

ATTACHMENT 6
CERTIFICATION OF COMPLIANCE - CONTAINER STORAGE AREAS

Pursuant to 40 CFR §270.275(f), the standardized permit applicant must submit to the Regional Administrator an audit of the facility's compliance status with 40 CFR part 267. As required by §270.280(c)(2), the scope of the audit shall address the requirements of the proposed 40 CFR part 267, Standards for Owners and Operators of Hazardous Waste Facilities Operating Under a Standardized Permit, applicable to the facility.

As required by §270.280(c)(2), the scope of the audit shall include the following requirements of 40 CFR part 267, as applicable:

- Subpart A - General;
- Subpart B - General Facility Standards;
- Subpart C - Preparedness and Prevention;
- Subpart D - Contingency Plan and Emergency Procedures;
- Subpart E - Recordkeeping, Reporting and Notifying;
- Subpart F - Releases from Solid Waste Management Units;
- Subpart G - Closure;
- Subpart H - Financial Requirements;
- Subpart I - Use and Management of Containers;
- Subpart J - Tank Systems; and
- Subpart DD - Containment Buildings.

This attachment contains two inspection checklists that may be used in conducting the compliance audit and determining certification of compliance. The first checklist is a general checklist that addresses the requirements of Subparts A through H, above. The second checklist is specific to Subpart I and the use and management of containers. A site-specific checklist may be used in lieu of the checklists contained within this attachment.

1. **SIGNED CERTIFICATION OF COMPLIANCE**

Upon completion of the audit, a signed certification of compliance must be submitted to the Regional Administrator. If the audit indicated that the facility was in compliance, then option A should be used. If the facility was not in compliance, then option B should be applied.

Option A - Facility in Compliance

Date: Insert date

I certify under penalty of law that my facility complies with all applicable requirements of 40 CFR part 267 and will continue to comply until the expiration of the permit. I will make all information that I am required to maintain at my facility by §§270.290 through 270.315 readily

available for review by the permitting agency and the public; and, I will continue to make all information required by §§270.290 through 270.315 available until the permit expires. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violation.

Signature
Printed name of person
Job title
Name of facility

Option B - Facility Not in Compliance

Date: Insert date

I certify under penalty of law that my facility will come into compliance before permit issuance with all applicable requirements of 40 CFR part 267 and will then continue to comply until expiration of the permit. I will make all information that I am required to maintain at my facility by §§270.290 through 270.315 readily available for review by the permitting agency and the public; and, I will continue to make all information required by §§270.290 through 270.315 available until the permit expires. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violation.

Signature
Printed name of person
Job title
Name of facility

2. COMPLIANCE CERTIFICATION CHECKLIST

The following checklists have been developed as a tool to assist in conducting a certification of compliance audit. Typical records to review may include but are not limited to contingency plans, spill control plans, emergency plans, placarding of hazardous waste and hazardous materials, location map, employee training documentation, spill records, permit(s), waste reports, waste analysis plan(s), operating record, biennial reports, closure plans, and closure notices. Physical locations at the facility should also be inspected, including but not limited to vehicles used for waste transport, container storage areas, containment buildings, tanks, secondary containment, site security measures, posted signs, and communication equipment.

2.1 General Checklist

CERTIFICATION OF COMPLIANCE AUDIT CHECKLIST				
GENERAL INFORMATION - CONTAINER STORAGE				
Requirement	Federal Regulation	Description	Location of Information/ Notes	Criteria Met? Y/N
1. General Description of Facility	270.14(b)(1), 270.290(a)	Verify that a general description of the facility is maintained as part the operating record, and that the information includes: owner, operator, EPA identification number, location of facility, and a facility layout map and/or figures. (Note: the general description should provide sufficient detail to provide a clear understanding of all facility operations.)		
2. Location Standards	267.18, 270.275(c)			
Location	267.18(a), 270.14(b)(11)(ii)	Verify that the portions of new facilities are not located where hazardous waste will be treated or stored within 61 meters (200 feet) of a fault that has had displacement in Holocene time.		
100-Year Flood Plain	267.18(b) 270.14(b)(11)(iii)	Verify that the facility is designed, constructed, operated, and maintained to prevent washout or any hazardous waste by a 100-year flood.		
3. Topographic Map	270.14(b)(19), 270.290(s)	Verify that a topographic map is kept at the facility and that the map clearly shows: <ul style="list-style-type: none"> • A distance of 1000 feet around the facility at a scale of one inch equal to not more than 200 feet; • Elevation contours; • Pattern of surface water flow in the vicinity of and from each operational unit of the facility; • Map scale and date; • 100-year flood plain area; • Surface waters including intermittent streams; • Surrounding land uses; • Wind rose; 		

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Requirement	Federal Regulation	Description	Location of Information/ Notes	Criteria Met? Y/N
		<ul style="list-style-type: none"> • Orientation of the map (North arrow); • Legal boundaries of the facility site; • Access controls; • Injection and withdrawal wells both on-site and off-site; • Buildings, treatment, storage or disposal operations, or other structures (recreational areas, runoff control systems, access and internal roadways, storm, sanitary and process sewage systems, loading and unloading areas, fire control facilities, etc); • Barriers for flood and/or drainage control; and • Location of operational units within the facility where hazardous waste is (or will be) treated or stored, including equipment cleanup areas. 		
4. Chemical and Physical Analyses	270.290(b)	Verify that analyses that contain all the information required to treat or store the waste properly under the requirements of 40 CFR part 267 are maintained at the facility.		
5. General Waste Analysis	267.13 270.290(c)			
Waste Analysis	267.13(a)	Verify that a detailed chemical and physical analysis of a representative sample of the waste was obtained prior to treatment or storage of any hazardous waste. Verify that at a minimum, the analysis contains all the information needed to treat or store the waste to comply with 40 CFR part 267 and 40 CFR part 268 and that it either: <ul style="list-style-type: none"> • Included data that were developed under 40 CFR part 261, and published; or • Documented data on the hazardous waste, or on hazardous waste generated from similar processes. 		

