

Preparing for an Ohio EPA Inspection

Ohio EPA Compliance Assistance Conference

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Preparing for an Ohio EPA Inspection



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Preparing for an Ohio EPA Inspection: Topics for today

- General inspection process
- What air, water, and waste inspectors look for
- Preparing for an inspection
- Do's and Don'ts

Ohio EPA Inspections

Different divisions in Ohio EPA have their own inspectors:

- Surface Water (direct discharge & storm water)
- Drinking & Ground Water
- Waste (hazardous, solid, infectious)
- Air Pollution Control
- Environmental Response & Revitalization

A business may be inspected by different inspectors during the year. They may talk to each other.

How Are Inspections Selected?

- Annual inspections (USEPA grant commitments)
 - large permitted facilities
 - commercial waste treatment facilities
 - large quantity generators of hazardous waste
- Complaint investigations
- Special inspection initiatives (dry cleaners, salvage yards, storm water controls at construction sites)

Inspections can be scheduled in advance or unannounced per division policy. Most complaint-driven inspections are unannounced.

Inspection Process

Opening Meeting



Facility Walk-through



Records review



Closing meeting



Letter

Before the inspection, have a plan

- Who will talk to the inspector.
- Have a camera that works. The inspector may take pictures – you can request copies, too.
- Know how you will describe your operations, wastes, discharges, etc. to the inspector.
- Know where environmental compliance records are kept.

When the inspector arrives

- Know why the inspection is being done.
- Get inspector's business card.
- Tell the inspector about safety requirements of your plant.
- Answer the inspector's questions. Don't be confrontational. Don't guess or make things up. If you don't have an answer, say so.

Air Pollution Inspections



Air Pollution Inspection Basics

- Why is Ohio EPA or Local Air Authority visiting.
- Opening Meeting
- Facility Walk Through
- Permit overview
- Open Burning
- Common Violations
- Helpful Hints

Ohio EPA/ Local Air Agencies Inspections

- Don't be surprised...they happen.
- May/may not be announced
- Be open and honest
- Show inspector:
 - Emissions units
 - Control equipment
 - Recordkeeping



Why is Ohio EPA visiting my company?

- Routine Inspection.
- Response to a Complaint (odors, dust, open burning).
- Response to a permit application, compliance report, or fee emissions report.

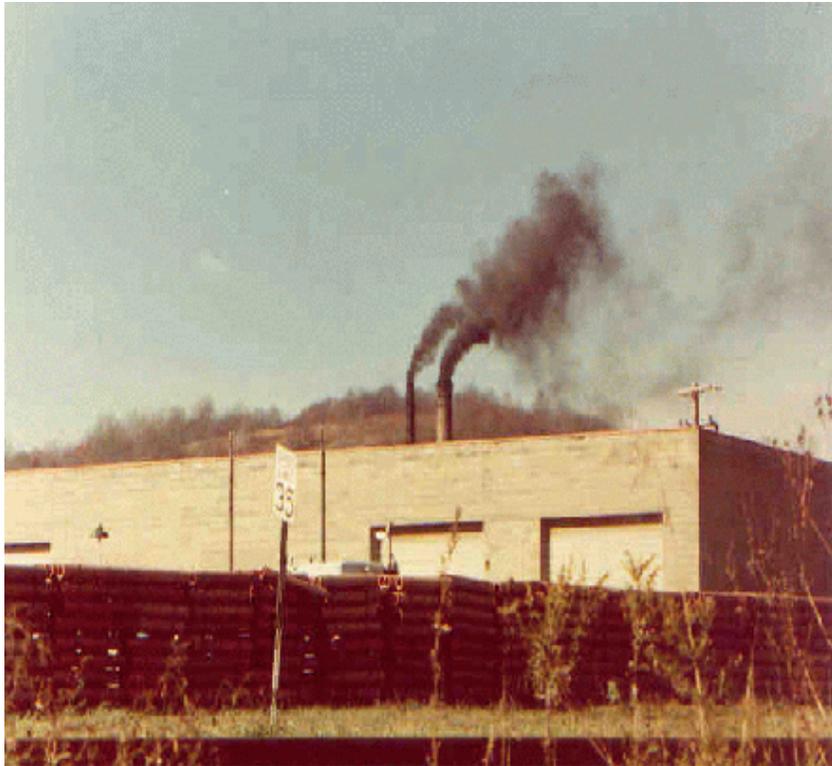
Pre-Inspection Meeting

- Discuss purpose of the inspection: routine inspection or complaint
- Discuss facility processes
- Air permit (if applicable)
- Describe records to review

