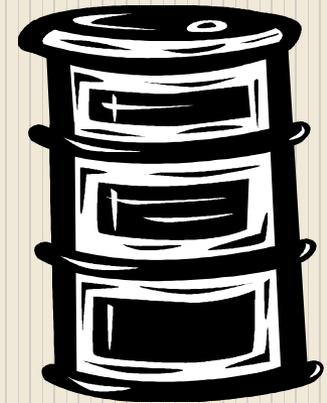


Top 10 Most Common RCRA Violations -- Pitfalls to Avoid Non-Compliance --

Hazardous Waste Advisory Committee (HWAC)

Kickoff Meeting

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About Your Presenter



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Connecticut DEP

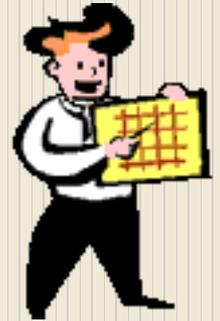
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- 20 years with the DEP's Hazardous Waste Program
- Hazardous waste permitting, enforcement.
- Now with the WEED Program Analysis Group.

Outline of Today's Presentation



- Source and evaluation of data.
- Top 10 List.
- Item-by-item details (including common pitfalls).
- Overall strategies for ensuring compliance.
- Our goal: avoid a dreaded condition:

COMPLI-ACNE



- Medical Definition: “a painful and embarrassing condition resulting from the appearance of unsightly blemishes on an otherwise clear hazardous waste record.”

Source & Evaluation of Data



- HW NOV_s, 10/07 – 10/08: **63 NOV_s**.
- Total # of violations cited: **323 violations**.
- Almost all violations result in an NOV even if a formal enforcement action comes later.
- All violations entered into a spreadsheet and categorized by violation type.
- Sorted by type, number of each type.
- Top 10 types = “Top Ten Violations.”

“Top Ten” List



- 1. Inspections (46/323 citations).
- 2. Personnel Training (36/323 citations).
- 3. Emergency Preparedness (35/323 citations).
- 4. Container Management (30/323 citations).
- 5. Marking/Dating (30/323 citations).
- 6. Hazardous Waste Determinations (28/323 citations).
- 7. Used Oil (23/323 citations).
- 8. Universal Waste (22/323 citations)
- 9. Closure/Financial (13/323 citations)
- 10. Transporter Requirements (9/323 citations)

“The Best of the Rest...”



- **All other violations: 51 citations.**
- Accumulation Time (8)
- Miscellaneous TSDF requirements (8)
- Notification/EPA ID Number (7)
- Tank Management (7)
- Maintenance & Operation of Facility (5)
- Subparts AA/BB/CC Air Emissions Requirements (5)
- Manifest/LDR (5)
- Biennial Reporting (3)
- Ignitable & Reactive Wastes (2)
- Miscellaneous Waste Management (1)

#1: Inspections (46)



- Inspection log (25). Pitfalls:
 - No documentation of inspections at all.
 - Gaps in inspection logs.
 - Required data not recorded (first and last name of inspector, date and time of inspection, problems to be looked for).
- Inspection schedule (18). Pitfalls:
 - No schedule at all.
 - Inspection frequency (tanks – daily; containers – weekly; emergency equipment – monthly).
 - Does not address certain required items (e.g., all storage areas, loading and unloading areas, containment structures, monitoring, safety and emergency equipment).

#1: Inspections (continued)

- Performing inspections (8). Pitfalls:
 - No inspections at all.
 - Certain items not inspected (tank or container storage areas, safety & emergency equipment, secondary containment, loading and unloading areas).



#2: Personnel Training (36)



- Did not provide adequate training (24). Pitfalls:
 - No training at all (13): LQGs (6), SQGs (7).
 - Certain personnel not trained (4).
 - Lack of annual refresher training (7).
- Inadequate training documentation (12). Pitfalls:
 - List of names and job titles for all staff involved in HW mgmt.
 - Job descriptions: missing for some personnel, or description did not include HW duties.
 - No written description of training program.
 - Incomplete training records.

