



3.2 HAZARDOUS WASTE INSPECTIONS

Purpose

The purpose of this procedure is to establish a uniform process for conducting Small Quantity Generator Inspections, Large Quantity Generator Inspections, Used Oil Generator Inspections, Resources Recovery Inspections, and Registry Site Inspections.

Application

This procedure is applicable to all department personnel conducting hazardous waste generator inspections, used oil inspections, resource recovery inspections, and registry site inspections. This procedure will be followed as closely as possible during inspections, however, the inspector may deviate from the described procedures if unique circumstances are encountered during the inspection.

3.2.1 Small Quantity Generator

Introduction

Small Quantity Generator Inspections are conducted at facilities that generate more than 100 kilograms (220 pounds), but less than 1000 kilograms (2,200 pounds) of non-acute hazardous waste and less than one kilogram (2.2 pounds) of acutely hazardous waste.

Some Small Quantity Generators may have storage of hazardous waste in excess of 1,000 kilograms (2,200 pounds or approximately five 55-gallon drums) or more than one kilogram (2.2 pounds) of acutely hazardous waste. In these circumstances, the facility is still considered a Small Quantity Generator, however they are required to comply with the additional requirements for containment of liquid hazardous waste, and to maintain both a written contingency plan and a written training plan. In this case, the inspector should use a Large Quantity Generator Inspection Checklist and follow the procedures found in Section 3.2.2 Large Quantity Generator.

Many of the procedures for conducting Small Quantity Generator Inspections are similar to other types of inspections the department conducts. This chapter is intended to give instructions specific to Small Quantity Generator Inspections. For procedures related to pre-inspection preparations, site entry, introductory and exit briefings, post-inspection procedures, and denial of access procedures please refer to Chapter 3.1 General Inspection Procedures.

Facility Information

After completing the introductory briefing, the inspector should provide the facility representative with a copy of the Notification and Waste Stream Information form from the Fees and Taxes database and a blank Small Quantity Generator Checklist.

The inspector should ask the facility representative to review the notification form to verify:

- the facility's current generator status
- company name
- mailing address



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- contact person and position
- phone number
- owner information
- registered EPA Hazardous Waste Codes

The inspector should collect specific information about the facility, including:

- the number of years at the current site
- the number of employees and shifts worked
- the number of employees involved in handling hazardous waste
- the size of the facility and property boundaries
- adjacent properties and their uses
- a facility map, if available
- a description of the facility's operations
- a description of all processes at the facility
- process flow sheets, if available
- raw materials that are used in the operations
- products that are manufactured
- hazardous wastes generated from each process
- written waste profiles if available
- waste codes and description of each waste stream
- generation rate of each waste stream
- the number and location of all satellite accumulation points
- the type and size of each satellite container
- how the waste from satellite areas is transferred to the storage area
- how the waste is stored on-site
- where the waste is stored on-site
- the type and size of containers used to store the waste
- how often waste is shipped off-site
- who transports the waste off-site
- the name and location of the destination facility
- any used oil generated from the facility
- the generation rate of used oil
- the name and location of the used oil transporter
- any universal waste generated from the facility
- the generation rate of universal waste
- how the universal waste is managed
- any special waste generated from the facility
- how the special waste is managed
- any resource recovery operations at the facility
- information pertaining to the facility's waste minimization plan
- information on any wastewater pretreatment operations

Once all the information concerning the facility's operations and hazardous waste management activities has been collected, the inspector can begin to review the pertinent records or begin the visual inspection of the facility.



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Records Review

The inspector will review all applicable records related to hazardous waste management activities at the facility, including but not limited to:

- hazardous waste manifests for waste shipments for the past three years
- the corresponding Land Disposal Restriction notifications
- Annual Hazardous Waste Generator Summary Reports
- waste analysis plans or sample results used for waste identification
- Material Safety Data Sheets for materials used resulting in waste generation
- tolling agreements
- emergency coordinator contact information
- documentation of arrangements with local emergency agencies
- documentation on the location of fire extinguishers and spill control equipment
- weekly inspection records for waste storage areas, if maintained
- daily inspection records for areas subject to spills, if maintained
- any permits for discharge to a Publicly Owned Treatment Works
- documentation for special waste disposal

The inspector should review the hazardous waste manifests, Land Disposal Restriction notices, and generator summary reports to ensure that the facility is in compliance with all applicable requirements of Section E - "Manifests" of the Small Quantity Generator Inspection Checklist. The review of these records is also important in order to verify the waste streams generated, waste generation rates, waste stream descriptions, EPA waste codes, and to ensure the waste is being shipped to an authorized facility.

