



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY  
Materials Management Division

**Large Quantity Generator (LQG) Tank Inspection Form**

Under the Authority of Part 111, Hazardous Waste Management, and Part 121, Liquid Industrial By-Products, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), and Title 40 of the Code of Federal Regulations (CFR) Part 262, Standards Applicable to Generators of Hazardous Waste and CFR Part 265, Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities

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 check left intentionally blank:

- Section 1 – Generator Tanks
- Section 2 – Tank Requirements
- Section 3 - General Operating Requirements
- Section 4 - Inspections
- Section 5 - Assessment of Tank System Integrity – Existing Tank Systems
- Section 6 - Assessment of Tank System Integrity – New Tank Systems
- Section 7 – Containment and detection of releases
- Section 7 – Alternative Containment
- Section 7 – Variances
- Section 8 – Response to Leaks or Spills and Disposition of Leaking or Unfit-For-Use Tank Systems
- Section 9 - Closure and Post-Closure Care
- Section 10 - LQG Special Requirements – Ignitable, Reactive, and Incompatible Wastes

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## Section 1 – Generator Tanks

Note: The generator complies with the applicable requirements of 40 CFR, part 265, subparts J, AA, BB, and CC, except 265.197(c) and 265.200, and R 299.9615, except for R 299.9615(1). For the purposes of this rule, the references in R 299.9615 to 40 CFR part 264 are replaced by references to 40 CFR, part 265.

**Table 1. Tank Information**

Tank ID	Size/ Description	Waste(s)	Date put in service	Comments

**Comments/Notes:**

## Section 2 – Tank Requirements

Note: The generator complies with the applicable requirements of 40 CFR, part 265, subparts J, AA, BB, and CC, except 265.197(c) and 265.200, and R 299.9615, except for R 299.9615(1). For the purposes of this rule, the references in R 299.9615 to 40 CFR part 264 are replaced by references to 40 CFR, part 265.

**Table 2. LQG Tank Requirements**

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

CITATIONS	WDS	LQG Tank Requirements Part 111 Rule 307, Rule 615, and CFR Part 262	C	NC	NI	NA
R307(1)(b)(ii)(A) (I)-(II)	262.C	Tank(s) marked or labelled: <input type="checkbox"/> (I) Words “Hazardous Waste” <input type="checkbox"/> (II) A description of the waste or the hazardous waste number <input type="checkbox"/> (II) An indication of the hazards of the contents, such as waste characteristics, hazard statement or pictogram, or National Fire Protection Association (NFPA) chemical hazard label	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R615(5)	264.J	Tank system labeled in accordance with NFPA standard No. 704	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R307(1)(b)(ii)(B)	262.C	Inventory logs, monitoring equipment, or other records to demonstrate hazardous waste are kept onsite and readily available for inspection: <input type="checkbox"/> (C) For batch process – has been emptied within 90 days of the first entering the tank <b>-OR-</b> <input type="checkbox"/> (D) For continuous flow process – entering daily exits the tank within 90 days of the first entering	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R307(1)(b)(iii)(A)- (B)	262.C	For F006 waste in tank(s), tank(s) marked or labelled: <input type="checkbox"/> (A) Words “Hazardous Waste” <input type="checkbox"/> A description of the waste or the hazardous waste number <input type="checkbox"/> (B) An indication of the hazards of the contents, such as waste characteristics, hazard statement or pictogram, or NFPA chemical hazard label	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R615(4)	264.J	Tank systems designed, constructed, operated, and maintained in compliance with Fire Prevention Code Act 207, Storage and Handling of Flammable and Combustible Liquids; <a href="#">R 29.5601 to R 29.5604</a> .	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Comments/Notes:**

