

Region: 1
 LAND BASED TSDF _____
 COMMERCIAL TSDF _____
 OTHER TSDF _____
 TC GENERATOR _____
 OTHER GENERATOR X
 BIF/Other _____

INSPECTION FORM

NEW YORK STATE INDUSTRIAL HAZARDOUS WASTE MANAGEMENT ACT
 (Chapter 639, Laws of 1978)

Prepared for:

Commissioner
 NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Send to: Division of Hazardous Substances Regulation
 Compliance Inspection Section
 50 Wolf Road - Room 208
 Albany, New York 12233-7252

EPA I.D. NUMBER: NYD 002036564
 COMPANY NAME (Corporate): Pass + Seymour (State) *formerly*
 (Division): _____

COMPANY MAILING ADDRESS: 45 Sea Cliff Ave
 City & State: Glen Cove NY Zip Code: 11542

COMPANY LOCATION ADDRESS: _____
 (if different than mailing) _____
 City & State _____, NY Zip Code _____

COMPANY TELEPHONE NUMBER: (516) 671-7000 Extension _____

FULL NAME OF COMPANY CONTACT: (Mr.) (Ms.) George Ruppelt

TITLE OF COMPANY CONTACT: mgr supervisor

INSPECTION DATE: 1/8/1993 TIME OF INSPECTION: 10³⁰ (a.m.) _____ (p.m.)

INSPECTOR'S NAME: J. Gove

TITLE: env. eng.

NAME: _____

TITLE: _____

REPORT PREPARED BY: [Signature] DATE: 1/8/93

REPORT APPROVED BY: [Signature] DATE: 1/14/93



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PART I

General Information and Classification of Facility

1. Identification of Hazardous Waste - 371

Yes

No

A. Is there reason to believe the facility has hazardous waste on-site? If yes, check appropriate box/boxes.

X

- (1) ___ Company recognizes that its waste is hazardous during the inspection.
- (2) ___ Company admitted the waste is hazardous in its RCRA notification and/or Part A permit application.
- (3) ___ Testing has shown characteristics of:
- (X) Ignitability (D001) - 371.3(b)
 - () Corrosivity (D002) - 371.3(c)
 - () Reactivity (D003) - 371.3(d)
 - () EP Toxicity (D004 - 017) - 371.3(e)
- (4) X The material is listed in the regulations as a hazardous waste from non-specific sources (F-Waste). 371.4(b)
- (5) ___ The waste is listed in the regulations as a hazardous waste from specific sources (K-Waste). 371.4(c)
- (6) ___ The material or product is listed in the regulations as discarded commercial chemical products, off-specification species, container residues and spill residues thereof (P & U Wastes). 371.4(d).
- (7) ___ The material is listed in the regulations as a waste containing PCBs. 371.4(e).

B. Is there reason, other than those above, for you to believe that there is hazardous waste on site? (Explain) _____

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C. The handler notified EPA as a:

_____ *gen* _____

Has EPA or DEC officially modified the handlers status? If so, attach correspondence.

_____ *NO* _____

D. If the facility is a treatment, storage or disposal facility, have they:

___ Submitted a Part A application.

___ Should the Part A be modified by the Company? If so, explain.

___ Been granted a Part B permit.*

___ Submitted a Part 373 permit application.

___ Been granted a Part 373 permit.*

If so, when does it expire: _____

*Complete Appendix M - indicate compliance status with permit conditions.

E. Describe the activities that result in the generation of hazardous waste. Include manufacturing processes that generate hazardous waste.

My electrical devices: switches etc.
Waste degreasing; flammable soln for
part washing; Door + Floor
(night cleaner + tetrachloroethylene)

F. Identify the hazardous wastes that are on-site, the quantity of each, and the storage method (be as specific as possible).

Accumulation Areas:

None

Storage Areas for Cat. 1-4 *

1 d	of	naphtha	: D001
3 u	"	Tetra	: F001
1 u	"	rays w. Tetra	: F002

Interim Status/Permitted Storage Areas:

- * Cat. 1 and 2 - unlimited storage time providing quantity limits not exceeded.
- Cat. 3 - 180 days (or 270 if TSD is over 200 miles away) Provided 1,000 kg in storage not exceeded.
- Cat. 4 - 90 days or less storage time.

2. Status Identification:

A. ___ Transporter - complete Appendix B

B. Generator Status Identification

1. ___ Category 1 - Conditionally Exempt Generator - generates less than 100 kg/mo and stores less than 100 kg. - 372.1(e)(1)(vii)(a) Complete Part II, 1A.
2. ___ Category 2 - Small Quantity Generator - generates less than 100 kg/mo and stores more than 100 kg but less than 1,000 kg. - 372.2(a)(8)(vi) - Complete Part II, 1B.
3. ___ Category 3 - Generator Subject to Reduced Requirements - generates more than 100 kg/mo but less than 1,000 kg/mo and stores less than 1,000 kg. - 372.2(a)(8)(iii) - Complete Part II, 1C.
4. Category 4 - Generator - generates and/or stores 1,000 kilograms or more per month or generates acute hazardous waste in quantities greater than those specified in Part 372.1(e)(1)(v). Complete Part II, Questions 2-7. (Generators over sole source aquifers also complete Appendix A.)

C. Treatment, Storage or Disposal Facility Status

Hazardous waste is generated and stored on-site. If so:

- (a) NO Is hazardous waste stored on-site longer than 90 days? 373-1.1(d)(1)(iii) - If yes, complete Appendix A.*
- (b) NO Is more than 8,800 gallons of hazardous waste stored in containers? 373-1.1(d)(1)(iii)(a) - If yes, complete Appendix A.*
- (c) NO Is more than 20,000 gallons of hazardous waste stored in tanks? 373-1.1(d)(1)(iii)(b) - If yes, complete Appendix A.*

* (Note: Do not complete Appendix A for generators only that have exceeded 90 days or quantity limits.)

2. NO Hazardous waste is received from off-site and not beneficially used, reused or legitimately recycled or stored. If yes, complete Appendix A.
3. NO Hazardous waste is treated on-site. If yes, complete appropriate portion of this report.

4. no Hazardous waste is disposed of on-site. If yes, complete appropriate portion of this report.

3. Exemptions

A. Generator Exemptions

- (1) ___ Not a regulated handler.
- (2) ___ Samples collected for testing. 372.1(e)(5)
- (3) ___ Residues of hazardous waste in empty containers. 372.1(e)(6)
- (4) ___ A hazardous waste which is generated in a product or raw material storage tank, a product or raw material transport vehicle or vessel, a product or raw material pipeline, or in a manufacturing process unit or an associated non-waste treatment manufacturing unit is not subject to regulation until it exits the unit in which it was generated, unless the unit is a surface impoundment, or unless the hazardous waste remains in the unit more than 90 days after the unit ceases to be operated for manufacturing, or for storage or transportation of product or raw materials. 372.1(e)(7).

B. TSD Exemptions

1. TSD exemptions

- (a) ___ Recycling of Hazardous Wastes: 373-1.1(d)(1)(viii). Parts 373-2.2(c), 372.4(b), 372.4(d)(1) must be complied with (Storage of wastes prior to recycling is not exempt under this subparagraph.) In addition:
 - This exemption does not apply to commercial facilities which recycle listed hazardous wastes or hazardous waste sludges received from off-site or burn these wastes for energy recovery;
 - Commercial facilities that reclaim precious metals from hazardous wastes do qualify;
 - This exemption does not apply to boiler and industrial furnaces that burn hazardous wastes for energy recovery if the waste stream has a heat value of less than 8,000 BTU/lb.

- (g) ___ Storage and treatment of hazardous waste on-site of generation if generates less than 100 kilograms and stores less than 1,000 kilograms of hazardous waste in each calendar month and not generate or store acute hazardous waste as described in 373-1.1(d)(1)(i)(b). 373-1.1(d)(1)(v).
- (h) ___ Accumulation areas. Complete Part II: 3A. 373-1.1(d)(1)(xiv).
- (i) ___ Storage of manifested shipments of hazardous waste in containers or vehicles by a transporter at its own transfer facility for 5 days or less. Complete Appendix B. 373-1.1(d)(1)(xv).

Part II

Generator Inspection Section

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

1. Requirements for Exempt and Small Quantity Generator (Category 1-3 Generators):

A. Category 1 - The conditionally exempt generator has:

1. made a hazardous waste determination - 372.1(e)(1)(vii)(a).
2. accumulated no more than 100 kg of hazardous waste on-site - 372.1(e)(1)(vii)(b).
3. disposed of hazardous waste in an authorized, permitted or licensed on-site or off-site facility - 372.1(e)(1)(vii)(c).
4. ensured delivery to an off-site facility by a transporter authorized under Part 364 or by the generator himself - 372.1(e)(1)(vii)(d).

B. Category 2 - The generator who generates less than 100 kg/month and stores between 100-1000 kg has complied with the following:

General Requirement - Items 2A-E (pg. II-7)

Manifest & Reporting - Item 4A-P (pgs. II-12, 13, 14)

1. uses tanks that are properly sheltered and protected to prevent spillage, seepage or any discharge - 372.2(a)(8)(vi)(a).
2. keeps containers and tanks holding hazardous waste closed during storage except to add or remove wastes. Containers and tanks must not be opened, handled or stored in a manner which may rupture the tank or containers or cause them to leak. Tanks and containers must be inspected at least quarterly for leaks or damage - 372.2(a)(8)(vi)(b).
3. uses tanks that are designed, constructed or operated in accordance with whichever of the following requirements are in effect in the municipality where the facility is located: 372.2(a)(8)(vi)(c).

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Indicate:

Indicate.

X Violations

X Satisfactory
NA Not Applicable

(a) ___ the State Uniform Fire Protection and Building Code Title 9 (B) NYCRR, Subchapter C, including the National Fire Protection Association Flammable and Combustible Liquids Code (NFPA-30) - 372.2(a)(8)(vi)(c)(1), or ___

(b) ___ the applicable local building and fire codes - 372.(a)(8)(vi)(c)(2). ___

4. ___ the quantity of waste accumulated on-site must never exceed 1,000 kilograms - 372.2(a)(8)(vi)(d). ___

C. Category 3 - The generator subject to reduced requirements has complied with the following:

General Requirements - Complete Items 2A-E (pg. II-7)

Manifest & Reporting - Complete Items 4A-P (pgs. II-12, 13, 14)

Container Requirements - Complete

Item 3D, questions 1,3-9 [except for Question 8(a) -(c)] (pg. II-8, 9)

Preparedness & Prevention - Complete Items 6A-F (pgs. II-16, 17)

1. ___ quantity of waste on-site never exceeds 1000 kg and may be stored for up to 180 days unless the disposal facility is 200 miles or more away. Storage up to 270 days then is allowed - 372.2(a)(8)(iii)(a). ___

2. ___ the date upon which each period of accumulation begins is clearly marked and visible for inspection on each container - 372.2(a)(8)(iii)(d): 373-1.1(d)(1)(iii)(c)(2). ___

3. ___ each container is marked with the words 'Hazardous Waste' - 372.2(a)(8)(iii)(d): 373-1.1(d)(1)(iii)(c)(3). ___

4. ___ at all times there must be at least one employee on-site or on call with the responsibility for coordinating emergency measures - 372.2(a)(8)(iii)(e)(1). ___

5. ___ the name and phone number of the emergency coordinator must be posted next to the telephone - 372.2(a)(8)(iii)(e)(2)(i). ___

5. ___ location of fire extinguishers and spill control material and, if present, fire alarm must be posted next to the telephone - 372.(a)(8)(iii)(e)(2)(ii). ___

7. ___ telephone number of the fire department must be posted next to the phone unless the facility has a direct alarm - 372.2(a)(8)(iii)(e)(2)(iii). ___

8. ___ ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures - 372.2(a)(8)(iii)(e)(3). ___

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

9. the emergency coordinator or a designee have responded appropriately to any emergencies that have arisen - 372-2(a)(8)(iii)(e)(4).