The inspector should verify that all emergency contact information is properly posted as required under Section D - "Preparedness, Prevention and Emergency Procedures" of the Small Quantity Generator Inspection Checklist.

Additional Records

In addition to the records above, some Small Quantity Generators have operations requiring additional documentation. Additional activities such as resource recovery activities and used oil generation will require the facility to retain additional documentation. For procedures related to records review and visual inspection of facilities with the above mentioned operations, please refer to Section 3.2.3 Resource Recovery and Section 3.2.4 Used Oil.

Some Small Quantity Generators may have storage of hazardous waste in excess of 1,000 kilograms (2,200 pounds or approximately five 55-gallon drums) or more than one kilogram (2.2 pounds) of acutely hazardous waste. In these circumstances, the facility is required to comply with the additional requirements for containment of liquid hazardous waste, and to maintain both a written contingency plan and a written training plan. In this case, the inspector should use a Large Quantity Generator Inspection Checklist and follow the procedures found in Section 3.2.2 Large Quantity Generator.



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Also, some Small Quantity Generators may store hazardous waste in tanks, requiring additional documentation. The inspector should use the Small Quantity Generator Checklist – Used Oil Generator, Resource Recovery, and Tank Attachment to evaluate the facility's compliance with all applicable requirements for hazardous waste storage in tanks.

Visual Inspection

Once the inspector is satisfied that all relevant facility information has been gathered and all applicable documents have been reviewed, the inspector may proceed to the visual inspection of the facility.

When conducting the visual inspection, the inspector should make every effort to start at the beginning of each process and walk through the entire process, noting the materials used and all waste streams generated from the process. The inspector should take careful note of all step cans, trashcans, bins, floor drains, sumps, drums, or any other type of container where waste is being placed. The inspector should ask the facility representative if a hazardous waste determination has been made on each waste stream that is observed. The inspector should also inquire about any inline filters that might be generated during the process and how the filters are managed.

When the inspector observes any hazardous waste satellite accumulation area, the area and satellite containers should be evaluated to ensure compliance with Section C – "Satellite Accumulation" of the Small Quantity Generator Inspection Checklist. The inspector, when possible, should talk to facility employees who are directly managing the satellite containers, taking note of each employee's name and title. The inspector should ask the employee or facility representative about the waste being placed in the container, the generation rate, and how the waste is transferred from the satellite accumulation area to the hazardous waste storage area.

If any violations are observed, the inspector should point out the violations to the facility representative and the corresponding requirements on the inspection checklist. The inspector should note the nature and location of any violations in field notes and in the comment section of the checklist. The inspector should obtain photographic documentation of any violation if it is practical and does not pose a physical hazard. The inspector should make note if the violation is immediately corrected.

It is important for the inspector, when noting violations, to fully document the conditions related to the violation. For example, the inspector should note:

- the type of waste, i.e. liquid, solid, ignitable, corrosive, etc.
- the estimated volume of waste
- situations that may pose additional hazards, i.e. close to an ignition source, in an area accessible to the public
- any other situation or condition that may exacerbate the actual or potential danger, or threat to human health and the environment

Once the inspector is finished observing each process and satellite accumulation point at the facility, the inspector should ask to see the



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hazardous waste storage area. When inspecting the hazardous waste storage area, the inspector should use Section B - "Pretransport, Containerization and Storage" of the Small Quantity Generator Inspection Checklist to ensure compliance with all applicable requirements.

The inspector should note the type, size and number of the containers located in the storage area. In some instances the facility may use tanks for the storage of hazardous waste. The inspector should refer to Section J of the Small Quantity Generator Inspection Checklist - "Used Oil Generator, Resource Recovery, and Tank Attachment" to ensure compliance with all applicable requirements.

