Introduction to Hazardous Waste Regulations:

Paperwork Requirements & Inspection Day – What to Expect

Michigan Department of Environmental Quality

Housekeeping

- All lines will be muted
- Questions can be sent to us via the question/chat box
- We will record webinar and post online

Introduction to Hazardous Waste Regulations:

Paperwork Requirements & Inspection Day – What to Expect

NADINE M. DEAK
Sr. Environmental Quality Analyst
Kalamazoo District Office
deakn@michigan.gov
269-567-3592

Environmental Assistance Center (EAC)

Contact: 800-NO2-WASTE (800-662-9278)
deq-assist@michigan.gov

Hours: 8:00 am to 4:30 pm, Mon – Fri

Compliance Assistance Services Include:

Air	Environmental Audit Privilege
Waste	Brownfield Redevelopment
Water	Site Remediation
Storage Tanks	Permit Coordination

Do I Need to Know All of This?

Hazardous waste regulations…

Apply to all businesses, including municipalities, hospitals, & 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 last date of hazardous waste shipment offsite

PAPERWORK REQUIREMENTS

- Notification of Waste Activity (Site ID)
- Waste Characterizations
- Manifests & Shipping Records
- Land Disposal Restriction Forms (LDRs)
- Waste Area Inspection Documents
- Biennial Reports
- Training Records
- Contingency (Emergency) Plans

NOTIFICATION OF WASTE ACTIVITY (SITE ID)

Who must notify:

Hazardous Waste Generators (CESQG liquids, SQG, LQG,)
Liquid Industrial Waste Generators
Hazardous/Liquid Industrial Waste Transporters
Hazardous/Liquid Industrial Waste Receiving Facilities

Resource Management Division (RMD) issues SITE ID number to facilities *per site* upon receipt of notification form

Notification of Regulated Waste Activity

EQP5150

EQP5150 is the Michigan replacement form for U.S. Environmental Protection Agency Form 8700-12 revised 3/98

MANIFESTS & SHIPPING RECORDS

Uniform Manifest **must** be used when hiring permitted & 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.

MANIFESTS & SHIPPING RECORDS

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 & SHIPPING PAPERS

Generator must keep track of shipments and submittal of manifests.

