

2011 Compliance Assistance Conference

Preparing for an Ohio EPA Inspection



Environmental
Protection Agency

Preparing for an Ohio EPA Inspection



Rick Carleski

Office of Compliance Assistance
And Pollution Prevention

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
- Drinking & Ground Water
- Waste (hazardous, solid, infectious)
- Air Pollution Control
- Environmental Response & Revitalization

A business may be inspected by different divisions/inspectors during the year.

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)

Most routine inspections are announced. Most complaint-driven inspections are unannounced.

Types of Businesses

- Metal Finishing
- Printing
- Electronics
- Pulp & Paper
- Metal Fabrication
- Animal Feeding
- Chemical Mfg.
- Utilities
- Food Processing
- Metal Casting
- Painting and Coating
- Equipment Servicing
- Building Products

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

Rick Carleski

Office of Compliance Assistance
And Pollution Prevention



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Opening Meeting

- Routine inspection or complaint
- Discuss facility processes
- Describe records to review
- Air permit status

Air Pollution Walk Through

- Check for visible emissions & off-property odors
- Check records required by air permits
- Check to see if everything that needs an air permit has one

What about “Testing the air”???

Visible stack emissions = “Opacity”



EPA inspectors at "Smoke School"

Training to "read" stack plume opacity



Visible emissions of dust



Permit Records Check:

- 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)

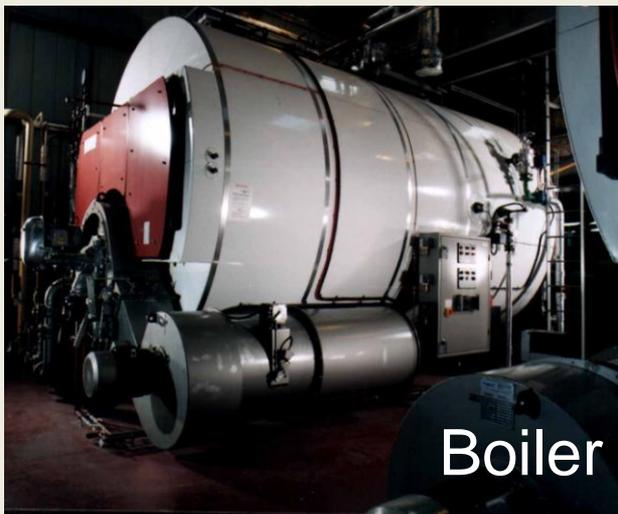


Checking for proper air permits

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:

- Permanent exemptions (OAC 3745-31-03)
List of 45+ types of equipment and processes that do not need an air permit.
- Permit-by-rule option (OAC 3745-31-03(A)(4))
Exempts 11 types of operations and facilities if they meet qualifying criteria and operating limits.

Does Everything Need an Air Permit? (cont.)

“De minimis” source exemption (OAC 3745-15-05)

- Emits less than 10 lbs/day of air pollutants, and
- Less than 2000 lbs/yr of hazardous air pollutants
- Can't be subject to federal rules
- Requires emission calculations

Common Air Pollution Violations

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



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 local Ohio EPA office with questions