The inspector should not let the facility representative lead them through the inspection. Instead, the inspector should ensure that all areas of the facility have been inspected, including any product storage areas, maintenance areas, quality assurance/quality control laboratories, detached storage buildings, trailers or other exterior storage containers. The inspector should conduct a complete inspection of the ground outside of the facility looking for stains on the ground, recently disturbed areas and signs of distressed vegetation. All dumpsters and other trash receptacles should be visually inspected. The inspector should ask enough questions to gain a full understanding of the facility's operations and waste management practices.

When the inspector is satisfied that all areas of the facility have been evaluated, the inspector should request to return to the office or conference room where the introductory briefing took place. The inspector may ask for time in private to go over all information that has been gathered during the inspection. Once the inspector is satisfied that all necessary information has been gathered and that all areas of the facility have been evaluated, the inspector should conduct an exit briefing with the facility representative. Please refer to the Exit Briefing subsection of Chapter 3.1.8 Site Inspection Procedures of the Operations Manual for the exit briefing procedures.

Report Write-up

The inspector should follow the procedures outlined in the Hazardous Waste Inspection and Enforcement Manual, "Section Five: Report Writing" for the procedures on report writing and transmittal.

3.2.2 Large Quantity Generator

Introduction

Large Quantity Generator Inspections are conducted at facilities that generate more than 1000 kilograms (2,200 pounds) of non-acute hazardous waste, or more than one kilogram (2.2 Pounds) of acutely hazardous waste, or generate one gram or more of dioxin waste (2,3,7,8-tetrachlorodibenzo-p-dioxin).

Many of the procedures for conducting Large Quantity Generator Inspections are similar to other types of inspections the department conducts. This chapter is intended to give instructions specific to Large Quantity Generator Inspections. For procedures related to pre-inspection preparations, site entry, introductory and exit briefings,



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post-inspection procedures and denial of access procedures please refer to Chapter 3.1 General Inspection Procedures.

Most of the procedures for conducting Large Quantity Generator Inspections are the same as those for Small Quantity Generator Inspections. However, Large Quantity Generators have some additional requirements with which they must comply. This section will describe the additional procedures the inspector must follow when conducting an inspection at a Large Quantity Generator or at a Small Quantity Generator storing a large quantity of hazardous waste on-site.

Facility Information

The type of information that the inspector needs to collect for a Large Quantity Generator is the same as that for a Small Quantity Generator. Please refer to section 3.2.1 Small Quantity Generator, for the type of facility information that needs to be collected.

Once all the information concerning the facility's operations and hazardous waste management activities has been collected, the inspector can begin to review the pertinent records or begin the visual inspection of the facility.

Records Review

The inspector will review all applicable records related to hazardous waste management activities at the facility including but not limited to:

- hazardous waste manifests for waste shipments for the past three years
- the corresponding Land Disposal Restriction notifications
- Quarterly and Annual Hazardous Waste Generator Summary Reports
- waste analysis plans or sample results used for waste identification
- Material Safety Data Sheets for materials used resulting in waste generation
- personnel training plan
- documentation of training completed by personnel
- contingency plan
- weekly inspection records for waste storage areas, if maintained
- daily inspection records for areas subject to spills, if maintained
- Biennial Reports

The inspector should review the hazardous waste manifests, Land Disposal Restriction notices and generator summary reports to ensure that the facility is in compliance with all applicable requirements of Section E - "Manifests" of the Large Quantity Generator Inspection Checklist. The review of these records is also important in order to verify the waste streams generated, waste generation rates, waste stream descriptions, EPA waste codes, and to ensure the waste is being shipped to an authorized facility.

The inspector should also verify that the facility has all the documentation required under Section G - "Personnel Training" and Section H - "Contingency Plan" of the Large Quantity Generator Inspection Checklist.



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Additional Records

In addition to the records above, some Large Quantity Generators have operations requiring additional documentation. Additional activities such as resource recovery activities and used oil generation will require the facility to retain additional documentation. For procedures related to records review and visual inspection of facilities with the above mentioned operations, please refer to Section 3.2.3 Resource Recovery and Section 3.2.4 Used Oil.

Also, some Large Quantity Generators may store hazardous waste in tanks, requiring additional documentation. The inspector should use the "Large Quantity Generator Checklist - Tank Attachment" to evaluate the facility's compliance with all applicable requirements for hazardous waste storage in tanks.