Tank Storage Requirements: 373-3.10(1)
(Complete the following section)

General operating requirements:

10. treatment or storage of hazardous waste in tanks must comply with the following requirements for ignitable, reactive or incompatible wastes - 373-3.10(1)(2)(i):
- (a) the owner or operator must take precautions to prevent accidental ignition of ignitable or reactive wastes. "No Smoking" signs must be placed wherever there is a hazard from either waste - 373-3.2(h)(1), and
- (b) where specifically required by other sections of this Subpart, the treatment, storage, or disposal of ignitable or reactive waste, and the mixture or commingling of incompatible wastes, or incompatible wastes and materials, must be conducted so that it does not:
- (1) generate extreme heat or pressure, fire or explosions, or violent reactions;
- (2) produce uncontrolled toxic mists, fumes, dusts or gases in sufficient quantities to threaten human health;
- (3) produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions;
- (4) damage the structural integrity of the device or facility containing the waste; or
- (5) through other like means threaten human health or the environment.
11. hazardous wastes or treatment reagents must not be placed in a tank if they could cause the tank or its inner liner to fail - 373-3.10(1)(2)(ii).
12. uncovered tanks must be operated to ensure at least 60 centimeters (2 feet) of freeboard, unless there is adequate containment - 373-3.10(1)(2)(iii).

Indicate:

Indicate.

X Violations

X Satisfactory
NA Not Applicable

13. where hazardous waste is continuously fed into a tank, the tank must be equipped with a means to stop this inflow - 373-3.10(1)(2)(iv). _____
14. the owner or operator must mark all tanks with the words "Hazardous Waste" and with other words that identify the contents of the tanks. For underground tanks, the markings must be placed on a sign in the area above the tank - 373-3.10(1)(2)(v). _____

Tank(s) are inspected each operating day for:

15. discharge control equipment (e.g. waste feed cutoff systems, bypass systems and drainage systems) - 373-3.10(1)(3)(i). _____
16. monitoring equipment (e.g. pressure and temperature gauges) - 373-3.10(1)(3)(ii). _____
17. level of waste in tank to ensure proper freeboard - 373-3.10(1)(3)(iii). _____

Tank(s) are inspected weekly for:

18. corrosion or leaking of fixtures or seams - 373-3.10(1)(3)(iv). _____
19. erosion or obvious signs of leakage (e.g. wet spots or dead vegetation) of the construction materials of, and the area immediately surrounding discharge confinement structures (e.g. dikes) - 373-3.10(1)(3)(v). _____

Closure:

20. at closure all hazardous waste must be removed from tanks, discharge control equipment and discharge confinements structures - 373-3.10(1)(4). _____

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

Special requirements for ignitable or reactive waste:

21. ignitable or reactive waste is placed in a tank and the waste is stored, treated, rendered or mixed before or immediately after placement in the tank so that the resulting wastes, mixture or dissolution of material is no longer ignitable or reactive: 373-3.10(1)(5)(i)(a)(1); and
22. the treatment, storage or disposal of ignitable or reactive waste in a tank, is conducted so that it does not: 373-3.10(1)(5)(i)(a)(2)
- (a) generate extreme heat or pressure, fire or explosions violent reactions - 373-3.2(h)(2)(i).
- (b) produce uncontrolled toxic mists, fumes dusts or gases in sufficient quantities to threaten human health - 373-3.2(h)(2)(ii).
- (c) produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosion - 373-3.2(h)(2)(iii).
- (d) damage the structural integrity of the device or facility containing the waste - 373-3.2(h)(2)(iv).
- (e) through other like means threaten human health or the environment - 373-3.2(h)(2)(v); or
23. the waste is stored or treated in such a way that it is protected from any material or conditions that may cause the waste to ignite or react - 373-3.10(1)(5)(i)(b), or
24. the tank is used solely for emergencies - 373-3.10(1)(5)(i)(c)
25. storage of ignitable or reactive waste in covered tanks complies with the National Fire Protection Association's (NFPA's) buffer zone requirements for tanks, contained in Tables 2-1 thru 2-6 of the "Flammable and Combustible Liquids Codes." 373-3.10(1)(5)(ii).

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

Incompatible Wastes:

26. Incompatible wastes, or incompatible wastes and materials, must not be placed in the same tank and hazardous waste must not be placed in an unwashed tank which previously held on incompatible waste or material unless the mixture or commingling is conducted to prevent the following: 373-3.10(e)(6)
- (a) generation of extreme heat or pressure, fire or explosions, or violent reactions;
- (b) production of uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health;
- (c) production of uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions;
- (d) damage to the structural integrity of the device or facility containing the waste; or
- (e) through other like means threaten human health or the environment.

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

For Category 4 Generators of Hazardous Waste - complete remainder of Part II.

2. General Requirements

A. ___ The generator has made a determination as to whether or not his solid waste is a hazardous waste - 372.2(a)(2).

X

B. ___ The generator has obtained an EPA identification number - 372.2(a)(3).

X

C. ___ Before transporting or offering hazardous waste for* transportation off-site the generator has packaged the waste in accordance with the applicable USDOT regulations - 372.(a)(4).

NA

D. ___ Before transporting or offering hazardous waste for* transportation off-site the generator has labeled each package of waste in accordance with the applicable USDOT regulations - 372.2(a)(5).

|

E. ___ Before transporting or offering hazardous waste for* transportation off-site the generator has marked each container or package of waste properly - 372.2(a)(6).

3. On-site Accumulation of Hazardous Waste Prior to Shipment

NA

A. ___ Accumulation areas - 372.2(a)(8)(i)(a).

(1) ___ The containers appear to be in good condition and are not in danger of leaking - 373-3.9(b).

(2) ___ Hazardous waste is stored in containers made of compatible materials - 373-3.9(c).

(3) ___ All containers except those in use are closed - 373-3.9(d)(1).

(4) ___ Containers holding hazardous waste must not be opened, handled or stored in a manner which may rupture the container or cause it to leak - 373-3.9(d)(2).

(5) ___ Containers are marked either with the words "Hazardous Waste" or with other words that identify the contents of the containers - 372.2(a)(8)(i)(a)(2).

(6) ___ Hazardous waste may be accumulated in excess of 55 gallons or 1 quart of acutely hazardous waste at the point of generation provided that Section 372.2(a)(8)(ii) requirements are met within 3 days, and the container holding the excess accumulation must be marked with the date the excess amount began accumulation - 372.2(a)(8)(i)(b).

* This does not apply to drums in storage.

Indicate:

indicate:

X Violations

X Satisfactory
NA Not Applicable

90 Day Storage Area/Permitted Storage Area (complete as applicable and be specific)

B. All such wastes are shipped off-site to an authorized treatment, storage or disposal (TSD) facility in 90 days or less - 372.2(a)(8)(ii). X

C. The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container or tank - 372.2(a)(8)(ii); 373-1.1(d)(1)(iii)(c)(2), 373-1.1(d)(1)(iv)(d). X

D. Standards for management of containers - 372.2(a)(8)(ii); 373-3.9 (This section will also be completed for TSD's as referred to from Appendix A.)

1. What type of containers are used for holding hazardous waste? Describe the size, type, and location in the storage area.

55 gal drums steel
see T-3

2. Each container is marked with the words "Hazardous Waste." 372.2(a)(8): 373-1.1(d)(1)(iii)(c)(3), 373-1.1(d)(1)(iv)(d). X

3. The containers appear to be in good condition and are not in danger of leaking. (If containers are leaking, describe the type, condition, contents and number that are leaking or corroded. Be detailed and specific) - 373-3.9(b). X

4. Hazardous waste is stored in containers made of compatible materials - 373-3.9(c). (If not, please explain). X

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

5. All containers except those in use are closed - 373-3.9(d)(1). X
6. Containers holding hazardous waste must not be opened, handled or stored in a manner which may rupture the container or cause it to leak - 373-3.9(d)(2). X
7. The storage area is inspected at least weekly - 373-3.9(e).
8. The generator complies with the following special requirements related to storage of ignitable or reactive wastes. 373-3.9(f):
- (a) Containers holding ignitable or reactive waste are located at least 15 meters (50 feet) from the facility property line - 373-3.9(f). X
- (b) Generator has taken precautions to prevent accidental ignition or reaction of ignitable or reactive waste by separating and protecting such waste from sources of ignition or reaction - 373-3.2(h)(1). X
- (c) Generator has placed "No Smoking" signs conspicuously wherever there is a hazard from ignitable or reactive waste - 373-3.2(h)(1). X
9. The generator complies with the following special requirements related to incompatible wastes: 373-3.9(g). ^{NA}
- (a) Incompatible wastes, or incompatible wastes and materials, are not placed in the same container, or in an unwashed container that previously held an incompatible waste or material unless the placement is conducted to prevent the following: 373-3.9(g)(1) & (2).
- (1) the generation of extreme heat or pressure, fire or explosion, or violent reaction - 373-3.2(h)(2)(i).
- (2) production of uncontrolled toxic mists, fumes, dusts or gases in sufficient quantities to pose a risk of fire or explosions - 373-3.2(h)(2)(ii).
- (3) production of uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions - 373-3.2(h)(2)(iii).

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

- (4) damage to the structural integrity of the device or facility containing the waste - 373-3.2(h)(2)(iv).
- (5) a threat to human health or the environment - 373-3.2(h)(2)(v).
- (b) Containers holding a hazardous waste that is incompatible with any waste or other materials stored nearby in other containers, piles, open tanks, or surface impoundments must be separated from the other materials or protected from them by means of a dike, berm, wall, or other device. 373-3.9(g)(3).
10. Special requirements for generators of liquid hazardous waste over sole source aquifers: 373-1.1(d)(1)(iv)
- (a) the facility submits written notification to the regional office that they qualify for the exemption under 373-1.1(d)(1)(iv) and submits a TSD annual report - 373-1.1(d)(1)(iv)(c). NA
- (b) The container storage areas are within a secondary containment system designed and operated in accordance with the following: 373-1.1(d)(1)(iv)(f). X
- (1) the base under the containers must be free of cracks or gaps and sufficiently impervious to contain collected material until it is removed - 373-2.9(f)(1)(i). X
- (2) the base must be sloped or the containment system otherwise designed and operated to drain and remove liquid unless the containers are elevated or protected from contact with accumulated liquids - 373-2.9(f)(1)(ii). X

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

(3) ___ the containment system must have sufficient capacity to contain 10 percent of the volume of containers or the volume of the largest container, whichever is greater. Containers that do not contain free liquids are not considered in this determination - 373-2.9(f)(1)(iii). X

(4) ___ Run-on is prevented unless the system has sufficient excess capacity over that required in (3) - 373-2.9(f)(1)(iv). X

(5) ___ Accumulated waste and precipitation must be removed as necessary to prevent overflow 373-2.9(f)(1)(v). X

E. Standards for management of tanks: 373-3.10

1. ___ Generators complete Appendix O except for Section 373-3.10(h)(3); Items 7C1-5 (pages 0-14 to 0-15). [In addition, sections 373-3.7 and 3.8 which are cross-referenced do not apply except for section 373-3.7(b) and (e)].
2. ___ Generators over sole-source aquifers complete Appendix O except for Section 373-3.10(h)(3), Items 7C1-5 (pages 0-14 to 0-15). [Requirements of section 373-3.8 do not apply.]

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

4. Manifest Records and Reporting: 372.2(b)

A. Hazardous waste is shipped off-site with an accompanying manifest. X

If "violation" is checked please elaborate.

B. List the number of shipments per month and the amount of waste per shipment. X

~32/m

C. The transporter has a valid Part 364 permit or is otherwise authorized to transport the waste to the designated facility - 372.3(a)(4). X

List transporter and permit number.