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		Verify that the analysis was repeated as necessary to ensure that it is accurate and up to date and that at a minimum, the analysis was repeated if the process or operation generating the hazardous wastes has changed.		
Waste Analysis Plan	267.13(b)	Verify that a written waste analysis plan has been developed that describes the procedures that will be followed, that these procedures are followed and that this plan is kept at the facility. Verify that at a minimum, the waste analysis plan specifies all of the following: <ul style="list-style-type: none"> • The hazardous waste parameters that are analyzed and the rationale for selecting these parameters, including how analysis for these parameters will provide sufficient information on the waste's properties; • The test methods that are used to test for the parameters as named above; • The sampling method used to obtain a representative sample of the waste to be analyzed. The representative sample is obtained using either: one of the sampling methods described in Appendix I of 40 CFR part 261; or an equivalent sampling method; • The frequency for review or repeating of the initial analysis of the waste to ensure that the analysis is accurate and up to date; and • Where applicable, the methods that are used to meet the additional waste analysis requirements for specific waste management methods as specified in 40 CFR §267.17, 40 CFR §264.1034(d), 40 CFR §264.1063(d), and 40 CFR §264.1083. 		
6. Security Procedures	267.14, 270.290(d)	Verify that the possibility for, livestock and unauthorized people from entering the active portion of the facility are prevented and minimized.		

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		<p>Verify that the facility has and maintains the following:</p> <ul style="list-style-type: none"> • A 24-hour surveillance system (for example, television monitoring or surveillance by guards or facility personnel) that continuously monitors and controls entry onto the active portion of the facility; or • An artificial or natural barrier (for example, a fence in good repair or a fence combined with a cliff) that completely surrounds the active portion of the facility; and • A means to control entry, at all times, through gates or other entrances to the active portion of the facility (for example, an attendant, television monitors, locked entrance, or controlled roadway access to the facility). <p>Verify that a sign is posted at each entrance to the active portion of a facility, and at other prominent locations, in sufficient numbers to be seen from any approach to this active portion. Verify that the sign bears the legend "Danger - Unauthorized Personnel Keep Out", that the legend is in English and in any other language predominant in the area surrounding the facility (for example, facilities in counties bordering the Canadian province of Quebec must post signs in French, and facilities in counties bordering Mexico must post signs in Spanish), and is legible from a distance of at least 25 feet. (Note: existing signs with a legend other than "Danger--Unauthorized Personnel Keep Out" may be used if the legend on the sign indicates that only authorized personnel are allowed to enter the active portion of the facility, and that entry onto the active portion of the facility can be dangerous.)</p>		
7. General Inspection Schedule	267.15, 270.290(e)	Verify that the facility is inspected for malfunctions and deterioration, operator errors, and discharges that may be causing, or may lead to:		

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Requirement	Federal Regulation	Description	Location of Information/ Notes	Criteria Met? Y/N
		<p>release of hazardous waste constituents to the environment; or a threat to human health, and that these inspections are conducted often enough to identify problems in time to correct them before they result in harm to human health or the environment.</p> <p>Verify that a written inspection schedule has been developed, is followed, and is kept at the facility. Verify that the schedule allows for inspecting: 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. Verify that the schedule identifies the equipment and devices that are inspected and what problems are looked for, such as malfunctions or deterioration of equipment (for example, inoperative sump pump, leaking fitting, etc.).</p> <p>Verify that areas subject to spills, such as loading and unloading areas, are inspected daily when in use. Verify that at a minimum, the inspection schedule includes the items and frequencies required in 40 CFR §264.174 and §264.1083 through §264.1089, as applicable.</p> <p>Verify that any deterioration or malfunction of equipment or structures that the inspection reveals are remedied in time to prevent any environmental or human health hazard. Where a hazard is imminent or has already occurred, verify that remedial action was taken immediately. Verify that all inspections are recorded and maintained in the facility operating record and that these records are retained for at least three years from the date of inspection. Verify that the records 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 other</p>		

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		remedial actions.		
8. Preparedness and Prevention	267 subpart C 270.290(f)			
General Design and Operation Standards	267.31	Verify that the is designed, constructed, maintained, and operated in a manner which minimizes the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to the air, soil, or surface water, that could threaten human health or the environment.		
Required Equipment	267.32	<p>Verify that the facility is equipped with the following:</p> <ul style="list-style-type: none"> • An internal communications or alarm system capable or providing immediate emergency instruction (voice or signal) to facility personnel; • A device immediately available at the scene of operations, such as a telephone or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or State or local emergency response teams; • Portable fire extinguishers and fire control equipment, where fire control equipment includes special foam-, dry chemical- or inert gas-based extinguishing equipment; • Spill control equipment; • Decontamination equipment; and • Water at an adequate volume and pressure to supply: water hose streams; foam-producing equipment; automatic sprinklers; or water spray systems. <p>(Note: this does not apply if the facility can demonstrate that none of the</p>		