Certain equipment that may be associated with hazardous waste management at Large Quantity Generators may also be subject to the RCRA air emission standards under 40 CFR Part 264/265, Subpart BB. If the facility has equipment (such as valves, pumps, compressors, pressure relief devices, sampling connection systems, flanges, and open-ended valves or lines) that contact hazardous waste greater than 10 percent organics and the equipment is used more than 300 hours per year, the facility may be subject to Subpart BB. The inspector should ask the facility representative if they have made a determination as to whether they are subject to Subpart BB. If the facility is regulated under Subpart BB then the inspector should also use the Subpart BB Checklist to evaluate the facility's compliance with Subpart BB standards.

Large Quantity Generators that store hazardous waste in tanks and containers may also be subject to the RCRA air emission standards under 40 CFR Part 264/265, Subpart CC. The inspector should ask the facility representative if they have made a determination as to whether they are subject to Subpart CC. If the facility is regulated under Subpart CC then the inspector should also use the Subpart CC Checklist to evaluate the facility's compliance with Subpart CC standards.

Visual Inspection

The procedures for conducting the visual inspection at a Large Quantity Generator are the same as the procedures for Small Quantity Generators. Please refer to Section 3.2.1 Small Quantity Generator for visual inspection procedures.

In addition to the requirements for Small Quantity Generators, Large Quantity Generators are required to have a containment system if storing more than 1000 kilograms (2,200 pounds) of liquid hazardous waste. When inspecting the hazardous waste storage area, the inspector should ensure the facility is in compliance with all containment system requirements found in Section B - "Pretransport, Containerization & Storage" of the Large Quantity Generator Inspection Checklist.

Report Write-up

The inspector should follow the procedures outlined in the Hazardous Waste Inspection and Enforcement Manual, "Section Five: Report Writing" for the procedures on report writing and transmittal.



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3.2.3 Resource Recovery

Introduction

Resource Recovery Inspections are conducted at facilities that reclaim or reuse hazardous wastes or transform hazardous wastes into new products that are not hazardous wastes. Facilities that conduct resource recovery activities are required to receive a Resource Recovery Facility Certificate from the department. In many instances resource recovery inspections will be conducted in conjunction with hazardous waste generator inspections.

A Resource Recovery Facility is exempt from most requirements if the facility reclaims or reuses less than 1000 kilograms (2,200 pounds) of hazardous waste from on-site in a calendar month. However, exempt facilities must notify the department of their resource recovery activities. This notification shall identify the owner/operator, the name and location of the facility, an identification of the wastes recovered, methods of recovery, and an approximate annual quantity of waste recovered. The facility should retain a copy of the notification with their records.

Many of the procedures for conducting Resource Recovery Inspections are similar to other types of inspections the department conducts. This chapter is intended to give instructions specific to Resource Recovery Inspections. For procedures related to pre-inspection preparations, site entry, introductory and exit briefings, post-inspection procedures and denial of access procedures, please refer to Chapter 3.1 General Inspection Procedures.

Facility Information

After completing the introductory briefing the inspector should provide the facility representative with a copy of the Notification and Waste Stream Information form from the Fees and Taxes database and a blank copy of the appropriate resource recovery checklist attachment.

The inspector should ask the facility representative to review the notification form to verify:

- the facility's current generator status
- company name
- mailing address
- contact person and position
- phone number
- owner information
- registered EPA Hazardous Waste Codes

The inspector will collect specific information about the facility's resource recovery activities, including:

- waste codes and description of each waste stream being reclaimed
- the quantity of waste being reclaimed
- how the waste is stored prior to reclamation
- a description of the reclamation process
- a description of still bottoms or residue resulting from reclamation process



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- how the still bottoms or residue are managed on-site
- the type and size of containers used to store the still bottoms or residue
- how often the still bottoms or residue is shipped off-site
- who transports the still bottoms or residue off-site
- the name and location of the destination facility

Once all the information concerning the facility's resource recovery operations has been collected, the inspector can begin to review the pertinent records or begin the visual inspection of the facility.