Facility Walk Through

1. Check for visible emissions & off-property odors.
2. Inspect emissions units.
3. Review records required by air permits (if applicable).
4. Check to see if everything that needs an air permit has one.

Visible stack emissions = “Opacity”



Visible fugitive emissions (non-stack)



Paints and Solvents(odors)

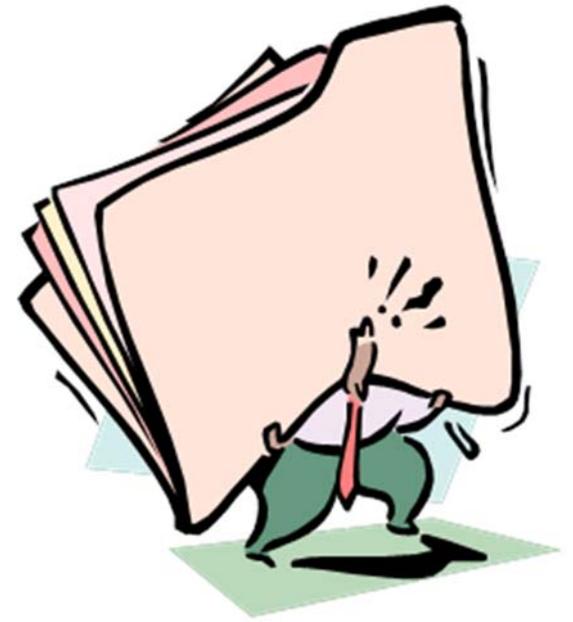


Control Equipment



Permit - Records Review:

- Paint and solvent usage, VOC content of materials
- Fuel usage and fuel types
- Material throughput, production rates
- Pollution control equipment monitoring and maintenance
- Emission test results (if required)



Basic Permit Requirements

- Know the location of your permit(s)
 - Maintain copies of your permit(s).
- Read your permit(s)
 - Make certain to read your permit(s). At a minimum, annually or as much as needed.
 - Highlight requirements. Make notes.
 - Evaluate permit requirements and compare those to your activities.
- Communicate
 - Inform staff of requirements.
 - Contact others, if confused with permit terms.

Why Permits Are Important: Focus of EPA Inspections

- Inspector will check if company is maintaining records required by **air permits**.
- Inspector will check to see if everything that needs an **air permit** has one.
- **Permit** summarizes all applicable federal and state regulations.

Checking for proper air permits

4 Rules of Thumb:

- Something with a stack, vent, or dust collector
- Something that uses solvents, paints, inks, or adhesives
- Something that burns fuel
- Something that causes smoke, dust or odors

Common Things Needing Air Permits



Does Everything Need an Air Permit?



NO, there are exemptions:

- Exempted equipment and activities list (OAC 3745-31-03)
- Permit-by-rule registration option (OAC 3745-31-03(A)(4)) – 11 industry/equipment types
- “De minimis” source exemption (OAC 3745-15-05) – less than 10 lbs/day air pollutants

See Ohio EPA's *Air Permit Exemptions, May 2014* fact sheet

About Open Burning.....



Open Burning.....

- Cannot burn waste as means of disposal:
 - materials containing rubber, grease, or asphalt, or made from petroleum (tires, plastics, insulated wire, etc.), garbage, and dead animals.
- Can be burned with permission:
 - ceremonial or fire training fires
 - wilderness/wildlife management fires
 - landscape & agricultural wastes (outside of restricted areas only)
- Call Ohio EPA district office or local air agency with questions.

