

Top Ten RCRA Violations and What You Can Do to Avoid Them

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Top Ten RCRA Violations and What You Can Do to Avoid Them

- Presented by Carl Severn
- Schedule
- Resource Conservation and Recover Act (RCRA)

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Top Ten RCRA Violations— Large Quantity Generators

4. Hazardous waste determination §262.11
5. Open containers §§262.34(a)(1)(i), 265.173(a)
6. Land disposal restrictions Part 268
7. Satellite accumulation requirements §262.34(c)
8. Tank management §262.34(a)(1)(ii)
9. Preparedness and prevention §262.34(a)(4), Part 265, Subpart C
10. Used oil Part 279

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Top Ten RCRA Violations— Large Quantity Generators

1. Training §§262.34(a)(4), 265.16
2. Contingency plan §262.34(a)(4), Part 265, Subpart D
3. Container labeling §262.34(a)(2),(3)

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Top Ten RCRA Violations— Small Quantity Generators

4. Hazardous waste determination §262.11
5. Open containers §§262.34(d)(2), 265.173(a)
6. Used oil Part 279
7. Satellite accumulation requirements §262.34(c)
8. Recordkeeping §262.44
9. Land disposal restrictions Part 268
10. Weekly inspection §§262.34(d)(2), 265.174

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Top Ten RCRA Violations— Small Quantity Generators

1. Training §§262.34(d)(5)(iii)
2. Container labeling §§262.34(d)(4), 262.34(a)(2),(3)
3. Emergency coordinator/equipment §262.34(d)(5)

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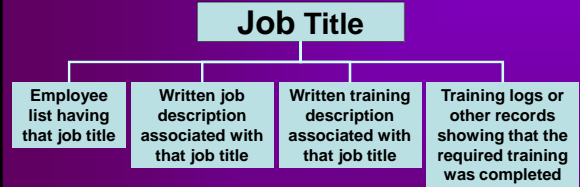
RCRA Training Requirements

- Who must be trained?
- When must training be completed?
- What are the basic RCRA training requirements?
- What enforcement issues involve training?

See §265.16

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LQG Training Documentation



See §265.16

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LQG Contingency Plans

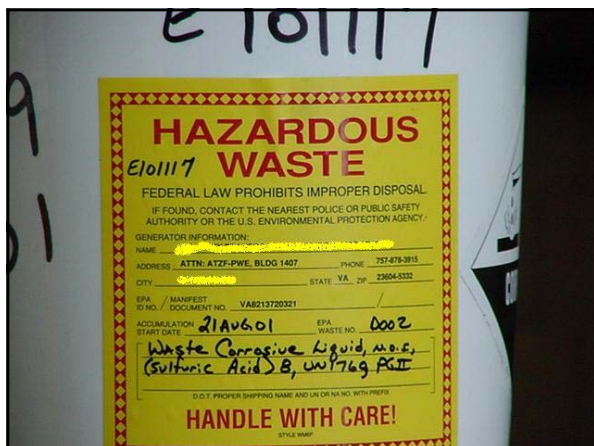
- Describes actions to be taken by facility personnel
- Describes arrangements with local authorities pursuant to §265.37
- Emergency coordinator information
- Evacuation plan and routes
- Personnel must be trained on implementation of contingency plan
- See §262.34(a)(4) and Part 265, Subpart D

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Container Labeling Violations

- Satellite accumulation containers must be marked with the words:
 - ▶ “Hazardous waste”, or
 - ▶ Other words that identify the contents
- 90/180/270-day containers must be marked with the words “Hazardous waste”
- Accumulation start date must be on 90/180/270-day containers
- Some states have additional marking/labeling requirements

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Making Hazardous Waste Determinations

1. Is it a solid waste?
2. Is it exempt?
3. Is it listed?
4. Is it characteristic?

See §262.11

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Hazardous Waste Determinations

- Can use testing or knowledge
- Must keep records for at least three years

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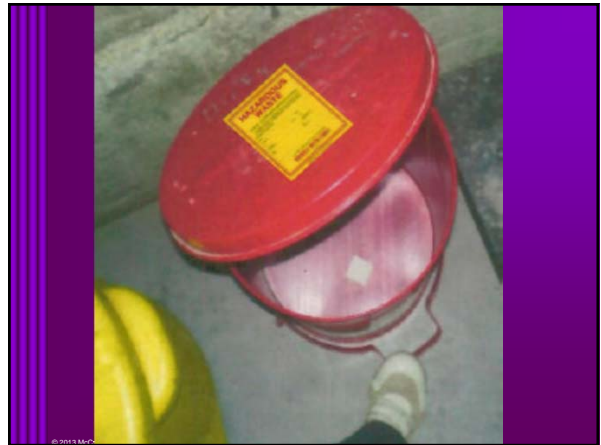
Open Containers

- Containers must be closed except when adding or removing waste
- Vapor tight and spill proof
- EPA guidance on “closed” containers
 - ▶ EPA allowing flexibility on demonstrating satellite accumulation containers are closed
 - ▶ Less flexibility for 90/180/270-day containers

See RO 14826

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Land Disposal Restrictions Violations

- LDR treatment standards minimize threat to human health and the environment
- §§268.7 and 268.9 specify paperwork requirements
- Purpose of paperwork
- Notifications/certifications only required with the initial shipment
- Recordkeeping period is 3 years
- Records may be stored electronically
- Most violations are related to paperwork

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Common LDR Paperwork Issues

- Missing LDR form
- Wrong form is used
- Form doesn't reflect shipped waste
- Missing waste codes
- Failure to identify underlying hazardous constituents
- Missing §268.7(a)(7) one-time notice to file

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Satellite Accumulation

- Allows for storage >90 days without a permit
 - ▶ 1-quart limit for acute wastes
 - ▶ 55-gallon limit for nonacute wastes
- Two primary requirements
 - ▶ At or near the point of generation
 - ▶ Under the control of the generator
- Containers must be marked/dated
 - ▶ 3-day limit to move excess quantities
- Containers must be closed

See §262.34(c)

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Common Satellite Accumulation Issues

- More than 55 gallons of nonacute hazardous waste in satellite area for >3 days
- Not at or near the point of generation
- Not under the control of the operator

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Tank Management

- Stationary, made of non-earthen materials
- 90-day accumulation tanks must meet Part 265, Subpart J standards
- Secondary containment
- Daily inspection

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Common Tank Management Issues

- Inadequate secondary containment
- Failure to record inspections
- Tank not labeled "Hazardous waste"

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Common Tank Management Issues

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Preparedness and Prevention Requirements

- Procedures that minimize possibility of fire, explosion, or release
- Alarm/communication system
- Telephone to call local authorities
- Fire extinguishers and other fire control equipment
- Spill control materials/equipment
- Test and maintain the above
- Adequate aisle space
- Coordination with local authorities

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Preparedness and Prevention Violations

- Missing, inoperable, or deteriorated equipment
- Inadequate aisle space
- Fire hazards
- No attempt to coordinate with local authorities

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Used Oil

- Store in tanks or containers
 - ▶ No accumulation time or quantity limit
 - ▶ Aboveground storage may need SPCC plan
 - ▶ No inspections (unless SPCC-mandated)
- Storage in underground tanks is allowed
 - ▶ 40 CFR Part 280 standards apply
- Tanks/containers/fill pipes must be labeled "used oil"
- No manifest required
- Releases must be cleaned up
- Most common violation is improper labeling

📖 See Part 279, Subpart C

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Large Quantity Generators**

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4. Hazardous waste determination
5. Open containers

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