Records Review

The inspector will review all applicable records related to resource recovery at the facility including but not limited to:

- a copy of the Resource Recovery Facility Certification
- a copy of the written operating record for resource recovery operations
- hazardous waste manifests for any waste received from off-site
- sampling and analysis plan for any incoming shipments of hazardous waste
- a copy of the written closure plan, if required
- a copy of the financial assurance mechanism, if required
- hazardous waste manifests for shipments of still bottoms or residue, if applicable
- the corresponding Land Disposal Restriction notifications
- Quarterly and Annual Hazardous Waste Facility Summary Reports
- Quarterly and Annual Hazardous Waste Generator Summary Reports, if applicable
- a copy of the notification to the department, if the facility is an exempt resource recovery facility

Certain resource recovery units, such as distillation units that have process vents, may also be subject to the RCRA air emission standards under 40 CFR Part 264/265, Subpart AA. The inspector should ask the facility representative if they have made a determination as to whether they are subject to Subpart AA. If the facility is regulated under Subpart AA then the inspector should also use the Subpart AA Checklist to evaluate the facility's compliance with Subpart AA standards.

Visual Inspection

Once the inspector is satisfied that all relevant facility information has been gathered and all applicable documents have been reviewed, the inspector may proceed to the visual inspection of the facility.

The inspector should use a copy of the process flow sheet from the Certification to ensure that the entire process, from the point of generation of the waste through the reclamation process, is being conducted in accordance with the certification.

The inspector should ensure that all hazardous waste being stored prior to reclamation is in compliance with all applicable hazardous waste regulations. The inspector should check to make sure that only those wastes and quantities identified in the Certification are being



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reclaimed. Any modifications or deviations from the process as described in the Certification should also be noted.

If any still bottoms or residue from the reclamation process are generated, the inspector should ensure that a proper waste identification has been performed and the material is being properly managed.

Report Write-up

The inspector should follow the procedures outlined in the Hazardous Waste Inspection and Enforcement Manual, "Section Five: Report Writing" for the procedures on report writing and transmittal.

3.2.4 Used Oil

Introduction

Used Oil Inspections are generally conducted at any facility that generates used oil. The inspections are usually conducted in conjunction with Hazardous Waste Generator Inspections or as a result of a complaint. However, Used Oil Inspections are also conducted at Used Oil Aggregation Point Facilities, Used Oil Burners, Used Oil Collection Centers, Used Oil Fuel Marketers, Used Oil Processors and Re-Refiners and Used Oil Transporter and Transfer Facilities.

Facilities that commonly generate used oil include:

- machine shops
- automobile repair shops
- automobile dealers
- salvage yards
- trucking companies
- power plants

Used oil generators are not required to notify the department or obtain an EPA Identification number. However, Used Oil Aggregation Points and Used Oil Collection Centers are required to notify the solid waste district in which they operate or the department of their activities. The notification must be by letter and must include the name and location of the facility, the name and telephone number of the owner and operator, and a description of the facility's operations.

Used Oil Burners, Used Oil Marketers, Used Oil Processors and Re-Refiners, and Used Oil Transporters and Transfer Facilities are required to register with the department and obtain an EPA Identification Number. Used Oil Transporters are also required to obtain a Missouri Hazardous Waste Transporter License.

Many of the procedures for conducting Used Oil Inspections are similar to other types of inspections the department conducts. This chapter is intended to give instructions specific to Used Oil Inspections. For procedures related to pre-inspection preparations, site entry, introductory and exit briefings, post-inspection procedures, and denial of access procedures please refer to Chapter 3.1 General Inspection Procedures.



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Facility Information

After completing the introductory briefing the inspector should provide the facility representative with a copy of the Notification and Waste Stream Information form from the Fees and Taxes database, if they have registered with the department, and a blank copy of the appropriate used oil checklist or checklist attachment.

The inspector should ask the facility representative to review the notification form to verify:

- the facility's current generator status
- company name
- mailing address
- contact person and position
- phone number
- owner information
- registered EPA Hazardous Waste Codes

The inspector will collect specific information about the facility's used oil activities, including:

- the number of years at the current site
- the number of employees and shifts worked
- a description of the facility's operations
- hours of operations
- a description of all processes at the facility
- process flow sheets if available
- products that are manufactured
- description of the used oil activity at the facility, i.e. used oil generator, aggregation point, collection center, marketer, etc.
- description of each process or activity that generates used oil
- description of the management of any used oil filters or other oil-contaminated waste that may be generated
- used oil generation rate
- how the used oil is stored on-site
- where the used oil is stored on-site
- the type and size of containers used to store the used oil
- how often used oil is shipped off-site
- who transports the used oil off-site
- the name and location of the destination facility
- specifications of space heaters, furnaces or boilers, if used oil is burned on-site
- means of controlling access to the used oil storage area, if required
- information pertaining to the receipt of any used oil from off-site such as the source of used oil, and quantities accepted

Once all the information concerning the facility's used oil activities has been collected, the inspector can begin to review the pertinent records or begin the visual inspection of the facility.