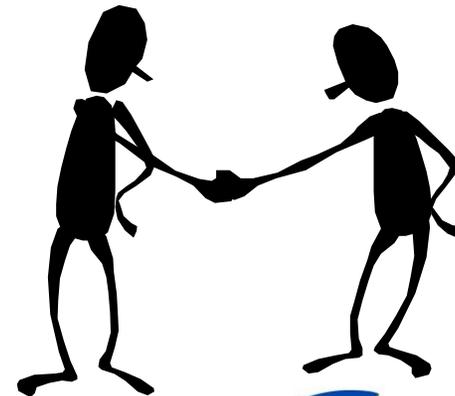
Common Air Pollution Violations

- Installing and operating equipment without obtaining proper permits.
- Not maintaining records required by permits.
- Exceeding permit limits.
- Not maintaining air pollution control equipment.
- Open Burning



Helpful Hints

- Ohio EPA's goal is compliance, **NOT** enforcement
- Make recordkeeping as simple as possible
- Develop a pattern for recordkeeping and reports
- Foster a good relationship with neighbors



Wastewater Inspection Prep



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Surface Water Regulation 101

- National Pollution Discharge Elimination System (NPDES)
 - Point sources
 - Water Reclamation Facilities (WRF, aka sewage treatment)
 - Industrial Facilities (Non-Contact Cooling Water)
 - Other discharge of pollutants reaching state waters
 - Storm water
 - Industrial based on Standard Industrial Classification (SIC) Sectors such as scrap yards.
 - Construction sites which disturb more than 1 acre

Surface Water Regulation 101 (cont.)

- Permits-to-Install (PTI)
 - Sewer mains
 - Pump stations
 - Water reclamation plants or modifications to such
- Indirect Discharges (industrial wastewater which is directed to centralized sewers)
 - Some WRFs have approved pretreatment programs that Ohio EPA regulates.
 - Other indirect dischargers are regulated directly by Ohio EPA.

Surface Water Regulation 101 (cont.)

- Wetland and stream modifications
 - 401 Program
 - Army Core of Engineer regulates filling of wetlands/streams (404 Program)
- Complaint investigations related to surface waters

Wastewater Inspections

- Different Types of Inspections
 - Compliance Evaluation Inspection (CEI)
 - Reconnaissance Inspection (RI)
 - Industrial User Inspection (IU)
 - Compliance Sampling Inspection (CSI)
- Common Goal – Assess compliance with terms and conditions of NPDES permit or indirect discharge permit.

Interview

- Personnel
 - Environmental manager/plant manager
 - Treatment system operators
 - Maintenance personnel
- Discussion of Any Changes Since Previous Inspection
 - Waste streams (volume, chemistry)
 - Treatment system modifications

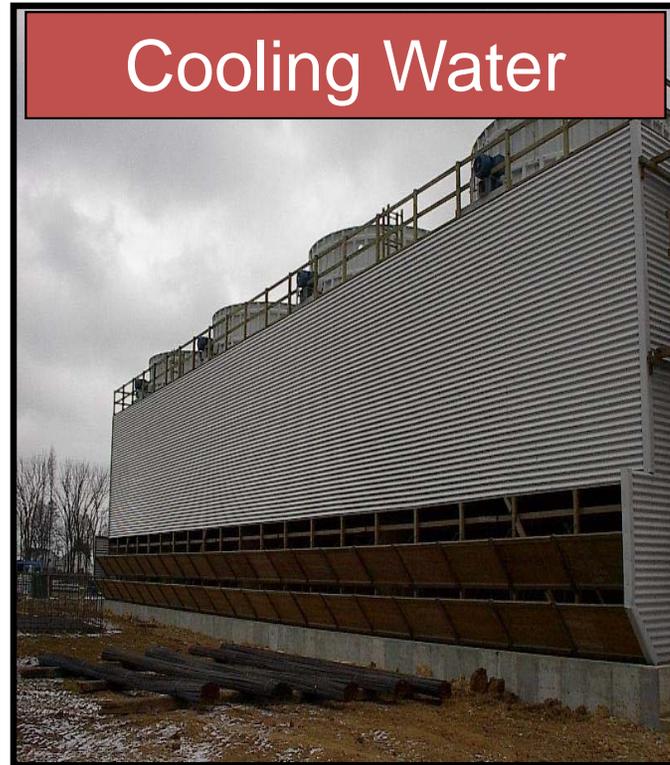
Interview (cont.)

