



Hazardous Waste Generator Recordkeeping and Inspection Webinar – March 19, 2015

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Hazardous Waste Generator Recordkeeping and Inspection Webinar

- Paperwork Requirements
- Inspection Day – What to Expect When the Inspector Arrives

Do I Need to Know All of This

Hazardous waste regulations. . .

- Apply to all businesses, including municipalities, hospitals, and service industries, not just manufacturing industries
- Are written broadly to address hazards posed by all waste streams



Why Cover these Topics

Hazardous waste regulations require each business to. . .

- Properly prepare, maintain, and have available at the time of inspection all documents required under RCRA and Part 111 rules.
- Keep all documents **on-site** for a period of not less than 3 years from the date the waste was last shipped off-site or treated and/or disposed on-site.
- Proper accumulation and storage will prevent release to the environment, prevent costly clean-up expenses, and limit liabilities

Paperwork Requirements

- Notification of Waste Activity (Site ID)
- [Waste characterizations](#)
- [Manifests](#) and shipping records
- [Land disposal restriction forms \(LDRs\)](#)
- Waste area [inspection documents](#)
- [Biennial reports](#)
- [Training records](#)
- [Contingency \(emergency\) plans](#)



Notification of Waste Activity (Site ID Form or EQP 5150 Form) (MAC R 299.9303,¹ MAC R 299.9402, MCL 324.12103,² and MCL 324.12112)

Who must notify:

- Hazardous waste generators (CESQG liquids, SQG, LQG,)
- Liquid industrial waste (LIW) generators
- Hazardous/liquid industrial waste transporters
- Hazardous/liquid industrial waste receiving facilities
- Office of Waste Management Division & Radiological Protection (OWMRP) issues a Site ID number to facilities **per site** upon receipt of the Site ID or EQP 5150 form notifying the DEQ of a regulated waste activity
- Subsequent/updated notification filed for changes in site waste activity (e.g. change in generator classification/status, cease generating waste)
- Request pre-populated Site ID Form for subsequent/updated notification by calling 800-662-9278

<small>Proceed in the authority of the Natural Resources and Environment Commission. File this as required. Failure to comply with this notification may result in civil or criminal penalties.</small>		MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY Waste and Hazardous Materials Division DEQ
SITE IDENTIFICATION		
I. The form is being submitted <small>CHECK CORRECT BOX(ES)</small> If submitting a subsequent notification you can contact the MDEQ on-line Client or Agency office for a pre-populated form. For locations and phone numbers go to: www.mdeq.state.mi.us	<input type="checkbox"/> as initial notification to notify as a new site or new owner for the site. Mail this form and the user charge fee with either a receipt from paying the SQG fee on-line using a MasterCard, VISA, or Discover Card (funds must be pre-authorized) or by check made payable to the State of Michigan. Mail to: MDEQ/Revenue Office – HWMC, P.O. Box 30607, Lansing, MI 48909-0107. OR <input type="checkbox"/> as subsequent notification to change, update, or verify site information for an existing owner of a site with a previously issued site ID number. Mail directly to: MDEQ/HWMC, Notification Unit, P.O. Box 30611, Lansing, MI 48909-0111. A fee is not required. Otherwise submit to MDEQ Revenue Office (see above).	
AND ANY OF THE FOLLOWING		
<input type="checkbox"/> as a component of a Hazardous Waste Permit Part A (submit to HWMC/MDEQ) <input type="checkbox"/> as a component of the Hazardous Waste Biennial Report (submit to HWMC/MDEQ)		
II. Site's ID Number	A. Site's Identification (ID) Number	
III. Name of Site <small>TYPE OR PRINT CLEARLY</small>	A. Legal Company Name B. Site Specific Name (if/when)	

¹ MAC is the "Michigan Administrative Code" reference for the rule, so MAC R 299.9303 is Rule 303 of the Part 111 Rules
² MCL is the "Michigan Compiled Law" reference for the statute, so MCL 324.12103 is Section 12103 of Part 121

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- To expedite form processing, pay on-line with credit card (if required) and fax updated notification and [receipt](#) to 517-335-7145
- Liquid industrial waste generators who are not required to manifest wastes are not required to notify
- See “Michigan Site Identification Form EQP 5150” information on-line at www.michigan.gov/deq/waste

Manifests and Shipping Records

- Uniform Manifest must be used when hiring permitted and registered transporter to ship hazardous waste or liquid industrial waste
- Uniform Manifest is not required when using tolling agreement, [self transporting](#) own liquid industrial waste with trip log, or using a [consolidated manifest](#)
- Search [Waste Data System](#) at to verify transporters are permitted and registered to transport

Uniform Manifest Exceptions

- SQG shipping hazardous waste off-site for reclamation and regenerated material is brought back to generator under a tolling agreement
- Generator hauling ≤ 55 gallons of their own liquid industrial waste to designated facility with proper records
- Transporter using a consolidated manifest for hazardous or liquid industrial waste, then transporter provides shipper with a record that includes uniform manifest number

