

**Oklahoma Department of Transportation**  
Hazardous Waste Reporting for Bridge Painting Activities  
Construction Control Directive No. **20060717**

**November 1, 2017**

---

Scope: To identify the requirements of the United States Environmental Protection Agency and the Oklahoma Department of Environmental Quality for managing hazardous waste related to bridge painting activities.

**Roles and Responsibilities**

The United States Environmental Protection Agency (EPA) has assigned the responsibility of managing hazardous wastes in the State of Oklahoma to the Oklahoma Department of Environmental Quality (ODEQ). As part of this task, the EPA and ODEQ collect and maintain information regarding the generation, management, and final disposition of hazardous wastes which are regulated by the Resource Conservation and Recovery Act (RCRA).

The majority of ODOT projects which are subject to these regulations are bridge painting jobs that include the removal of lead based paint. These projects can generate large amounts of hazardous waste and must be reported to the ODEQ.

**Definitions**

Large Quantity Generators (LOG) - Generates more than 2,200 pounds of hazardous waste per month.

Small Quantity Generators (SQG) - Generates between 220 pounds and 2,200 pounds of hazardous waste per month.

Conditionally Exempt Small Quantity Generators (CESQG) - Generates no more than 220 pounds of hazardous waste per month.

EPA Identification Number - All persons who generate, transport, recycle, treat, store, or dispose of hazardous waste are required to notify ODEQ of their hazardous waste activities, unless their hazardous waste has been

exempted. All LQG and SQG must obtain an EPA Identification (EPA ID) Number by submitting RCRA Subtitle C Site Identification Form to ODEQ. This form may be obtained at:

<http://www.deq.state.ok.us/lpdnew/forms/indexhazforms.html>.

The contractor will be responsible for obtaining the EPA ID Number before commencing any bridge painting activities. Once the EPA ID Number has been obtained, the contractor will submit this form to the Resident Engineer.

Each EPA ID Number is location specific; therefore a new number is needed for each location. Do not commingle waste from various sites.

Disposal Plan - Hazardous Waste Disposal Plans are required for all LQG's in Oklahoma. In some cases SQG's, CESQG's, or even non-generators will be required to possess disposal plans in the event a spill or cleanup of historical waste (with a volume exceeding 2,200 pounds) would place them under LQG status for a brief period (one-time generators). This form may be obtained at:

<http://www.deq.state.ok.us/lpdnew/forms/indexhazforms.html>.

The contractor will be responsible for obtaining the Disposal Plan. This is normally completed when obtaining an EPA ID Number.

Manifest Form - Hazardous Waste Manifest Forms are used to track hazardous waste from a generator's site to the site of its disposition. Generators of hazardous waste will obtain new manifest forms from any source that has registered with the ODEQ to print and distribute the form. Oklahoma does not have its own version of the Uniform Hazardous Waste Manifest Form. The procedure for acquisition of manifest forms may be found in [40 CFR 262.21](#). Shipments to Oklahoma from a state that has a uniform hazardous waste manifest form should use the manifest form of the state in which the waste is generated. Shipments from Oklahoma to states that have their own version of the Uniform Hazardous Waste Manifest Form should use the manifest form of the state to which the waste is being shipped. If neither state has its own version of the manifest form, the generator may use a generic uniform hazardous waste manifest form or any valid Uniform Hazardous Waste Manifest Form. Refer to:

<http://www.deq.state.ok.us/lpdnew/hw/manifest.htm>.

The contractor will be responsible for obtaining the Manifest Form, and must

submit the original to the Resident Engineer for signature. The Resident Engineer will place a copy in the project file with a copy to Construction Division at the time of receipt, and include two copies as part of the Final Estimate Packet.

Certificate of Disposal/Destruction - The disposal facility will issue a hazardous waste reporting for bridge painting activities Certificate of Disposal (typically when landfilled), or a Certificate of Destruction (typically when incinerated) to the generator of the waste. A Certificate of Destruction is the only way a generator is free of that waste, otherwise, if it is simply stored or disposed of, the generator will always be liable for whatever dangers the waste may impose, even if the generator's waste is not directly responsible for that danger.

The contractor will be responsible for obtaining the appropriate Certificate, and must submit a copy to the Resident Engineer. The Resident will place a copy in the project file with a copy to Construction Division at the time of receipt. Receipt of this Certificate will not be a prerequisite for project finalization due to the possibility of there being an extended period of time before the waste is finally disposed of or destroyed.

