

July 10, 2007 NEWMOA/States Conference Call on “State Approaches for Streamlined Inspections”

The following States participated in the July 10, 2007 conference call :
CT, MA, NH, NJ, NY and VT. ME and RI did not participate.

CT began the State presentations on their approaches for streamlined inspections. There are about 1700 SQGs in CT. In order to be able to visit more of these facilities, CTDEP developed a 2-page checklist with (8) key indicators. Inspectors check only the following eight items at a SQG: container & tank management, waste holding time, secondary containment, impervious base, incompatibles storage, aisle space, waste determinations. CTDEP has found that SQGs in compliance with all (8) requirements are generally in compliance overall. If not, a full RCRA inspection is conducted. Only (4) out of (22) SQGs sampled required a full inspection. Use of the key indicators checklist has allowed more inspections and shorter inspections (2-3 per day with the checklist as opposed to 1 LQG per day--- SQGs in CT have to meet most of the same requirements as for LQGs).

MA circulated two handouts, a compliance evaluation cover sheet and compliance evaluation inspection report, that it developed in response to EPA comments during its State Review Framework (SRF review) of the Mass. air pollution, wastewater and hazardous waste programs. The documents address EPA concerns about including sufficient details in inspection reports to indicate that MassDEP inspectors have checked all compliance elements required to be checked in the three programs. The cover sheet is to be used to inventory and track all multi-media inspection and enforcement activities at a site and will be used in the future to automate compliance and enforcement documentation.

NH highlighted its past use of partial RCRA inspections in environmentally sensitive areas/drinking water wellhead protection areas. These inspections used a short checklist. If significant problems were found, a full RCRA inspection was performed. NH expanded this approach to a sector initiative for dry cleaners in wellhead protection areas and focusing on dry cleaners not shipping waste perchloroethylene off-site.

In 2004, NHDES hired summer interns to perform about 200-300 random surveys consisting of (10) questions focusing on hazardous waste management. NHDES later used the results of the surveys to target regular RCRA inspections. To save resources by expediting inspections, NHDES developed a compliance measurement system that includes a data entry module for preserving noncompliance information on a facility that is entered by inspectors. Inspectors reinspecting the facility can quickly check past history of noncompliance before visiting the facility. To help streamline inspections, NHDES inspectors review manifests prior to inspections, use a pre-printed calendar to document compliance timelines at a facility, and give a facility a list of documents requested for inspector review before an inspection begins so that the documents are ready as soon as an inspector completes the physical inspection.

NH also described a number of efforts that fall into the category of educating regulated companies prior to inspections about the regulations and their requirements, which can minimize inspector time onsite and improve compliance:

--- certification training program for full quantity generators (> 100 kg per month) that produces a trained compliance coordinator for each generator, who can converse about regulatory requirements with inspectors. The training modules include a half-day training on making waste determinations and another module focusing on what to expect during a NHDES inspection

--- a 5-page self-certification for SQGs (< 100 kg per month) that they have to complete and send in to NHDES which also uses it as an inspection targeting tool.

--- distribution of copies of checklists and fact sheets during inspections to educate generators

NJ has done some work in performing shorter inspections in sectors with larger numbers of facilities and performing full inspections if significant violations are found. NJ has combined hazardous waste inspections with its solid waste recycling facility inspections.

NY's work in this area includes a refinement of its database tracking systems and participation in the "common measures" project, which will involve full inspections.

VT conducts partial RCRA inspections of SQGs with good compliance histories. VT SQGs have most of the same requirements as LQGs. VT has a SQG universe of about (500) facilities. VT performs full inspections at LQGs and TSDFs. A VT inspector can perform 3-4 partial inspections per day compared to 1-2 full inspections per day. Partial inspections focus on waste determinations, waste handling, cursory manifest and plans review. VT uses inspections as an opportunity for compliance assistance outreach; inspectors distribute fact sheets and other handouts during inspections. Partial inspections also shorten the post-inspection paperwork follow-up and help with facility data cleanup. VT has used partial inspections as a way to blanket particular communities and industrial sectors to get a measure of compliance in a whole group.

Some conclusions from the call are that database and inventory tracking devices, key indicator screening checklists, and education of regulated facilities, prior to the inspection, can all contribute to streamlining the process.

There was a general announcement that EPA will hold training on the Land Disposal Rule soon, probably in late summer and hosted by Massachusetts. More information to NEWMOA members on this later.