

# DOECAP AUDITING ENVIRONMENTAL COMPLIANCE & PERMITTING

Preparing and Conducting a VIRTUAL Audit

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# TOPICS

DOECAP Audit Preparation

State Agency File Review

Env. Compliance/Permitting Checklist

Facility Audit

Documents and Records Review

Summary

**HAZARDOUS WASTE**  
FEDERAL LAWS PROHIBIT IMPROPER DISPOSAL  
IF FOUND, CONTACT THE NEAREST POLICE OR  
PUBLIC SAFETY AUTHORITY OR THE  
U.S. ENVIRONMENTAL PROTECTION AGENCY

GENERATOR INFORMATION:  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
EPA ID NO. \_\_\_\_\_ EPA WASTE NO. \_\_\_\_\_  
ACCUMULATION START DATE \_\_\_\_\_ MANIFEST TRACKING NO. \_\_\_\_\_

[ \_\_\_\_\_ ]  
D.O.T. PROPER SHIPPING NAME AND UN OR NA NO. WITH PREFIX  
**HANDLE WITH CARE!**

**UNIVERSAL WASTE**

SHIPPER \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY, STATE, ZIP \_\_\_\_\_  
CONTENTS \_\_\_\_\_  
ACCUMULATION START DATE \_\_\_\_\_

**UNIVERSAL WASTE**

# DOECAP AUDIT PREPARATION

- ▶ Obtain assignment as Environmental Compliance auditor
- ▶ Ensure DOECAP training is current (Required Reading/  
Rad Worker/HAZWOPER)
- ~~▶ Submit travel request~~
- ~~▶ Make travel arrangements~~
- ~~▶ Contact State Agency for file review (AR, TN, UT, or WA)~~
- ▶ Check State adoption of new rules, such as:
  - ▶ Generator Improvements Rule (GIR)
  - ▶ Aerosols as Universal Waste (UW)

# DOECAP AUDIT PREPARATION -CONTINUED

- ▶ **Access facility audit files on DOECAP SharePoint site**
  - ▶ **Review most recent DOECAP audit report**
    - ▶ **Past Findings/Observations and Closure of previous Findings**
  - ▶ **Review facility procedures**
    - ▶ **Especially implementation of new regulations, e.g., GIR and UW aerosols)**
  - ▶ **Review permit conditions**
    - ▶ **Especially site-specific unique conditions, if any, e.g., PCB Coordinated Approvals within the RCRA permit**
  - ▶ **Review facility input to current DOECAP Checklist**
- ▶ **Post Calendar in Outlook that I'm virtually gone two days!**

# STATE AGENCY FILE REVIEW

- ▶ **State Agency for file reviews (AR, TN, UT, or WA)**
  - ▶ **Access State Agency files via the State's website**
  - ▶ **Review past 1 to 2 years of records**
    - ▶ **If I was the previous EC auditor, I review just the past year**
  - ▶ **Note items of interest in the NOTES section of the DOECAP Checklist**
    - ▶ **Potential or ongoing enforcement actions**
    - ▶ **Document in the DOECAP Checklist for future EC auditors**
    - ▶ **Example of completed NOTES is coming up**
  - ▶ **Follow-up with Facility POC on any Agency File Review questions**

# STATE AGENCY FILE REVIEW - EXAMPLE

DOECAP TSDF Alternate Audit Checklist: 4 - Environmental Compliance and Permitting

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Audit ID: 190716-XYZ

TSDF: XYZ

Auditor: Paul W. Martin

## Notes:

Hazardous Waste File Review at State Agency Field Office - March 26, 2019

January 15, 2018 – Letter from XYZ to State Agency concerning whether compaction is treatment. XYZ contends that compaction is not volume reduction since only void space is removed. XYZ supported their argument with RCRA Online document RO 11609 (compaction is treatment “if” the volume reduction results in a change in the physical character or composition of the waste).

February 14, 2018 – Letter from State Agency to XYZ stating no violations noted during February 4, 2018, hazardous waste inspection.

March 26, 2018 – Letter from XYZ to State Agency requesting concurrence on recycling of lithium hydride (LiH) by reacting with water to produce lithium hydroxide (LiOH) that XYZ can use as a substitute for sodium hydroxide that XYZ uses in their incinerator’s air pollution control scrubbers.

March 31, 2018 – Letter from State Agency to XYZ responding to January 15, 2018 letter concerning compaction is not treatment. State Agency contends that compaction is treatment but that XYZ could use the Treatment by Generator exemption except for compaction of offsite wastes. State Agency’s argument is that any change in physical character or composition of the waste to achieve volume reduction is treatment.

June 2018 – Letter from State Agency to XYZ concerning request for concurrence that XYZ would be considered a recycler of MLLW and LLW contaminated lithium hydride (LiH). State Agency was not aware of any current commercial marked for low-level rad contaminated LiOH or LiH and requested a demonstration of the economics.

