



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

Material Management Division

LIQUID INDUSTRIAL BY-PRODUCT INSPECTION

Under the Authority of Part 121, Liquid Industrial By-Products, and Part 111, Hazardous Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA)

This document is used by EGLE inspectors and waste generators to determine compliance with Part 111 and Part 121

Facility Name: _____

Inspection Date: _____ Site ID# _____ WDS#: _____

The following checked sections are included for this inspection, if not checked, left intentionally blank:

- Section 1 - Materials That are not Liquid Industrial By-Product
- Section 2 - Duties of Generators, Transporters and Designated Facilities
Treatment, Storage, Disposal Requirements of Generators, Transporters and Designated Facilities
- Section 3 – Generator Duties
- Section 4 – Duties of Designated Facilities

Note: Used oil may be regulated under: Part 121, Liquid Industrial By-Products (LIB); Part 111, Hazardous Waste; Rules 299.9809-816 regarding used oil, of the administrative rules promulgated pursuant to Part 111 (Part 111 Rules); and 40 CFR 279, Standards for the Management of Used Oil.

If you need this information in an alternate format, contact EGLE-Accessibility@Michigan.gov or call 800-662-9278.

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Section 1 - Materials That are not Liquid Industrial By-Product

CITATION(S)	Materials That Are Not LIB Part 121 List Exempted Waste in Each Box as Necessary
12102a.(a)	Material does not require reclamation prior to use, not directly burned to recover energy, not used to produce a fuel, is not applied to the land, or used in products applied to the land, AND: <input type="checkbox"/> Used/reused as an effective substitute for commercial products OR <input type="checkbox"/> Used/reused as ingredient to make a product OR <input type="checkbox"/> Returned to original process
12102a.(b)	Used oil directly burned to recover energy or to produce a fuel AND meets ALL the following: <input type="checkbox"/> Meets used oil specs R 299.9809(1)(f) arsenic ≤ 5 parts per million (ppm), cadmium ≤ 2 ppm, chromium ≤ 10 ppm, lead ≤ 100 ppm, flashpoint ≥ 100°F, total halogens ≤ 4000 ppm <input type="checkbox"/> Contains 2 ppm or less polychlorinated biphenyls <input type="checkbox"/> Minimum energy content of 17,000 British thermal units (BTU)/lb <input type="checkbox"/> Authorized as used oil fuel source (Part 55 or similar)
12102a.(c)	Liquid material fully contained inside a manufactured article
12102a.(d)	Liquid by-product sample transported for testing
12102a.(e) (i)-(ii)	Liquid not regulated under Part 615, Supervisor of Wells, of the NREPA, generated in drilling, operation, maintenance, well closure, cathodic protection, directional drilling, or other drilling operation if EITHER applies: <input type="checkbox"/> Liquid is left in place at point of generation in compliance with Part 31, Part 201, Environmental Remediation, Part 213, Leaking Underground Storage Tanks, of the NREPA, OR Liquid transported from a site other than a “facility” if: <input type="checkbox"/> Disposal complies with Part 31, Part 115, Solid Waste Management, of the NREPA <input type="checkbox"/> Not disposed to surface water <input type="checkbox"/> Disposal site landowner authorizes disposal
12102a.(f)	Liquid is vegetable or animal fat oil transported directly to biofuels producer
12102a.(g)	Off-spec fuel, gasoline blendstock, generated in pipeline to be processed into a fuel
12102a.(h)	Off-spec fuel, gasoline blendstock, generated by commingling or phase separation processed into fuel
12102a.(i)	Off-spec fuel transported directly to processing facility to produce fuel regulated under 40 CFR Part 80
12102a.(j)	Liquid or sludge authorized by Parts 31/115 applied to the land
12102a.(k)	Liquid residue remaining in an otherwise empty liquids container. NOTE: Container is considered empty if not more than 1 inch of residue remains on the bottom, or for containers less than or equal to 110 gallons in size, not more than 3% by weight of residue remains in the container, or for containers greater than 110 gallons in size, not more than 0.3% by weight of residue remains in the container. The liquid residue becomes subject to Part 121 when discarded.
12102a.(l)	Liquid residue remaining in a solid waste transportation container. Note: see above regarding empty containers and discarded residue.
12102a.(m)	Liquid brine authorized for dust control under Parts 31/615
12102a.(n)	Food processing residuals, site or source separated material (defined in 11503 Part 115) approved under Part 115, to produce biogas in compliance with Part 55, Air Pollution Control, of the NREPA
12102a.(o)	Liquid approved for use as biofuel in compliance with Part 55, not speculatively accumulated, and transported directly to biofuel burner