CPC NYD082785429 1A-042
Pride NYD057722258 1A-005

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

D. Each manifest (a representative sample) has the following information: 372.2(b)(1); Appendix 30.

	Generator	Transporter 1	Transporter 2	TSD/	
1. Name of	X	X	X	X	X
2. EPA ID No. of	X	X	X	X	X
3. Mailing Address of	X	X	X	X	X
4. Telephone No. of	X	X	X	X	X
5. Manifest Document #					X
6. The proper USDOT description.					X
7. The appropriate: quantity, container number, container type, and waste type by units of weight or volume.	X	X	X	X	X
8. Signed certification that the materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation under regulations of the USDOT and NYSDEC - 372.2(a)(4) and 372.2(a)(5) and 372.2(a)(6).					X
9. Signed copies of the manifest records have been retained for at least three years - 372.2(c)(1)(i).					X
E. The generator must distribute copies of the manifest as specified on the manifest form - 372.2(b)(3).					X
F. The generator has received signed copies (from the TSD facility) of all manifests for wastes shipped off-site more than 20 days ago:					X
If not, exception reports have been submitted covering these shipments - 372.2(c)(3)					X
G. A generator who ships hazardous waste off-site to a treatment, storage or disposal facility located within the United States must submit Annual Reports on Forms specified by the Commissioner.					X
H. For international shipments the generator has done the following: 372.5.					NA
1. EPA and the Department have been notified 60 days prior to shipment of hazardous waste destined for treatment, storage or disposal outside the United States - 372.5(c)(1).					

Indicate:

INDICATE:

X Violations

X Satisfactory
NA Not Applicable

2. ___ Delivery of the wastes has been confirmed by the consignee within 90 days of acceptance by initial transporter - 372.5(e)(2). ___

3. ___ Primary exporters of hazardous waste must file with the Administrator and the Department no later than March 1 of each year, a report summarizing the types, quantities, frequency, and ultimate destination of all hazardous waste exported during the previous calendar year - 372.5(f)(1). ___

I. ___ Has complied with interstate shipments - 372.6 ___

J. ___ Has complied with shipments by rail or water (bulk) - 372.7 ___

K. ___ A copy of each manifest has been kept for at least three years from the date the waste was accepted by the initial transporter. 372.2(c)(1)(i). X

L. ___ A copy of each Annual Report and Exception Report must be kept for a period of at least three years from the due date of the report. 372.2(c)(1)(ii). X

M. ___ A generator must keep records of any test results, waste analyses, or other determinations made in accordance with Part 372.2(a)(2) for at least three years. 372.2(c)(1)(iii). X

N. ___ All records required under this subdivision were furnished upon request, or made available at a reasonable time for inspection - 372.2(c)(1)(iv). X

O. ___ There is written communication that the designated treatment, storage or disposal facility is an authorized treatment, storage or disposal facility for the particular wastes being offered for shipment and has capacity to accept the hazardous waste set forth on the manifest and will assure the ultimate disposal method if followed - 372.2(b)(2)(i). X

P. ___ There is written communication that the designated transporter is authorized to deliver the waste to the facility on the manifest - 372.2(b)(2)(ii). X

5. Personnel Training - 372.2(a)(8)(ii) and 373-3.2(g)

A. There is a:

1. X written description of the job title for each position at the facility related to hazardous waste management and name of the employee filling each job - 373-3.2(g)(4)(i) ___

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

2. written job description for each position - 373-3.2(g)(4)(ii) _____
3. written description of the type and amount of both introductory and continuing training that will be given to each person related to hazardous waste management - 373-3.2(g)(4)(iii) _____
4. records that document the training or job experience required has been given to and completed by facility personnel - 373-3.2(g)(4)(iv). _____
- B. The training program is directed by a person trained in hazardous waste management procedures and must include instruction which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed. 373-3.2(g)(1)(i),(ii) and (iii). The components are: _____
1. Procedures for using, inspecting, repairing and replacing facility emergency and monitoring equipment; _____
2. Key parameters for automated waste feed cutoff systems; _____
3. Communications or alarm systems; _____
4. Response to fires and explosions; _____
5. Response to groundwater contamination incidents; and _____
6. Shutdown of operations. _____
- C. Facility personnel have successfully completed the program by the effective date of these regulations or six months after the date of their employment. 373-3.2(g)(2). _____
- D. Facility personnel have taken part in an annual review of the initial training required - 373-3.2(g)(3). _____
- E. Training records on current personnel have been kept permanently at the facility (until closure) - 373-3.2(g)(5). _____
- F. Training records on former employees have been kept for at least three years from the date the employee last worked at the facility - 373-3.2(g)(5). _____

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

6. Preparedness and Prevention - 372.2(a)(8)(ii); 373-3.3

A. The facility is maintained and operated to minimize the possibility of a fire or explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water - 373-3.3(b). X

B. The facility must be equipped with the following, unless none of the hazards posed by waste handled at the facility could require a particular kind of equipment specified below: X

1. An internal communication or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel; X

2. A device, such as a telephone (immediately available at the scene of operations) or a hand-held, two-way radio capable of summoning emergency assistance from local police departments, fire teams; X

3. Portable fire extinguishers, fire control equipment, spill control equipment and decontamination equipment; X

4. Water at adequate volume and pressure to supply water hose streams, or foam-producing equipment, or automatic sprinklers, or water spray systems. X

C. Facility communications or alarm systems, fire protection equipment, and spill control equipment are tested and maintained as necessary to assure their proper operation in time of emergency - 373-3.3(d). X

D. Personnel involved in hazardous waste operations have immediate access to an internal alarm or emergency communication device - 373-3.3(e). X

E. The owner or operator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency unless aisle space is not needed for any of these purposes - 373-3.3(f). X

F. The facility owner or operator has made an attempt in good faith to make the following arrangements with local authorities, as appropriate for the type of waste handled at the facility and the potential need for the services of these organizations - 373-3.3(g)(1):

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

1. Arrangements to familiarize police, fire departments and emergency response teams with the functions and layout of the facility; X
 2. Where more than one police and fire department might respond to an emergency, an agreement designating primary emergency authority to a specific police and a specific fire department, and agreements with any others to provide support to primary emergency authority; X
 3. Agreements with government emergency response teams, emergency response contractors, and equipment suppliers; X
 4. Arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illness which could result from fires, explosions or releases at the facility; and X
 5. Where state or local authorities decline to enter into such arrangements, the owner or operator has documented the refusal in the operating record. NA
7. Contingency Plan and Emergency Procedures - 372.2(a)(8)(ii); 373-3.4
- A. The facility has a contingency plan or some other emergency plan which incorporates hazardous waste management. X
 - B. The following are included in the contingency plan - 373-3.4(c):
 1. A description of actions facility personnel must take in response to fires, explosions or any unplanned sudden or non-sudden releases of hazardous waste or hazardous waste constituents to air, soil or surface water; X
 2. A description of arrangements agreed to by local police departments, fire departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services; X
 3. Names, addresses and phone numbers of all persons qualified to act as emergency coordinator; X

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

4. A list of all emergency equipment at the facility, and decontamination equipment, where this equipment is required;
5. The location and the physical description of each item on the list, and a brief outline of its capabilities;
6. An evacuation plan for facility personnel, where there is a possibility that evacuation could be necessary.
- C. Copies of the contingency plan are maintained at the facility. 373-3.4(d)(1)
- D. Copies of the contingency plan have been submitted to all local police departments, fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services. 373-3.4(d)(2)
- E. The contingency plan has been amended, as necessary, when applicable regulations were revised, the plan failed in an emergency, the facility changes or the list of emergency coordinators or equipment changes - 373-3.4(e).
- F. There was at least one employee either on the facility premises or on call with the responsibility for coordinating all emergency response measures - 373-3.4(f).
- G. During a past emergency situation the emergency coordinator (or his designee when the emergency coordinator is not on call) immediately activated emergency procedures - 373-3.4(g).*

*Do not go back further than the previous inspection date.

The following was done:

1. Activated internal facility alarms or communication systems;
2. Notified appropriate state or local agencies;
3. Immediately identified the character, exact source, amount and areal extent of any released materials;
4. The emergency coordinator assessed possible hazards to human health and the environment;

Indicate:

X Violations

Indicate.

X Satisfactory
NA Not Applicable

- | | | | |
|-----|-----|--|-----|
| 5. | ___ | The emergency coordinator, after determining that that facility had a release, fire or explosion which could threaten human health or the environment outside the facility, reported his findings; | ___ |
| 6. | ___ | During the emergency, the emergency coordinator took all reasonable measures necessary to ensure that fire, explosions and releases do not occur, recur or spread to other hazardous waste; | ___ |
| 7. | ___ | The emergency coordinator monitored for leaks, pressure buildup, gas generation or ruptures in valves, pipes or other equipment, where appropriate during the facility's response to the emergency; | ___ |
| 8. | ___ | The emergency coordinator provided for treating, storing or disposing of recovered waste, contaminated soil or surface water, or any other material that resulted from a release, fire or explosion at the facility; | ___ |
| 9. | ___ | The emergency coordinator ensured that in the affected area no waste that may be incompatible with the released material was treated, stored or disposed of until cleanup procedures were completed; | ___ |
| 10. | ___ | The emergency coordinator ensured that all emergency equipment listed in the contingency plan was cleaned and fitted for its intended use before operations were resumed; | ___ |
| 11. | ___ | The owner or operator notified the Commissioner that the facility is in compliance with Part 373-3.4(g)(8) before operations were resumed in the affected areas of the facility; | ___ |
| 12. | ___ | The owner or operator noted in the operating record the time, date and details of the incident that required implementation of the contingency plan; | ___ |
| 13. | ___ | The owner or operator submitted a complete written report on the incident within 15 days after the incident occurred. | ___ |

10
11
12

Company Name Pass + Seymour
EPA ID No. NYD 002036564

Appendix A

Treatment, Storage and Disposal (TSDF) Inspection Section

Also complete for generators over sole source aquifer areas.

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

1. Required Notices - 373-3.2(c)

- A. The owner or operator of a facility that has arranged to receive hazardous waste from a foreign source has complied with section 372.5(j) of this title - 373-3.2(c)(1). NA
- B. Before transferring ownership or operation of a facility during its operating life, or of a disposal facility during the post-closure care period, the owner or operator notified the new owner or operator in writing of the requirements - 373-3.2(c)(2). X

2. General Waste Analysis - 373-3.2(d)

- A. Before treatment, storage, or disposal of any hazardous waste, the owner or operator obtained a detailed chemical and physical analysis of a representative sample of the waste. At a minimum, this analysis must contain all the information which must be known to treat, store, or dispose of the waste in accordance with the requirements of this Subpart, and 6NYCRR Part 376 - 373.3.2(d)(1)(i). X
- B. The analysis included data developed under 6NYCRR Part 371 and existing published or documented data on the hazardous waste or on waste generated from similar processes - 373-3.2(d)(1)(ii). X
- C. The analysis has been repeated as necessary to ensure that it is accurate and up-to-date - 373-3.2(d)(1)(iii). X
- D. The owner or operator of an off-site facility must inspect and, if necessary, analyze each hazardous waste movement received at the facility to determine whether it matches the identity of the waste specified on the accompanying manifest or shipping paper - 373.3.2(d)(1)(iv). NA

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

- E. X The owner or operator has developed and followed a written waste analysis plan - 373-3.2(d)(2). _____
- F. _____ The owner or operator keeps this plan at the facility - 373-3.2(d)(2). _____
- G. + The plan specifies, at a minimum:
1. _____ The parameters for which each hazardous waste will be analyzed and the rationale for the selection of these parameters - 373-3.2(d)(2)(i). _____
 2. _____ The test methods which will be used to test for these parameters - 373.3.2(d)(2)(ii). _____
 3. _____ The sampling method which will be used to obtain a representative sample of the waste to be analyzed - 373.3.2(d)(2)(iii). _____
 4. _____ The frequency with which the initial analysis of the waste will be reviewed or repeated to ensure that the analysis is accurate and up-to-date - 373-3.2(d)(2)(iv). _____
 5. _____ For off-site facilities, the waste analyses that hazardous waste generators have agreed to supply - 373-3.2(d)(2)(v). NA
 6. _____ Where applicable, the methods which will be used to meet the additional waste analysis requirements for specific waste management methods as specified in Part 373-3 and 376.1(g) - 373-3.2(d)(2)(vi). _____
 7. _____ For surface impoundments exempted from land disposal restrictions under 376.1(d)(1), the procedures and schedule for: NA
 - (a) _____ the sampling of impoundment contents 373-3.2(d)(2)(vii)(a). _____
 - (b) _____ the analysis of test data - 373-3.2(d)(2)(vii)(b). _____
 - (c) _____ the annual removal of residues which are not delisted and exhibit a characteristic of hazardous waste or which do not meet the treatment standards in 376.4 of this title. - 373-3.2(d)(2)(vii)(c). _____

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

8. (For off-site facilities). The waste analysis plan required must also specify the procedures which will be used to inspect and, if necessary, analyze each movement of hazardous waste received at the facility to ensure that it matches the identify of the waste designated on the accompanying manifest or shipping paper. The plan describes, at a minimum:
- (a) The procedures which will be used to determine the identify of each movement of waste managed at the facility - 373-3.2(d)(3)(i); and
- (b) The sampling method which will be used to obtain a representative sample of the waste to be identified, if the identification method includes sampling - 373-3.2(d)(3)(ii).

