

## **NEWMOA Hazardous Waste Conference Call April 9, 2013**

### **Topic: Electronic Record-Keeping in State RCRA Programs, Management of E-Submittals, & E-Monitoring of Compliance**

#### **Disclaimer**

NEWMOA organizes regular conference calls or webinars so its members, EPA Headquarters, and EPA Regions 1 and 2 can share information and discuss issues associated with the implementation of the Resource Conservation and Recovery Act (RCRA), compliance assistance, enforcement, and other topics. Members of the group prepare draft notes of the calls for use by those members that were unable to participate and for future reference by the participants. These notes are intended to capture general information and comments provided by the participants and are not a transcript of the call. NEWMOA provides the participants on the calls with an opportunity to review drafts of the notes prior to posting them on the members' only area of the hazardous waste page on the NEWMOA website. NEWMOA staff makes all recommended corrections to the notes prior to posting.

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#### **Participants**

Participants: CT DEEP (8 people); MassDEP (5 people); NH DES (11 people); NJ DEP (3 person); NYS DEC (11 people); RI DEM (1 person); VT DEC (3 people); EPA Region 1 (3 people); and NEWMOA (1 person).

Draft notes prepared by Lynn Metcalf, VT DEC with help from NEWMOA.

Terri announced that the EPA Region 1 Advanced HW Inspector Training is scheduled for June 25 at the Westford Regency Inn and Conference Center in Westford, MA. **An announcement with a link for registration has gone out to the group.** She noted that she is working with NJ DEP and NYS DEC on the plans for the Region 2 workshop.

She noted that the next conference call will take place on Tuesday, May 14, 10:30 and will focus on Measuring the Benefits of RCRA and Outcomes of RCRA Inspections. The lead state in NH and the note-taking state is CT.

Bret Reburn, NJ DEP introduced the topic for the call and notes that it will be facilitated as a roundtable with each state and EPA providing updates on the following topics:

- Status of electronic record-keeping efforts in the RCRA program – permits, reports, inspection records, enforcement documents, and other materials;
- Challenges encountered with the transition to electronic record-keeping and how agencies are addressing them;

- Efforts to utilize electronic monitoring of compliance and management of associated data with a discussion of opportunities and challenges; and
- Report on the status EPA's efforts to implement the e-manifest; results of recent discussions with the states.

## **NJ DEP**

### Status of electronic record-keeping efforts in the RCRA program

15 years ago DEP established the NJ Environmental Management Systems (NJEMS), which has grown into a big data management system that includes permits, monitoring reports, data, and checklists that are in electronic format. The system enables checklists to generate informal Notices of Violations (NOVs) automatically, staff to note return to compliance measures in system, and generate formal enforcement documents. Staff can scan documents into the system. Billing is done through the system. All of the manifests are in the system since 2000. The database can pull up data prior to 1999.

Staff input compliance activities into huge spreadsheet that is part of NJEMS. There is direct data entry into NJEMS to generate documents, but the documents that are generated are reviewed up the line and there is tracking of them through the database. They are translators from NJEMS into RCRAInfo for Handler and CM&E data. The system locks inspection reports and enforcement documents when done. Dataminer is the tool (available to the public through their web page <http://www.nj.gov/dep/opra/online.html>) for doing searches of NJEMS. In addition to NJDEP personnel, county inspectors are able to get into NJEMS to enter data.

### Challenges encountered

- The database is overwhelming and rules are always changing, but they do not have the funds to constantly update the database;
- Cost – invested millions of dollars to develop it, and they have to work with the original contractor for updates which are also costly;
- Training is a problem – no formal training for new people; no annual refreshers; no money to develop training; many people do not understand the system, and it is a lot to remember.

### Efforts to utilize electronic monitoring of compliance

They use laptops for inspectors in the field. They can generate reports and pull up NJEMS; they have field air monitoring devices – flare cameras that can show where vapors are – to check for AA, BB, CC compliance.

## **CT DEEP**

### Status of electronic record-keeping efforts in the RCRA program

Their data management system is called Site Information Management System (SIMS), which is used for supporting permitting and enforcement actions and tracking payment of penalties and fees. It is not used to generate inspection reports. Staff scan enforcement documents when closed and in process. The System has scanned documents starting in 2009, prior they have the paper files. Permits are scanned (also since 2009) in to be readable by staff. An enhancement was recently added that focuses on workflows – for enforcement and permitting staff to track their cases. SIMS has the ability to track penalty payments and fees required for applications and can

generate invoices for these items. They have a separate database for manifests that includes scanned manifests and is searchable by site address, generator name, and ID number.

#### Challenges encountered

- Cost to update;
- Need SOP on entering data;
- Training staff how to enter data in system; and
- Data entered back to 1983 in a separate system.

#### Efforts to utilize electronic monitoring of compliance

DEEP has a comprehensive HW online training course – they can look to see if a company has done training. They have used manifest records in their databases to identify candidates for inspection.

#### Regulated community and electronic records retention

CT allows generators to store records electronically – logs and training records as long as the records are viewable at any inspection site; answered question about computerized training – ok as classroom training.

### **Mass DEP**

#### **Status of electronic record-keeping efforts in the RCRA program**

DEP uses a multi-media system, called Facility Master File that was built in-house. It follows a sprawling “farmhouse” model and is ten years old. The system allows for online reporting for site IDs, spills, cleanups, and transporter manifest reports. They maintain CROMERR compliance by keeping original copies of documents that are untouched; then they are copied to various tables/databases in system.