Note: Liquid Industrial By-Product (LIB), definition 12101(n), means any material that is produced by, is incident to, or results from industrial, commercial, or governmental activity, or any other activity or enterprise that is determined to be liquid by the paint filter liquids test, and is discarded. LIB does not include hazardous wastes regulated and manifested under Part 111; septage waste regulated under Part 117, Septage Waste Services, of the NREPA; a discharge permitted under Part 31, Water Resources Protection, of the NREPA; medical waste regulated under Part 138 of the public health code; liquid generated by a household; or a liquid regulated under 1982 PA 239 (Bodies of Dead Animals Act). Material managed in accordance with Section 12102a in the table above also are not LIB.

Section 2 - Duties of Generators, Transporters and Designated Facilities

LIQUID INDUSTRIAL BY-PRODUCT	SOURCE	AMOUNT GENERATED/STORED

Note: The following two tables apply to all LIB generators, transporters, and designated facilities (definition 12101(f) a treatment, storage, disposal, or reclamation facility that receives LIB from off-site).

(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATION(S)	WDS	Duties of Generators, Transporters, and Designated Facilities	C	NC	NI	NA
12111(1)	LWI	<p>If there has been a fire, explosion, or discharge of LIB since last inspection OR if LIB reached surface or groundwater, did the facility:</p> <p><input type="checkbox"/> Take appropriate immediate action protecting public health, safety, welfare, and the environment</p> <p><input type="checkbox"/> <u>Notify</u> local authorities and Pollution Emergency Alerting System and the department</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12111(2)	LWI	<p>Within 30 days of incident:</p> <p><input type="checkbox"/> Prepare a written report of response actions, analytical data, cleanup activity.</p> <p><input type="checkbox"/> Name/telephone of person reporting</p> <p><input type="checkbox"/> Name/address/telephone/site ID of generator, transporter, or facility <input type="checkbox"/> Date/time/type of incident</p> <p><input type="checkbox"/> Name/quantity of LIB in incident</p> <p><input type="checkbox"/> Injuries <input type="checkbox"/> Quantity/disposition of recovered LIB</p> <p><input type="checkbox"/> Potential hazards <input type="checkbox"/> Response actions</p> <p>Note: Incident regulated under Part 615, MI oil and gas regulations, exempt from this reporting (12111(3) & 12113(6))</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section 2 - Treatment, Storage, Disposal Requirements of Generators, Transporters and Designated Facilities

(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATION(S)	WDS	Treatment, Storage, Disposal Requirements of Generators, Transporters, and Designated Facilities	C	NC	NI	NA
12113(1)	LBG LBD	<input type="checkbox"/> Storage of LIB protected from weather, fire, physical damage, and vandalism. <input type="checkbox"/> All vehicles, containers, and tanks of LIB closed or covered. <input type="checkbox"/> Exterior of all vehicles, containers, tanks free of LIB or residue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12113(2)	LBG LBD	Prevents discharge of LIB to soil, surface water, groundwater, drains, sewers, or in violation of Part 55	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12113(3)	LBG LBD	LIB treated, stored, and disposed of in accordance with all applicable statutes, rules, and orders of the department	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12113(4)	LBG LBD	Publicly owned Wastewater Treatment Facility receiving LIB <i>by transport</i> is a designated facility in accordance with the requirements of 12112	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12113(5)	LBG LBD	LIB treated, stored, and disposed in surface impoundment only if authorized by discharge or storage permit under Part 31 or leachate permit issued under Part 115	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section 3 – Generator Duties