3. Security - 373-3.2(e)

A. The owner or operator has prevented the unknowing entry, and minimized the possibility for the unauthorized entry, of persons or livestock onto the active portion of his facility, because:

1. physical contact with the waste, structures or equipment within the active portion of the facility will injure unknowing or unauthorized persons or livestock which may enter the active portion of a facility - 373-3.2(e)(1)(i). YES OR NO
2. disturbance of the waste or equipment, by the unknowing or unauthorized entry of persons or livestock onto the active portion of a facility, will cause a violation of the requirements - 373-3.2(e)(1)(ii). YES OR NO

B. If the owner or operator has not made a successful demonstration A1 and A2 above facility must have the following:

1. A 24-hour surveillance system which continuously monitors and controls entry onto the active portion of the facility - 373-3.2(e)(2)(i) OR
2. An artificial or natural barrier which completely surrounds the active portion of the facility - 373-3.2(e)(2)(ii)(a) AND

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

3. A means to control entry, at all times, through the gates or other entrances to the active portion of the facility - 373-3.2(e)(2)(ii)(b).

4. A sign with the legend, "Danger - Unauthorized Personnel Keep Out" posted at each entrance to the active portion of the facility, and at other locations, in sufficient numbers to be seen from any approach to the active portion - 373-3.2(e)(3).

5. General Inspection Requirements - 373-3.2(f)

A. The owner or operator has inspected the facility for malfunctions and deterioration, operator errors, and discharges which may be causing or may lead to release of hazardous waste constituents to the environment, or a threat to human health - 373-3.2(f)(1).

B. 1. The owner or operator has developed a written schedule for inspecting all monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment (such as dikes and sump pumps) that are important to preventing, detecting, or responding to environmental or human health hazards - 373-3.2(f)(2)(i).

2. The written inspection schedule is kept at the facility - 373-3.2(f)(2)(ii).

3. The schedule identifies the types of problems which are to be looked for during the inspection - 373-3.2(f)(2)(iii).

4. The frequency of inspection is based on the rate of possible deterioration of the equipment and the probability of an environmental or human health incident, if the deterioration, or malfunction, or any operator error goes undetected between inspections. Areas subject to spills, such as loading and unloading areas, must be inspected daily when in use. At a minimum, the inspection schedule must include the items and frequencies called for in other sections of 373 dealing with treatment, storage and disposal activities. - 373-3.2(f)(2)(iv).

C. The owner or operator has remediated any deterioration or malfunction of equipment or structures which the inspection has revealed - 373-3.2(f)(3).

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

- D. The owner or operator has recorded inspections in an inspection log or summary - 373-3.2(f)(4). _____
- E. The inspection log or summary has been kept for at least three years from the date of inspection - 373-3.2(f)(4). _____
- F. The records, at a minimum, include the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or remedial actions - 373-3.2(f)(4). _____
6. Ignitable Reactive Wastes or Incompatible Wastes - Complete Part II, Items 3.D.7 and 8; (pgs II-7 and 8). NOTE: this is for container storage only.
7. Personnel Training - Complete Part II, Item 5 (pgs. II-13 and 14).
8. Preparedness and Prevention - Complete Part II, Item 6 (pgs. II-14 and 15).
9. Contingency Plan and Emergency Procedures - Complete Part II, Item 7 (pgs. II-15 thru 18).
10. Manifest System, Recordkeeping and Reporting - Complete part II, Item 4 (pgs. II-10 thru 12). NOTE: These questions apply only to TSD's that ship hazardous waste off-site.
11. Operating Record - 373-3.5(c)
- A. The owner or operator has kept a written operating record at his facility - 373.3.5(c)(1). _____
- B. The following information is included in the operating record, as it becomes available, and maintained in the operating record until closure of the facility:
1. A description and the quantity of each hazardous waste received; _____
2. The method(s) and date(s) of its treatment, storage or disposal at the facility; _____
3. The location of each hazardous waste within the facility and the quantity at each location; _____
4. (For disposal facilities). The location and quantity of each hazardous waste must be recorded on a map or diagram of each cell or disposal area; _____

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

- | | | | |
|-----|-----|--|-----|
| 5. | X | Information must include cross references to specific manifest document numbers, if the waste was accompanied by a manifest; | ___ |
| 6. | ___ | Records and results of waste analyses and trial tests performed; | ___ |
| 7. | ___ | Summary reports and details of all incidents that require implementing the contingency plan; | ___ |
| 8. | ___ | Records and results of inspections; | ___ |
| 9. | ___ | Monitoring, testing or analytical data where required; | ___ |
| 10. | ✓ | All closure cost estimates;
(Does not apply to generators over sole source aquifer and State or Federal facilities) | ___ |
| 11. | ___ | (For disposal facilities). All post-closure cost estimates. | NA |
| 12. | ___ | Records of the quantities (date of placement) for each shipment of hazardous waste placed in land disposal units under an <u>extension to the effective date of any land disposal restriction granted by the Commissioner</u> ; | NA |
| 13. | ___ | Monitoring data required pursuant to the petition; | NA |
| 14. | ___ | The applicable notice required by the generator under 376.1(g), [waste analysis and recordkeeping]; | ___ |
| 15. | ___ | For an off-site treatment facility, a copy of the notice, and the certification and demonstration if applicable, required by the generator or the owner or operator under 376.1(g); | ___ |
| 16. | ___ | For an on-site treatment facility, the information contained in the notice (except for manifest number), and the certification and demonstration if applicable, required by the generator or the owner or operator under 376.1(g); | ___ |
| 17. | ___ | For an off-site land disposal facility, a copy of the notice, and the certification and demonstration if applicable, required by the generator or the owner or operator of a treatment facility under 376.1(g); | ___ |

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

18. For an on-site land disposal facility, the information contained in the notice (except the manifest number), and the certification and demonstration if applicable, required by the generator or the owner or operator of a treatment facility under 376.1(g); NA

19. For an off-site storage facility, a copy of the notice, and the certification and demonstration if applicable, required by the generator or the ownr or operator under 376.1(g); and ---

20. For an on-site storage facility, the information contained in the notice (except the manifest number), and the certification and demonstration if applicable, required by the generator or the owner or operator of a treatment facility under 376.1(g). ---

NOTE: Items #12 -20 apply only to hazardous waste that is land disposal pursuant to an extension of the effective date of any land disposal restriction pursuant to Part 376.1(e).

12. Manifest - 373.3.5(b) (NOTE: This section applies only to TSD operations that receive hazardous waste from off-site.)

A. Upon receipt of manifested shipment of hazardous waste the owner or operator:

1. determined significant discrepancies from those stated on the manifest - 372.4(b)(1)(i). NA

2. determined that all portions of the manifest have been completed - 372.4(b)(1)(ii). X
Explain: _____

3. distribute copies of the manifest according to the instructions with the manifest form - 372.4(b)(4). X

B. Upon receipt of an unmanifested shipment of hazardous waste the owner or operator: NA

1. determined the reason why the shipment was not accompanied by a manifest - 372.4(c)(1). ---

2. filed an unmanifested waste report after accepting the waste - 372.4(c)(3). ---

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

C. ___ Facility accepted a particular hazardous waste without an authorized permit to do so - 372.4(f)(2). ___

D. ___ Facility accepted a hazardous waste without having adequate treatment, storage or disposal capacity available - 372.4(f)(2). ___

13. Availability, Retention and Disposition of Records

A. ___ All records, including plans, required under Part 373-3 are kept at the facility and furnished upon request, and made available at all reasonable times for inspection - 373-3.5(d)(1). X

B. ___ All reports and records required under subdivision 372.4(d) were retained for three years from the date of submittal - 372.4(d)(3)(i). X

C. ___ Upon closure of the facility, a copy of records of waste disposal locations and quantities was submitted to the Commissioner and the county clerk's office of the county in which the facility is located - 373-3.5(d)(3). NA

14. Additional Reports - 373-3.5(g) NA

A. ___ A TSDF Annual Report has been submitted to the Department by March 1 of each year - 373-3.5(e). ___

B. ___ Releases, fires and explosions as specified in paragraph 373-3.4(g)(10) - 373-3.5(g)(1). ___

C. ___ Groundwater contamination and monitoring data as specified in subdivisions 373-3.6(d) and 373-3.6(e) - 373-3.5(g)(2). ___

D. ___ Facility closure as specified in subdivision 373-3.7(f) - 373-3.5(g)(3). ___

15. Groundwater Monitoring - 373-3.6 NA

A. ___ A groundwater monitoring program is required. ___

B. ___ A groundwater monitoring program is required, and has been instituted. ___

GROUNDWATER MONITORING QUESTIONNAIRE

APPENDIX C WILL BE COMPLETED BY GEOLOGIST

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

16. Closure and Post-Closure - 373-3.7

- A. The owner or operator has a written closure plan. Until final closure is completed and certified, a copy of the most current plan must be furnished to the Commissioner upon request. In addition, for facilities without approved plans it must be provided during site inspections, on the day of inspection, to any authorized Department representative - 373-3.7(c)(1). _____
- B. The owner or operator must amend the closure plan whenever changes in operating plans or facility design affect the closure plan, there is a change in the expected year of closure, or in conducting partial or final closure activities, unexpected events require a modification of the closure plan - 373-3.7(c)(3)(i). _____
- C. The owner or operator of a hazardous waste disposal unit must have a written post-closure plan - 373-3.7(h)(1). NA
|

- D. Within 60 days of completion of final closure of the facility or within 60 days of a partial closure of any hazardous waste management unit, the owner or operator has submitted to the Commissioner, by registered mail, a certification that the unit or facility, as applicable, has been closed in accordance with the specifications in the approved closure plan. The certification has been signed by the owner or operator and by an independent professional engineer registered in NYS - 373.3.7(f)(1). NA
|

17. Financial Requirements - 373-3.8 (Generators over a sole source aquifer, and State and Federal Facilities are exempt). NA

- A. The owner or operator has a detailed written estimate of the cost of closing the facility. The estimate appears to equal the cost of closure at the point in the facility's operating life when the extent and manner of its operation would make closure the most expensive, as indicated by its closure plan. The closure cost are based on the costs of third party closure and do not incorporate any salvage values - 373-3.8(c)(1). _____
- B. Within 60 days prior to the anniversary date of the establishment of the financial instruments used to provide financial assurance for facility closure, the owner or operator has adjusted the closure cost estimate for inflation. For owners and operators using the financial test or corporate guarantee, the closure cost estimate has been updated for inflation within 30 days after the close of the firm's fiscal year - 373-3.8(c)(2). _____

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

- C. The closure cost estimate has subsequently been adjusted for each year of operation - 373-3.8(c)(2). _____
- D. The owner or operator has revised the new closure cost estimate no later than 30 days after a revision to the closure plan affects the cost of closure - 373-3.8(c)(3). _____
- E. The owner or operator has kept the first estimate, and all required subsequent estimates at the facility - 373-3.8(c)(4). _____
- F. The owner or operator has established financial assurance for closure of the facility - 373-3.8(d). _____
- G. The owner or operator of a facility or a group of facilities has demonstrated and maintained financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences arising from operations. This liability coverage is in the amount of at least \$1 million per occurrence with an annual aggregate of at least \$2 million - 373-3.8(h)(1). _____

(QUESTIONS H THROUGH J ARE FOR OWNERS AND OPERATORS OF DISPOSAL FACILITIES) NA

- H. The owner or operator of a surface impoundment, landfill, or land treatment facility or a group of such facilities has demonstrated financial responsibility for bodily injury and property damage to third parties caused by nonsudden accidental occurrences arising from operations. This liability coverage is in the amount of at least \$4.5 million per occurrence with an annual aggregate of at least \$9 million for each separate facility in NYS - 373-3.8(h)(2). _____
- I. The owner or operator of a hazardous waste disposal unit facility has a detailed written estimate of the annual costs of post-closure monitoring and maintenance of the facility - 373-3.8(e)(1). _____
- J. During the active life of the facility, the owner or operator has adjusted the post-closure cost estimate within 60 days prior to the anniversary date of the establishment of the financial instruments used to provide financial assurance - 373-3.8(e)(2). _____

18. Use and Management of Containers - 373-3.9

Complete Part II, 3 D. (pgs II-6 thru II-9)

19. Tanks - 373-3.10

Complete Appendix O.