### Section 3 - General Operating Requirements

**Table 3. General Operating Requirements**  
(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATIONS	WDS	General Operating Requirements Part 111 Rule 307(b)(ii) and 40 CFR 265.194	C	NC	NI	NA
265.194(a)	264.J	Hazardous wastes or treatment reagents are not placed in a tank system if they could cause the tank, its ancillary equipment, or secondary containment to rupture, leak, or otherwise fail.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.194(b)	264.J	Owner/operator uses appropriate controls and practices to prevent spills and overflows from tank or secondary containment, including: <input type="checkbox"/> Spill prevention controls; and <input type="checkbox"/> Overfill prevention controls; and <input type="checkbox"/> Maintenance of sufficient freeboard.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.194(c)	264.J	If leak or spill occurred, complied with the requirements of § 265.196 ( <b>Complete Response to leaks or spills and disposition of leaking or unfit-for-use tank system section</b> ).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments/Notes:

## Section 4 - Inspections

**Table 4. LQG Inspections**

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

CITATIONS	WDS	LQG Inspections			
		C	NC	NI	NA
265.195(a)	264.J	<b>Part 111 Rule 307(b)(ii) and 40 CFR 265.195</b> Monitoring and leak detection equipment data inspected, where present, at least once per operating day.			
265.195(b)(1)-(3)	264.J	Owner/operator inspected the following at least one per operating day: <input type="checkbox"/> (1) Overfill/spill control equipment; and <input type="checkbox"/> (2) Above ground portions of the tank system; and <input type="checkbox"/> (3) Construction materials and the area immediately surrounding the externally accessible portion of the tank system, including the secondary containment system.			
265.195(c)	264.J	If tank system uses leak detection equipment, owner/operator inspected the following <input type="checkbox"/> once weekly <b>or</b> <input type="checkbox"/> alternative schedule (documented in the operating record and includes a description workplace practices): <input type="checkbox"/> Overfill/spill control equipment; and <input type="checkbox"/> Above ground portions of the tank system; and <input type="checkbox"/> Construction materials and the area immediately surrounding the externally accessible portion of the tank system, including the secondary containment system.			
265.195(e)	264.J	Ancillary equipment without secondary containment inspected at least once per operating day.			
265.195(f)(1)-(2)	264.J	Cathodic protection systems, if present, inspected as follows: <input type="checkbox"/> (1) Proper operation confirmed within six months after initial installation, and annually thereafter; and <input type="checkbox"/> (2) All sources of impressed current inspected and/or tested, as appropriate, at least bimonthly.			
265.195(g)	264.J	Inspections are documented in the facility operating record.			

Note: The practices described in the National Association of Corrosion Engineers (NACE) standard, “Recommended Practice (RP-02-85)—Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems,” and the American Petroleum Institute (API) Publication 1632, “Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems,” may be used, where applicable, as guidelines in maintaining and inspecting cathodic protection systems.

**Comments/Notes:**

## Section 5 - Assessment of Tank System Integrity – Existing Tank Systems

For existing tank systems which installation has commenced, on or before July 14, 1986.

**Table 5. Assessment of Tank System Integrity – Existing Tank Systems**

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

CITATIONS	WDS	Assessment of Tank System Integrity – Existing Tank Systems Part 111 Rule 307(b)(ii) and 40 CFR 265.191	C	NC	NI	NA
265.191(a)	264.J	For each existing tank system that does not have secondary containment, the owner/operator: <input type="checkbox"/> Determined the tank system is not leaking or is not unfit for use. <input type="checkbox"/> Except as provided in paragraph (c), tank assessment reviewed and certified by a PE obtained and kept on file at the facility.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.191(b)	264.J	The above assessment includes the following: <input type="checkbox"/> (1) Design standard(s), if available, according to which the tank and ancillary equipment were constructed <input type="checkbox"/> (2) Hazardous characteristics of the waste(s) <input type="checkbox"/> (3) Corrosion protection measures <input type="checkbox"/> (4) Documented or estimated age of the tank system;  <input type="checkbox"/> (5) Leak test, internal inspection, or other tank integrity examination: <input type="checkbox"/> (i) For non-enterable underground tanks, a leak test that is capable of taking into account the effects of <input type="checkbox"/> temperature variations, <input type="checkbox"/> tank end deflection, <input type="checkbox"/> vapor pockets, and <input type="checkbox"/> high water table effects <input type="checkbox"/> (ii) For other than non-enterable underground tanks and for ancillary equipment, either a <input type="checkbox"/> leak test or <input type="checkbox"/> an internal inspection, and/or <input type="checkbox"/> other tank integrity examination certified by a qualified PE that addresses cracks, leaks, corrosion, and erosion.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.191(c)	264.J	If stored materials become hazardous wastes subsequent to July 14, 1986, tank system assessed within 12 months after the date that the waste becomes a hazardous waste	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