February 6, 2019 – Letter from State Agency to XYZ reminding XYZ that their hazardous waste permit (XYHW-223) will expire on September 29, 2020.

March 26, 2019 – Letter from State Agency to XYZ stating no violations noted during March 10, 2019, hazardous waste inspection.

# ENVIRONMENTAL COMPLIANCE & PERMITTING CHECKLIST

- ▶ **Based on a very unscientific survey of only Environmental Compliance auditors, the EC/P checklist is the MOST DIFFICULT checklist because of the multiple regulations addressed**
  - ▶ **RCRA (Hazardous Waste)**
  - ▶ **TSCA (PCB Waste)**
  - ▶ **CAA (Air Emissions)**
  - ▶ **CWA (Water Discharges)**
  - ▶ **SARA / EPCRA (Community Right-to-Know)**
  - ▶ **CERCLA (Superfund)**
  - ▶ **Environmental Monitoring (surface/ground water, air, soil, vegetation)**

# VIRTUAL FACILITY AUDIT

- ▶ Review previous audit report for findings and observations
- ▶ Review corrective actions that closed the findings
  - ▶ Note that corrective actions are not required for observations
- ▶ Closeout or keep open previous audit findings based on provided evidence
- ▶ Review the Facility's responses in the DOECAP checklist
- ▶ Review pertinent Facility documents to confirm Facility responses
  - ▶ Facility procedures
  - ▶ Associated permits
- ▶ Develop follow-up questions based on the Facility's responses



# VIRTUAL FACILITY AUDIT

- ▶ **30-Minute Interview with Facility POCs**

- ▶ Auditor questions are based on Facility's DOECAP Checklist responses, permit conditions, agency file and procedure reviews

- ▶ **Example questions:**

- ▶ **Permit Condition XYZ states that the facility can only accept recyclable lead. What happens if after acceptance, it is determined that the lead is not recyclable?**
- ▶ **Your State recently adopted the Generator Improvements Rule. The facility procedures do not appear to address the GIR requirements. How is the facility implementing the new GIR requirements?**

# VIRTUAL FACILITY AUDIT VIA PERMIT AND PROCEDURE REVIEWS

- ▶ **Waste In – Waste Managed – Waste Out**
  - ▶ **Waste Received**
    - ▶ **Does waste meet permit requirements (Waste Codes; no prohibited wastes accepted)**
  - ▶ **Waste in Storage**
    - ▶ **Containers, Tanks, Containment Buildings requirements – containers in good condition, closed, labeled, secondary containment, aisle space maintained, container stacking is in a safe configuration**
    - ▶ **Review facility supplied pictures to verify the above items**

# VIRTUAL FACILITY AUDIT VIA PERMIT AND PROCEDURE REVIEWS

- ▶ **Waste In – Waste Managed – Waste Out**
  - ▶ **Waste in Accumulation**
    - ▶ **Central Accumulation Areas**
    - ▶ **Satellite Accumulation Areas**
    - ▶ **Universal Waste Collection Areas**
  - ▶ **Treatment Processes**
    - ▶ **Incineration, other thermal treatment, stabilization, etc.**
  - ▶ **Waste Disposal and/or Waste Shipped Offsite for Disposal**
    - ▶ **Land Disposal Restriction treatment standards achieved prior to land disposal**

# ONSITE RECORDS REVIEW

## ▶ Contingency Plan

- ▶ Has the contingency plan been implemented? If yes, any issues requiring plan amendments?

## ▶ Liability and Closure Insurance

- ▶ Is there documented and current financial assurance for environmental accidents and final closure?

## ▶ Inspections

- ▶ Are inspections conducted as required?
- ▶ Are corrective actions documented?

# ONSITE RECORDS REVIEW

## ▶ Training

- ▶ Does personnel training meet regulatory requirements
- ▶ Do personnel training records indicate that initial and refresher training is current for the employee?

## ▶ Preparedness and Prevention

- ▶ Communications, fire extinguishers, spill control, arrangements with local authorities
- ▶ Is emergency equipment tested and maintained as applicable?

## ▶ Are there any facility specific requirements

- ▶ CERCLA offsite approvals to receive CERCLA wastes
- ▶ State notifications for treatment recipes

# SUMMARY

- ▶ **A successful virtual DOECAP audit can be accomplished with:**
  - ▶ **DOECAP Audit Preparation – review the previous audit report, procedures, permits and the Facility's DOECAP checklist responses**
  - ▶ **Reviewing State Agency Files – pending/ongoing enforcement actions**
  - ▶ **Completing the Environmental Compliance/Permitting Checklist**
  - ▶ **Conducting the 30-minute facility interview based on the above, and**
  - ▶ **Conducting a documents and records review to substantiate compliance**

ANY EASY QUESTIONS?