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APPENDIX R
LAND DISPOSAL RESTRICTIONS CHECKLIST

I. Applicability⁵

- A. Unless otherwise specified, the following requirements apply to all persons who generate, transport, treat, store or dispose of hazardous waste (except conditionally exempt generators of less than 100 kg of non-acute or 1 kg of acute hazardous waste per calendar month).
- B. The hazardous wastes restricted from land disposal are:
1. The hazardous wastes listed or identified in Part 371 or 376.
 2. The wastes identified as hazardous based on characteristic alone (D001-D017).

II. Waste Identification⁵

- A. Determine which of the following prohibited* LDR waste categories the facility manages:

	<u>Generate</u>	<u>Transport</u>	<u>Treat</u>	<u>Store</u>	<u>Dispose</u>
F001-F005 Solvents	<u>X</u>	_____	_____	_____	_____
F020-F023 and F026-F028 Dioxins	_____	_____	_____	_____	_____
Wastes found in 376.3(b)(1)**	_____	_____	_____	_____	_____
Wastes found in 376.3(c)***	<u>X</u>	_____	_____	_____	_____

* These wastes are prohibited from land disposal unless the wastes meet or have been treated to meet the treatment standards of 376.4, have been granted an exemption by petition, have been granted an extension, or have been treated to meet alternative treatment standards.

** Liquid hazardous wastes containing PCBs at concentrations greater than or equal to 50 ppm, hazardous wastes containing HOCs in concentrations greater than or equal to 1,000 ppm, that are identified as hazardous by a property that does not involve HOCs, and liquid wastes that are hazardous and also contain over 134 mg/l nickel and/or 130 mg/l of thallium.

*** Formerly the First, Second and Third Thirds

NOTE: Superscript numbers indicate general applicability of sections.

1. Generator 2. Treatment Facility 3. Storage Facility
4. Land Disposal Facility 5. All

B. Waste Specific Prohibitions*. (Formerly National Capacity Variances)

* Case-by-case extensions may be granted to individual facilities for these wastes after expiration of capacity variances.

Does the facility handle the following wastes?	YES	NO
1. Soil and debris contaminated with wastes that had treatment standards set in the Third Third rule based on incineration, mercury retorting, or vitrification. (expires-05/08/92) - 376.3(c)(4).	—	<u>X</u>
2. The following nonwastewaters-F039,K031,K084,K101,K102, K106,P010,P011,P012,P036,P038,P065,P087,P092,U136,U151. (expires-05/08/92) - 376.3(c)(2).	—	—
3. The following wastes identified as hazardous based on a characteristic alone: D004 (nonwastewaters), D008 (lead materials stored before secondary smelting), D009 (nonwastewaters) (expires 05/08/92) - 376.3(c)(2).	—	—
4. Inorganic solid debris*; includes chromium refractory bricks carrying EPA Hazardous Waste Nos. K048-K052 (expires-05/08/92) - 376.3(c)(2).	—	—

* Inorganic Solid Debris means nonfriable inorganic solids contaminated with D004-D011 hazardous wastes that are incapable of passing through a 9.5 mm standard sieve; and that require cutting, or crushing and grinding in mechanical sizing equipment prior to stabilization, and are limited to metal slags (either dross or scoria); glassified slag; glass; concrete; masonry and refractory bricks; metal cans, containers, drums or tanks; metal nuts, bolts, pipes, pumps, valves, appliances or industrial equipment; and scrap metal as defined in 370.2(c).

5. RCRA hazardous wastes that contain naturally occurring radioactive materials (expires-05/08/92) - 376.3(c)(2).	—	<u>X</u>
6. Wastes that are mixed radioactive/hazardous wastes, and soil or debris contaminated with mixed radioactive/hazardous wastes (expires-05/08/92) - 376.3(c)(3).	—	—

If yes to any of 1 through 6 above, identify the waste(s).

III. Prohibitions, Exemptions, Extensions⁵

A. **Dilution Prohibited as a Substitute for Treatment.**

YES NO

1. Does the generator, transporter, handler, or owner or operator of a treatment, storage or disposal facility dilute characteristic hazardous wastes (in a treatment system which treats wastes subsequently discharged to NYS waters) pursuant to a SPDES permit or for purposes of pretreatment under the Clean Water Act? - 376.1(c)(2). (Complete Appendix A or Q, as applicable)

YES NO

2. Other than as described in 1. above, has the generator, transporter, handler, or owner or operator of a treatment, storage or disposal facility in any way diluted a restricted waste or the residual from treatment of a restricted waste: - 376.1(c)(1).

a. As a substitute for adequate treatment to achieve compliance with section 376.4.

b. To otherwise avoid a prohibition in section 376.3.

c. To circumvent a land disposal prohibition imposed by Article 27.

If yes to a, b, or c above, identify the waste and provide a brief description of the dilution process.

B. **Surface Impoundment Treatment.**²

YES NO

Does the owner or operator treat* wastes which are prohibited from land disposal in a surface impoundment or series of surface impoundments? - 376.1(d)(1).

If no, go to C.

* The evaporation of hazardous constituents as the principal means of treatment in surface impoundment is not considered to be treatment for the purposes of this exemption.

Describe the waste(s) treated.

X Violations

X Satisfactory
NA Not Applicable

1. Treatment of the prohibited wastes occurs in the impoundments - 376.1(d)(1)(i).
2. The following conditions have been met: 376.1(d)(1)(ii).
- a. The residues from treatment are analyzed to determine if they meet the applicable treatment standards or prohibition levels - 376.1(d)(1)(ii)(a).
- b. The sampling method, specified in the waste analysis plan, is designed so that representative samples of the sludge and supernatant are tested separately - 376.1(d)(1)(ii)(a).
- c. The following treatment residues (including any liquid) are removed at least annually * - 376.1(d)(1)(ii)(b).
- (1) Residues which do not meet the treatment standards promulgated under 376.4.
- (2) Residues which meet or exceed the prohibition levels established under 376.3 or imposed by statute.
- (3) Residues which are from the treatment of wastes prohibited from land disposal under 376.3.
- (4) Residues from managing listed wastes which are not delisted under 370.3(c).

* If the volume of liquid flowing through the impoundment or series of impoundments annually is greater than the volume of the impoundment or impoundments, this flow through constitutes removal of the supernatant.

- d. Treatment residues have not been placed in any other surface impoundment for subsequent management after original placement - 376.1(d)(1)(ii)(c).
- e. The procedures and schedule for the sampling of impoundment contents, the analysis of test data, and the annual removal of land disposal restricted residues has been specified in the facility's waste analysis plan - 376.1(d)(1)(ii)(d).

X Violation

X Satisfactory
NA Not Applicable

- 3. Unless exempted or granted a waiver, the impoundment meets the design requirements of 373-2.11(b)(3), 373-3.11(i)(1) and is in compliance with applicable ground water monitoring requirements - 376.1(d)(1)(iii).
- 4. The owner or operator has sent a written certification and a copy of the waste analysis plan to the Commissioner - 376.1(d)(1)(iv).

C. Case-by-Case Extensions.⁵

YES NO

Does the facility handle any wastes subject to a case-by-case extension to an effective date? - 376.1(e).

If no, go to D.

Identify the waste(s) subject to extension.

X Violations

X Satisfactory
NA Not Applicable

- 1. The facility* has submitted an application containing the required demonstration to the Commissioner for an extension of the effective date established under section 376.3 - 376.1(e)(1).
- 2. The application is signed by an authorized representative and contains the required certification - 376.1(e)(2).
- 3. Pending a decision on the application for an extension, the applicant has complied with all restrictions on land disposal once the effective date for the waste has been reached - 376.1(e)(9).
- 4. The person granted** the extension has immediately notified the Commissioner as soon as he has any knowledge of any change in the conditions certified to in the application - 376.1(e)(6).
- 5. The person granted** the extension has submitted progress reports at the intervals designated by the Commissioner - 376.1(e)(7).

* In this case, facility refers to any person who generates, treats, or disposes of a hazardous waste.

** During the period for which an extension established by the Commissioner is in effect, the storage prohibitions in 376.5 do not apply.

X Violation

X Satisfactory
NA Not Applicable

- 6. The progress reports must: - 376.1(e)(7) N/A
 - a. Describe the overall progress made toward constructing or otherwise providing alternative treatment, recovery, or disposal capacity, +
 - b. Identify any event which may cause or has caused a delay in the development of the capacity, and —
 - c. Summarize the steps taken to mitigate the delay. —
- 7. Hazardous waste has been disposed of in an interim status landfill which is in compliance with the technical requirements of 373-3.6 and 373-3.14(j)(1), (3) and (4) - 376.1(e)(8)(ii)(a).*
- 8. Hazardous waste has been disposed of in a permitted landfill which is in compliance with the technical requirements of 373-2.6 and 373-2.14(c)(3), (4), and (5) - 376.1(e)(8)(ii)(b).*
- 9. Hazardous waste has been disposed of in an interim status surface impoundment which is in compliance with the technical requirements of 373-3.6 and 373-3.11(i)(1), (3) and (4) - 376.1(e)(8)(ii)(c).*
- 10. Hazardous waste has been disposed of in a permitted surface impoundment which is in compliance with the technical requirements of 373-2.6 and 373-2.11(b)(3), (4), and (5) - 376.1(e)(8)(ii)(d).*
- 11. Containerized liquid hazardous wastes containing PCBs at concentrations greater than or equal to 50 ppm but less than 500 ppm have been disposed of in a landfill which is also in compliance with the technical requirements of 40 CFR 761.75 (TOSCA), 371.4(e), 373-2, and 373-3 - 376.1(e)(8)(ii)(e).*

* These requirements apply only when the Commissioner establishes an extension to an effective date under subdivision, and only during the period for which such extension is in effect. In addition the storage restrictions under 376.5 do not apply.

D. Petitions to Allow Land Disposal.⁴

YES NO

Has the owner or operator applied for or been granted an exemption from a prohibition of the land disposal of a

restricted hazardous waste in a particular unit(s) by the Commissioner? - 376.1(f).

If no, go to IV.

Identify the wastes subject to exemption.