Manifests and Shipping Papers

Generators must [keep track](#) of shipments and submittal of manifests

Manifests and Shipping Papers

Manifest copies signed by the disposal facility should be sent back to the generator after date of shipment by:

- CESQG or LIW - 35 days: contact disposal facility
45 days: file exception report
- SQG - 60 days: file exception report
- LQG - 45 days: file exception report

Manifest Tracking Log

Manifests and Shipping Papers

- Generators are responsible for all information in manifests
- Copy left at time of shipment is called the “two signature or generator copy”
- Copy sent to generator by disposal facility is called the “third signature or TSD copy.” It verifies that waste was delivered to disposal facility - Match this copy to the generator copy and recycle the two signature copy
- Generator signature on manifest also certifies to maintenance of a [waste minimization plan](#)

Hazardous Waste Manifests (R 299.9304 and 299.9307)

- 2013 RULE CHANGE!!**
- Generator copies of the manifests for SQG and LQG hazardous waste do not need to be sent to the DEQ
- For hazardous waste shipped out of state, generators remain responsible for ensuring that DEQ receives manifest copy with 3 signatures (TSD copy)

Liquid Industrial Waste Manifests (MCL 324.12103)

- NO CHANGE** in law for submittal of LIW manifests, which includes CESQG manifested hazardous waste exempted from Part 111
- Must submit copy of the manifest to DEQ by the 10th day after the end of the shipment month

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- Must track manifests to verify receive 3rd signature copy from designated facility within 35 days of shipment
- Part 121 law is currently being reviewed for similar change in manifest submittal requirements

Land Disposal Restrictions (LDR) Overview (MAC R 299.9311 and 40 CFR 268)

- Applies to listed and characteristic hazardous wastes from SQGs and LQGs
- Requires generator to characterize, provide an LDR notice to each TSD for each waste stating waste does or does not meet LDR standards
- Requires treatment before land disposal for most wastes
- New LDR notification must be sent when there is a waste or facility change.
- To determine if treatment is required, review if waste codes for each waste stream meet the standards in 40 CFR 268.40, 268.45 (debris), or 40 CFR 268.49 (soil)
- Notification is required even for shipment to non-land based TSDs (e.g. incinerator)
- Land disposal includes any disposal on land (landfill, land treatment, injection well, salt caverns, etc.)



LDR Generator Recordkeeping (MAC R 299.9311 and 40 CFR 268)

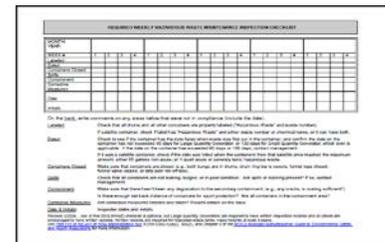
- Keep LDRs & related documents for at least 3 years after waste last sent to TSD
- LDR's must have complete information such as categories of waste and underlying hazardous constituents
- Information on LDR must be consistent with the waste characterization
- On-site generator treatment to meet LDR criteria (40 CFR 268.48) requires a written plan describing the activities performed

Hazardous Waste Biennial Report (MAC R 299.9307)

- Biennial reports are required of LQGs and TSDs
- Submit to OWMRP by March 1 of even-numbered years
- Report includes both MI and EPA hazardous wastes
- Details hazardous waste activity in previous odd year
- Keep copy at least 3 years from due date
- Find more information at www.michigan.gov/deq, search for "Biennial" as reporting year approaches

Hazardous Waste Area Inspection Documents (MAC R 299.9306)

- SQG and LQG must perform:
 - ✓ Weekly container accumulation area inspections
 - ✓ Daily (each operating day) hazardous waste storage tanks inspections
- LQGs must document hazardous waste container accumulation area and tank inspections



Emergency Planning and Training Requirements (MAC R 299.9205 and 299.9306)

CESQGs –

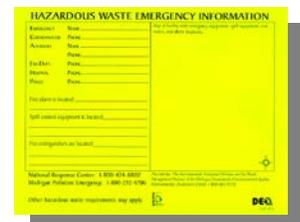
- Have no specific requirements

SQGs –

- Informal training
- Training records not required
- No stipulated review period, annual recommended
- Must send facility diagram or discuss facility hazards, layout, access, evacuation, etc. with responders
- Must ensure emergency coordinator is identified and on-premises or on-call
- Must post CURRENT emergency information by phone near hazardous waste operations

LQGs –

- Must have written hazardous waste [training program](#) covering proper waste handling, emergency response, equipment and communication
- Must conduct annual training for employees



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- Must keep written training records for 3 years
- Training must be conducted by someone qualified to give training
- Must have description of the type of training given
- Must have CURRENT and complete written [contingency plan](#) on-site
- Must make arrangements with fire dept, police, hospitals, emergency response contractors, and local emergency response teams and document that contact
- LQG training must include:
 - ✓ Usage, inspection, repair and replacement of facility emergency and monitoring equipment
 - ✓ Key parameters for automatic waste feed cut-off systems
 - ✓ Communications and alarm systems
 - ✓ Response actions for fires and explosions
 - ✓ Response actions for contamination incidents
 - ✓ Shutdown of operations