- Have you experienced problems with noncompliance?
- How have you attempted to solve compliance problems?
- How can Ohio EPA help you solve compliance problems?

Wastewater Discharges



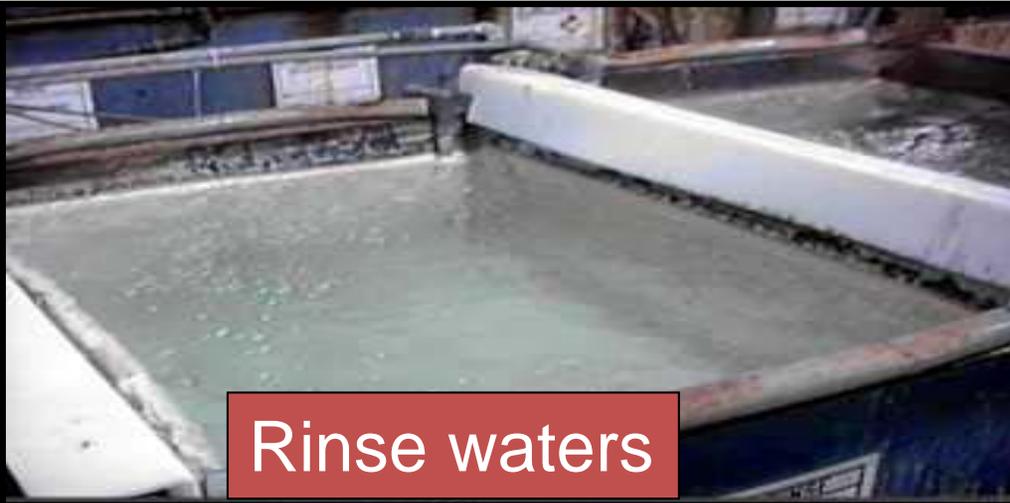
Spent Solutions



Cooling Water



Equipment Cleaning



Rinse waters



Process Solutions

More Examples



Facility Walk Through

- Expect a process-based survey
- Focus on material use, water use, wastewater generation
- Conveyance systems - drains, sumps, pits, pumps, tanks, sanitary and storm sewer lines, site drainage and outfalls
- Also review ancillary operations (e.g. material handling, maintenance, sludge management, etc.)



Facility Walk Through

- Review operation of facility and on-site wastewater treatment devices or systems
- Examine permit records (e.g. mgt. plans, equipment calibrations, wastewater and solids disposition, and sample results)
- Effluent flow meter and sample location(s) (automatic sampler?)
- Stormwater management



Common Wastewater Violations

- Unauthorized indirect (to sewers) or direct (to waters of the state) wastewater discharges without a permit
- Discharging process wastewater to a septic system, dry well, cesspool or other “injection well”
- Installing new wastewater treatment equipment without a PTI
- Failure to apply for and obtain a storm water permit or a no exposure certification



Common Wastewater Violations

- Failure to provide periodic sample results
- Failure to provide notification for exceeding permit limits
- Failure to ensure proper sampling (preservation, type, method, records)
- Failure to operate and maintain wastewater treatment equipment or calibrate sensors



Are you prepared for an Ohio EPA Wastewater Inspection?