MT

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1. The facility has submitted a petition for an exemption from a prohibition of the land disposal of a restricted hazardous waste in a particular unit to the Commissioner demonstrating that there will be no migration of hazardous constituents from the disposal unit for as long as the wastes remain hazardous - 376.1(f)(1).

 2. The petition includes the following: -376.1(f)(3)
 - a. A monitoring plan that describes the monitoring program installed at and/or around the unit to verify continued compliance with the conditions of the exemption and provides information on the monitoring of the unit and/or the environment around the unit - 376.1(f)(3)(i).

 - b. The following specific information is included in the plan - 376.1(f)(3)(i).
 - (1) The media monitored in the cases where monitoring of the environment around the unit is required - 376.1(f)(3)(i)(a).
 - (2) The type of monitoring conducted at the in the cases where monitoring of the unit is required - 376.1(f)(3)(i)(b).
 - (3) The location of the monitoring stations - 376.1(f)(3)(i)(c).
 - (4) The monitoring interval (frequency of monitoring at each station) - 376.1(f)(3)(i)(d).
 - (5) The specific hazardous constituents to be monitored - 376.1(f)(3)(i)(e).
 - (6) The implementation schedule for the monitoring program - 376.1(f)(3)(i)(f).
 - (7) The equipment used at the monitoring stations - 376.1(f)(3)(i)(g).

X Violation

X Satisfactory
NA Not Applicable

- (8) The sampling and analytical techniques - 376.1(f)(3)(i)(h). NA
- (9) The data recording/reporting procedures techniques - 376.1(f)(3)(i)(h).
- c. The monitoring data collected according to the monitoring plan has been sent to the Commissioner according to the format and schedule specified and approved in the monitoring plan - 376.1(f)(3)(iii).
- d. A copy of the monitoring data collected under the monitoring plan is kept on-site in the operating record at the facility - 376.1(f)(3)(iv).
- e. The monitoring program, specified in 2a & b above, meets the following criteria: - 376.1(f)(3)(v).
- (1) All sampling, testing, and analytical data must be approved by the Commissioner and must provide data that is accurate and reproducible - 376.1(f)(3)(v)(a).
- (2) All estimation and monitoring techniques must be approved by the Commissioner, and - 376.1(f)(3)(v)(b).
- (3) A quality assurance and quality control plan must be provided to and approved by the Commissioner - 376.1(f)(3)(v)(c).
3. The petition has been submitted to the Commissioner - 376.1(f)(4).
4. After the petition has been approved, the owner or operator has reported any changes in conditions at the unit and/or the environment around the unit that significantly depart from the conditions described in the exemption and affect the potential for migration of hazardous conditions from the unit -376.1(f)(5).
5. If the owner or operator determines that there is migration of hazardous constituent(s) from the unit, he has done the following: -376.1(f)(6).
- a. Immediately suspended receipt of prohibited waste at the unit, and - 376.1(f)(6)(i).
- b. Notified the Commissioner, in writing, within 10 days of the determination that a release occurred - 376.1(f)(6)(ii).

X Violation

X Satisfactory
NA Not Applicable

- 6. The petition contains the required certification - 376.1(f)(7).
- 7. Prior to the Commissioner's decision on the petition for an exemption, the applicant has complied with all restrictions on land disposal once the effective date for the waste has been reached - 376.1(f)(12).

IV. Waste Analysis and Recordkeeping - 376.1(g)⁵

A. **Determination of Wastes Restricted from Land Disposal.**

- 1. Other than the wastes listed in 376.3(b)* or 376.4(d)**, the generator has determined if his F, K, P, U, or B listed wastes are restricted from land disposal - 376.1(g)(1).

The determination is based on:

- a. Testing of the wastes or extracts of the wastes using the test method described in Appendix 35 (TCLP), or
- b. Using knowledge of the wastes

- 2. Other than the wastes listed in 376.3(b)*, the generator has determined if his wastes exhibiting one or more characteristics (D001-D017) are restricted from land disposal - 376.1(g)(1).

The determination is based on:

- a. Testing of extracts using the test method described in Appendix 20 (EP-tox), or
- b. Using knowledge of the wastes.

* Refer to ** on first page.

** Formerly the First, Second and Third Thirds

B. **Restricted Wastes not Meeting Treatment Standards.**⁵

For restricted wastes that do not meet the applicable treatment standards set forth in 376.4 or that exceed the prohibition levels in 376.3(b), the generator has notified the treatment or storage facility in writing. The notice must contain the following information: - 376.1(g)(1)(i).

- 1. EPA Hazardous Waste Number - 376.1(g)(1)(i)(a).

- 2. For wastes F001-F005, F039, and wastes prohibited in 376.3(b), the corresponding treatment standards - 376.1(g)(1)(i)(b).

X Violation

X Satisfactory
NA Not Applicable

- 3. For all other restricted wastes not included in 2. above:
 - a. The treatment standard, or
 - b. A reference on the notification, including:
 - (1) The applicable wastewater or nonwastewater category.
 - (2) The applicable waste specific criteria within a waste code.
 - (3) The section(s) and paragraph(s) where the applicable treatment standard appears.
- 4. For treatment standards expressed as specified technologies, the applicable five-letter treatment code - 376.1(g)(1)(i)(b).
- 5. The manifest number of the shipment - 376.1(g)(i)(c).
- 6. Waste analysis data - 376.1(g)(1)(i)(d).

C. **Restricted Wastes Meeting Treatment Standards.**⁵ NA

For restricted wastes that can be land disposed of without further treatment, the generator has submitted a notice and a certification to the treatment, storage, or disposal facility stating that the waste meets the applicable treatment standards and prohibition levels - 376.1(g)(1)(ii). NA

- 1. The notice includes the following information:
 - a. EPA Hazardous Waste Number - 376.1(g)(1)(ii)(a)(1).
 - b. For wastes F001-F005, F039, and wastes prohibited in 376.3(b), the corresponding treatment standards - 376.1(g)(1)(ii)(a)(2).
 - c. For all other restricted wastes not included in b. above: - 376.1(g)(1)(ii)(a)(2).
 - (1) The treatment standard, or
 - (2) A reference, including:
 - (a) The applicable wastewater or nonwastewater category.

X Violation

X Satisfactory
NA Not Applicable

MA

(b) ___ The applicable waste specific criteria within a waste code. ___

(c) ___ The section(s) and paragraph(s) where the applicable treatment standard appears. ___

d. ___ For treatment standards expressed as specified technologies, the applicable five-letter treatment code - 376.1(g)(1)(ii)(a)(2). ___

e. ___ The manifest number for the shipment - 376.1(g)(1)(ii)(a)(3). ___

f. ___ Waste analysis data - 376.1(g)(1)(ii)(a)(4). ___

2. ___ The certification is signed by an authorized representative and makes the required statement - 376.1(g)(1)(ii)(b). ___

D. Wastes Exempted from Land Disposal Prohibitions. ⁵ MA

1. ___ For wastes exempted from land disposal prohibitions such as case-by-case extensions, exemptions under 376.1(f), or nationwide capacity variances, with each shipment the generator has submitted a notice to the facility receiving the waste stating that the waste is not prohibited from land disposal - 376.1(g)(1)(iii). ___

2. ___ The notice includes the following information. ___

a. ___ EPA Hazardous Waste number - 376.1(g)(1)(iii)(a). ___

b. ___ For wastes F001-F005, F039, and wastes prohibited in 376.3(b), the corresponding treatment standards - 376.1(g)(1)(iii)(b). ___

c. ___ For all other restricted wastes not included in b. above: - 376.1(g)(1)(iii)(b). ___

(1) ___ The treatment standard, or ___

(2) ___ A reference, including: ___

(a) ___ The applicable wastewater or nonwastewater category. ___

(b) ___ The applicable waste specific criteria within a waste code. ___

(c) ___ The section(s) and paragraph(s) where the applicable treatment standard appears. ___

X Violation

X Satisfactory
NA Not Applicable

- d. For treatment standards expressed as specified technologies, the applicable five-letter treatment code - 376.1(g)(1)(iii)(b). NA
- e. The manifest number of the shipment - 376.1(g)(1)(iii)(c). |
- f. Waste analysis date - 376.1(g)(1)(iii)(d). |
- g. The date the waste is subject to the prohibitions - 376.1(g)(1)(iii)(e). |

E. Treatment of Prohibited Wastes in Containers or Tanks. ¹ NA

For generators managing a prohibited waste in tanks or containers regulated under Part 373-1 and treating that waste in those tanks or containers to meet applicable treatment standards the generator has:

- 1. Developed and followed written waste analysis plan which describes the procedures the generator will carry out to comply with the treatment standards - 376.1(g)(1)(iv). |
- 2. Kept the plan on-site in the generator's records - 376.1(g)(1)(iv). |
- 3. The following requirements have been met: |
 - a. The waste analysis plan has been based on a detailed chemical and physical analysis of a representative sample of the prohibited waste(s) being treated, and contains all information necessary to treat the waste(s), including the selected testing frequency - 376.1(g)(1)(iv)(a). |
 - b. The plan has been filed with the Commissioner to implement Part 376 requirements a minimum of 30 days prior to the treatment activity with delivery verified - 376.1(g)(1)(iv)(b). |
 - c. Wastes shipped off-site have complied with the notification requirements for restricted wastes meeting treatment standards - 376.1(g)(1)(iv)(c). [Complete Item IV.C.] |

F. Recordkeeping. ⁵

- 1. If a generator has determined whether a waste is restricted based solely on knowledge of the waste, all supporting data used to make this determination has NA

X Violation

X Satisfactory
NA Not Applicable

been retained on-site in the generator's files -
376.1(g)(1)(v).

2. If a generator has determined whether a waste is restricted based on testing of the waste or an extract developed using the test method described in Appendix 35 (TCLP), all waste analysis data has been retained on-site in the generator's files - 376.1(g)(1)(v).

3. If a generator has determined that he is managing a restricted waste that is excluded from the definition of hazardous or solid waste, or exempt from regulation, under 371, subsequent to the point of generation, the generator has placed in the facility's file a one-time notice stating: - 376.1(g)(1)(vi).

a. That the waste is generated,

b. That the waste is excluded from the definition of hazardous or solid waste or exempted from regulation, and

c. The disposition of the waste.

4. Generators must retain on-site a copy of all notices, certifications, demonstrations, waste analysis data, and other documentation for at least five years from the date that the wastes were last sent to on-site or off-site treatment, storage, or disposal. (This requirement applies to solid wastes even when the hazardous characteristic is removed prior to disposal, or when the waste is excluded from the definition of hazardous or solid waste, or exempted from regulation, subsequent to the point of generation - 376.1(g)(1)(vii).

G. **Alternate Treatment Standards for Lab Packs.**⁵

1. For generators managing lab packs containing wastes identified in Appendix 38 (organometallics), who wish to use the alternate treatment standards, with each shipment the generator has: - 376.1(g)(1)(viii).

a. Submitted a notice to the treatment facility in accordance with 376.1(g)(1)(i). [Complete Item IV.E.]

b. Made a waste determination in compliance with 376.1(g)(1)(v) & (vi). [Complete Items IV.F.1-3.]

c. Submitted the certification provided in 376.1(g)(1)(viii), signed by an authorized representative.

X Violation

X Satisfactory
NA Not Applicable

2. For generators managing lab packs containing organic wastes specified in Appendix 39, who wish to use the alternate treatment standards, with each shipment the generator has: - 376.1(g)(1)(ix). *NA*
- a. Submitted a notice to the treatment facility in accordance with 376.1(g)(1)(i). [Complete Item IV.B.]
- b. Made a waste determination in compliance with 376.1(g)(1)(v) & (vi). [Complete Items IV.F.1-3.]
- c. Submitted the certification provided in 376.1(g)(1)(ix), signed by an authorized representative. *+*

H. **Small Quantity Generators with Tolling Agreements.** *NA*

- For generators of less than 1,000 kg per calendar month and who do not store 1,000 kg or more at any time: *NA*
1. The waste is reclaimed under a contractual agreement - 372.2(b)(7)(i).
2. For the initial shipment of such wastes, the generator has complied with the notification and certification requirements that apply for the wastes subject to the tolling agreement - 376.1(g)(1)(x). [Complete Items IV.B-D.]
3. Small quantity generators must retain on-site a copy of each notification and certification, together with the tolling agreement, for at least three years after termination or expiration of the agreement - 376.1(g)(1)(x).