Translate data to EPA systems, including RCRAInfo Handler; FRS; air database.

DEP has been scanning manifests since 2003 – scan and toss them; same information is sent in by transporters for comparison.

Q – Are manifests integrated with FMF?

A - In Oracle but is not connected, though users could conduct queries to examine information in both systems together.

#### Challenges encountered

DEP is looking at doing update of database after ten years. They used Adobe forms for reporting forms but that is problematic depending on users’ software versions. Ability to receive notifications without electronic signature – first one needs to be in paper; later submittals do not have to be an ink signature. Saved as PDF and not changed. Their IT people have worked something out with EPA to address this issue.

### **NH DES**

#### Status of electronic record-keeping efforts in the RCRA program

One-Stop program – air, water, and waste – allows public access to electronic records for many programs, including site visits information, HW Notifications and manifests, and permits. DES has Oracle database for Notifications and manifests that translates handler data into RCRAInfo. Legal unit has documents displayed on the web.

Inspector use Compliance Measures Systems (CMS) online (an Oracle database). The inspector puts the violations in the checklist to develop enforcement action; checklist is stored in system as well. Then it generates a list of violations for developing an enforcement action, which is then generated manually.

The checklist has a container inventory module to document whether all containers are compliant or non-compliant for each requirement and a comment field is also used for description. During an EPA SRF review, EPA wanted them to develop better process descriptions in the reports, not just yes-no answers for checklist questions.

For document management, they have an archive system – submittals are stored electronically and are now starting to receive documents electronically; generators are required to submit Contingency Plans that are stored for view by emergency responders. Quarterly reports are accepted electronically. Allow facilities to send in PDFs of manifests.

Generators are allowed (by regulation) to store their manifests electronically. Documents must be viewable during an inspection. Facilities must be able to show that it is a valid copy (see signatures).

#### Challenges encountered

Space is an issue.

In field, inspectors have laptops and can connect to VPN and view files at office

#### **NYS DEC**

##### Status of electronic record-keeping efforts in the RCRA program

DEC has been implementing E-Smart and it is available online since 2006. It contains three million records. They have scanned all of their microfiche. Now all records are images and available online - manifests, annual reporting, and fee systems. Annual report system is CROMERR compliant, so the staff can access them electronically only without paper backup. Agency has had scanning program since 2003. They have been adding about 500 generators per month. Manifest data is available electronically on the web but may not be very user friendly. They offer online training for manifesting and annual reports. In the future, they want to generate annual reports in house.

#### Challenges encountered

- Last minute data changes;
- Some systems are not working very well;
- Understanding system recovery;
- FOIA requirements means all images are publically available and nothing is redacted;  
and

- RCRAInfo is not a system of record.

Regulated community – allow facilities to maintain records electronically, but they must be able to produce those documents no matter what – i.e., data loss is not an excuse.

### **RI DEM**

#### Status of electronic record-keeping efforts in the RCRA program

System called Clover to track permitting and enforcement actions regardless of program – not widely used.

For an internal database, they have a legacy MS Access system. They get manifest data from transporters quarterly. They have electronic data standards for data submittal and permit documents.

### **VT DEC**

#### Status of electronic record-keeping efforts in the RCRA program

DEC does not have a whole data system. No overall electronic data management system but started maintaining electronic facility files in 2008. Every facility (i.e., generator, permitted facility, etc.) has an electronic file. The record copy for all new documents created (checklists, letters, NOAVs) is electronic. Everything DEC gets from the regulated community is either already electronic or is scanned and put in the file. While DEC provides most documents to the regulated community in paper, the copy they keep for their files is electronic. They are working toward scanning the older portions of the files and are about 2/3 done.

DEC's in-house database includes information pulled down from RCRAInfo and manifest data that is keyed in and used for assessing hazardous waste taxes. DEC does not scan manifests. Basic hazardous waste generator information and lists of manifests from their databases are accessible to the public through our Waste Management Interactive Database (WM-ID) [http://www.anr.state.vt.us/dec/wastediv/SMS/WMID\\_Intro.htm](http://www.anr.state.vt.us/dec/wastediv/SMS/WMID_Intro.htm)

#### Challenges encountered:

Security of electronic records from the standpoint of making sure they do not get deleted accidentally. They close to deployment of an archive system for electronic files to prevent this. The IT resources for even the limited databases that they have are limited and hard to access. Also, finding the IT expertise on Dec's end to extract data out of RCRAInfo easily is a problem. They currently use a largely manual process.

### **Mark's Report on EPA E-manifest Meetings**

Mark Dennen, RI DEM attended a recent EPA meeting with state agencies that was focused on the transition to e-manifest. He noted that EPA is developing specifications for the system to be developed. During the meeting and the call participants raised questions about roles of different users and offline access to system (then allow to upload later in system).

System will allow use of non-standard IDs. System has to be CROMERR compliant; EPA/DOJ will not budge on this. Access to others data is an issue. Data mining is a concern by some users.

Fee for paper users is likely to be higher to discourage paper use. Data reliability – if they cannot do it now with reporting, how do agencies know they will be able to do it for manifest data?