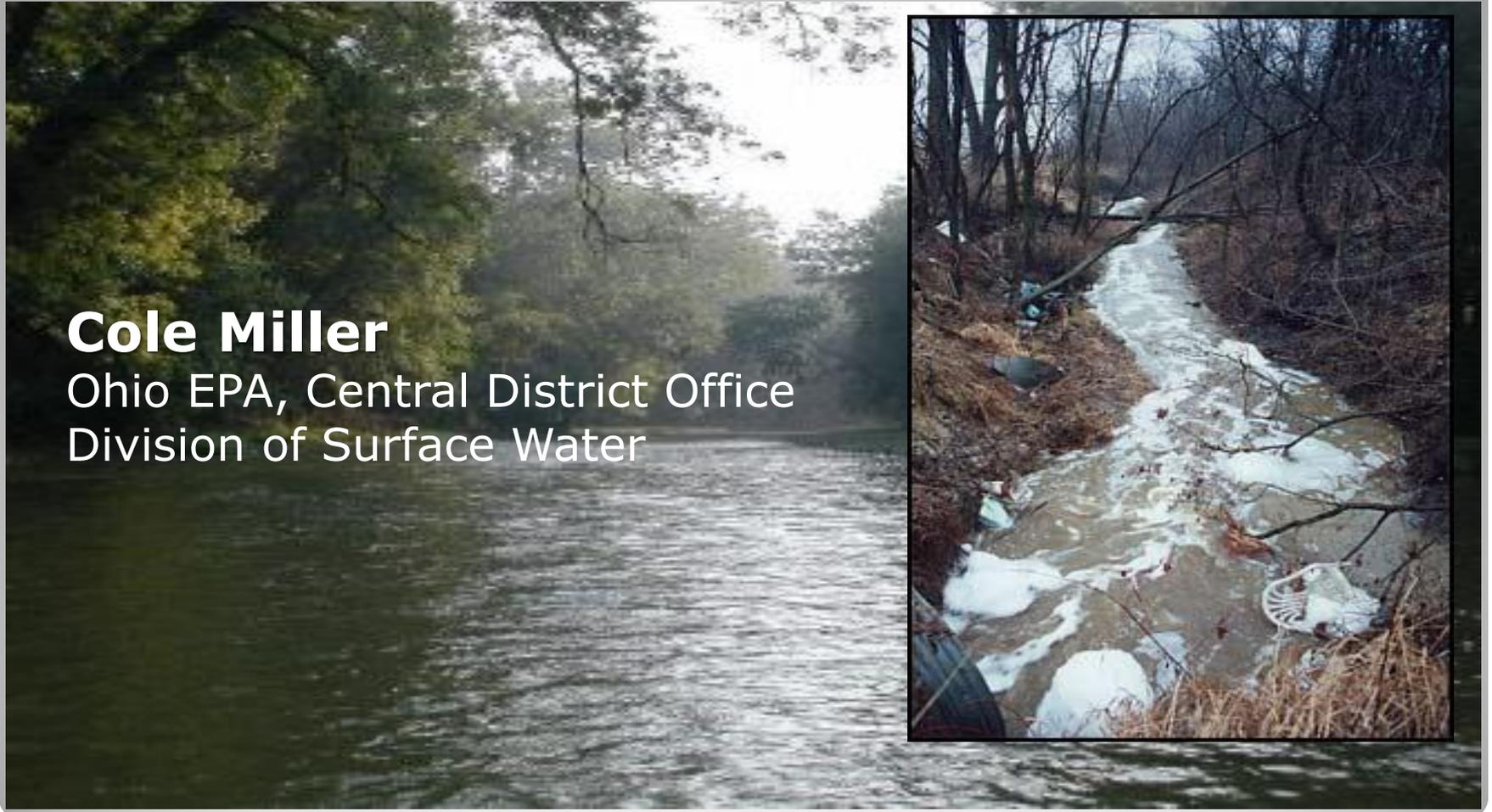
Be prepared:

- Identify your air pollution sources and determine if they are exempt or need a permit.
- Keep air permits and required records in an accessible location; computer records are OK.
- Be aware of any visible emissions and/or odors from your facility.
- Maintain air pollution control equipment.
- Cease any open burning.

Wastewater Inspections

Cole Miller

Ohio EPA, Central District Office
Division of Surface Water



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Surface Water 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
- Sampling?

Opening Meeting

- Personnel
 - Environmental coordinator
 - Treatment system operators
 - Maintenance personnel
- Discussion of Changes Made Since Previous Inspection
 - Waste streams
 - Treatment system modifications

Opening Meeting

- Upcoming changes to waste streams or treatment system?
 - Increase in volume of waste stream
 - Change in chemistry
- Problems?