(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATION(S)	WDS	Generator Duties Part 121	C	NC	NI	NA
12103(1)(a)	LBG	Each LIB stream has been fully characterized and has documentation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12103(1)(b)	LBG	LIB containers and tanks are labeled or marked to identify contents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12103(1)(c)	LBG	Using licensed (Act 138) LIB transporter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12103(1)(d)	LBG	Shipping documents: <input type="checkbox"/> Written OR <input type="checkbox"/> Electronic. <input type="checkbox"/> Single shipment document <input type="checkbox"/> Consolidated shipment receipt Includes: <input type="checkbox"/> Generator name & address <input type="checkbox"/> Transporter company name <input type="checkbox"/> Driver signature <input type="checkbox"/> Type, description, & volume of LIB <input type="checkbox"/> Date shipped <input type="checkbox"/> Name, address, ID# of designated facility. <input type="checkbox"/> If consolidated, shipping document number	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12103(1)(e)	LBG	<input type="checkbox"/> On the shipping document, generator certifies LIB is fully and accurately described. <input type="checkbox"/> In proper condition for transport <input type="checkbox"/> Information on shipping document is factual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12103(1)(f)	LBG	Copy of shipping document accompanies LIB to designated facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12103(1)(g)	LBG	Confirmation of acceptance from designated facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12103(2) and Act 138 Sec. 3(9)	LBG	Generator self-transport LIB records: <input type="checkbox"/> Generated <input type="checkbox"/> Transported. <input type="checkbox"/> Reclaimed or treated <input type="checkbox"/> Disposed <input type="checkbox"/> Shipping document. <input type="checkbox"/> Motor carrier liability ins. (MCS-90)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12103(3)	LBG	Generator retains all records for a period of at least three years and makes readily available for review	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section 4 – Duties of Designated Facilities

(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATION(S)	WDS	Duties of Designated Facility Part 121	C	NC	NI	NA
12112(1)	LBD	Only accepts LIB with shipping document listing the designated facility as the generator's chosen destination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12112(1)(a)	LBD	Designated facility has site ID# issued by Michigan or U.S. Environmental Protection Agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12112(1)(b)	LBD	Provides generator receipt confirmation of the LIB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12112(1)(c)	LBD	Maintains records of waste characterization of each LIB accepted into the designated facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12112(2)	LBD	Storage, treatment, reclamation of LIB in only containers or tanks, unless regulated under Parts 615, 31, or 115	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12112(3)	LBD	<input type="checkbox"/> LIB intended for treatment and disposal stored 1 year or less, documentation required. <input type="checkbox"/> LIB intended for reclamation, 75% each year is reclaimed or transferred for reclaim, documentation required	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12112(4)(a)	LBD	3 years of all records of LIB received - waste characterizations, disposal, and reclamation. Available for review or can produce on request, electronic/paper.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12112(4)(b)	LBD	Maintain a spill and hazard response plan for releases of LIB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12112(4)(c)	LBD	Documentation of employee training of proper LIB handling and emergency procedures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12112(5)	LBD	Submits to the department by April 30 each year a report of LIB activities in the previous calendar year	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12112(5)(a)-(c)	LBD	Report contains: <input type="checkbox"/> Name & address of designated facility <input type="checkbox"/> Calendar year covered by the report. <input type="checkbox"/> Types and quantities LIB accepted. <input type="checkbox"/> Description of process or management of LIB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12112(6)	LBD	If designated facility received LIB from only 1 generator and is owned, operated, or legally controlled by that generator – annual reporting not required	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>