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

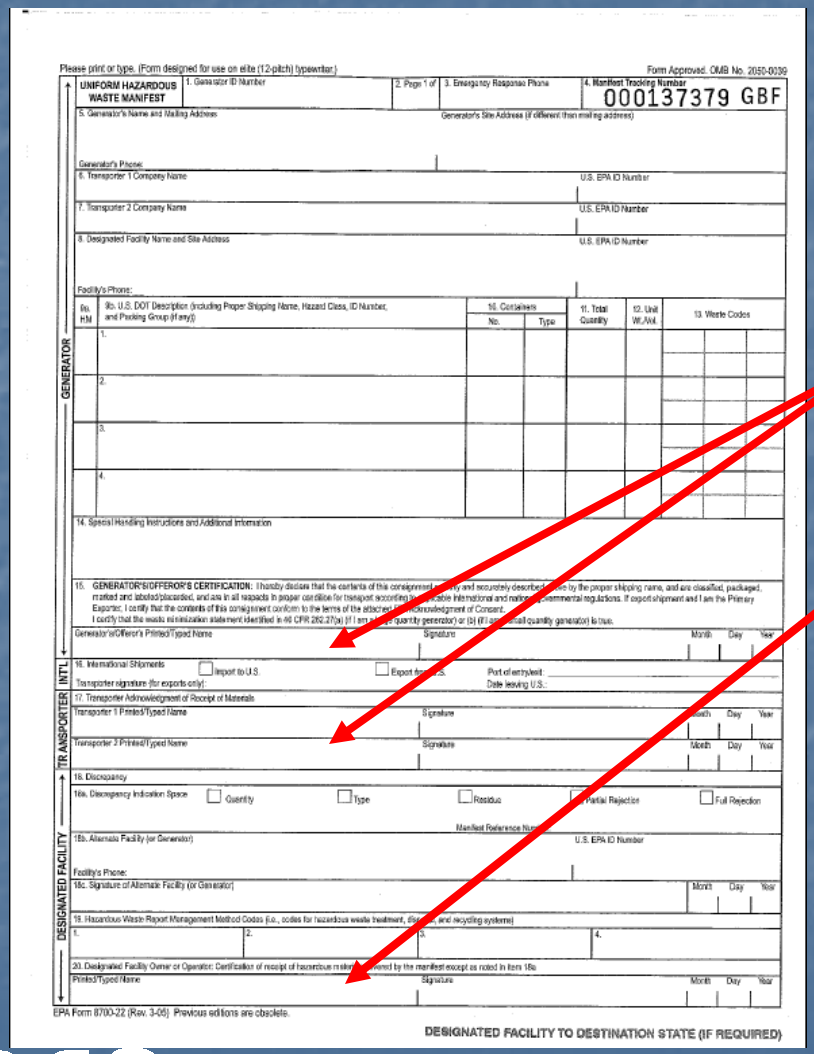
- **45** days: file exception report

MANIFEST TRACKING LOG

State Manifest Number	Date Shipped Off-Site	Date Rec'd From TSDF	Land Ban Notice[1]	Date copies sent to State: MI, OH, etc.[2]	Filed	Waste Type	Volume

[1] one Land Ban Notice is sent to TSDF with original shipment, new Land Ban Notice required when waste changes
[2] Copies of all manifested waste shipments need to be sent to Michigan DEQ/WMD-P.O. Box 30241, Lansing, MI 48909 (rev. 5/14/97by clz::docly\manifest tracking log.doc: EAB)

Manifests



Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST | 1. Generator ID Number | 2. Page 1 of | 3. Emergency Response Phone | 4. Manifest Tracking Number 000137379 GBF

5. Generator's Name and Mailing Address | Generator's Site Address (if different than mailing address)

Generator's Phone:

6. Transporter 1 Company Name | U.S. EPA ID Number

7. Transporter 2 Company Name | U.S. EPA ID Number

8. Designated Facility Name and Site Address | U.S. EPA ID Number

Facility's Phone:

No.	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
	1.					
	2.					
	3.					
	4.					

14. Special Handling Instructions and Additional Information

15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name | Signature | Month Day Year

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit: Date leaving U.S.:
Transporter signature (for exports only):

17. Transporter Acknowledgment of Receipt of Materials

Transporter 1 Printed/Typed Name | Signature | Month Day Year

Transporter 2 Printed/Typed Name | Signature | Month Day Year

18. Discrepancy

18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection

Manifest Reference Number:

18b. Alternate Facility (or Generator) | U.S. EPA ID Number

Facility's Phone:

18c. Signature of Alternate Facility (or Generator) | Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)

1. | 2. | 3. | 4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a

Printed/Typed Name | Signature | Month Day Year

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

GENERATOR | INTL | TRANSPORTER | DESIGNATED FACILITY

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.

LAND DISPOSAL RESTRICTIONS (LDR) OVERVIEW
(Rule 311 and 40 CFR 268)

Applies to hazardous wastes from SQGs & 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

LAND DISPOSAL RESTRICTIONS (LDR) OVERVIEW

(Rule 311 and 40 CFR 268)

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 268.49 (soil).

New LDR notification must be sent when there is a waste or facility change.

LAND DISPOSAL RESTRICTIONS (LDR) OVERVIEW
(Rule 311 and 40 CFR 268)

Land disposal includes any disposal on land (landfill, land treatment, injection well, salt caverns, etc).

Notification is required even for shipment to non-land based TSDs (e.g. incinerator).