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		wastes handled or maintained at the facility could potentially cause any fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to the air, soil, or surface water, that could threaten human health or the environment.)		
Testing and Maintenance	267.33	Verify that all required facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment listed, as necessary, are tested and maintained to assure proper operation in time of emergency.		
Communication and Alarms	267.34	<p><u>Waste Handling</u>: Verify that all personnel have immediate access to an internal alarm system or emergency communications device, either directly or through visual or voice contact with another employee whenever hazardous waste is being poured, mixed, spread, or otherwise handled.</p> <p><u>Single Person</u>: Verify that all employees, when working alone without the immediate presence of another employee, have immediate access to a device, such as a telephone at the area of operations, or a hand-held two-way radio, capable of summoning external emergency assistance.</p>		
Access and Emergencies	267.35	Verify that sufficient aisle space is provided to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to all areas of the facility.		
Arrangements with Local Authorities	267.36	<u>Arrangements and Agreements</u> : Verify that an attempt to make arrangements and agreements with local authorities, as appropriate for the waste handled at the facility and the potential for the need of services. Verify that the following arrangements and agreements were attempted:		

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		<ul style="list-style-type: none"> • Arrangements to familiarize police, fire departments and emergency response teams with the layout of the facility and associated hazards, places where personnel are normally working, entrances to roads and roads within the facility, and possible evacuation routes; • Agreements designating primary emergency authority to a specific police and/or a specific fire department when more than one police and/or fire department may respond to an emergency; • Agreements with any other organizations that may provide support to the primary emergency authority; • Agreements with State emergency response teams, emergency response contractors, and equipment suppliers; and • Arrangements to familiarize hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses that could result from fires, explosions, or releases. <p><u>Documentation of Refusal:</u> Verify that it is documented in the operating record if the above attempts were made but that State or local authorities declined to enter into arrangements or agreements for assisting during an emergency.</p>		
9. Contingency Plan and Emergency Procedures	267 subpart D, 267.53, 270.290(g)	Verify that the facility has and maintains on-site a contingency plan that is designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water. Verify that the provisions of the Plan have been implemented immediately whenever there is was fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten		

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		human health or the environment. Verify that a current contingency plan has been submitted to all local police and fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services.		
Contents of Contingency Plan	267.52	Verify that a maintained copy of the Contingency Plan is on-site and that it meets all of the following criteria: <ul style="list-style-type: none"> • Describes the actions facility personnel will take to in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility; • Described all arrangements agreed upon by local police departments, fire departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services; • Provides a list of names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator, and that the list up to date. (Note: where more than one person is listed, one person is named as primary emergency coordinator and the others are listed in the order in which they will assume responsibility as alternates); • Includes a current list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment), where this equipment is required. In addition, it includes the location and a physical description of each item on the list, and a brief outline of its capabilities; and • Includes an evacuation plan for facility personnel where there is 		

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		<p>a possibility that evacuation could be necessary, and that the plan describes signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires).</p>		
Amending the Contingency Plan	267.54	<p>Verify that the Contingency Plan is reviewed and amended, if necessary, whenever:</p> <ul style="list-style-type: none"> • The Permit is revised; • The Contingency Plan fails during an emergency; • The facility is modified in either its design, construction, operation, maintenance, or other circumstance, in a manner that materially increases the potential for fires, explosions, or releases of hazardous waste constituents, and/or changes the response necessary in an emergency; • The list of emergency coordinators is modified; and/or • The list of emergency equipment is modified. 		
Emergency Coordinator	267.55	<p>Verify that at least one employee is designated who is responsible for coordinating all emergency response measures and that this person, as the Emergency Coordinator, is either on the facility premises or on call at all times. Verify that the Emergency Coordinator:</p> <ul style="list-style-type: none"> • Is available to respond to an emergency by reaching the facility within a short period of time; • Is thoroughly familiar with all aspects of the facility's contingency plan, all operations and activities at the facility, the location and characteristics of waste handled, the location of all records within the facility, and the facility layout; and • Has the authority to commit the resources needed to carry out 		

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Requirement	Federal Regulation	Description	Location of Information/ Notes	Criteria Met? Y/N
		the contingency plan.		
Required Emergency Procedures	267.56	<p><u>Immediate Actions:</u> Verify that in the event of an imminent or actual emergency situation, the Emergency Coordinator, or designee, can immediately activate the internal facility alarm or communications system to notify all facility personnel and can notify, if warranted, appropriate State and local agencies with designated response roles.</p> <p><u>Release, Fire or Explosion:</u> In the event there has been a release, fire, or explosion, verify that the Emergency Coordinator:</p> <ul style="list-style-type: none"> • Immediately identified the character, exact source, amount, and areal extent of any released materials; and • Assessed possible hazards to human health or the environment that may have resulted from the release, fire, or explosion, and that this assessment considered both direct and indirect effects of the release, fire, or explosion. <p><u>Reporting Findings:</u> If the Emergency Coordinator determined that the facility has had a release, fire, or explosion which could threaten human health, or the environment, outside the facility, verify that the Emergency Coordinator reported the findings as follows:</p> <ul style="list-style-type: none"> • If the assessment indicated that evacuation of local areas were advisable, he immediately notified appropriate local authorities and was available to help appropriate officials decide whether local areas should be evacuated; • The Emergency Coordinator immediately notified either the government official designated as the on-scene coordinator for that geographical area, or the National Response Center (using their 24-hour toll-free number 800/424-8802); and 		