CITATIONS	WDS	<b>Assessment of Tank System Integrity – Existing Tank Systems</b> <b>Part 111 Rule 307(b)(ii) and 40 CFR 265.191</b>	C	NC	NI	NA
265.191(d)	264.J	If assessment determines a tank system is found to be leaking or unfit for use, complied with the requirements of § 265.196 ( <b>Complete Response to leaks or spills and disposition of leaking or unfit-for-use tank system section</b> )	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NOTE: The practices described in the American Petroleum Institute (API) Publication, Guide for Inspection of Refinery Equipment, Chapter XIII, “Atmospheric and Low-Pressure Storage Tanks,” 4th edition, 1981, may be used, where applicable, as guidelines in conducting the integrity examination of another than non-enterable underground tank system.

NOTE: For tank systems without secondary containment, refer to the **Alternate Containment** section of the checklist.

**Comments/Notes:**

## Section 6 - Assessment of Tank System Integrity – New Tank Systems

For new tank systems which installation commenced after July 14, 1986.

**Table 6. Assessment of Tank System Integrity – New Tank Systems**

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

CITATIONS	WDS	Assessment of Tank System Integrity – New Tank Systems Part 111 Rule 307(b)(ii), Rule 615 and 40 CFR 265.192	C	NC	NI	NA
265.192(a)	264.J	Owner/operator: <input type="checkbox"/> Ensures the foundation, structural support, seams, connections, and pressure controls (if applicable) are adequately designed. <input type="checkbox"/> Obtained written assessment reviewed and certified by a qualified Professional Engineer (PE).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R615(3) 265.192(a)(1)-(5)	264.J	The assessment includes: <input type="checkbox"/> (1) Design standard(s) according to which the tank(s) and ancillary equipment is or will be constructed. <input type="checkbox"/> (2) Hazardous characteristics of the waste(s). <input type="checkbox"/> (3) Determination by a corrosion expert if metal shell or external components are in contact with soil, including: <input type="checkbox"/> (i) Factors affecting the potential for corrosion, and <input type="checkbox"/> (ii) The type and degree of external corrosion protection. <input type="checkbox"/> (4) Design considerations for underground tank systems/ components likely to be affected by vehicular traffic <input type="checkbox"/> (5) Design considerations to ensure that: <input type="checkbox"/> (i) Tank foundations will maintain the load of a full tank <input type="checkbox"/> (ii) Tank systems will be anchored to prevent flotation or dislodgement where the tank system is placed in a saturated zone, or is located within a seismic fault zone <input type="checkbox"/> (iii) Tank systems will withstand the effects of frost heave.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CITATIONS	WDS	Assessment of Tank System Integrity – New Tank Systems Part 111 Rule 307(b)(ii), Rule 615 and 40 CFR 265.192	C	NC	NI	NA
265.192(b)(1)-(6)	264.J	The owner or operator ensured: <input type="checkbox"/> proper handling procedures are adhered to prevent damage to the system during installation. <input type="checkbox"/> Inspection by an independent PE prior to covering, enclosing, or placing the system in use. Post-inspection included: <input type="checkbox"/> (1) Weld breaks; <input type="checkbox"/> (2) Punctures; <input type="checkbox"/> (3) Scrapes of protective coatings; <input type="checkbox"/> (4) Cracks; <input type="checkbox"/> (5) Corrosion; <input type="checkbox"/> (6) Other structural damage or inadequate construction or installation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.192(c)	264.J	Documentation that for underground systems and components, backfill material is a noncorrosive, porous, homogeneous substance and that is installed and compacted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.192(d)	264.J	Tank tightness test performed prior to being covered, enclosed, or placed in use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.192(e)	264.J	Ancillary equipment is supported and protected against physical damage and excessive stress due to settlement, vibration, expansion, or contraction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R615(3) 265.192(f)	264.J	Recommended corrosion protection provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.192(f)	264.J	Field fabricated corrosion protection installation was supervised by an independent corrosion expert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.192(g)	264.J	Owner/operator maintains file of above information in (b) through (d) and any required repairs performed. Documentation includes certification statement(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Note: The practices described in the National Association of Corrosion Engineers (NACE) standard, “Recommended Practice (RP–02–85)-Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems,” and the American Petroleum Institute (API) Publication 1632, “Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems,” may be used, where applicable, as guidelines in providing corrosion protection for tank systems.