Facility Walk Through

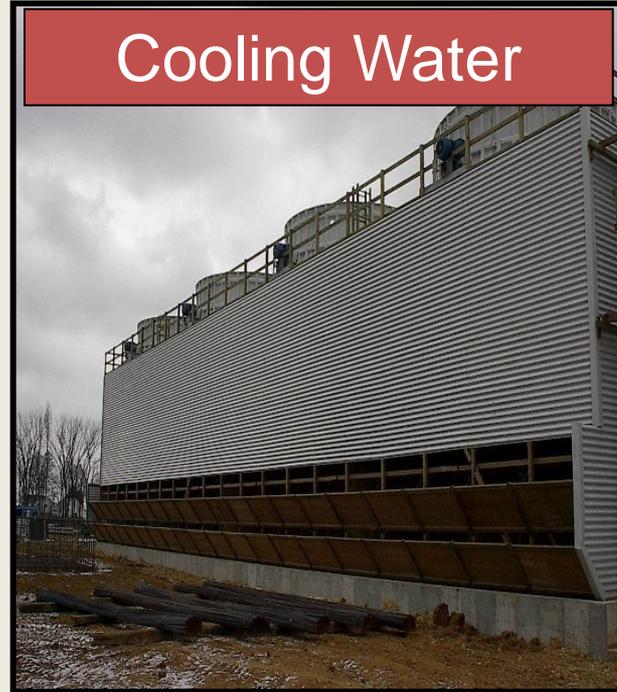
- Expect a process-based survey
- Focus on material use, water use, wastewater generation
- Conveyance systems - drains, sumps, pits, pumps, sanitary and storm sewer lines, site drainage and outfalls
- Also review ancillary operations (e.g. material handling, maintenance)



Wastewater Discharges



Spent Solutions



Cooling Water



Equipment Cleaning

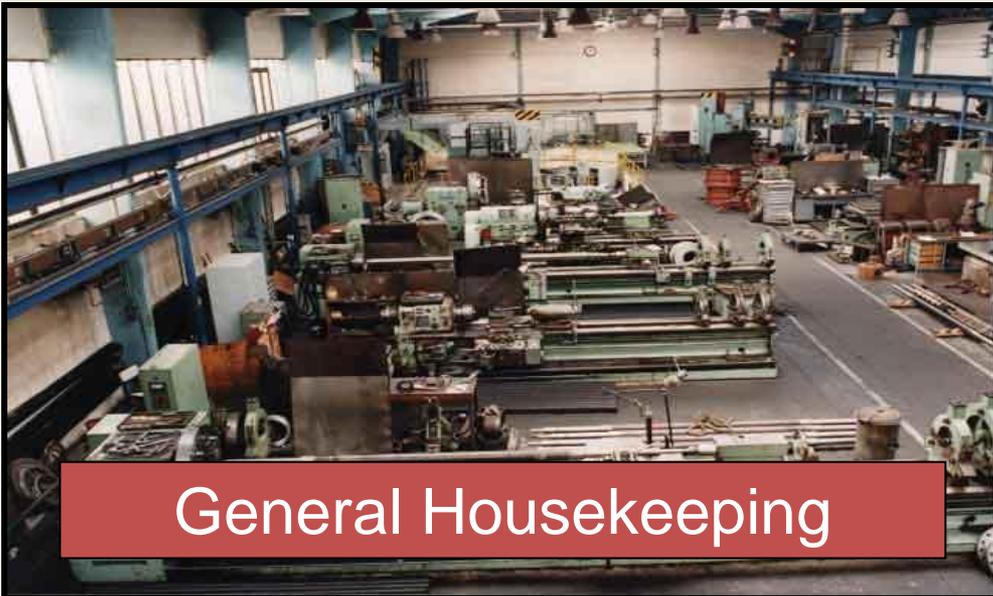


Rinse waters



Process Solutions

More Examples



Facility Walk Through

- Review operation of facility equipment and on-site wastewater treatment devices or systems
- Examine permit records (e.g. mgt. plans, equipment calibrations and sample results)
- Effluent flow meter and sampler location
- May set-up a compliance sampling event



Common Wastewater Violations

- Unauthorized indirect or direct 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



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/maintain/calibrate wastewater treatment equipment



Prepared for an Ohio EPA Wastewater Inspection?

- Understand your permit and water use - 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
- Communicate problems



Hazardous Waste Inspections



Frank Zingales

Ohio EPA, Northeast District Office
Division of Materials and Waste Management



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Hazardous Waste Inspection Types

- Planned Inspections – Target 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

Hazardous Waste Inspections



USED OIL

USED OIL

GENERATOR INFORMATION

COMPANY _____

ADDRESS _____

CITY/STATE/ZIP _____

SOURCE _____

CONTACT _____

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 _____

ADDRESS _____ PHONE _____

CITY _____ STATE _____ ZIP _____

EPA / MANIFEST ID NO. / DOCUMENT NO. _____

ACCUMULATION START DATE _____ EPA WASTE NO. _____

HANDLE WITH CARE!