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		<ul style="list-style-type: none"> • The report included: <ul style="list-style-type: none"> < Name and telephone number of the reporter; < Name and address of facility; < Time and type of incident (for example, a release or a fire); < Name and quantity of material(s) involved, to the extent known; < The extent of injuries, if any; and < The possible hazards to human health or the environment outside the facility. <p><u>Mitigative Measures:</u> Verify that during an emergency, the Emergency Coordinator took all reasonable measures necessary to ensure that fires, explosions, and releases did not occur, recur, or spread to other hazardous waste at the facility, and these measures included, where applicable, stopping processes and operations, collecting and containing release waste, and removing or isolating the tank systems.</p> <p><u>Monitoring:</u> In the event the facility stopped operations in response to a fire, explosion, or release, verify that the Emergency Coordinator monitored for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment, as appropriate.</p>		
Post Emergency Procedures	267.57	Immediately after an emergency, verify that the Emergency Coordinator provided for treating, storing, or disposing of recovered waste, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility. Also verify that the Emergency Coordinator ensured that, in the affected area(s) of the facility:		

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		<ul style="list-style-type: none"> • No waste that was incompatible with the released material was treated, stored, or disposed of until cleanup procedures were completed; and • All emergency equipment listed in the contingency plan was cleaned and fit for its intended use before operations were resumed. 		
Recordkeeping and Notification After Emergency	267.58	<p>Verify that the Emergency Coordinator notified the Regional Administrator, and appropriate State and local authorities, that the facility was in compliance before operations were resumed in the affected area(s) of the facility.</p> <p>Verify that the Emergency Coordinator noted the time, date, and details of any incident that required implementing the contingency plan in the operating record, and the within 15 days after the incident, the Emergency Coordinator submitted a written report on the incident to the Regional Administrator, that included the following in the report:</p> <ul style="list-style-type: none"> • The name, address, and telephone number of the owner or operator (Permittee); • The name, address, and telephone number of the facility; • The date, time, and type of incident (e.g., fire, explosion); • The name and quantity of material(s) involved; • The extent of injuries, if any; • An assessment of actual or potential hazards to human health or the environment, where this is applicable; and • The estimated quantity and disposition of recovered material that resulted from the incident. 		
10. Recordkeeping,	267 subpart E			

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Requirement	Federal Regulation	Description	Location of Information/ Notes	Criteria Met? Y/N
<i>Reporting and Notification</i>				
Shipping Waste Off-site	262 subpart B 267.70	Verify that a shipment of hazardous waste is initiated from the facility, the manifest requirements of 40 CFR §262 subpart B have been followed.		
Record keeping		<p>Verify that written operating record is kept at the facility, until facility closure, and includes the following information, as it becomes available:</p> <ul style="list-style-type: none"> • A description and the quantity of each type of hazardous waste generated, and the method(s) and date(s) of its storage and/or treatment at the facility as required by Appendix I of 40 CFR part 264; • The location of each hazardous waste unit within the facility and the quantity of waste at each location; • Records and results of waste analyses and waste characterization determinations performed as specified in the permit and in 40 CFR §264.1034, §264.1063, §264.1083, and §268.7; • Summary reports and details of all incidents that require the implementation of the contingency plan; • Records and results of inspections over the last three years; • Monitoring, testing or analytical data, and corrective action when required by permit and 40 CFR §264.1034(c) through §264.1034(f), §264.1035, §264.1063(d) through §264.1063(i), §264.1064, §264.1088, §264.1089, and §264.1090; • All closure cost estimates; • Certification, at least annually, that there is a facility program in place to reduce the volume and toxicity of hazardous waste that 		

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		<p>is generated to the degree that is economically practicable and that the proposed method of treatment or storage is that practicable method currently available that minimizes the present and future threat to human health and the environment;</p> <ul style="list-style-type: none"> • For an on-site treatment facility, the information contained in the notice (except the manifest number) and the certification and demonstration if applicable, required under 40 CFR §268.7; and • For an on-site storage facility, the information in the notice (except the manifest number), and the certification and demonstration if applicable, required under 40 CFR §268.7. 		
Reports	267.73	<p>Verify that a biennial report is prepared and one copy is submitted to the Regional Administrator by March 1 of each even numbered year, and that the report is submitted on EPA form 8700-13B. Verify that the report covers activities conducted during the previous year and includes the following:</p> <ul style="list-style-type: none"> • EPA identification numbers, name, and address of the facility; • Calendar year covered by report; • Method of treatment or storage for each hazardous waste; • Most recent closure cost estimate; • Description of volume and toxicity reduction of generated waste; • Description of changes in volume and toxicity of waste actually achieved during the year in comparison to previous years; and • Signed certification. <p>Verify that other reporting requirements to the Regional Administrator have been met, including notification of releases, fires and explosions</p>		

