

Top 10 Hazardous Waste Violations

This document has been prepared as a compliance assistance resource for hazardous waste generators, owners, and operators. Proactively managing hazardous waste not only protects the environment and human health, it prevents violations and can save owners and operators' sizable costs related to product loss and contamination/remediation expenses.

1. Use and management of container requirements of 40 CFR Subpart I

Containers must be compatible with the hazardous waste contents. It is required that operators properly label containers as "Hazardous Waste", date and close the containers unless actively adding or removing waste.

2. Hazardous waste determination (40 CFR 261.5)

All waste generated on site must be evaluated and determined to be hazardous or not. Supporting documentation must be kept on file (SDS, lab analysis, etc.) and updated accordingly with any process changes.

3. Improper treatment, storage, or disposal of hazardous waste A.A.C. R18-8-270(B)(1)

The most basic definition of this violation would include mixing or diluting hazardous wastes, storing waste for too long, and/or disposing of hazardous waste to the air, soil, or water. This also includes improper management of spills and leaks. If a spill or leak occurs, the hazardous waste must be cleaned up immediately and reported, if necessary. Secondary containment is not meant for storage, therefore it must be maintained clean and dry. Waste must be stored in approved containers at all times. Volatile chemicals must be contained to prevent emission into the air. All containers should be free of residues.

4. Universal Waste labeling (40 CFR 273.14)

All universal waste is required to be labeled as "Universal Waste" followed by a description of the waste. For example, "Universal Waste- Used Lamps".

5. Storing universal waste lamps in a closed container (40 CFR 273.13)

All universal waste lamps are required to be in a structurally sound container and securely closed to prevent mercury vapor from escaping.

6. Demonstrate the length of time that universal waste has been accumulated (40 CFR 273.15 (c))

All universal waste containers are required to be labeled with the generation date and cannot be accumulated/stored for longer than one year.

7. Informing employees of proper universal waste handling and emergency procedures (40 CFR 273.16)

Supporting documentation of training must be kept on file for all employees that handle and/or manage universal waste.

8. Personnel training requirements in (40 CFR 265.16)

Personnel training must be directed by a person trained in hazardous waste management procedures. This training must include instruction which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed. (Only required for TSDFs and LQGs, but highly recommended for SQGs and VSQGs.)

9. Preparedness & Prevention requirements in (40 CFR 265, Subpart C)

Facilities must be maintained and operated to minimize the possibility of a fire, explosion, or any release of hazardous waste. Facilities must maintain emergency equipment including: an internal alarm system, telephone or two-way radio, portable fire extinguishers, spill control equipment, and water or foam spray systems with adequate volume and pressure.

10. Contingency plan and emergency procedures requirements in (40 CFR 265, Subpart D)

All LQGs are required to maintain a contingency plan which must be designed to minimize hazards to human health or the environment from fires, explosions, or any release of hazardous waste. The contingency plan serves as a guide on how to respond to an emergency within the facility. The plan should include all specific details found in 40 CFR 265, Subpart D. The plan must be submitted to all police and fire departments, and State and local emergency response teams that may be called upon. See the Generator Improvement Rule detailing the requirement to include a quick reference summary at the beginning of the contingency plan.