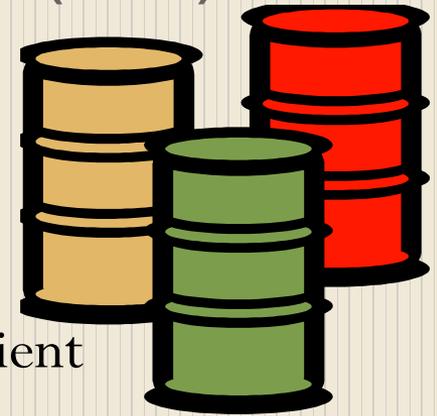
#3: Emergency Preparedness (35)



- Content of contingency plan (LQGs) (12):
 - Pitfalls: procedures for fires, spills and explosions, emergency coordinator info, changes in personnel, primary and secondary evacuation routes, capabilities of emergency equipment.
- SQG emergency info posted next to on-site phone (8):
 - Pitfalls: not posted or incomplete.
- No contingency plan at all (LQGs) (6).
- Submission of copies of plan to local authorities (LQGs) (5).
 - Pitfall: not sending to all required authorities - police, fire, hospital(s), LEPCs.
- Lack of an emergency coordinator (SQGs and LQGs) (3).
 - Pitfalls: personnel changes, lack of training.

#4: Container Management (30)

- Containment (17):
 - Impervious base (11).
 - Secondary containment system (8).
 - Pitfalls: lack of coating, unsealed seams, insufficient containment volume, unplugged drains.
- Open Containers (7):
 - 90- or 180-day storage areas (6).
 - Satellite areas (1).
 - Pitfalls: ring-top drums, funnels, small-quantity additions.
- Aisle space (2).
- Separation of Incompatible Materials (2).
 - Pitfall: forgot non-waste materials in same storage area.



#5: Marking/Dating (30)

- Mark “Hazardous Waste” and with other words identifying the contents (19):
 - Containers (12).
 - Satellite Containers (3).
 - Tanks(4).
 - Pitfalls: incorrect (e.g. “Hazardous Material”) or incomplete (e.g. “Hazardous Waste” but no description of contents).
- Mark containers with accumulation date (11). Pitfalls:
 - Forgot to mark at time of first addition.
 - Forgot to include month, day and year.

HAZARDOUS WASTE

FEDERAL LAW PROHIBITS IMPROPER DISPOSAL
IF FOUND CONTACT THE NEAREST POLICE OR PUBLIC SAFETY
AUTHORITY OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY

GENERATOR INFORMATION:
NAME USASC & Fort Gordon
ADDRESS ATZH-DIE PHONE 706-791-2403
CITY Fort Gordon STATE GA ZIP 30905
EPA /MANIFEST ID NO / DOCUMENT NO GAO210020368
ACCUMULATION START DATE _____ EPA WASTE NO. D009

Waste Environmentally Hazardous Substances, Solid,
n.o.s., 9, UN3077, PG III (mercury)

DOT PROPER SHIPPING NAME AND UN OR NA NO WITH PREFIX

HANDLE WITH CARE!

5-300, ULINE, 1-800-295-5510

HAZARDOUS WASTE

ACCUMULATION START DATE May 29, 1997
CONTENTS acetone, xylene, ether (50:50)

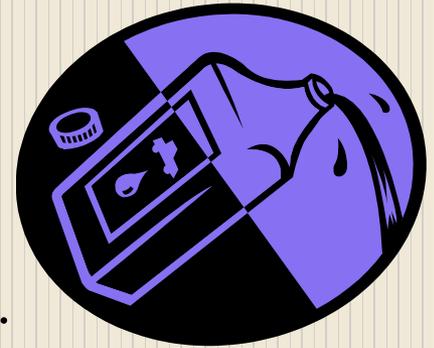
HANDLE WITH CARE!
CONTAINS HAZARDOUS OR TOXIC WASTES

#6: Hazardous Waste Determinations (28)

- Most common single regulatory citation: 40 CFR 262.11.
- Pitfalls include:
- Commonly-missed waste streams.
 - Absorbents, rags/wipers, waste gasoline, spent antifreeze, grinding dusts and blasting media, filters, paint-related wastes, old/overstock unused products, wastewaters treated in evaporators, items noted in trash dumpsters (e.g., fluorescent lamps, paint cans, etc.), abandoned materials.
- Incomplete determinations.
- Documentation of “Generator Knowledge.”
- Annual review/recharacterization.