- Understand your permit including water use and wastewater generation practices
- Know locations of sewers and drains and where they go
- Have records available documenting treatment, management and disposal of waste streams
- Avoid surprises and non-compliance by preparing and educating employees regarding standard operating procedures
- Communicate problems punctually to your Ohio EPA inspector



Hazardous Waste Inspections



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Ohio EPA, Northeast District Office

Hazardous Waste Program - Division of Environmental
Response and Revitalization

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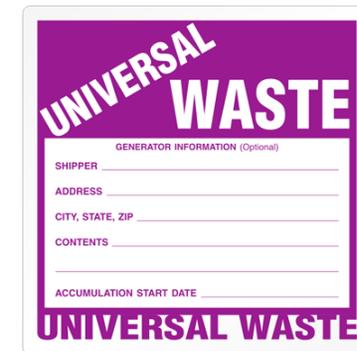
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Hazardous Waste Inspection Types

- Planned Inspections – Evaluate certain industry types (e.g., SQGs or LQGs).
- Multimedia Inspections – Includes multiple Ohio EPA divisions (e.g., air, water and waste).
- Complaint Investigations
- U.S. EPA Inspections

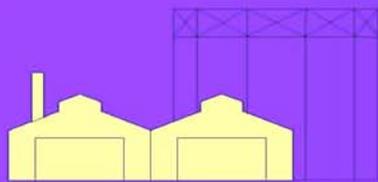
Inspections are generally conducted as unannounced inspections.

Hazardous Waste Inspections



Hazardous Waste “Cradle-To-Grave” Management

“Cradle-to-Grave” Management



Generator



Transporter



T	reatment
S	torage
D	isposal
F	acility

Hazardous Waste Generator Categories

Conditionally Exempt
(CESQG)

Fewer Regulations



Small Quantity (SQG)
Large Quantity (LQG)

More Regulations



What Happens During a Hazardous Waste Inspection?

Entrance Meeting:

- Purpose of inspection.
- Process description and waste management activities.
- Documents to be reviewed.
- Health and safety considerations.

What Happens During a Hazardous Waste Inspection?

Facility Walk Through:

- Process operations.
- Waste generation points.
- Hazardous waste, used oil and universal waste accumulation areas.
- Emergency equipment.
- May use camera to document inspection.

What Happens During a Hazardous Waste Inspection?

Records Review:

- Waste evaluation information.
- Manifests/LDR forms.
- Inspection logs for hazardous waste containers and emergency equipment.
- Personnel training and contingency plan (LQG).
- Hazardous waste tank information (if applicable).

What Happens During a Hazardous Waste Inspection?

Exit Meeting:

- Compliance or violations found.
- Measures to correct violations.
- Areas requiring further information.
- Compliance assistance information and pollution prevention opportunities.

Be Prepared for a Hazardous Waste Inspection

Be prepared for an inspection by ensuring that:

- All wastes have been evaluated.
- Hazardous waste, universal waste and used oil is properly managed.
- Emergency response and communication equipment is being maintained.
- Hazardous waste-related documents (e.g., manifests, inspection logs, personnel training records, contingency plan, etc.) are available.

Common Violations

Waste Evaluation



Do not dispose of any waste unless you have confirmed and documented that it is not a hazardous waste.

Common Violations

Types of Hazardous Waste

Characteristic:

- Ignitable (D001)
- Corrosive (D002)
- Reactive (D003)
- Toxic (D004-D043)

Listed:

- Various process wastes
- Commercial chemical products
- F, K, P and U-codes

Consequences of Failing to Evaluate Waste

Unlawful Treatment of Hazardous Waste



Consequences of Failing to Evaluate Waste

Unlawful Storage of Hazardous Waste



Consequences of Failing to Evaluate Waste

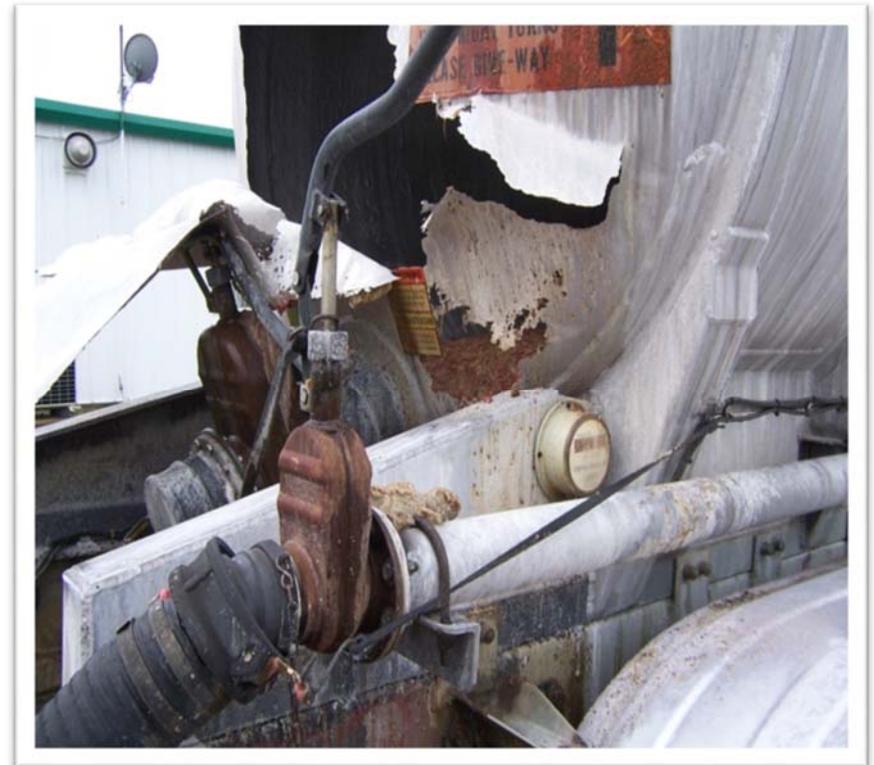
Unlawful Disposal of

Hazardous Waste



Consequences of Failing to Evaluate Waste

Waste Incompatibility

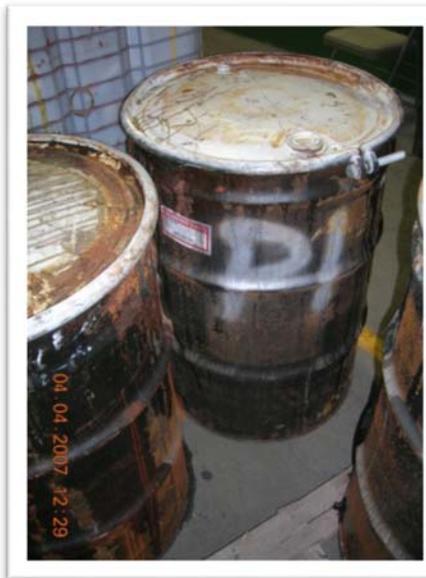


Common Violations

Container Management Labeling



Container Management Accumulation Date



Common Violations

Container Management - Open



Common Violations

Container Management – Container Condition



Common Violations

Container Management – Aisle Space



Common Violations

Universal Waste – Packaging and Labeling



Common Violations

Used Oil – Labeling and Releases



Common Violations

Please print or type. (Form designed for use on efile (12-pb)(1) (generator)) Form Approved OMB No. 2050-0029

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number 2. Page 1 of 3. Emergency Response Phone 4. Manifest Tracking Number

5. Generator's Name and Mailing Address 6. Designated Facility's Name and Mailing Address

7. Generator's Phone 8. Designated Facility's Name and Site Address 9. Designated Facility's Phone

10. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any)) 11. Containers No. Type 12. Total Quantity 13. LHM No. 14. State Code

15. Special Handling Instructions and Assistance Information

16. GENERATOR'S CERTIFICATION (I hereby declare that the contents of this shipment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled, packaged, 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 shipment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste inventory statement complies in 40 CFR 301.27(a) (1) as a large quantity generator or (a) (2) as a small quantity generator) is true.