Note: The piping system installation procedures described in American Petroleum Institute (API) Publication 1615 (November 1979), “Installation of Underground Petroleum Storage Systems,” or ANSI Standard B31.3, “Petroleum Refinery System,” may be used, where applicable, as guidelines for proper installation of piping systems.

**Comments/Notes:**

## Section 7 – Containment and Detection of Releases

**Table 7. Containment and Detection of Releases**  
(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATIONS	WDS	Containment and detection of releases Part 111 Rule 307(b)(ii) and 40 CFR 265.193	C	NC	NI	NA
265.193(a)(1)-(2)	264.J	Secondary containment provided for: <input type="checkbox"/> (1) all new and existing tank systems or components, prior to their being put into service. <input type="checkbox"/> (2) tank systems that store or treat materials that become hazardous wastes, within 2 years of the hazardous waste listing, or when the tank system has reached 15 years of age, whichever comes later.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.193(b)(1)-(2)	264.J	Secondary containment systems are: <input type="checkbox"/> (1) Designed, installed, and operated to prevent wastes or accumulated liquid from migrating to the soil, ground water, or surface water; and <input type="checkbox"/> (2) Capable of detecting and collecting releases and accumulated liquids until removed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.193(c)(1)-(4)	264.J	Secondary containment systems are: <input type="checkbox"/> (1) Constructed or lined with materials that are compatible with the waste(s) and have sufficient strength/thickness to prevent failure <input type="checkbox"/> (2) Placed on adequate foundation <input type="checkbox"/> (3) Provided with a leak detection system able to detect leaks within 24-hours <input type="checkbox"/> (4) Sloped or designed/operated to drain and remove liquids from leaks, spills, or precipitation within 24 hours or in a timely manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.193(d)	264.J	Secondary containment includes one or more of the following: <input type="checkbox"/> (1) An external liner; <input type="checkbox"/> (2) A vault; <input type="checkbox"/> (3) A double-walled tank; or <input type="checkbox"/> (4) An equivalent device as approved by the director.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CITATIONS	WDS	Containment and detection of releases Part 111 Rule 307(b)(ii) and 40 CFR 265.193	C	NC	NI	NA
265.193(e)(1)	264.J	For <b>external liner</b> systems, meets the following: <input type="checkbox"/> (i) Capacity $\geq$ 100% capacity of the largest tank <input type="checkbox"/> (ii) Prevent run-on or infiltration of precipitation into the system unless the collection system has sufficient capacity <input type="checkbox"/> (iii) Free of cracks or gaps <input type="checkbox"/> (iv) Completely surround the tank and cover all surrounding earth likely to come into contact with the waste if released.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.193(e)(2)	264.J	For <u>vault systems</u> , meets the following: <input type="checkbox"/> (i) Capacity $\geq$ 100% capacity of the largest tank within boundary <input type="checkbox"/> (ii) Prevent run-on or infiltration of precipitation into the system unless the collection system has sufficient capacity <input type="checkbox"/> (iii) Chemical-resistant water stops at any joints <input type="checkbox"/> (iv) Impermeable interior coating/lining compatible with the waste <input type="checkbox"/> (v) Protect against the formation of and ignition of vapors within the vault, if the waste is <input type="checkbox"/> (A) ignitable or <input type="checkbox"/> (B) reactive <input type="checkbox"/> (vi) Exterior moisture barrier or designed/ operated to prevent migration of moisture into the vault.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.193(e)(3)	264.J	For <i>double-walled tanks</i> (inner tank, outer shell), meets the following: <input type="checkbox"/> (i) Designed as an integral structure so that any release is contained <input type="checkbox"/> (ii) If metal, protected from corrosion; and <input type="checkbox"/> (iii) Built-in, leak detection system (detects within 24-hours).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.193(f)	264.J	Ancillary equipment provided with full secondary containment <b>EXCEPT</b> the following if visually inspected for leaks on a daily basis: <input type="checkbox"/> (1) Aboveground piping <input type="checkbox"/> (2) Welded flanges, joints, and connections <input type="checkbox"/> (3) Sealless or magnetic coupling pumps and sealless valves; <input type="checkbox"/> (4) Pressurized aboveground piping systems with automatic shut-off devices.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Note: If the collected material is a hazardous waste under [part 261 of this chapter](#), it is subject to management as a hazardous waste in accordance with all applicable requirements of [parts 262](#) through [265 of this chapter](#). If the collected material is discharged through a point source to waters of the United States, it is subject to the requirements of sections 301, 304, and 402 of the Clean Water Act, as amended. If discharged to Publicly Owned Treatment Works (POTWs), it is subject to the requirements of Section 207 of the Clear Water Act, as amended. If the collected material is released to the environment, it may be subject to the reporting requirements of [40 CFR part 302](#).