LDR GENERATOR RECORDKEEPING

Generators treating a prohibited waste to meet the standards in 40 CFR 268.48 must have a written waste analysis plan describing the activities they perform to meet the treatment standards.

All generator LDR records are required to be maintained for 3 years from the last date of shipment or on-site treatment and/or disposal, whichever is later.

LDR GENERATOR RECORDKEEPING

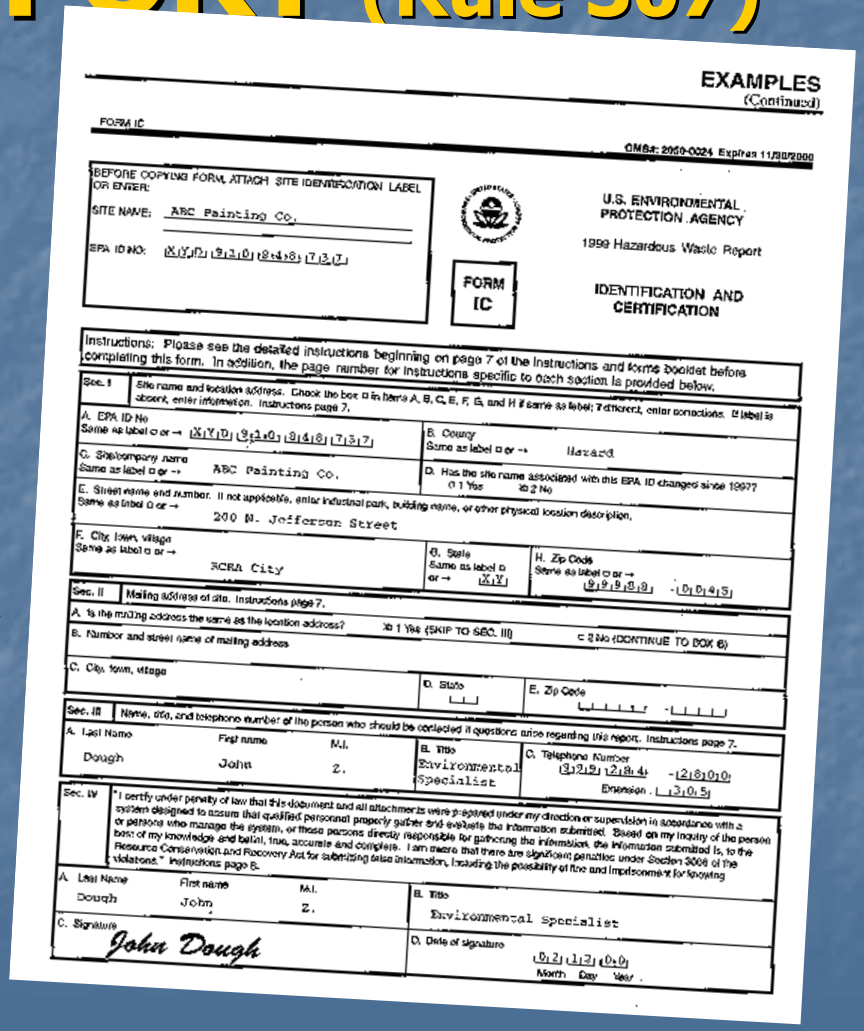
SQGs and LQGs must keep LDRs & related documents for at least 3 years after waste is last sent to TSD.

LDRs must have complete information such as categories of waste and underlying hazardous constituents.

Information on LDR must be consistent with the waste characterization.

HAZARDOUS WASTE BIENNIAL REPORT (Rule 307)

- Required of LQG & TSD
- Submit to RMD by March 1 of even-numbered years
- Report includes both MI & EPA **hazardous wastes**
- Details hazardous waste activity in previous odd year
- Keep copy at least 3 years from due date



EXAMPLES (Continued)

FORM IC

OMB#: 2050-0024, Expires 11/30/2000

BEFORE COPYING FORM, ATTACH SITE IDENTIFICATION LABEL OR ENTER:

SITE NAME: ABC Painting Co.