#7: Used Oil (23)



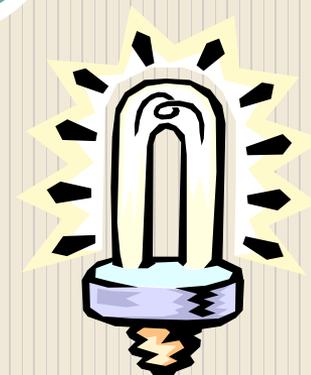
- Containers or tanks not marked “Used Oil” (9).
 - Pitfalls: not marked or improperly marked (e.g., “waste oil”).
- Determination of total halogen content (7).
 - Pitfalls: don’t test, or forgot to document generator knowledge.
- Secondary containment for generator storage areas storing over 55 gallons of used oil (4).
- Releases/disposal to ground (1).



#8: Universal Waste (22)



- Improper marking (11).
 - Pitfalls: not marked, improper wording.
- No accumulation date or other means to document compliance with accumulation time limit (6).
- Improper management (4):
 - Storage in a manner that will not prevent releases (e.g., stored loose or on the ground).
 - Disposal to trash.



#9: Closure/Financial (13)



- Generator Closure (4).
 - Pitfalls: discontinued use of a storage area and forgot to close it, relocated and forgot to perform final closure, or closed without following DEP closure guidance.
- Problems with wording of financial assurance documents (3).
 - Pitfalls: do not adhere to required language format.
- Problems with cost estimate (3). Pitfalls:
 - Do not have a valid estimate, or the estimate is not adjusted for inflation properly.
 - Not revised and submitted to DEP annually.
- Lack of financial assurance (2).



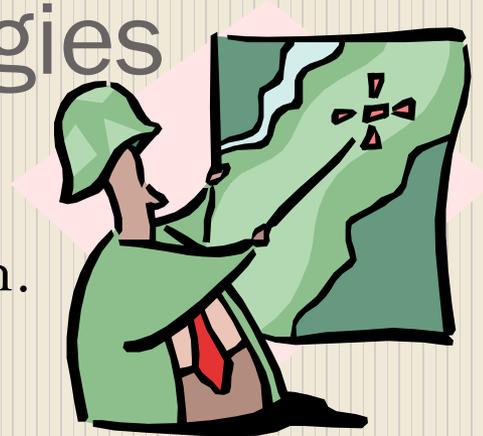
#10: Transporter Requirements (9)

- Transportation without a permit (3).
 - Pitfall: don't realize a permit is needed.
- Personnel Training (2).
- Other (4).



Overall Compliance Strategies

- Follow up on inspection findings – ASAP!
- Periodic reviews of HW compliance program.
- Frequent staff meetings.
- Periodic self-audits (DEP checklists available – go to www.ct.gov/dep/hazardouswaste and click on “Inspection Forms.”)
- Consultant-performed audits.
- CONNSTEP audit: www.connstep.org
- “Tickler” list.
- “Clean Sweeps” to find and get rid of old chemicals and “contraband” materials.



“Red Flag” Events



- Events that tend to have an effect on your compliance.

Examples:

- New hires/personnel changes.
- New wastes, processes or raw materials.
- Changes in waste storage locations.
- Changes in waste handling (e.g. switch from disposal to recycling or from one kind of recycling to another).
- Changes in waste generation amounts.
- Remediation/cleanup activities/spills.



To Sum Things Up...

- Self-evaluation is key.
- “Onward and upward.”
- “An ounce of prevention is worth a pound of cure.”
- “Why put off until tomorrow what you can do today?”
- Mind the details.



Where to Get More Information

- DEP Website: www.ct.gov/dep/hazardouswaste
- Toll-free COMPASS help line: **(866)-424-4193**
(Audits also available for new or expanding companies.)
- WEED telephone number for information on Hazardous Waste, Permitting, Solid Waste, and Recycling: **(860) 424-3023**
- DEP web master: dep.webmaster@ct.gov
- EPA Website: www.epa.gov (EPA HQ website)
www.epa.gov/Region1/ (EPA Region 1 / New England)

