



# *Assessing Your Hazardous Waste Transportation and Disposal Contractors*

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| Report Documentation Page                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                     |                                                                  | Form Approved<br>OMB No. 0704-0188                  |                                    |
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# Regulatory Background

- Resource Conservation and Recovery Act
- AFI 32-7042  
Waste Management

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## Regulatory Background (cont'd)

2.9.2.3. Installations **will use** DRMS as the DoD HW disposal agent for routinely generated HW or HW from base operations not connected to a specific contract, **unless there is a compelling reason** to use contract disposal or per the exemptions listed in paragraph 2.9.2.4. Installations may contract for HW disposal if the commander provides appropriate justification, and the MAJCOM CE (A7C) or A7 approves the waiver. A7 or A7C may delegate in writing the responsibility to the Chief of the Asset Management Division.

*[excerpt from AFI 32-7042, Waste Management]*



# Purpose – Minimize Risk

## Three primary concerns

1. Incomplete records of HW transportation and disposal
2. Generator status unsure and associated generator requirements (CESQG / SQG / LQG)
3. Documentation of other RCRA wastes incomplete
  - Hazardous Wastes and Universal Wastes
  - Used Oil



# TEC Inc.'s Project Overview

- Survey all ANG bases and GSUs to identify:
  - Hazardous Waste Generator Status of each Base
  - Regulated waste streams generated
  - Transportation and disposal contractors in use
- Review contractors against DLA approved list
- Check regulatory compliance history of non-DLA approved contractors in use
- Develop inspection checklist to determine compliance status of HW contractors



# RCRA Survey

- Sent blank survey forms to all ANG Bases
- Completed surveys by e-mail, telephone calls and manifest reviews for the previous year
  - Detailed reviews of one-time (“episodic”) shipments and other borderline issues (CESQG/SQG/LQG)
  - Documented contractors transporting and disposing of various RCRA waste streams
  - Consolidated survey data in an Excel worksheet
  - Included each Base and associated GSUs



## RCRA Survey (cont'd)

Data collected for each ANG Base and GSU included:

- General information (processes)
- Hazardous waste information (multiple waste streams)
- Universal waste information
  - Various types of batteries
  - Lamps, bulbs, light tubes
- Used oil information





# Review of the DLA List

DLA maintains 2 lists

- Qualified Facilities

- List contains ~ 250 facilities and is updated weekly

<http://www.drms.dla.mil/newenv/documents/qualfac.pdf>

- Qualified Transporters

- List contains ~ 180 transporters and is updated weekly

[http://www.drms.dla.mil/newenv/html/hw\\_disposal.html](http://www.drms.dla.mil/newenv/html/hw_disposal.html)



# DLA Approved Facilities

- Each listed with EPA ID Number, Facility Name, Address
- “Permit Notes” heading has the following designations
  - “HW” = permitted for RCRA and non-RCRA wastes
  - “NR” = non-RCRA wastes only, possibly permitted for specific RCRA or state-regulated wastes
  - “PCB” = TSCA permitted facilities for PCB wastes
  - “HWP” = TSCA and RCRA permitted facilities qualified for PCB, RCRA and non-RCRA wastes.
  - “UW” = Facilities are Universal Waste Handler/Destination facilities qualified for Universal wastes



# DLA Approved Transporters

- Each transporter listed with
  - EPA ID Number
  - Facility Name and Address



# DLA Approval Process

- Transporters and TSDFs are approved based on Plans submitted to DLA  
(Fuels Blending, Antifreeze Recycling, Battery Recycling, Fluorescent Lamps)
- DLA performs compliance audits periodically for some facilities on their approved facility list
- Transporters accepted with a valid EPA Transporter ID number



# Findings

- 17 ANG Bases using non-DLA approved TSDFs
- 30 ANG Bases using non-DLA approved HW Transporters
- 49 ANG Bases using non-DLA approved Universal Waste Transporters
- 53 ANG Bases using non-DLA approved Universal Waste Destination Facilities



# Review of Compliance History

- Created Master List of non-DLA Approved Disposal Facilities and Transporters
- Reviewed Master List with ANG HW Program Manager
- Determined that the project team would review the compliance status of all non-DLA Approved HW Disposal Facilities and only a subset of the Non-DLA Approved HW Transporters, UW Transporters, and UW Destination Facilities (due to large numbers)



# Contacting the Regulators

- Contacted regulatory agencies to determine:
  - Whether contractor had the correct permit
  - Whether regulatory action had been taken in the last 5 years (administrative, criminal, or civil)
  - Current status of any Corrective Action (open or closed)
- Non-DLA Approved HW Disposal Facilities were considered the greatest liability



# Draft Inspection Checklist

- Considerations in developing the checklist:
  - How much time to spend on site?
  - Should records be requested prior to site visit?
  - What auditing and RCRA experience will the user have?
  - ANG HQ intends for the checklist to be used by Base EMs that are considering using a non-DLA approved TSDF.



# Beta Test of Checklist

- Visited 3 non-DLA Approved TSDFs
  - Safety-Kleen, Baltimore, MD
  - Triumvirate Environmental, Lowell, MA
  - PSC Chemical Pollution Control, Bay Shore, NY
- Selected these sites because they had regulatory actions in the past 5 years
- All non-DLA-approved TSDFs should be audited to minimize risk



# Final HW Checklist

- Step by step instructions on auditing HW Contractor (Facility)
- Questions for transporters and TSDF sites
- YES and NO questions
- YES responses leads the auditor to additional questions
- Completed checklist helps ANG bases decide if contractors are acceptable for use based on perceived regulatory risk



# Conclusions

- Compiled list of bases already using non-DLA approved contractors for HW disposal without NGB Waiver.
- Provided results of regulatory review for the non-DLA approved contractors with regulatory actions
- Provided HQ ANG with HW generator status of each Base and GSU.



# The Way Forward

- HQ ANG now has the information needed to make a decision as to what to do about the non-DLA approved contractors
  - Direct bases to submit waivers?
  - Ask contractors to seek DLA approval?
- Each ANG Base will be able to use the Checklist to complete the required compliance audit of their selected facility