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		and facility closures.		
Notifications	267.74	Verify that if the ownership or operation of the facility will be transferred to another party, the new owner and/or operator has been notified in writing of the requirements of the permit, 40 CFR part 267, and 40 CFR part 270 subpart I.		
<i>11. Description of Procedures, Structures, or Equipment</i>	270.290(h)	Verify that the facility has on-file a description of the procedures, structures and/or equipment used to: <ul style="list-style-type: none"> • Prevent hazards in unloading operations; • Prevent runoff and prevent flooding; • Prevent contamination of water supplies; • Mitigate effects of equipment failure and power outages; • Prevent undue exposure of personnel; and • Prevent releases to atmosphere. 		
<i>12. Precautions to Prevent Ignition or Reaction of Ignitable, Reactive, or Incompatible Wastes</i>	267.17, 270.290(i)	<p><u>Ignitability and Ignition Precautions:</u> Verify that precautions are taken to prevent accidental ignition or reaction of ignitable or reactive waste by following these requirements:</p> <ul style="list-style-type: none"> • Separate ignitable and/or reactive wastes and protect them from sources of ignition or reaction such as: open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, or mechanical), spontaneous ignition (for example, from heat-producing chemical reactions), and radiant heat; • While ignitable or reactive waste is being handled, confine smoking and open flames to specially designated locations; and • “No Smoking” signs are conspicuously placed wherever there is a hazard from ignitable or reactive waste. <p><u>Reactivity Precautions:</u> For treatment or storage of ignitable or reactive</p>		

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		waste, or mixing incompatible waste or incompatible wastes and other materials, verify that precautions are taken to prevent reactions that: <ul style="list-style-type: none"> • Generate extreme heat or pressure, fire or explosions, or violent reactions; • Produce uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health or the environment; • Produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions; • Damage the structural integrity of the device or facility; and • Threaten human health or the environment in any similar way. 		
13. Traffic Pattern	270.290(j)	Verify that information on traffic patterns, estimated volume, number and types of vehicles, and control and stacking lanes is kept at the facility and is up-to-date. Verify that descriptions of access road surfacing and load bearing capacities of the roads are kept at the facility. Verify that maps showing traffic control signs are maintained at the facility.		
14. Training Program	267.16, 270.290(l)	Verify that all facility personnel successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements outlined below. <u>Instructor and Training Content:</u> Verify that a person trained in hazardous waste management procedures directs the training program,		

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		<p>and teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to their employment positions. Verify that at a minimum, the training program is designed to ensure that facility personnel are able to respond effectively to emergencies by including instruction on emergency procedures, emergency equipment, and emergency systems, including all of the following, where applicable: procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment; key parameters for automatic waste feed cut-off systems; communications or alarm systems; response to fires or explosions; response to ground water contamination incidents; and shutdown of operations.</p> <p><u>Schedule</u>: Verify that facility personnel successfully complete the training program within six months after the date of their employment or assignment to a facility, or to a new position at a facility, whichever is later. Verify that employees hired after the effective date of the permit did not work in unsupervised positions until the employees had completed the all training requirements.</p> <p><u>Annual Review</u>: Verify that facility personnel have taken part of and continue to take part in an annual review of the initial required training.</p> <p><u>Documentation</u>: Verify that the following documents and records are maintained at the facility:</p> <ul style="list-style-type: none"> • The job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job; • A written job description for each position, including the requisite skill, education, or other qualifications, and duties of 		

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Requirement	Federal Regulation	Description	Location of Information/ Notes	Criteria Met? Y/N
		<p>employees assigned to each position;</p> <ul style="list-style-type: none"> • A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position; • Records that document that facility personnel have received and completed the training or job experience required; and • Training records on current personnel until the facility closes, and training records on former employees for at least three years from the date the employee last worked at the facility. 		
<p>15. Releases from Solid Waste Management Units (SWMUs)</p>	<p>267 subpart S 267 subpart F</p>	<p>Verify that corrective action was implemented if necessary to protect human health and the environment for all releases of hazardous waste or constituents from any solid waste management unit at the facility, regardless of the time at which waste was placed in such unit.</p> <p>For all solid waste management units, verify that the following information was both submitted to the Regional Administrator and is maintained on-site:</p> <ul style="list-style-type: none"> < Location of unit(s); < Designation of type of unit(s); < General dimensions and structure of unit(s); < Engineering drawings; < Dates of operation; < Types of managed wastes; and < Volumes or quantities of waste. <p><u>Releases:</u> Verify that these specific corrective action conditions as identified in the supplemental portion of the standardized permit were met.</p>		

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Requirement	Federal Regulation	Description	Location of Information/ Notes	Criteria Met? Y/N
		<p><u>Implementation</u>: Verify that corrective action was implemented beyond the facility property boundary, where necessary, to protect human health and the environment. If the necessary permissions to undertake such actions were not obtained, verify that best efforts were made and that the Regional Administrator was in agreement.</p> <p><u>Financial Assurance</u>: Verify that assurances of financial responsibility for corrective action are maintained.</p>		
16. Closure Plan	267 subpart G 270.290(m)	Verify that clean closure will be obtained for the facility and that a closure plan has been developed for the facility, or if clean closure is not obtainable, that an individual post-closure permit will be obtained.		
Closure Standards	267.111 267.176	<p>Verify that upon stopping of operations of the unit(s), storage and treatment units will be closed in a manner that:</p> <ul style="list-style-type: none"> • Minimizes the need for further maintenance; • Controls, minimizes, or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground or surface waters or to the atmosphere; • Meets the closure requirements of the permit; and • All hazardous waste and hazardous waste residues are removed from the secondary containment system(s). 		
Closure Procedures	267.112 (a) & (b)	<p>Verify that a written closure plan has been submitted to the Regional Administrator with the Notice of Intent. (Note: the plan will become a condition of any RCRA permit.)</p> <p>Verify that the closure plan identifies the steps necessary to perform</p>		