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Records Review

The inspector will review all applicable records related to used oil activities at the facility, including but not limited to:

- receipts or other shipment records for shipments of used oil off-site
- tolling arrangement for used oil reclaimed under a contractual agreement
- records of analysis or other information used to determine that the used oil is not a hazardous waste
- records of analysis or other information used to determine if the used oil is on-specification or off-specification, if required
- a copy of the notification or registration, if required
- shipment records for used oil received from off-site, if applicable
- written operating record, if required
- contingency plan, if required
- the Missouri Hazardous Waste Transporter License, if required
- shipment records for used oil accepted for transportation, if applicable

Visual Inspection

Once the inspector is satisfied that all relevant facility information has been gathered and all applicable documents have been reviewed, the inspector may proceed to the visual inspection of the facility.

When conducting the visual inspection, the inspector should make every effort to start at the beginning of each process and walk through the entire process noting where used oil is generated, burned, processed or otherwise managed. The inspector should inquire about any oil filters generated at the facility and note the draining process and disposal methods for the used oil filters.

The inspector should take careful note of areas where used oil is commonly generated, such as:

- cutting fluids from machining equipment
- hydraulic lines on equipment
- maintenance shops
- compressors and pumps on equipment or in boiler rooms
- automotive salvage operations
- automotive repair or maintenance operations

The inspector should examine all containers used to store used oil ensuring that they are in good condition, not leaking, and are properly marked "Used Oil". Any fill pipes used to transfer oil to underground storage tanks must also be marked "Used Oil".

The inspector should observe all used oil storage or management areas to ensure that the used oil is properly managed and not disposed of into the environment. The inspector should ensure that any leaks or spills have been cleaned up per the departments "Used Oil Cleanup Packet". Any containers that are exposed to rainfall should be kept closed.



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For Used Oil Transporters and Transfer Facilities, Used Oil Burners, and Used Oil Processors and Re-Refiners, the inspector should ensure that the used oil is stored in a secondary containment system. The inspector should ensure that the secondary containment system is impervious to used oil and that the containment system has adequate capacity.

If any violations are observed, the inspector should point out the violations and the corresponding requirements on the inspection checklist to the facility representative. The inspector should note the nature and location of any violations in field notes and in the comment section of the checklist. The inspector should obtain photographic documentation of any violation, if it is practical and does not pose a physical hazard. The inspector should make note if the violation is immediately corrected.

When the inspector is satisfied that all areas of the facility have been evaluated, the inspector should request to return to the office or conference room where the introductory briefing took place. The inspector may ask for time in private to go over all information that has been gathered during the inspection. Once the inspector is satisfied that all necessary information has been gathered and that all areas of the facility have been evaluated, the inspector should conduct an exit briefing with the facility representative. Please refer to the Exit Briefing subsection of Chapter 3.1.8 Site Inspection Procedures of the Operations Manual for the exit briefing procedures.

Report Write-up

The inspector should follow the procedures outlined in the Hazardous Waste Inspection and Enforcement Manual, "Section Five: Report Writing" for the procedures on report writing and transmittal.

3.2.5 Registry Sites

Introduction

Registry Site Inspections are conducted annually for sites that are listed on the Registry of Confirmed Abandoned or Uncontrolled Hazardous Waste Disposal Sites in Missouri (Registry). The purpose of the inspections is to ensure that no major changes have occurred at the sites without department approval and to relay the current physical conditions at the sites to the Hazardous Waste Site Assessment Committee. The inspections also serve as a means to help update the Missouri Registry Annual Report.

Facility Information

Much of the information about the site may be obtained by reviewing the Missouri Registry Annual Report and the file for the site. However, in the event that the site use has changed or access to the site is restricted, the inspector may need to contact a facility or site contact person prior to conducting the inspection, to establish a time and date to conduct the inspection and to gain access to the site.

