

Practical Ways to Avoid 13 Common Hazardous Waste Violations

By Norman S. Wei

The following is a list of common hazardous waste violations that have been cited by many state agencies. This article provides you with some **simple and practical** ideas you can put in place in order to avoid or minimize the chance that you will have these violations.

Violation #1. Failure to mark containers with the “Hazardous Waste” label.

Solution: You need to assign one person in charge of putting the label on the container before any waste is put into it. This applies to both central storage area and Satellite Accumulation Points (SAP). SAP is storage locations at or near your production line where you can accumulate up to 55 gallons of hazardous wastes. Also make sure you have a steady supply of labels on hand. Remember that some states (such as California) require state compliant labels. So be sure to order the right ones from your supplier.



Violation #2. Having more than 55 gallons of hazardous waste at the Satellite Accumulation Point (SAP). The regulations allow you to store up to 55 gallons of hazardous waste at the point of generation provided that the operator has control over the waste.

Solution: Make sure your operator understands the legal requirements and have him check the waste volume on a regular basis. By law, the operator is required to be “in control” of the SAP. In other words, he has to know what type of wastes can go into the container and make sure that no other wastes are placed in it.

Violation #3. Failure to mark the accumulation start date on the Hazardous Waste Label.

Solution: Put up a sign on the wall of the accumulation (storage) area to remind personnel to put the date on the label when the first drop is placed in the container. This information should also be included in your weekly inspection checklist. Include this item in your staff meeting discussion.

Violation #4. Exceeding the storage time limit: 90 days for LQG (Large Quantity Generator) or 180 days for SQG (Small Quantity Generator)

Solution: Make it a practice to ship your wastes out every 2 months (for LQG) and every 4 months (for SQG). Keep in mind that the less wastes you have on-site, the less chance you will have a spill or accident. If you are a SQG and you decide to ship your

wastes to a licensed facility located more than 200 miles away, the federal regulations allow you to extend your SQG storage time limit to 270 days.

Violation #5. Failure to keep hazardous waste containers closed at all times.

Solution: The term “closed” means leak proof and vapor tight. You should put up reminder notices in the accumulation area and conduct regular briefing for your employees to make sure they are aware of this legal requirement. This is particular critical if you have a high personnel turnover rate at your facility. Remember that if you are storing highly volatile hazardous wastes and you fail to keep the container closed at all times, you could be charged with conducting “treatment” on site without a permit since reducing the volume of waste by way of evaporation could be considered by the regulatory agencies as “treatment”.

Violation #6. Using improper or damaged containers to accumulate wastes.

Solution: Make sure this is one of the items to be checked on your weekly inspection checklist. Replace any damaged container as soon as possible.

Violation #7. Failure to inspect hazardous wastes accumulation area on a weekly basis.

Solution: Keep your weekly inspection checklist as simple as possible. Do not make it so cumbersome and tedious to use that no one will want to use it. Have a set of procedures in place to make sure that any deficiencies identified in the weekly checklist are corrected. The best way to ensure this is done is to review the weekly checklist for follow-up actions on a regular basis.

Violation #8. Failure to update the RCRA Contingency Plan for LQG.

Solution: Assign a specific individual the responsibility of updating the plan. Make sure the emergency coordinator identified in the Contingency Plan review the plan on a regular basis. If there is a change in personnel – such as plant manager or emergency coordinator – make sure the plan is updated right away.

Violation #9. Failure to provide adequate hazardous waste training.

Solution: Be aware that all new employees who are going to be handling hazardous wastes must receive initial training within 6 months and cannot handle hazardous wastes without supervision. All experienced employees must receive annual refresher training. Remember that the main purpose of the training is to make sure your employees understand the basis concept of waste identification and emergency response requirements that are specific to your plant. Design your training program specific to the job function of the employee. The three basis requirements of hazardous waste training are: (1) Tell your employees who is in charge in case of emergency; (2) Tell them what to do in an emergency; and (3) Tell them how to do it.

Violation #10. Failure to maintain training record.

Solution: Make sure all employees sign off on the attendant sheet after any training session. Even if you just show your employees a short video tape of hazardous waste

management, have them sign the attendant sheet. Be sure that the employee's job description reflects the actual hazardous waste handling responsibility.

Violation #11. Failure to properly identify hazardous wastes.

Solution: . In general, if the waste material is ignitable (a flash point of less than 140 degrees F) , corrosive (outside the pH range of 2 and 12, reactive (unstable or tend to explode) or toxic (according to EPA's Toxic Characteristics Leaching Procedures) , it is a hazardous waste. Also if the waste has been listed by EPA as one of the four categories of listed wastes (F, K, P or U wastes), it is by definition a hazardous waste. You can identify hazardous wastes either by generator's knowledge or laboratory testing. For example, if you use ignitable solvents in your operations, chances are you are generating an ignitable spent solvent as hazardous waste. There is no need for you to do chemical analysis on that waste. If you have doubts about your waste, test it and document it. Most common problems encountered are with floor sweepings, wipes, filters, etc. Be aware that some states have what they call non-RCRA wastes. These are wastes that are not considered to be hazardous under federal rules but are considered to be hazardous by state regulations. Always check your state regulations.

Violation #12. Manifest records incomplete, erroneous or not readily accessible.

Solution: Make sure you staple the signed return copy from the TSDf and the Land Disposal Restriction forms together with your original copy; Be sure to keep all your manifests at one central location. This makes it much easier for an agency inspector to go through your manifests in a timely fashion without having to search all over the plant to locate copies of the manifest. If you have your waste hauler prepare your manifest for you, keep in mind that you are still legally responsible for the accuracy and truthfulness of your manifests. If the manifests contain numerous errors or hand written corrections made by the driver, it may be time for you to find a different company to handle your waste shipment.

Violation #13. Failure to provide secondary containment for your waste storage area. (This is a violation under state regulations in certain states).

Solution: Although the federal regulations do not require you to have secondary containment at your central storage area, some states (such as Pennsylvania) require it under state laws. Always check with your state and local agencies to see if such requirement exists in your state. As a general rule, it is good management practice to have secondary containment for your waste storage area even if it is not required by federal or state regulations.

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