I. **Treatment Facility Requirements.**² *NA*

1. The treatment facility has tested its waste in accordance with the frequency determined by the Commissioner and based on the criteria included in 373-2.2(e) or 373-3.2(d) - 376.1(g)(2). [Complete Appendix A, Items 2. A-G.]
2. The treatment facility has specified the frequency of testing in its waste analysis plan - 376.1(g)(2).
3. The treatment facility has performed the testing as follows:
- a. For wastes with treatment standards expressed as concentrations in the waste extract (376.4(b)), the owner or operator has tested the treatment residues, or an extract of such residues developed

X Violation

X Satisfactory
NA Not Applicable

using the test method described in Appendix 35 (TCLP), to assure that they meet the applicable treatment standards - 376.1(g)(2)(i).

MA

- b. For wastes that are prohibited (376.3(b)), but not subject to any treatment standards, the owner or operator has tested the treatment residues according to generator testing requirements specified in 376.3(b), to assure that the treatment residues comply with the applicable prohibitions - 376.1(g)(2)(ii).
- c. For wastes with treatment standards expressed as concentration in the waste (376.4(d)), the owner or operator has tested the treatment residues (not an extract) to assure that the treatment residues meet the applicable treatment standards - 376.1(g)(2)(iii).
- d. The treatment facility has sent a notice with each waste shipment to the land disposal facility - 376.1(g)(2)(iv).
- e. The notice contains the following information: - 376.1(g)(2)(iv).
 - (1) EPA Hazardous Waste Number - 376.1(g)(2)(iv)(a).
 - (2) For wastes F001-F005, F039, and wastes prohibited in 376.3(b), the corresponding treatment standards - 376.1(g)(2)(iv)(b).
 - (3) For all other restricted wastes not included in (2) above:
 - (a) The treatment standard, or
 - (b) A reference on the notification, including:
 - (i) The applicable wastewater or nonwastewater category.
 - (ii) The applicable waste specific criteria within a waste code.
 - (iii) The section(s) and paragraph(s) where the applicable treatment standard appears.

X Violation

X Satisfactory
NA Not Applicable

- (4) — For treatment standards expressed as specified technologies, the applicable five-letter treatment code - 376.1(g)(2)(iv)(b). NA
- (5) — The manifest number of the shipment - 376.1(g)(2)(iv)(c). —
- (6) — Waste analysis data - 376.1(g)(2)(iv)(d). —

f. — The treatment facility has submitted a certification signed by an authorized representative, with each shipment of waste or treatment residue to the land disposal facility, stating that the waste or treatment residue has been treated in compliance with the applicable performance standards (376.4) and the applicable prohibitions (376.3(b) - 376.1(g)(2)(v)). —

- (1) — For wastes with treatment standards expressed as concentrations in the waste extract or in the waste (376.4(b) or 376.4(d)), or for wastes prohibited under 376.3(b), which are not subject to any treatment standards under 376.4, the certification contains the statement required in 376.1(g)(2)(v)(a). —
- (2) — For wastes with treatment standards expressed as technologies (376.4(c)), the certification contains the statement required in 376.1(g)(2)(v)(b). —
- (3) — For wastes with treatment standards expressed as concentrations in the waste (376.4(d)), if compliance with treatment standards is based on non-detectability of organic constituents referred to in 376.4(d)(3), the certification also contains the statement required in 376.1(g)(2)(v)(c). —

J. **Restricted Wastes Shipped from Treatment or Storage Facilities to Treatment, Storage, or Disposal Facilities.** 2,3
NA

— If the waste or treatment residue will be further managed at a different treatment or storage facility, the treatment, storage or disposal facility sending the waste or treatment residue off-site has complied with the notice and certification requirements that apply to generators - 376.1(g)(2)(vi). [Complete Items IV.B-D.] —

X Violation

X Satisfactory
NA Not Applicable

K. **Recyclable Materials Used in a Manner Constituting Disposal - 2**
376.1.(g)(2)(vii).

MA

1. ___ With each shipment, where the wastes are recyclable materials used in a manner constituting disposal [374.3(a)(2)], the owner or operator of the recycling facility has submitted a certification and a notice to the Commissioner* - 376.1(g)(2)(vii). [Complete Items IV.I.e.(1) - (4) and (6), and Items IV.I.f. (1) - (3).]

* The owner or operator of the treatment facility (i.e., the recycler) is not required to notify the receiving facility.

2. ___ The owner or operator of the treatment facility (i.e., the recycler) has kept records of the name and location of each entity receiving the hazardous waste-derived product - 376.1(g)(2)(vii).

L. **Requirements for Land Disposal Facilities.**⁴

MA

___ Except for the disposal of any waste that is a recyclable material used in a manner constituting disposal (374.3(a)(2)), the owner or operator of any land disposal facility disposing of any restricted wastes has: - 376.1(g)(3).

1. ___ Tested the waste, or an extract of the waste or treatment residue developed using the test method described in Appendix 35 (TCLP), or using any methods required by generators under 376.3(b), to assure that applicable treatment standards (376.4) and all applicable prohibitions (376.3(b)) are complied with. ___
2. ___ Specified the frequency of testing in its waste analysis plan. ___
3. ___ Tested its waste in accordance with the frequency determined by the Commissioner and based on the criteria included in 373-2.2(e) or 373-3.2(d). [Complete Appendix A, Items 2. A-G.] ___
4. ___ Copies of the required notices and certifications. ___

V. **Special Rules Regarding Wastes that Exhibit a Characteristic**^{1**}

- A. ___ The initial generator has identified each waste with all applicable waste codes provided in 371.4 (listed wastes) and 371.3 (characteristic wastes) - 376.1(h)(1). X
- B. ___ For each hazardous waste, the initial generator has provided notification of all the treatment standards for any applicable listed and characteristic waste codes - 376.1(h)(2). X
- C. ___ Prior to land disposal, all prohibited wastes which exhibit MA

X Violation

X Satisfactory
NA Not Applicable

a characteristic have been treated to the treatment standards provided in 376.4 - 376.1(h)(3).

- D. For characteristic hazardous wastes that have been treated and are no longer hazardous, the initial generator or treatment facility has shipped the wastes to a Part 360 facility and sent the notification and certification to the Commissioner* - 376.1(h)(4).

* Notification is not required to be sent to the Part 360 facility.

1** This section would also apply to any TSD that is the initial generator of the waste.

- 1. The notification includes the following information: - 376.1(h)(4)(i).
 - a. The name and address of the Part 360 facility receiving the waste - 376.1(h)(4)(i)(a).
 - b. A description of the waste as initially generated, including the applicable EPA Hazardous Waste Number(s), the applicable wastewater or nonwastewater category, and the subdivisions made within each waste code based on waste-specific criteria - 376.1(h)(4)(i)(b).
 - c. The treatment standards applicable to the waste at the initial point of generation - 376.1(h)(4)(i)(c).
- 2. The certification is signed by an authorized representative and includes the language found in 376.1(g)(2)(v)(a) - 376.1(h)(4)(ii).

VI. Prohibitions on Land Disposal ⁵ NA

A. **Solvent/Dioxin Wastes.** ⁵

Unless the wastes meet the treatment standards of 376.4, persons have been granted an exemption from a prohibition pursuant to a petition, or persons have been granted an extension to the effective date of a prohibition, solvent wastes Nos. F001-F005 and dioxin wastes Nos. F020-F023 and F026-F028 (including contaminated soil and debris) are prohibited from land disposal - 376.3(a)(1).

B. **Prohibited Wastes Found in 376.3(b)(1).** ⁵ NA

- 1. The following wastes are prohibited from land disposal unless they comply with any of the conditions in 2. below: - 376.3(b)(1).

X Violation

X Satisfactory
NA Not Applicable

NA

a. Liquid hazardous wastes containing PCB's at concentrations of equal to or greater than 50 ppm - 376.3(b)(1)(i).

b. Hazardous wastes containing halogenated organic compounds (HOCs) in concentrations greater than or equal to 1,000 ppm, that are identified as hazardous by a property that does not involve HOCs - 376.3(b)(1)(ii).

c. Liquid hazardous wastes that contain over 134 mg/l nickel and/or 130 mg/l of thallium - 376.3(b)(1)(iii).

2. These wastes may be land disposed provided that: 376.3(b)(2).

a. Persons have been granted an exemption from a prohibitions, or - 376.3(b)(2)(i).

b. Persons have been granted an extension to the effective date of a prohibition, or - 376.3(b)(2)(ii).

c. They meet the applicable treatment standards, or are in compliance with all prohibitions set forth in Part 376 or RCRA section 3004(d) - 376.3(b)(2)(iii).

3. The wastes found in 1. above have been subjected to the Paint Filter Liquids Test to determine if they are liquids - 376.3(b)(3).

4. The initial generator of a liquid hazardous waste containing PCBs or a liquid or nonliquid hazardous waste containing HOCs has tested the waste (not an extract or filtrate) or used knowledge of the waste to determine if the waste equals or exceeds the specified prohibition levels (50 ppm for PCBs, 1,000 ppm for HOCs) - 376.3(b)(4).

C. **Prohibited Wastes Found in 376.3(c) [First, Second, and Third Third⁵ Wastes].**

1. The following wastes are prohibited from land disposal unless they meet any of the conditions of 2. below: - 376.3(c).

a. All hazardous wastes listed or identified in Parts 376 or 371 which have a disposal prohibition or treatment standard - 376.3(c)(1).

X Violation

X Satisfactory
NA Not Applicable

- b. Effective 5/8/92, the hazardous wastes identified in Part 376.3(c)(2).
 - c. Effective 5/8/92, hazardous wastes that are mixed radioactive/hazardous wastes, and soil or debris contaminated with these wastes - 376.3(c)(3).
 - d. Effective 5/8/92, hazardous wastes having a treatment standard based on incineration, mercury retorting, and vitrification, acid leaching followed by chemical precipitation, or thermal recovery of metals, and which are contaminated soil or debris - 376.3(c)(4).
2. The wastes in 1. above may be land disposed provided that: 376.3(c)(6).
- a. The wastes meet the applicable treatment standards, or - 376.3(c)(6)i).
 - b. Persons have been granted an exemption from a prohibition, or - 376.3(c)(6)(ii).
 - c. The wastes meet the applicable alternative standards established pursuant to a petition, or - 376.3(c)(6)(iii).
 - d. Persons have been granted an extension to the effective date of a prohibition - 376.3(c)(6)(iv).
3. The initial generator has tested a representative sample of the waste extract or the entire waste, depending on whether the treatment standards are expressed as concentrations in the waste extract or the waste, or used knowledge of the waste to determine if it exceeds the applicable treatment standards - 376.3(c)(7).

VII. Treatment Standards⁵

A. Applicability of Treatment Standards.⁵ *NA*

1. A restricted waste identified in 376.4(b) (Table CCWE] has been land disposed only when an extract of the waste or the treatment residue does not exceed the value shown in Table CCWE for any hazardous constituent as determined by TCLP, with the following exceptions: D004, D008, K031, K084, K101, K102, P010, P011, P012, P036, P038 and U136 - 376.4(a)(1).

