defined by the Atomic Energy Act of 1954: (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Nuclear Regulatory Commission, pursuant to the provisions of Section 2071 of this title, determines to be special nuclear material, but does not include source material; or (2) any material artificially enriched by any of the foregoing, but does not include source material.

Superfund The program operated under the legislative authority of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Superfund Amendments and Reauthorization Act (SARA) that funds and carries out the solid waste emergency response and long-term remedial activities of the EPA.

Surface Impoundment A natural topographic depression, man-made excavation, or diked area formed primarily from earthen materials (though it may be lined with man-made materials) that is designed to accumulate liquid wastes or wastes containing free liquids, and that is not an injection well (40 CFR 260.10).

Tolling Tolling arrangements describe a particular type of recycling contract between two companies. Specifically, the "tolling" company certifies that it has a contract with a manufacturer to produce a product, and that manufacturing process generates a residual material that can be recycled by the tolling company. If the tolling company certifies that the contract specifies that the tolling company owns and has responsibility for the recyclable material once it is generated, and the material is returned to the tolling company for reclamation, and subsequently recycled, the material is excluded from regulation (under 40 CFR 261.2(a)(2)(ii) or 261.4(a)(23)), provided certain requirements are met.

Transfer Facility Any transportation-related facility including loading docks, parking areas, storage areas, and other similar areas where shipments of manifested hazardous waste are held for 10 days or less during the normal course of transportation (40 CFR 260.10 and 40 CFR 263.12).

Transporter A person engaged in the off-site transportation of hazardous waste by air, rail, highway, or water.

Underground Injection Control The subsurface emplacement of fluids through a bored, drilled or driven well; or through a dug well, where the depth of the dug well is greater than the largest surface dimension. Underground injection wells are regulated under both the Safe Drinking Water Act and the Resource Conservation and Recovery Act (see 40 CFR Part 148).

Unit Refer to "Process Unit" definition.

United States Importer Any person who imports hazardous waste from a foreign country into the United States. This does not include hazardous waste shipped from a foreign Department of Defense site, Maquiladora, United States territory or protectorate.

Universal Waste Any of the following hazardous wastes that are managed under the universal waste requirements of 40 CFR Part 273: batteries, pesticides, mercury-containing equipment, and lamps.

Used Oil 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.

Used Oil Fuel Marketer Any person who conducts either of the following activities:

- Directs a shipment of off-specification used oil from their site to an off-specification used oil burner; or
- First claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in 40 CFR 279.11.

Used Oil Management Activities For the purposes of the Site Identification Verification Form, includes used oil transportation; used oil processing and re-refining; burning off-specification used oil fuel; and used oil fuel marketing.

Used Oil Processing Chemical or physical operations designed to produce from used oil, or to make used oil more amenable for production of, fuel oils, lubricants, or other used oil-derived products. Processing includes, but is not limited to: blending used oil with virgin petroleum products, blending used oils to meet the fuel specification, filtration, simple distillation, chemical or physical separation, and re-refining.

Used Oil Processor A site that processes on-specification or off-specification used oil.

Used Oil Re-Refiner A site that produces lubricating oils and greases, industrial fuel, asphalt extender, gasoline, and other products from on-specification or off-specification used oil.

Used Oil Transfer Facility Any transportation-related facility, including loading docks, parking areas, storage areas, and other areas where shipments of used oil are held for more than 24 hours during the normal course of transportation and not longer than 35 days. Transfer facilities that store used oil for more than 35 days are subject to regulation under 40 CFR Part 279, Subpart F.

Used Oil Transporter Any person who transports used oil, any person who collects used oil from more than one generator and transports the collected oil, and owners and operators of used oil transfer facilities. Used oil transporters may consolidate or aggregate loads of used oil for purposes of transportation but, with the following exception, may not process used oil. Used oil transporters may conduct incidental processing operations that occur in the normal course of used oil transportation (e.g., settling and water separation), but that are not designed to produce (or make more amenable for production of) used oil-derived products or used oil fuel.

Waste Minimization The reduction, to the extent feasible, of hazardous waste that is generated or subsequently treated, stored, or disposed. It includes any source reduction or recycling activity undertaken by a generator that results in: (1) the reduction of total volume or quantity of hazardous waste; (2) the reduction of toxicity of hazardous waste; or (3) both, as long as the reduction is consistent with the goal of minimizing present and future threats to human health and the environment.

Waste Oil (Biennial Report Only) 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 and is managed as a hazardous waste.

WR Form Waste Received From Off Site Form.