EPA ID NO: MYD 980 787

U.S. ENVIRONMENTAL PROTECTION AGENCY

1999 Hazardous Waste Report

FORM IC

IDENTIFICATION AND CERTIFICATION

Instructions: Please see the detailed instructions beginning on page 7 of the Instructions and forms booklet before completing this form. In addition, the page number for instructions specific to each section is provided below.

Sec. I — Site name and location address. Check the box ☐ in items A, B, C, E, F, G, and H if same as label; if different, enter corrections. If label is absent, enter information. Instructions page 7.

A. EPA ID No — Same as label ☐ or → MYD 980 787

B. County — Same as label ☐ or → Hazard

C. Site/company name — Same as label ☐ or → ABC Painting Co.

D. Has the site name associated with this EPA ID changed since 1997? ☐ 1 Yes ☒ 2 No

E. Street name and number. If not applicable, enter industrial park, building name, or other physical location description. Same as label ☐ or → 200 N. Jefferson Street

F. City, town, village — Same as label ☐ or → SCRA City

G. State — Same as label ☐ or → MY

H. Zip Code — Same as label ☐ or → 99808 - 0045

Sec. II — Mailing address of site. Instructions page 7.

A. Is the mailing address the same as the location address? ☒ 1 Yes (SKIP TO SEC. III) ☐ 2 No (CONTINUE TO BOX B)

B. Number and street name of mailing address

C. City, town, village

D. State

E. Zip Code

Sec. III — Name, site, and telephone number of the person who should be contacted if questions arise regarding this report. Instructions page 7.

A. Last Name: Dough — First name: John — M.I.: Z.

B. Title: Environmental Specialist

C. Telephone Number: 906 284 - 2800 Extension 305

Sec. IV — "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties under Section 3008 of the Resource Conservation and Recovery Act for submitting false information, including the possibility of fine and imprisonment for knowing violations." Instructions page 8.

A. Last Name: Dough — First name: John — M.I.: Z.

B. Title: Environmental Specialist

C. Signature: John Dough

D. Date of signature: 02 13 00 (Month Day Year)

HAZARDOUS WASTE AREA INSPECTION DOCUMENTS

SQG & LQG must perform weekly container accumulation area inspections & each operating day for a hazardous waste storage tanks.

LQGs must document hazardous waste container accumulation area & tank inspections.

REQUIRED WEEKLY HAZARDOUS WASTE MAINTENANCE CHECKLIST

MONTH: YEAR:																				
WEEK #	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Labeled																				
Dated																				
Containers Closed																				
Spills																				
Containment																				
Corrective Measures																				
Date																				
Initials																				

Labeled: Check that all drums and all other containers are properly labeled ("Hazardous Waste" and waste number).

Dated: Check to see if the container is dated with the date accumulation began and the date on the container has not exceeded 90 or 180 days, which ever is applicable. If container date has exceeded 90 or 180 days, contact management.

Containers Closed: Make sure that containers are closed (i.e. both bungs are in drums, drum ring top is secure, funnel tops closed, funnel valve closed, or tarp over roll-off box).

Spills: Check that all containers are not leaking, bulged, or in poor condition. Are spills present?

Containment: Make sure that there hasn't been any degradation to the secondary containment, (i.e., any cracks, is coating sufficient?) (Is there enough set back distance of containers for squirt protection? Are all containers in the containment area?)

Corrective Measures: Are corrective measures needed?

Date & Initials: Inspector dates and initials.

On the back write comments on any areas above that were not in compliance (include the date). Also, record any measures being taken to correct the problems (include the date).

(rev. on 5/14/97 by-clz::\doc\y\required weekly hazardous waste maintenance checklist: EAB))

EMERGENCY PLANNING & TRAINING REQUIREMENTS

CESQGs

have no specific requirements!