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Requirement	Federal Regulation	Description	Location of Information/ Notes	Criteria Met? Y/N
		<p>partial and/or final closure of the facility, and that the closure plan at a minimum includes:</p> <ul style="list-style-type: none"> • A description of how each hazardous waste management unit at the facility will be closed; • A description of how final closure of the facility will be conducted , where the description identifies the maximum extent of the operations which will be unclosed during the active life of the facility; • An estimate of the maximum inventory of hazardous wastes ever on site during the active life of the facility and a detailed description of the methods to be used during partial and/or final closure, such as methods for removing, transporting, treating, storing, or disposing of all hazardous wastes, and identification of the type(s) of off-site hazardous waste management units to be used, if applicable; • A detailed description of the steps needed to remove or decontaminate all hazardous waste residues and contaminated containment system components, equipment, structures, and soils during partial or final closure. These might include procedures for cleaning equipment and removing contaminated soils, methods for sampling and testing surrounding soils, and criteria for determining the extent of decontamination required to satisfy the closure performance standard; • A detailed description of other activities necessary during the closure period to ensure that partial or final closure satisfies the closure performance standards; and • A schedule for closure of each hazardous waste management unit, and for final closure of the facility. The schedule includes, at a minimum, the total time required to close each hazardous 		

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Requirement	Federal Regulation	Description	Location of Information/ Notes	Criteria Met? Y/N
		waste management unit and the time required for intervening closure activities that allow tracking of progress of partial or final closure.		
Amending a Closure Plan	124.211 267.112(c)	Verify that a written request to the Regional Administrator for a permit modification is submitted and that all applicable procedures in 40 CFR 124.211 to amend the closure plan at any time before the notification of final closure of the facility have been followed. Verify that a copy of the amended closure plan is included with the written request for review or approval by the Regional Administrator.		
Notification Before Final Closure	267.112(d)	Verify that the Regional Administrator is notified in writing at least 45 days before the date that it is expected for final closure of a tank system. Verify that the date when closure is anticipated to begin, it is no later than 30 days after the date that any hazardous waste management unit receives the known final volume of hazardous wastes.		
Closure Schedule	267.115	Verify that within 90 days after the final volume of hazardous waste is sent to a unit, all hazardous wastes is either treated or removed from the unit following the approved closure plan . Verify that final closure activities are completed following the approved closure plan within 180 days after the final volume of hazardous wastes is sent to the unit.		
Decontamination and Disposal	Part 262 267.116	Verify that all contaminated equipment, structures, and soils are properly disposed of or decontaminated during the partial and final closure periods.		

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Requirement	Federal Regulation	Description	Location of Information/ Notes	Criteria Met? Y/N
		Verify that if by removing any hazardous wastes or hazardous constituents during partial and final closure, the facility becomes a generator of hazardous waste, than that waste is handled following all applicable requirements of 40 CFR part 262.		
Certification of Closure	267.117	Within 60 days of the completion of final closure of each unit verify that a certification that each hazardous waste management unit or facility, as applicable, has been closed following the specifications in the closure plan has been submitted to the Regional Administrator, by registered mail. Verify that both the facility and an independent registered professional engineer signed the certification and that documentation supporting the independent registered professional engineer's certification to the Regional Administrator has been submitted upon request until the Regional Administrator releases the financial assurance requirements for closure.		
<i>17. Closure Cost Estimate</i>	267.142, 267.143, 270.290(o)	Verify that a detailed written estimate, in current dollars, of the cost of closing the facility is maintained at the facility, and that the closure cost estimate is: <ul style="list-style-type: none"> • Equal the cost of final closure at the point in the facility's active life when the extent and manner of its operation would make closure the most expensive; • Be based on the costs of hiring a third party to close the facility and uses costs for on-site disposal if it can demonstrated that on-site the disposal capacity exists at all times over the life of the facility; • Not incorporate any salvage value that may be realized with the sale of hazardous wastes, or non-hazardous wastes, facility structures or equipment, land, or other assets associated with the 		

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Requirement	Federal Regulation	Description	Location of Information/ Notes	Criteria Met? Y/N
		<p>facility at the time of partial or final closure; and</p> <ul style="list-style-type: none"> • Not incorporate a zero cost for hazardous wastes, or non-hazardous wastes that might have economic value. <p>Verify that documentation demonstrating financial assurance for completing clean closure is maintained at the facility, where financial assurance may include:</p> <ul style="list-style-type: none"> • Closure trust fund; • Surety bond for closure trust fund; • Surety bond for performance of closure; • Closure letter of credit; • Closure insurance; • Corporate financial test; • Corporate guarantee; and/or • Multiple financial mechanisms. <p>If the facility is a new facility, verify that required closure cost estimation documentation was or will be gathered and available 60 days before the initial receipt of hazardous waste.</p>		
18. Liability Requirements	267.147, 270.290(q)	<p>Verify that a copy of the insurance policy or other documentation demonstrating compliance with liability requirements is maintained at the facility and that the policy addresses the following:</p> <ul style="list-style-type: none"> • Coverage for sudden accidental occurrences; • Period of coverage; • Financial test for liability coverage; and • Guarantee of coverage; <p>If the facility is a new facility, verify that documentation showing the</p>		

