MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE COMMUNICATION

OPERATIONAL MEMO 111-9
REVISION 3

TO: Waste and Hazardous Materials Division District Supervisors

FROM: George W. Bruchmann, Chief, Waste and Hazardous Materials Division

DATE: August 10, 2007

SUBJECT: Procedures for Logging, Tracking, and Handling Manifest Violations

Manifest Processing Unit (MPU) staff will review all manifests received to make sure they are legible and complete. For any manifest received that is not legible and/or not complete, MPU staff will do the following:

For manifests where the generator and designated facility are located in Michigan:

- Send a letter, requesting a response, to the site responsible for the missing or illegible portion of the manifest. Include a copy of the manifest that has been highlighted where the data is missing or illegible.
- If a response is not received in 15 business days, call the site and document the conversation.
- If a response is not received in 15 business days following the call to the site, forward the manifest to the MPU supervisor for escalated enforcement consideration.

For manifests where the generator is not located in Michigan and some portion of the generator data on the manifest is illegible or missing:

- Send a letter, requesting a response, to the site responsible for the missing or illegible portion of the manifest. Include a copy of the manifest that has been highlighted where the data is missing or illegible. Copy the appropriate state agency.
- If a response is not received in 15 business days, call the site and document the conversation.
- If a response is not received in 15 business days following the call to the site, forward the manifest to the Environmental Quality Specialist in charge of the Waste Data System (WDS).

For manifests where the designated facility is not located in Michigan and some portion of the designated facility data on the manifest is illegible or missing:

- Send a letter, requesting a response, to the site responsible for the missing or illegible portion of the manifest. Include a copy of the manifest that has been highlighted where the data is missing or illegible. Copy the appropriate state agency and the generator.
- If a response is not received in 15 business days, call the site and document the conversation.
- If a response is not received in 15 business days after the call to the site, send a letter to the generator requesting that they assist in obtaining the missing or illegible data for the waste they shipped off site.
- If a response is not received in 15 business days after the letter to the generator, forward the manifest to the Environmental Quality Specialist in charge of WDS for escalated enforcement consideration.

If the decision is made by the MPU supervisor or the Environmental Quality Specialist in charge of WDS to escalate the enforcement, a Letter of Warning will be sent to the site. The Letter of Warning will iterate the violations and previous actions to obtain compliance. This action will be entered into the WDS.

- If a response is received, the site will receive a Return-to-Compliance letter and the data will be entered into WDS.
- If a response is not received within 30 business days after the Letter of Warning, the site will be referred to the appropriate District Supervisor for action. The referral data will be entered into WDS. Upon receipt of the referral, the District Supervisor will assign the case to field compliance staff for follow up. The staff assigned to the case will be responsible for obtaining compliance and entering the data into WDS.