ODEQ Quarterly Calendar Year Report - The ODEQ requires the filing of a Quarterly Report for each EPA ID number issued to LQG's and one-time LQG's only. This report needs to be generated in the calendar quarter when waste is actually being managed. This means that the waste should be reported in the quarter in which it is shipped off-site, treated on-site, or otherwise managed, not in the quarter in which it was generated. This form may be obtained at:

<http://www.deq.state.ok.us/lpdnew/forms/indexhazforms.html>

The Resident Engineer will complete the most current version of the ODEQ Quarterly Report for each EPA ID number issued to that project, and submit it directly to the ODEQ with a copy to the project file and a copy to Construction Division. Two copies must be submitted as part of the Final Estimate Packet.

Annual Forms- ODOT requires the use of the biennial form to report annual activity for each EPA ID Number. These forms need to be submitted by the Resident Engineer. These forms consist of the RCRA Subtitle C Form and the Form GM. They must be filled out for each EPA ID number issued to the project. In addition, the Quarterly Reports and Manifest Form for each EPA ID number issued must be submitted. All forms need to be submitted to the

project file and the Construction Division at the time of receipt. Two copies of the biennial forms will need to be submitted as part of the final estimate packet. The biennial forms may be obtained at:

<https://www.epa.gov/hwgenerators/biennial-hazardous-waste-report> or  
<http://www.deq.state.ok.us/lpdnew/forms/indexhazforms.html>

ODOT's Environmental Programs Division will be responsible for submitting the Biennial Reports to the ODEQ when applicable, using the information submitted from the Resident Engineer on each EPA ID number.

Letter to Close - The Resident Engineer will submit a letter to ODEQ for each EPA ID number issued to LQG's and one-time LQG's only, indicating that the work at that particular site is complete. Example language - "This memo is to inform you of the Oklahoma Department of Transportation's request to cancel the above referenced disposal plan. The Department has concluded the work activities at this site. Enclosed is the final quarterly report for this site. Thank you for your assistance in this matter."

The Resident Engineer will submit a copy of this letter to the project file with a copy to Construction Division at the time of issuance. Two copies must be submitted as part of the Final Estimate Packet.

## **Summary**

There are three different classifications of hazardous waste generators determined by the amount of waste handled per month, and each classification has varying requirements to comply with applicable Regulations. The three classifications, their requirements, and the party responsible for each are as follows:

Large Quantity Generators (LQG) - Generates more than 2,200 pounds of hazardous waste per month.

### *Contractors Responsibilities*

- Obtain RCRA Subtitle C Site Identification Form; submit to ODEQ and Resident Engineer.
- Hazardous Waste Disposal Plan; submit to ODEQ and Resident Engineer.
- Hazardous Waste Manifest Form; submit original to Resident Engineer for signature.

- Hazardous Waste Certificate of Disposal/Destruction; submit to Resident Engineer.

*Resident Engineer Responsibilities*

- ODEQ Quarterly Calendar Year Report; submit to ODEQ and Construction Division.
- All annual Forms, including Form GM; submit to Construction Division.
- Letter to close; submit to ODEQ.

Small Quantity Generators (SQG) - Generates between 220 pounds and 2,200 pounds of hazardous waste per month.

*Contractors Responsibilities*

- Obtain RCRA Subtitle C Site Identification Form; submit to ODEQ and Resident Engineer.
- Hazardous Waste Manifest Form; submit original to Resident Engineer for signature.
- Hazardous Waste Certificate of Disposal/Destruction; submit to Resident Engineer.

*Resident Engineer Responsibilities*

- Ensure report forms are submitted in a timely manner.
- No other action necessary.

Conditionally Exempt Small Quantity Generators (CESQG) - Generates no more than 220 pounds of hazardous waste per month.

*Contractors Responsibilities*

- Hazardous Waste Manifest Form; submit original to Resident Engineer for signature.
- Hazardous Waste Certificate of Disposal/Destruction; submit to Resident Engineer.

*Resident Engineer Responsibilities*

- Ensure report forms are submitted in a timely manner.
- No other action necessary.

**Construction Division Requirements**

When required, as indicated in the Summary section above, the Manifest,

Certificate of Disposal/Destruction, ODEQ Quarterly Report, EPA Biennial Report (including Form GM), and the Letter to Close will be placed in the project file with a copy to Construction Division when they are received/created. Two copies of each of these items, except for the Certificate of Disposal/Destruction, will be furnished to the Construction Division as part of the Final Estimate Packet, and will be considered a requirement for the finalization of the project. All items furnished to the Construction Division must contain the ODOT project number and job piece for identification purposes.

ODOT's Environmental Programs Division will be responsible for submitting the EPA Biennial Report Forms to the ODEQ at the appropriate time.

Note: These requirements pertain to those applicable projects whether administered by consultants or ODOT personnel.

A handwritten signature in black ink, appearing to read "John Leonard". The signature is cursive and somewhat stylized, with the first letters of the first and last names being capitalized and prominent.

John Leonard, P.E.  
Construction Engineer