EMERGENCY PLANNING & TRAINING REQUIREMENTS

SQG Requirements:

- Informal training
- Training records not required
- No stipulated review period, annual recommended
- Must post **CURRENT** emergency info by phone near hazardous waste operations
- 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

EMERGENCY PLANNING & TRAINING REQUIREMENTS

SQG Emergency Posting

HAZARDOUS WASTE EMERGENCY INFORMATION

EMERGENCY COORDINATOR	NAME	_____
	PHONE	_____
ALTERNATE	NAME	_____
	PHONE	_____
FIRE DEPT.	PHONE	_____
HOSPITAL	PHONE	_____
POLICE	PHONE	_____

Fire alarm is located: _____

Spill control equipment is located: _____

Fire extinguishers are located: _____

Map of facility with emergency equipment, spill equipment, exit routes, and alarm locations.

National Response Center: 1-800-424-8802
Michigan Pollution Emergency: 1-800-292-4706

Provided by: The Environmental Assistance Division and the Waste Management Division of the Michigan Department of Environmental Quality
Environmental Assistance Center 1-800-662-9278

Other hazardous waste requirements may apply.

DEQ

EMERGENCY PLANNING & TRAINING REQUIREMENTS

LQG Requirements:

- Must have written hazardous waste training program
- Must conduct annual training for employees
- 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***

DEQ

EMERGENCY PLANNING & TRAINING REQUIREMENTS

LQG Requirements:

- Must have **CURRENT** & complete written contingency plan on-site
- Must make arrangements with fire dept, police, hospitals, emergency response contractors, and local emergency response teams & documentation that they were contacted

EMERGENCY PLANNING & TRAINING REQUIREMENTS

LQG training must include:

- Usage, inspection, repair & replacement of facility emergency & monitoring equipment
- Key parameters for automatic waste feed cut-off systems
- Communications & alarm systems
- Response actions for fires & explosions
- Response actions for contamination incidents
- Shutdown of operations

PRE-TRANSPORT REQUIREMENTS (Rule 305)

If offering 1,000 lbs. for shipment at one time, SQGs and LQGS must have US DOT placards for waste hazards available for transporters use.

TANK INSPECTION DOCUMENTS

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

TANK CERTIFICATION

Part 111, Rule 306 & 40 CFR 265.192

Must obtain a written assessment that is reviewed and certified by an 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

TANK CERTIFICATION

Professional engineer written certification must be kept on file at facility.

INSPECTION DAY !

INSPECTION DAY!

When & why does an inspector visit?

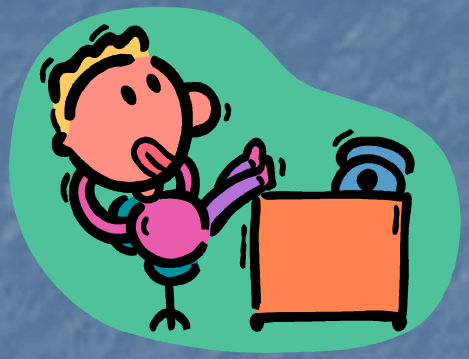
Routine compliance inspection utilizing a "Neutral Criteria Plan"