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Requirement	Federal Regulation	Description	Location of Information/ Notes	Criteria Met? Y/N
		amount of liability coverage for sudden accidental occurrences is/was in effect prior to the initial receipt of hazardous waste for either treatment or storage.		
19. State Financial Mechanism	267.150, 270.290(r)	<p>Verify if the State will either assume legal responsibility for the compliance with the closure care or liability requirements or will assure that funds will be available from State sources to cover those requirements. If so, then verify that a letter from the State describing the nature of the State's assumption of responsibility together with a letter from the facility requesting that the State's assumption of responsibility has been sent to the Regional Administrator. Verify that the letter either includes or has attached to it, the following information: the facility's EPA Identification Number, name, and address, and the amount of funds for closure care or liability coverage that are guaranteed by the State.</p> <p>Verify if the Regional Administrator has notified the facility of his determination regarding the acceptability of the State's guarantee in lieu of financial mechanisms.</p>		

2.2 Container Storage Checklist

CERTIFICATION OF COMPLIANCE AUDIT CHECKLIST				
CONTAINER STORAGE				
Requirement	Federal Regulation	Description	Location of Information/ Documentation	Criteria Met? Y/N
<i>1. Container Standards</i>	267.171			
Condition of Containers	267.171(a)	<p>Verify that all containers are in good condition (e.g., no severe rusting, apparent structural defects). Verify that if a container holding hazardous waste is not in good condition or if the container begins to leak, the following was conducted:</p> <ul style="list-style-type: none"> • Transferred the waste from such a container into a container that is in good condition; or • Managed the waste in some other way that complies with the requirements of 40 CFR §267.171(a). <p>Verify that hazardous waste is stored only container types identified in the permit.</p>		
Compatibility of Waste with Containers	267.171(b)	<p>Verify that the ability of the container to contain the hazardous waste is not impaired or compromised. Verify that a container made of or lined with materials that are compatible with and will not react with the hazardous waste to be stored in the container have been used.</p> <p>For all containers within a singular secondary containment system, verify that all containers are compatible with all wastes within that containment system. Verify compliance with this requirement by ensuring that pre-acceptance characterization of waste, as specified in the site Waste Analysis Plan, considering the precautions related to prevention of accidental ignition or reaction of ignitable, reactive or incompatible wastes was conducted.</p>		

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Requirement	Federal Regulation	Description	Location of Information/ Documentation	Criteria Met? Y/N
<i>2. Management of Containers</i>	267.171(c)	<p>Verify that containers holding hazardous wastes are kept closed during storage, except when necessary to add, remove, or sample waste from the container.</p> <p>Verify that a container holding hazardous waste is never opened, handled, or stored in a manner that may rupture the container or cause the container to leak. Verify that when waste containers are opened for waste addition, volume reduction, and/or repackaging, the containers are opened within a work enclosure that provides waste confinement and prevents release of waste constituents.</p> <p>Verify that material handling equipment (e.g., flatbed truck, trailers, forklifts, dollies, etc.) is used to transport waste containers to and from the various container storage areas or other waste management units.</p> <p>Verify that damaged containers are repaired or overpacked or the contents of the container repackaged in a new container prior to placement at any container storage area.</p> <p>Verify that container storage areas are designed, constructed, maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous or non-hazardous waste constituents to the air, soil, or surface waste which could threaten human health or the environment.</p>		
Storage Configuration		Verify that an aisle space between rows of containers is maintained to allow for the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency as needed for these		

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Requirement	Federal Regulation	Description	Location of Information/ Documentation	Criteria Met? Y/N
		<p>purposes.</p> <p>Verify that a reasonable and safe stack height for containers is maintained. Verify that a stack test was performed to demonstrate maximum stack heights for each container type without compromise to the strength or structural integrity of the containers and a height that will not cause undue safety hazards.</p> <p>Verify that the maximum volume of waste for each container storage area as listed in the permit has not been exceeded.</p>		
Storage Container Emission Controls	264 Subpart CC, 264.1086	Verify that all containers used to contain hazardous waste control air pollutant emissions from each container in accordance with 40 CFR §264 Subpart CC. Verify that all hazardous waste containers meet the appropriate container control, based on container capacity, of either Container Level 1, Container Level 2 or Container Level 3 standards.		
3. Design and Operating Requirements for Containment System(s) with Liquids	267.173, 270.300 (a)	<p>Verify that secondary containment systems are constructed and maintained for all containers containing free or residual liquids.</p> <p>Verify that containers are stored in a manner preventing contact with any liquids that may be present within the secondary containment, and that containers are not stored directly on a ground surface or other surface without an impervious base that is free of cracks or gaps and secondary containment. Verify that this base is:</p> <ul style="list-style-type: none"> < Sufficiently impervious to contain leaks, spills, and accumulated precipitation until any collected material is removed; < Sloped, is otherwise designed and operated to drain 		