Pre-transport Requirements

- Generators offering 1,000 lbs. for shipment at one time, SQGs and LQGS must have [US DOT](#) placards for waste hazards available for transporters use
- See Michigan Guide to Environmental, Health and Safety Regulations, [Chapter 4](#) at www.michigan.gov/ehsguide for details on US DOT training for shipping “hazardous materials” (product or waste)
- Contact Michigan State Police, Commercial Vehicle Enforcement Division at 517-241-0506 for help on US DOT requirements for transport of hazardous materials

Inspection Documents

- All tank inspections must be documented and all records must be kept for at least 3 years

Tank Certification (MAC R 299.9306 and 40 CFR 265.192)

Must obtain a written assessment that is reviewed and certified by a qualified professional engineer that includes:

- Design standards
- Hazard characteristics of the waste
- Determination performed by corrosion expert if the external shell of a metal tank is in contact with soil or water
- Design considerations if tank affected by vehicles
- Professional engineer written certification must be kept on file at facility



When and Why Does an Inspector Visit?

Routine compliance inspection utilizing a

- Routine compliance inspection
- Complaint received
- Manifest discrepancies
- Inspection requested by another agency

How to Survive an Inspection

- Relax!
- Don't be adversarial
- Have your records in order
- Don't try to hide anything
- If asked to “fix” something, consider doing it then, if possible

What Do Inspectors Look At

Records –

- Waste related – waste characterizations, manifests, LDRs, storage area logs, biennial report, whether permitted/licensed transporter was used for transport of waste, etc.
- Emergency preparedness – personnel training records, contingency plans, and spill control equipment, etc.



Waste Handling and Accumulation/Storage Areas –

- Containers, tanks, labeling, [secondary containment](#), work practices, emergency response & communication equipment

Manifest Common Violations

- Using wrong ID number
- Using wrong or incomplete waste codes
- Failing to send copy to state (out of state TSD copy is the responsibility of the in-state generator)
- Failing to keep signed manifests for three years
- Failing to have records of used oil shipped on consolidated manifest



LDR Common Violations

- Failing to keep LDRs and related documents for at least 3 years after waste last sent to TSD
- Missing LDR notification and waste analysis documents
- Missing or incomplete information such as categories, underlying hazardous constituents, and manifest numbers
- Listing LDR information that is inconsistent with waste characterization

Other Common Violations

- Failing to have waste characterizations on-site for ALL WASTES
- Failing to have a copy of the last biennial report (LQGs)
- Failing to have an updated contingency plan on-site (LQG)
- Failing to have personnel training records on-site (LQG)

Common Storage Violations

- Don't stack more than 2 drums high
- Failing to have adequate space or aisle width to properly inspect containers and for emergency personnel
- Failing to have labels visible for inspections
- Exceeding the allowable on-site accumulation time limit for hazardous waste without requesting an extension or obtaining a storage permit
- Leaking drums and staining indicative of a release to the environment
- Leaving containers exposed to weather or vandals
- Failing to keep the containers closed, except when waste is added or removed
- Leaving funnels in place that are not screwed into the bung and funnel not capable of being kept closed would be considered open - Valve must be closed except when adding waste
- Listing incorrect or incomplete information on hazardous waste labels
- Missing the accumulation date
- Missing the words "Hazardous Waste"
- Missing the hazardous waste number(s)
- Using containers in poor condition
- Failing to keep the containers closed, except when waste is added or removed
- Illegal disposal of used oil

Secondary Containment Violations

- Lacking or inadequate secondary containment for LQG, SQG with over 2200 lbs. and any facility storing acutely hazardous wastes
- Failing to have containers elevated or base of containment sloped to drain
- Lacking or inadequate squirt protection
- Lacking or inadequate chemical resistant coating and having cracked surfaces
- Failing to remove precipitation in a timely manner from containment areas

Sorbents

- Sorbents used to clean up hazardous waste by SQG or LQG must be handled as hazardous waste
- Sorbents can be landfilled **IF** they don't contain free liquids, AND are not a hazardous waste, OR were generated by a CESQG

What Kind of inspection Follow-up Is Necessary

- Respond according to the letter sent by the OWMRP
- Accompany inspector if there is a follow-up second inspection
- Have a question about the inspection? Call the inspector who visited your facility
- Have general waste question? Contact the Environmental Assistance Center at 800-662-9278 or deq-assist@michigan.gov

Need Help?

- Go to www.michigan.gov/deqwaste and select “Hazardous Waste and Liquid Industrial Waste”
- Go to www.michigan.gov/ehsguide and select “Chapter 2:Waste Management”
- Contact the DEQ Environmental Assistance Center at 800-662-9278 (800-NO2-WASTE)
- Go to www.epa.gov/wastes/hazard/downloads/tool.pdf
- Contact [DEQ district](#) waste inspection staff
- Contact hazardous waste vendors
- Contact waste consultants