Complaint received

Manifest discrepancies

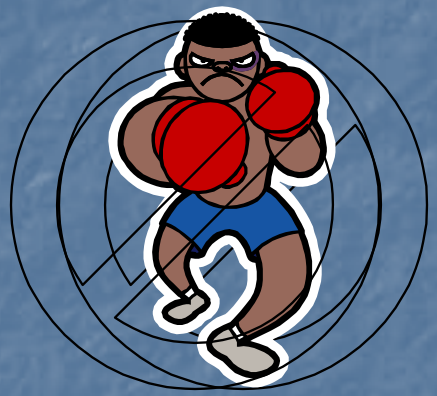
Inspection requested by another agency

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

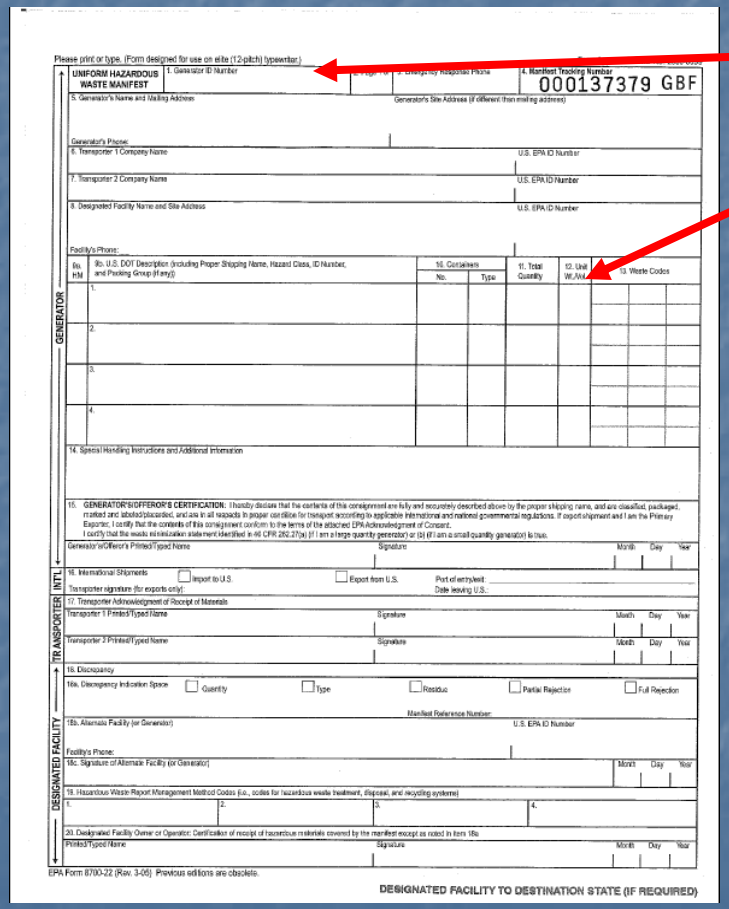
Emergency Preparedness – personnel training records, contingency plans, spill control equipment

Waste Handling and Accumulation Areas:

Containers, labeling, secondary containment

GALLERY OF VIOLATIONS

MANIFEST
COMMON VIOLATIONS



Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number

4. Manifest Tracking Number 000137379 GBF

5. Generator's Name and Mailing Address

Generator's Site Address (if different than mailing address)

Generator's Phone:

6. Transporter 1 Company Name — U.S. EPA ID Number

7. Transporter 2 Company Name — U.S. EPA ID Number

8. Designated Facility Name and Site Address — U.S. EPA ID Number

Facility's Phone:

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
	1.					
	2.					
	3.					
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Generator's/Offeror's Printed/Typed Name — Signature — Month Day Year

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit: Date leaving U.S.:
Transporter signature (for exports only):

17. Transporter Acknowledgment of Receipt of Materials

Transporter 1 Printed/Typed Name — Signature — Month Day Year

Transporter 2 Printed/Typed Name — Signature — Month Day Year

18. Discrepancy

18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection

Manifest Reference Number:

18b. Alternate Facility (or Generator) — U.S. EPA ID Number

Facility's Phone:

18c. Signature of Alternate Facility (or Generator) — Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)

1. 2. 3. 4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a

Printed/Typed Name — Signature — Month Day Year

GENERATOR — INTL — TRANSPORTER — DESIGNATED FACILITY

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

- Using wrong ID number
- Using wrong or incomplete waste codes
- Failing to send copy to state
- 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 & 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

COMMON STORAGE VIOLATIONS

Don't stack more than 2 drums high

Leaning drum
is a safety issue!