D.O.T. PROPER SHIPPING NAME AND UN OR NA NO. WITH PREFIX

UNIVERSAL WASTE

GENERATOR INFORMATION (Optional)

SHIPPER _____

ADDRESS _____

CITY, STATE, ZIP _____

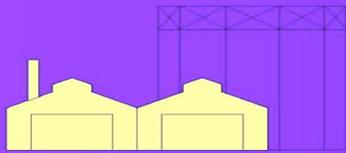
CONTENTS _____

ACCUMULATION START DATE _____

UNIVERSAL WASTE

Hazardous Waste “Cradle-To-Grave” Management

“Cradle-to-Grave” Management



Generator



Transporter



Treatment
Storage
Disposal
Facility

Hazardous Waste Generator Categories

Conditionally Exempt
(CESQG)

Small Quantity (SQG)
Large Quantity (LQG)

Fewer Regulations

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:

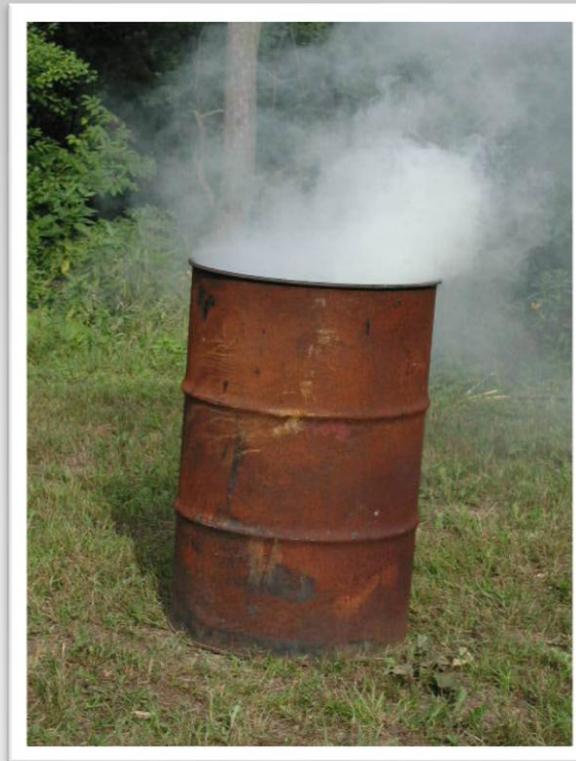
- Ignitable (D001)
- Corrosive (D002)
- Reactive (D003)
- Toxic (D004-D043)

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



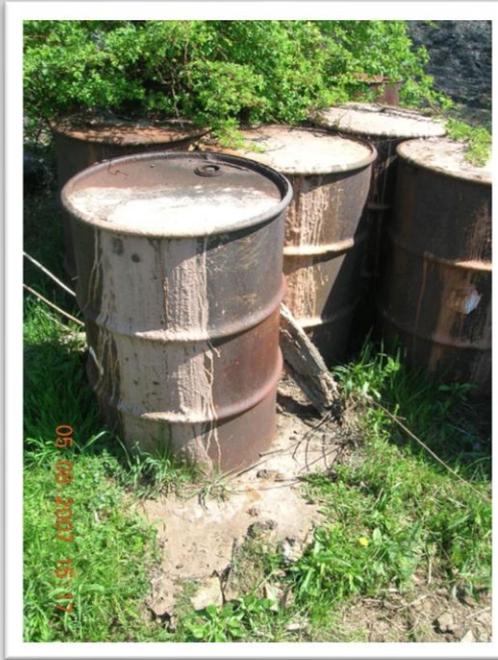
Common Violations

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

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



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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
CONTINGENCY 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 checklist may be included with report.



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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.

Enforcement Reminders

- Ohio EPA inspectors cannot issue fines.
- Most violations are resolved locally without legal actions or fines.
- Long, progressive process - starts with local office and ends with HQ or Attorney General.
- You typically have opportunities to settle.

Take steps to avoid enforcement



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Questions?