After completing the introductory briefing the inspector should provide the facility or site contact person, if one is present, with a copy of the site description from the Missouri Registry Annual Report.



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The inspector will collect specific information about the registry site, including:

- the site name and location
- directions to the site
- owner and site/facility contact information
- current physical conditions of the site
- the site's current use, if any
- any change in use of the site from the previous inspection
- any site restrictions, such as fences and gates
- any posted warning signs

Records Review

The inspector will review all applicable records related to the registry site including but not limited to:

- the site description from the Missouri Registry Annual Report
- previous Annual Registry Site Inspection Reports and photographs
- any correspondence between the department and the site owner, or contact concerning approval of changes in site usage, or changes to the physical conditions at the site

Visual Inspection

Once the inspector is satisfied that all relevant facility information has been gathered and all applicable documents have been reviewed, the inspector may proceed to the visual inspection of the site.

The inspector should observe any fencing and gates (though not always required) to ensure that site access is restricted and the fence and gate are in good repair. Some sites have other institutional controls such as a cap over contaminated soil. The inspector should inspect the cap to ensure there is no potential for exposure to contaminants.

Photographs of the site should be taken so that the overall physical condition of the site can be accurately documented. The photographs should be taken from the same location and vantage point as previous inspections so as to best demonstrate any changes in the site's condition. The inspector should document any environmental problems at the site, such as erosion that may be causing the cap to deteriorate.

Once the inspector is satisfied that all necessary information has been gathered and that all areas of the site have been evaluated, the inspector should conduct an exit briefing with the facility representative, if one is present. Please refer to the Exit Briefing subsection of Chapter 3.1.8 Site Inspection Procedures of the Operations Manual for the exit briefing procedures.

Report Write-up

The inspector should complete the Annual Registry Site Inspection form and prepare the report and photographs for transmittal as per the instructions in the Annual Registry Site Inspection Request Memorandum from the Hazardous Waste Program.



3.2.6 VIOLATION CLASSIFICATIONS AND EXAMPLES

Acute or High Priority Violations

Acute violations are imminently or immediately harmful to human health or the environment. High priority violations cause actual exposure or a substantial likelihood of exposure to hazardous waste or hazardous constituents. Both types of violations are major deviations from the regulations and warrant issuance of a notice of violation (NOV).

Note: The items listed below are examples. Other situations may warrant these classifications. If the inspector or case manager is unsure about whether a situation warrants a NOV, consult the Hazardous Waste Program's enforcement unit chief or section chief for guidance.

Examples of acute violations include:

- Visible evidence that hazardous waste is released onto the ground;
- Hazardous waste released into waters of the state;
- Hazardous waste burned on-site;
- An ignition source in area that stores ignitable characteristic hazardous waste;
- Incompatible hazardous wastes stored in the same container, tank or secondary containment structure; or
- Hazardous wastes not compatible with the containers that hold them.

Examples of high priority violations include:

- Violation of any agreement condition or schedule (i.e., consent decree, settlement agreement, court judgment, enforcement compliance schedule, etc.);
- Treatment, storage or disposal of hazardous waste at or by an unauthorized facility;
- Violation of the "substantial" conditions of a permit or certification (i.e., facility capacity, unauthorized waste streams, unauthorized treatment/disposal methods or capacities, management in unauthorized areas, etc.); or
- Any situation where actual "imminent hazard" of fire, explosion or release concerning hazardous waste or hazardous constituents can be documented in a hazardous waste management area (i.e., unsafe condition or operation of storage tank or impoundment, open flames or sparks around ignitable waste etc.).

Class I Violations

Class I Violations are deviations from statutes, regulations, permit conditions, administrative orders, consent agreements, or court decrees that could result in the hazardous waste generator being out of compliance.



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Note: Several Class I violations may justify high priority status and issuance of an NOV. If the inspector or case manager is unsure of the action to take, contact the Hazardous Waste Program's enforcement unit chief or section chief for guidance.

Examples of Class I violations include:

- Failure to deliver hazardous waste to an authorized facility;
- Failure to prevent releases of hazardous waste or constituents;
- Failure to assure early detection of releases; or
- Failure to perform emergency clean-up operations or other corrective actions for releases.