17. Transporter Acknowledgment of Receipt of Material (Signature, Date, Month, Day, Year)

18. Discharge (Discharge Indication, Quantity, Type, Residue, Partial Rejection, Full Rejection)

19. Alternate Facility (or Generator) (Signature, U.S. EPA ID Number, Date, Month, Day, Year)

20. Designated Facility (or Generator) (Signature, U.S. EPA ID Number, Date, Month, Day, Year)

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

22. Designated Facility Owner or Operator Certification of receipt of hazardous materials covered by the manifest except as noted in item 19a

EPA Form 8700-02 (Rev. 3-05) Previous editions are obsolete. DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

Manifests

- Improperly completed
- Lack of Return to Generator copy

Common Violations

Container Inspections

OhioEPA LQG Container Inspection Log OAC Rule 3745-66-74							
Inspection Item	Inspection Schedule (i.e., daily, monthly, weekly)	Date:	Date:	Date:	Date:	Date:	Date:
Are all containers closed?							
Are containers in good condition?	Weekly						
Are any containers leaking or is there evidence of a spill?	Weekly						
Are containers stored/handled in a manner that would prevent leaks/spills?	Weekly						
Are containers compatible with the wastes stored in them?	Weekly						
Are containers labeled with the words "Hazardous Waste" and the accumulation date?							
Have any containers been stored for more than 90 days?							
Is aisle space adequate for passage of emergency equipment?							
Are incompatible wastes stored separately?							
Are containers that hold ignitable or reactive wastes stored at least 50 feet from the property line?							
Inspector's Name							
Note: Information in the shaded area is not required by OAC rule 3745-66-74, but you are encouraged to record it, regardless.							
Comments/Problems/Corrective Action Required/ Date Completed	Week 1						
	Week 2						
	Week 3						
	Week 4						
	Week 5						
	Week 6						

January 2005

Common Violations

Emergency Equipment Inspections

OhioEPA Emergency Equipment Inspection Log OAC Rule 3745-65-33							
Inspection Item	Inspection Schedule (i.e., daily, monthly, weekly)	Date:	Date:	Date:	Date:	Date:	Date:
Operational Internal Alarm/Intercom, if required by 3745-65-32							
Telephone, Radio or other Emergency Summoning Device Present and Working, if required by 3745-65-32							
Fire Extinguishers charged and working, if required by 3745-65-32							
Spill/Decon equipment, if required by 3745-65-32, is fully stocked							
Water of Adequate Volume and Pressure, if required by 3745-65-32							
ER Equipment Consistent with Contingency Plan and easily Accessible							
Other							
Other							
Inspector's Name							
Note: Information in the shaded area is not required by OAC rule 3745-65-33, but you are encouraged to record it, regardless.							
Comments/Problems/Corrective Action Required/ Date Completed	Day 1						
	Day 2						
	Day 3						
	Day 4						
	Day 5						
	Day 6						
	Day 7						

January 2005

Common Violations

ABC FACILITY
HAZARDOUS WASTE
CONTIGENCY PLAN

ABC Facility
123 Blank Road
Columbus, OH

November 2011

Contingency Plan

- Not updated to reflect changes to facility or personnel.

After the Inspection



The company will receive a:

Compliance Letter

- Means the company is meeting the requirements reviewed during the inspection.
- This does not mean compliance with all Ohio EPA regulations, just the inspector's division.

After the Inspection

Or the company will receive:

Notice of Violation (NOV) Letter

- Description of violations.
- What company needs to do to correct violations.
- A timeframe to correct the violations.

Inspection checklists may be included with the report.

After the Inspection

DO contact the inspector if:

- You have questions about the NOV.
- The facts in the NOV are wrong.
- You don't understand what you need to do to correct violations.
- You have questions on the enforcement process or need more time to respond.

After the Inspection

DO NOT

- Ignore or throw away the NOV!
- Wait until the last day to respond to the NOV.
- Cut off communication with the inspector - they are a resource for helping you resolve violations.

After the Inspection

- Ohio EPA inspectors cannot issue fines.
- Most violations are resolved locally without legal actions or fines.
- Take steps to avoid enforcement.

Compliance Assistance Resources

- Handouts for presentation.
- Customer Support Center:
<http://ohioepa.custhelp.com/app/home>
- Office of Compliance Assistance and Pollution Prevention (OCAPP) at (800) 329-7518 or
<http://www.epa.ohio.gov/ocapp>
- Local district office: <http://www.epa.ohio.gov/districts.aspx>

Questions?