X Violation

X Satisfactory
NA Not Applicable

2. The individual wastes listed in 1. above have been land disposed only when an extract of the waste or the treatment residue as determined by TCLP or EP-Tox does not exceed the value shown in Table CCWE for any hazardous constituent - 376.4(a)(1)(i). NA
3. A restricted waste that has a specified treatment technology [376.4(c)(1)] has been land disposed only after treatment using that technology or an equivalent treatment method approved by the EPA Administrator - 376.4(a)(2). NA

B. Treatment Standards Expressed as Constituent Concentrations in Waste Extract.

1. Table CCWE identified the restricted wastes and the concentration of their associated constituents which may not be exceeded by the extract of a waste or waste treatment residual as determined by either TCLP or EP-Tox as specified in A.1. & 2 above for allowable land disposal* - 376.4(b)(1). NA

* Compliance with these concentrations is required based upon grab samples.

2. If wastes with differing treatment standards for a constituent of concern are combined for purposes of treatment, the treatment residue meets the lowest treatment standard for that constituent - 376.4(b)(2).

C. Treatment Standards Expressed as Specified Technologies.⁵ NA

1. Any wastes identified in a-d below, Table 2* or Table 3** of 376.4(c) have been treated using the technology or technologies specified in a-d below or in Table 1*** - 376.4(c)(1).

* Technology-Based Standards by RCRA Waste Code.

** Technology-Based Standards for Specific Radioactive Hazardous Mixed Waste.

*** Description of Technology-Based Standards and Five-Letter Technology Codes.

- a. Liquid hazardous wastes containing PCBs greater than or equal to 50 ppm and less than 500 ppm have been incinerated in accordance with 40 CFR 761.70, or burned in high efficiency boilers in accordance with 40 CFR 761.60* - 376.4(c)(1)(i).
- b. Liquid hazardous waste containing PCBs greater than 500 ppm have been incinerated in accordance with 40 CFR 761.70* - 376.4(c)(1)(i).

* Thermal treatment is also in compliance with all applicable NYS regulations.

- c. — Hazardous wastes containing halogenated organic compounds in concentrations greater than or equal to 1,000 mg/kg that are prohibited under 376.3(b)(1), have been incinerated** - 376.4(c)(2)(ii).

** These treatment standards do not apply where the waste is subject to a treatment standard for a specific HOC (such as a hazardous waste chlorinated solvent for which a treatment standard is established).

- d. — A mixture of wastewater (the discharge of which is subject to regulation under ECL Article 17 or the Clean Water Act) and de minimis losses of materials from manufacturing, which meets the criteria of the D001 ignitable liquids containing greater than 10% organic constituents (TOC) subcategory, has been treated using the DEACT treatment standard - 376.4(c)(1)(iii).
2. — An alternative treatment method approved by the EPA Administrator has been used in lieu of a standard established in Parts 376.4(c)(1), (3) and (4) - 376.4(c)(2). [Complete Items VII.C.1, 3 & 4.]
3. — As an alternative to the otherwise applicable 376.4 treatment standards, lab packs have been land disposed provided the following requirements are met: - 376.4(c)(3).
- a. — Lab packs comply with the applicable provisions of 373-2.14(1) and 373-3.14(i); 376.4(c)(3)(i).
- b. — All hazardous wastes contained in lab packs are specified in Appendix 38 or 39 of this title; 376.4(c)(3)(ii).
- c. — The lab packs are incinerated in accordance with the requirements of 373-2.15 and 373-3.15; 376.4(c)(3)(iii).
- d. — Any incinerator residues from lab packs containing D004 - D008, D010, and D011 are treated in compliance with the applicable treatment standards for such wastes - 376.4(c)(3)(iv).

D. Treatment Standards Expressed as Waste Concentrations.⁵

NA

1. ___ Table CCW identifies the restricted wastes and the concentrations of their associated constituents of concern which may not be exceeded by the waste or treatment residual (not an extract of either) for allowable land disposal* - 376.4(d)(1).

* Compliance with these concentrations is required based upon grab samples, unless otherwise noted in Table CCW.

2. ___ When wastes with differing treatment standards for a constituent of concern have been combined for treatment, the treatment residue meets the lowest treatment standard for that constituent - 376.4(d)(2).

3. ___ For organic constituents specified by footnote in Table CCW, the treatment and disposal facility has: - 376.4(d)(3).

a. ___ Certified compliance with the treatment standards, and ___

b. ___ Satisfactorily demonstrated the following conditions: ___

(1) ___ The treatment standards for the organic constituents were established based on incineration or based on combustion in fuel substitution units - 376.4(d)(3)(i).

(2) ___ The organic constituents have been treated using the methods specified in (1) above - 376.4(d)(3)(i).

(3) ___ The treatment or disposal facility has been unable to detect the organic constituents despite its best good-faith efforts as defined by applicable Department guidance or standards - 376.4(d)(3)(iii).

E. Variance From a Treatment Standard.⁵

NA

1. ___ Each petition for a variance from a treatment standard has been submitted to the EPA Administrator in accordance with the procedures outlined in 40 CFR 260.20 - 376.4(e)(2).

2. ___ Each petition includes the required certification - 376.4(e)(3).

X Violation

X Satisfactory.
NA Not Applicable

3. A generator, treatment facility or disposal facility that is managing a waste covered by a variance from a treatment standard has complied with the waste analysis requirements for a restricted waste - 376.4(e)(6).
4. During the petition review process, the applicant has complied with all restrictions on land disposal - 376.4(e)(7).
5. Applications for a site-specific variance must include the information in 40 CFR 260.20(b) - 376.4(e)(9).
6. The generator, treatment facility or disposal facility managing a waste covered by a site-specific variance from a treatment standard has complied with the waste analysis requirements for a restricted waste - 376.4(e)(11).
7. During the application review process, the applicant has complied with all restrictions on land disposal - 376.4(e)(12).

F. **PCB Disposal.**⁵

1. Except for waste B002, all PCB waste not regulated under 376.3(b) has been disposed of in accordance with 40 CFR 761 (TOSCA) - 376.4(f)(1).
2. Waste B002, from any source other than a spill, has not been stabilized or mixed with any substance in order to conform with 40 CFR 761 regarding land disposal - 376.4(f)(1)(i).

VIII. Prohibition on Storage of Restricted Wastes

- A. The storage of hazardous wastes restricted from land disposal is permitted provided that: - 376.5(a)(1).
1. The generator has:
 - a. Stored restricted waste in tanks or containers on-site solely for the purpose of the accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment, or disposal - 376.5(a)(1)(i).
 - b. Complied with all storage requirements of 372, 373-1, 373-2, and 373-3. [Complete Inspection Report.] - 376.5(a)(1)(i).
 - c. Stored all restricted wastes for 90 days or less - 376.5(a)(1)(i).

X Violation

X Satisfactory
NA Not Applicable

2. The owner or operator of a hazardous waste treatment, storage, or disposal facility has: NA
- a. Only stored restricted wastes in tanks or containers for up to one year solely for the purpose of the accumulation of such quantities as necessary to facilitate proper recovery, treatment or disposal - 376.5(a)(1)(ii).
 - b. Clearly marked each container or tank to identify its contents and the date each period of accumulation begins - 376.5(a)(1)(ii)(a).
 - c. Maintained in the operating record the contents and beginning accumulation date for each tank and container - 376.5(a)(1)(ii)(b).
 - d. Complied with all operating record requirements of 373-2.5(c) or 373-3.5(c) - 376.5(a)(1)(ii)(b). [Complete Appendix A Items 11.B.1-20.] - 376.5(a)(1)(ii)(b).
3. The transporter has stored manifested shipments of restricted wastes at a transfer facility for 5 days or less - 376.5(a)(1)(iii).
4. Liquid hazardous wastes containing PCBs at concentrations greater than or equal to 50 ppm have been stored at facilities that meet the requirements of 371 through 376 and 40 CFR 761.65(b), and have been removed from storage and treated or disposed of as required within one year of the date when such wastes were placed in storage - 376.5(a)(6).
- B. Unless the Department can prove that such storage was not solely for the purpose of accumulation of such quantities as necessary to facilitate proper recovery, treatment or disposal, the owner/operator of a treatment, storage or disposal facility may store restricted waste for up to one year - 376.5(a)(2).
- C. The owner/operator of a treatment, storage or disposal facility has stored restricted waste beyond one year and has proven that the storage was solely for the purpose of accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment, or disposal - 376.5(a)(3).

Jas + Seymour

TOXICITY CHARACTERISTIC (TC) INSPECTION CHECKLIST

1. Does the facility generate waste exceeding the regulatory level for any constituent listed in Table 1-TC?

Yes _____ No _____

If no this checklist need not be completed.

2. Was the facility's waste(s) considered hazardous prior to the promulgation of the new TC requirement?

Yes _____ No _____

If No, proceed to question number 3.

- a) Does the generator determine and list on its manifests all of its waste(s) TC characteristics?

Yes A _____ No _____

Comments: _____

- b) If the generator is also a TSD, has the owner or operator submitted a revised Part A permit application or if permitted, a permit modification request indicating the new hazardous constituent(s) found in their waste(s)? NA

Yes _____ No _____

3. Is the waste properly managed as a hazardous waste?

Yes X _____ No _____

If No, this is a high priority violation. Be sure to obtain a detailed description of the waste's final disposition.

Comments: _____

- a) If the generator is also a TSD, has the owner or operator submitted a revised Part A permit application or if permitted, a permit modification request for the previously unregulated waste which has become hazardous as a result of the TC Rule? NA

Yes _____ No _____

EFFECTIVE DATES FOR COMPLIANCE WITH TC REQUIREMENTS

Generators of $\geq 1,000$ kg/mo. of hazardous waste	9/25/90
Generators of $< 1,000$ kg/mo. of hazardous waste	3/29/90

PART III

Comments, Conclusions and Recommendations Section

Facility Name Pass + Seymour (Slater)
 EPA I.D. No. NY D 0020036564
 Date of Inspection 1/8/93

General Comments and Conclusions (cite appropriate State regulations in violation and attach additional sheets and other information as required)

Last inspection of facility: '86
 Some of the violations are the same:
 No personal training: 373-3.2(g)(i)+ii
 No job description: 373-3.2(g)(i)+ii+iii
 * No amended contingency plan 373-3.4(e)
 No inspections: 373-3.3(f) No operating record: 373-3.5(c)
 No waste analysis plan 373-3.2(d)2
 No closure plan: 373-3.7
 * The cont. plan should have new/old employees names (updated)

NOT FOR RELEASE TO COMPANY, PROTECTED INFORMATION

Recommendations EPA I.D. No. NYD 002 036564

- No violations found. Thank you letter should be issued.
- A warning letter should be issued.
- A strong warning letter should be issued.
- A complaint should be issued and a fine levied.
- Copy of this report has not been given to the handler(inspector submit two copies to C.O. and C.O. will send with reply)
- Copy of this report has been given to the handler (inspector submit one copy to C.O.)
- Other (please explain)*

Sample(s) have been taken.

Comments on sample results: _____

*Do not refer cases directly to the BECI unit. All BECI referrals will be made by the Central Office.

PART III

Comments, Conclusions and Recommendations Section

Facility Name Pass + Seymour (States)
EPA I.D. No. NY D 00 200 36 564
Date of Inspection 1/8/93

General Comments and Conclusions (cite appropriate State regulations in violation and attach additional sheets and other information as required)

Last inspection of facility: '86
Some of the violations are the same: No personal training: 373-3.2(g)(i)+ii+iii
No job description: 373-3.2(g)(4)
No amended contingency plan 373-3.4(e)
No inspections: 373-3.2(f) No operating record: 373-3.5(c)
No waste analysis plan 373-3.2(d)2
No closure plan: 373-3.7

Recommendations EPA I.D. No. NYD 002 036564

- No violations found. Thank you letter should be issued.
- A warning letter should be issued.
- A strong warning letter should be issued.
- A complaint should be issued and a fine levied.
- Copy of this report has not been given to the handler(inspector submit two copies to C.O. and C.O. will send with reply)
- Copy of this report has been given to the handler (inspector submit one copy to C.O.)
- Other (please explain)*

Sample(s) have been taken.

Comments on sample results: _____

*Do not refer cases directly to the BECI unit. All BECI referrals will be made by the Central Office.