Refer to the small quantity or large quantity generator checklist for additional Class I violation classifications.

In determining a Class I violation for resource recovery, interim status, or permitted facilities, use the general violation classification definitions. Some examples of Class I violations for these facilities are:

- Substantial failure to comply with requirements for ignitable, reactive and incompatible waste (i.e., separation, buffer zones, fire suppression systems, etc.).
- Shipment of hazardous waste without the manifest system (or proper tolling agreement).
- Violation of any interim status, certification or permit requirement which could produce an imminent threat of release to the environment, or could eventually cause a release.
- Shipment of hazardous waste to a facility which is not authorized to accept it.
- Management of waste which is not authorized by certification, permit or interim status.
- Spills not addressed in a timely fashion.
- Approvals not obtained before substantial facility changes.
- TSDF security not provided.
- Groundwater monitoring system not properly constructed, sampled or analyzed.
- Financial assurance requirements not met.
- Conducting treatment, storage or disposal of hazardous waste without a permit or interim status.
- Freeboard in tanks or surface impoundments not maintained.
- Quarterly facility reports not provided.
- Violation of permit or certification conditions such that a release of hazardous waste has occurred or could occur.
- Violation of the substantial conditions or schedule of the closure plan or post-closure plan (i.e., maintenance of final cover, installation and sampling/reporting of groundwater monitoring wells, etc.).
- Violation of the waste analysis plan.
- Violation of any schedule or condition of any written agreement, permit, license or certification entered between the inspected



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- party and the state of Missouri (i.e., consent decree, consent agreement, permit, enforcement compliance schedule, etc.).
- “Substantial” violations of requirements, such as the complete absence of a containment system, contingency plan, personnel training plan, etc. If the item is present, but deficient in some ways, it does not meet this test.

Class II Violations

Class II violations are any that do not meet the definition of a high priority violation or Class I violation. They are violations that probably do not endanger public health or the environment. Refer to the small quantity or large quantity generator checklist for Class II violation classifications.

Note: In certain instances where entire sections of Class II violations are observed and the same violations were noted in previous inspections, an NOV may be warranted. In such cases, the inspector should require documentation proving a return to compliance on each Class II violation. If the inspector or case manager is unsure of the action to take, contact the Hazardous Waste Program’s enforcement unit chief or section chief for guidance.

In determining a Class II violations for resource recovery, interim status or permitted facilities, keep in mind the general violation classification definitions. Some examples of Class II violations for these facilities are:

- Violation of “non-substantial” requirements. If items are present but have deficiencies or need updating (i.e., such as contingency plans, personnel training plans and documentation, closure plans and closure cost estimates, etc.).
- Similar partial violations such as failure to provide all the correct information when filling out a manifest or to affix all the proper marks and labels to hazardous waste containers being stored.
- Anything else not serious enough to be considered Class I.

3.2.7 Forms and Checklists

Forms and checklists referred to in this chapter are listed below. All department forms are available in Adobe Acrobat format on the department’s “Forms, Applications and Permits” Web page, located at <http://www.dnr.mo.gov/forms/index.html>. The form numbers below are individually linked to online PDF copies of the form (please report any broken links to division Web staff).

- Small Quantity Generator Inspection Checklist [[MO 780-1602](#)]
- Large Quantity Generator Inspection Checklist [[MO 780-1525](#)]



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- Used Oil Aggregation Point Facility, Inspection and Record Checklist [[MO 780-1523](#)]
- Used Oil Burners Who Burn Off-Specification Used Oil for Energy Recovery, Inspection and Record Checklist [[MO 780-1520](#)]
- Used Oil Collection Center, Inspection and Record Checklist [[MO 780-1524](#)]
- Used Oil Fuel Marketers, Inspection and Record Checklist [[MO 780-1526](#)]
- Used Oil Generator, Inspection Record and Checklist [[MO 780-1890](#)]
- Used Oil Processors and Re-Refiners, Inspection and Record Checklist, Form [[MO 780-1521](#)]
- Used Oil Transporter and Transfer Facilities, Inspection and Record Checklist, Form [[MO 780-1522](#)]

Additional forms and checklists are available to department staff through the Department Compliance Manual on our Web site at <http://www.dnr.mo.gov/compliancemanual>.