Failing to have adequate space or aisle width to properly inspect containers and for emergency personnel.

Failing to have labels visible for inspections.

COMMON STORAGE VIOLATIONS

- ☹ Exceeding the allowable on-site accumulation time limit for hazardous waste without requesting an extension or obtaining a storage permit

Notice leaking drums and stains

COMMON STORAGE VIOLATIONS

☹ Failing to keep the containers closed, except when waste is added or removed

COMMON STORAGE VIOLATIONS

☹ Failing to keep the containers closed, except when waste is added or removed

COMMON STORAGE VIOLATIONS

Notice the splashing on the wall

☹ 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.

COMMON STORAGE VIOLATIONS

Lockable option

Notice the valve, it automatically closes when handle is released

Waste Labeling and Storage

Regulations requiring waste container labeling and proper accumulation and storage:

- Act 451, Michigan Natural Resources & Environmental Protection Act:
  - Part 111, Hazardous Waste
  - Part 121, Liquid Industrial Waste

Waste Labeling and Storage

Requirements vary based on waste type and amount

Less Regulation

Liquid Industrial Waste Generators (LIW)

Universal Waste Generators

Conditionally Exempt Small Quantity Generators (CESQGs)

Small Quantity Generators (SQGs)

Large Quantity Generators (LQGs)

More Regulation

STORAGE CONTAINER LABELING VIOLATIONS

☹ Listing incorrect or incomplete information on hazardous waste labels

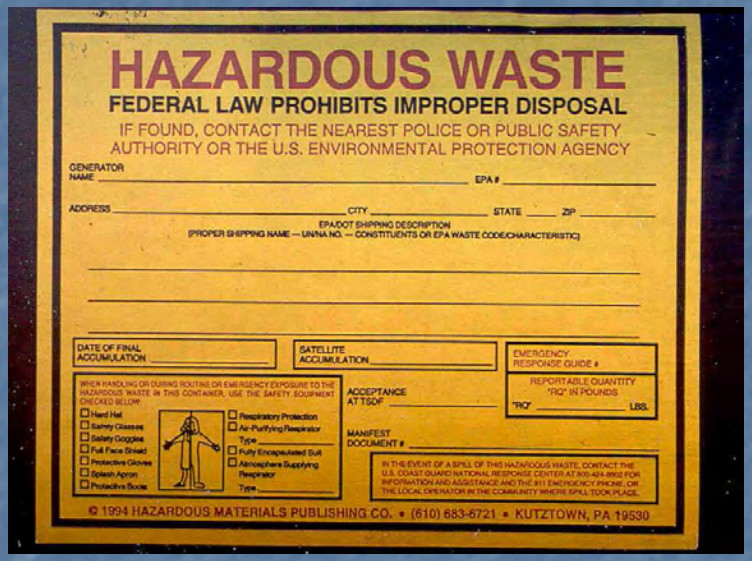
Missing the accumulation date

Missing the words "Hazardous Waste"

Missing the hazardous waste numbers

COMPLIANT STORAGE LABELING

Accumulation label



Shipping label

COMMON STORAGE VIOLATIONS

☹ Using Containers in Poor Condition

Some bad containers are obvious!