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Requirement	Federal Regulation	Description	Location of Information/ Documentation	Criteria Met? Y/N
		<p>and remove liquids resulting from leaks, spills, and/or precipitation, unless containers are elevated by design, or is be elevated (e.g., pallets) to prevent contact with free-standing liquids.</p> <p>Verify that all secondary containment systems are designed to contain, at a minimum, ten-percent of the volume of potentially liquid-bearing waste containers or the volume of the largest container, which ever is greater.</p> <p>Verify that run-on of liquids into the containment systems are prevented unless the it has been demonstrated that the collection system has sufficient excess capacity, in addition to that described in the above paragraph, to contain run-on liquids.</p> <p>Verify that all accumulated liquid, including spilled and/or leaked wastes and all accumulated precipitation or run-on, has been removed in a timely manner to prevent overflow of the collection system.</p> <p>Verify that the above secondary containment requirements for container storage areas with F020, F021, F022, F023, F023 and/or F027 waste are met. (Note: the secondary containment requirements apply regardless of whether the waste is in liquid (or containing a fraction of) or solid form.)</p>		
<p><i>4. Design and Operating Requirements for Containment System(s) with No Liquids</i></p>	<p>267.173(c), 270.300(b)</p>	<p>Verify that the storage area is sloped or is otherwise designed and operated to drain and remove liquid resulting from precipitation and that all containers are elevated or otherwise protected from contact with any accumulated liquid. Verify that containers that are not self-elevated by design are not placed directly on the ground surface but are elevated to prevent contact with any free-standing liquids.</p>		

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Requirement	Federal Regulation	Description	Location of Information/ Documentation	Criteria Met? Y/N
5. Ignitable or Reactive Waste	267.17(a), 267.174, 270.300(c)	<p>Verify that containers holding ignitable or reactive waste are at least 15 meters (50 feet) from the facility property line. Verify that the physical location of this 15-meter boundary is permanently marked and maintained during the operational period.</p> <p>Verify that appropriate precautions to prevent accidental ignition or reaction of ignitable or reactive waste have been conducted and that procedures specified in the site Waste Analysis Plan. Have been followed.</p> <p>Verify that containers of ignitable and reactive wastes are stacked no more than two high.</p> <p>(Note: also complete the general requirements compliance audit checklist for ignitable and reactive wastes.)</p>		

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Requirement	Federal Regulation	Description	Location of Information/ Documentation	Criteria Met? Y/N
6. Incompatible Waste	267.17 (b) & (c), 267.175, 270.300(d)	<p>Verify that incompatible wastes or incompatible wastes and materials have not been placed in the same container, unless these precautions to prevent reactions have been conducted:</p> <ul style="list-style-type: none"> • generate extreme heat or pressure, fire or explosions, or violent reactions; • Produce uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health or the environment; • Damage the structural integrity of the structure; and • Threaten human health or the environment in a similar way. <p>Verify that hazardous waste has not been placed in an unwashed container that previously held an incompatible waste or material.</p> <p>Verify that containers of incompatible wastes have been separated as specified in the site Waste Analysis Plan. Verify that storage containers with incompatible wastes are separated from other material or be protected from other materials by means of a berm, dike, wall, or other device.</p> <p>Verify that in areas managing incompatible wastes, the incompatible wastes will not cause secondary containment to leak, corrode, or fail.</p> <p>(Note: also complete the general requirements compliance audit checklist for incompatible wastes.)</p>		
7. Air Emission Control	267.177 270.300(e),	Verify that all hazardous waste placed in a container is managed in accordance with the requirements of 40 CFR §264 Subpart CC.		

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Requirement	Federal Regulation	Description	Location of Information/ Documentation	Criteria Met? Y/N
	270.315	<p>Verify that the following air emission control documents and information and all amendments, revisions and modifications to these documents and information are maintained at the facility or other accessible location as designated by the Regional Administrator, until closure is completed and certified by an independent, registered professional engineer:</p> <ul style="list-style-type: none"> • Identification of each container area subject to the requirements of 40 CFR §264, Subpart CC and the certification that the requirements of this Subpart are met. Document if the containers are subject to Level 1, Level 2 or Level 3 requirements; • Documentation for each enclosure used to control air pollutant emissions from containers under requirements of 40 CFR §264.1084(d)(5) or §264.1086(e)(1)(ii). Include records for the most recent set of calculations and measurements performed to verify that the enclosure meets the criteria of a permanent total enclosure as specified in “Procedure T-Criteria for and Verification of a Permanent or Temporary Total Enclosure” under 40 CFR §52.741, Appendix B; • Documentation for each closed-vent system and control device installed under requirements of 40 CFR §264.1087 that includes design and performance information as specified in 40 CFR §§270.24 (c) and (d); and • An emission monitoring plan for both Method 21 in 40 CFR §60, Appendix A and control device monitoring methods. This plan includes monitoring point(s), monitoring methods for control devices, monitoring 		

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Requirement	Federal Regulation	Description	Location of Information/ Documentation	Criteria Met? Y/N
		frequency, procedures for documenting exceedences, and procedures for mitigating noncompliances.		
8. Inspection Requirements	267.172	Verify that area where containers are stored are inspected at least weekly and that the inspection includes looking for leaking containers and deterioration of containers and the containment system.		
9. Preparation for Closure	267.176	Verify that in preparation of closure, remaining containers, liners, bases and all soil containing, or contaminated with hazardous waste or hazardous waste residue have been decontaminated or removed. Verify that all hazardous waste and hazardous waste residues from the containment system have been removed.		