Note: The provisions outlined in the Steel Tank Institute's (STI) "Standard for Dual Wall Underground Steel Storage Tank" may be used as guidelines for aspects of the design of underground steel double-walled tanks.

Note: The practices described in the American Petroleum Institute (API) Publication Guide for Inspection of Refining Equipment, Chapter XIII, "Atmospheric and Low-Pressure Storage Tanks," 4th edition, 1981, may be used, when applicable, as guidelines for assessing the overall condition of the tank system.

**Comments/Notes:**

## Section 7 – Alternative Containment

Tank systems that are not in compliance with the containment requirements above from 40 CFR 265.193(b)-(f) shall do all of the following until brought into compliance or until a variance is obtained:

**Table 8. Alternative Containment**

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

CITATIONS	WDS	Alternative containment Part 111 Rule 307(b)(ii), Rule 615 and 40 CFR 265.193	C	NC	NI	NA
265.193(i)	264.J	Owner/operator of the tank systems: <input type="checkbox"/> (1) conducted a leak test at least annually for non-enterable underground tanks; <b>or</b> <input type="checkbox"/> (2) conducted a leak test or other tank integrity examination by a PE at least annually for other than non-enterable underground tanks and for all ancillary equipment. <input type="checkbox"/> (3) Assessments maintained on file at the facility. <input type="checkbox"/> (4) If a tank system or component was found to be leaking or unfit-for-use as a result of the assessment, complied with the requirements of § 265.196 ( <b>Complete Response to leaks or spills and disposition of leaking or unfit-for-use tank system section</b> ).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R615(2)(a)	264.J	<i>Aboveground</i> tank systems are located in paved, diked, curbed, or otherwise structurally enclosed that: <input type="checkbox"/> Is capable of containing ≥100% capacity of the largest tank in enclosed area. <input type="checkbox"/> If waste is incompatible with tank structure materials or if tanks are interconnected, is capable of containing ≥100% of liquid in ALL tanks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R615(2)(b)(i)-(iii)	264.J	<i>Underground</i> tank systems meet the following requirements: <input type="checkbox"/> (i) Adequate secondary containment, leachate collection/withdrawal system to contain any release <input type="checkbox"/> (ii) Complete inventory of waste in tank system at least twice monthly <input type="checkbox"/> (iii) If inventory indicates loss, leachate sampling and analysis within 24 hours of discovery. <input type="checkbox"/> (iii) Leachate sampling and analysis at least once per year.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



**Comments/Notes:**

**Section 7 – Variances**

265.193(g) – The owner/operator may obtain a variance from the director for the secondary containment requirements:

**Table 9. Variances**  
(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATIONS	WDS	<b>Variances</b> <b>Part 111 Rule 307(b)(ii) and 40 CFR 265.193</b>	C	NC	NI	NA
265.193(g)(3)	264.J	<p><b>If variance granted:</b> If a release of hazardous waste has occurred from the primary tank system but <u>has not migrated</u> beyond the zone of engineering control (as established in the variance), owner/operator:</p> <p><input type="checkbox"/> (i) Complied with the requirements of § 265.196, except paragraph (d) (<b>Complete Response to leaks or spills and disposition of leaking or unfit-for-use tank system section</b>); and</p> <p><input type="checkbox"/> (ii) Decontaminated/removed contaminated soil necessary to:</p> <p style="padding-left: 20px;"><input type="checkbox"/> (A) Enable the tank system to resume operation with the capability for the detection of and response to releases, and</p> <p style="padding-left: 20px;"><input type="checkbox"/> (B) Prevent the migration to ground water or surface water.</p> <p><input type="checkbox"/> (iii) If contaminated soil cannot be removed or decontaminated, complied with the requirements of § 265.197(b). (<b>Complete Closure and post-closure care section</b>)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CITATIONS	WDS	Variances				
		C	NC	NI	NA	
		<b>Part 111 Rule 307(b)(ii) and 40 CFR 265.193</b>				
265.193(g)(4)	264.J	<p><b>If variance granted:</b> If a release of hazardous waste has occurred from the primary tank system and <i>has migrated beyond</i> the zone of engineering control (as established in the variance), the owner/operator:</p> <p><input type="checkbox"/> (i) Complied with the requirements of § 265.196 (a),(b),(c), and (d) (<b>Complete Response to leaks or spills and disposition of leaking or unfit-for-use tank system section</b>); and</p> <p><input type="checkbox"/> (ii) Prevented the migration to ground water or surface water, if possible, and decontaminate or remove contaminated soil. <b>OR</b></p> <p><input type="checkbox"/> If contaminated soil cannot be decontaminated or removed, or if ground water has been contaminated, complied with § 265.197(b) (<b>Complete Closure and post-closure care section</b>)</p> <p><input type="checkbox"/> (iii) If repairing, replacing, or reinstalling the tank system, provided secondary containment in accordance with the requirements of paragraphs (a) through (f) of this section <b>or</b> reapplied for a variance from secondary containment <b>and</b> met the requirements for “new tank systems” if the tank system is replaced. (<b>Complete Assessment of Tank System Integrity – New Tank Systems section</b>)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.193(h)(3)	264.J	<p><b>If variance granted:</b> Owner/operator completed and submitted demonstration for a variance to the director within 180 days after notifying of intent to conduct the demonstration.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Comments/Notes:**

**Section 8 – Response to Leaks or Spills and Disposition of Leaking or Unfit-For-Use Tank Systems**

A tank system or secondary containment system from which there has been a leak or spill, or which is unfit for use, must be removed from service immediately, and the owner or operator must satisfy the following requirements:

**Table 10. Response to Leaks or Spills and Disposition of Leaking or Unfit-For-Use Tank Systems**

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

CITATIONS	WDS	Response to leaks or spills and disposition of leaking or unfit-for-use tank systems Part 111 Rule 307(b)(ii) and 40 CFR 265.196	C	NC	NI	NA
265.196	264.J	Response to the instance of a tank or secondary containment system that has a leak, spill, or is unfit for use:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.196(a)	264.J	Tank /secondary containment systems immediately removed from service and inspected to determine the cause of the release.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.196(b)(1) - (2)	264.J	<input type="checkbox"/> (1) Release from the tank system: owner/operator removed as much of the waste as is necessary to prevent further release to the environment and to allow inspection and repair. <input type="checkbox"/> (2) Release to secondary containment system: released materials removed to prevent harm to human health and the environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.196(c)(1) - (2)	264.J	Owner/operator conducted a visual inspection of the release: <input type="checkbox"/> (1) Prevented further migration to soils or surface water; and <input type="checkbox"/> (2) Removed and disposed of any visibly contaminated soil or surface water.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.196(d)	264.J	Releases to the environment, except a leak or spill that is ≤ one pound and immediately contained/cleaned-up, reported to the director or NRC within 24 hours of detection.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.196(d)	264.J	Within 30 days of detection of a release, a report was submitted to the director.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CITATIONS	WDS	Response to leaks or spills and disposition of leaking or unfit-for-use tank systems Part 111 Rule 307(b)(ii) and 40 CFR 265.196	C	NC	NI	NA
265.196(e)	264.J	Tank must be closed unless at least one of the following satisfied: <input checked="" type="checkbox"/> Release due to spill, no damage to integrity of system. Released waste removed, necessary repairs made, and returned to service <input type="checkbox"/> Release was a leak from primary tank system into the secondary containment. The system is repaired and returned to service. <input type="checkbox"/> Release was a leak from a component without secondary containment: underground component provided with secondary containment, aboveground component repaired and certified by PE. Meets new tank system and secondary containment requirements. Secondary containment for components that cannot be visually inspected ( <b>Complete Assessment of Tank System Integrity – New Tank Systems, Containment and Detection of Releases sections</b> . If none apply, <b>complete Closure and post-closure care section</b> )	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.196(f)	264.J	Extensive repairs certified by a Professional Engineer before the tank system/component is returned to service. Certification placed in the operating record and maintained until closure of the facility.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Note: See § 265.15(c) for the requirements necessary to remedy a failure. Also, 40 CFR Part 302 requires the owner or operator to notify the National Response Center of a release of any “reportable quantity.”

**Comments/Notes:**

**Section 9 - Closure and Post-Closure Care**

**Table 11. Closure and Post-Closure Care**  
(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATIONS	WDS	Closure and Post-Closure Care Part 111 Rule 307(b)(ii) and 40 CFR 265.197	C	NC	NI	NA
265.197	264.J	If facility has closed any tank systems, closure was completed according to closure plan and 265.197	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Section 10 - LQG Special Requirements – Ignitable, Reactive, and Incompatible Wastes**

**Table 12. Special Requirements: Ignitable, Reactive, Incompatible Waste**  
(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATIONS	WDS	Special requirements: Ignitable, Reactive, Incompatible Waste Part 111 Rule 307(b)(ii) and 40 CFR 265.198, 265.199	C	NC	NI	NA
265.198(a)	264.J	Ignitable or reactive waste is not placed in tank system, unless: <input type="checkbox"/> (1) Waste is treated, rendered, or mixed so that: (i) The resulting waste is no longer ignitable or reactive, and (ii) does not generate/product heat or pressure, fire or explosion, violent reaction, uncontrolled toxic mists, fumes, dusts, or gases, uncontrolled, damage structural integrity, or cause other threat to human health/environment; <b>or</b> <input type="checkbox"/> (2) The waste is stored or treated in such a way that it is protected from any material or conditions that may cause it to ignite or react; <b>or</b> <input type="checkbox"/> (3) Used solely for emergencies.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.198(b)	264.J	Facility with ignitable/reactive waste in tank complies with maintenance/buffers in Tables 2-1 to 2-6 of the NFPA’s “Flammable and Combustible Liquids Code”	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
265.199(a)	264.J	Incompatible wastes not placed in same tank system, unless it does not generate/product heat or pressure, fire or explosion, violent reaction, uncontrolled toxic mists, fumes, dusts, or gases, uncontrolled, damage structural integrity, or cause other threat to human health/environment;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CITATIONS	WDS	<b>Special requirements: Ignitable, Reactive, Incompatible Waste Part 111 Rule 307(b)(ii) and 40 CFR 265.198, 265.199</b>	C	NC	NI	NA
265.199(b)	264.J	Hazardous waste is not placed in tank system that has not been decontaminated AND previously held incompatible waste, unless it does not generate/product heat or pressure, fire or explosion, violent reaction, uncontrolled toxic mists, fumes, dusts, or gases, uncontrolled, damage structural integrity, or cause other threat to human health/environment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Comments/Notes:**