Leaking tank

COMMON STORAGE VIOLATIONS

Others require looking all around the container to see a problem

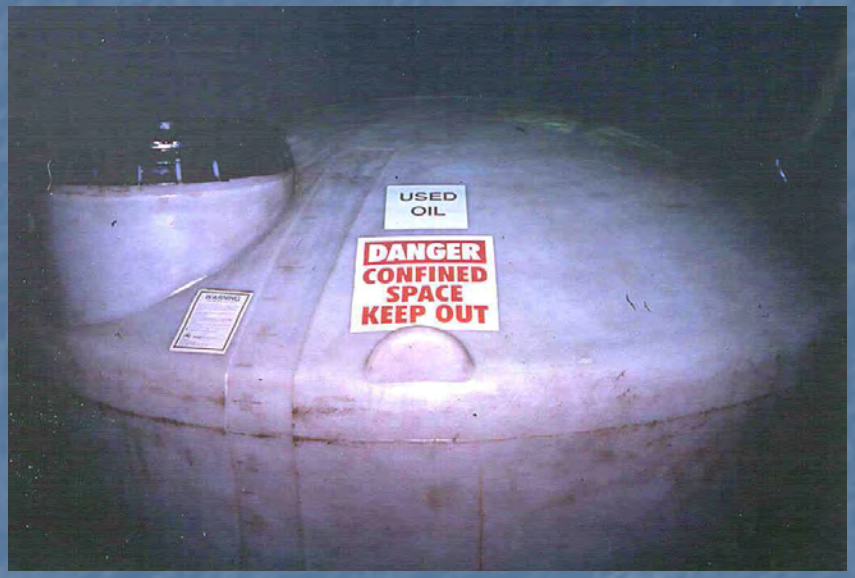
Look for staining as a sign

COMMON STORAGE VIOLATIONS

Other leaks require noticing signs on the ground or puddles, etc.

COMMON STORAGE VIOLATIONS

Compliant used oil storage



COMMON DISPOSAL VIOLATIONS

Illegal disposal of used oil

COMMON SECONDARY CONTAINMENT VIOLATIONS

☹ Lacking or inadequate secondary containment for LQG, SQG with over 2200 lbs. & any facility storing acutely hazardous wastes

COMMON SECONDARY CONTAINMENT VIOLATIONS

☹ Failing to have Containers elevated or base of containment sloped to drain when required

☹ Lacking or inadequate squirt protection

Notice the staining

Sill is not high enough

COMMON SECONDARY CONTAINMENT VIOLATIONS

☹ Lacking or inadequate chemical resistant coating & having cracked surfaces

COMMON SECONDARY CONTAINMENT VIOLATIONS

☹ Failing to remove precipitation in a timely manner from containment areas

How can drums be checked for leaks if buried in snow?

COMMON SECONDARY CONTAINMENT OPTIONS

Sloping ramp saves backs and reduces spills when moving materials in & out of containment area

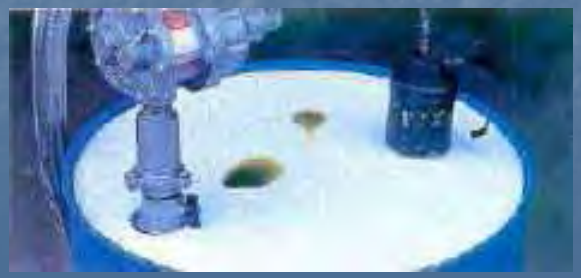
Spill pallets ok for solids but does **NOT** provide squirt protection for liquids

This type does provide squirt protection

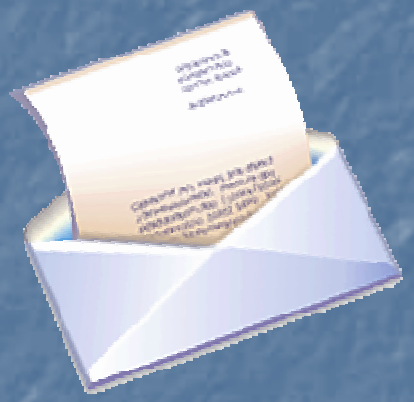
SORBENTS

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 RMD.

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.

Questions

Feel free to ask questions via your question / chat box

NEED HELP/RESOURCES?

- Contact the EAC at 1-800-662-9278
- Contact your DEQ district waste inspection staff
- Go to www.epa.gov/wastes/hazard/downloads/tool.pdf
- Go to www.michigan.gov/deqwaste
- Search the DEQ Pub Center at www.deq.state.mi.us/pubcenter
- Contact a hazardous waste vendor
- Contact a waste consultant