



WASTE COMPLIANCE INVESTIGATIONS AN INVESTIGATORS PERSPECTIVE

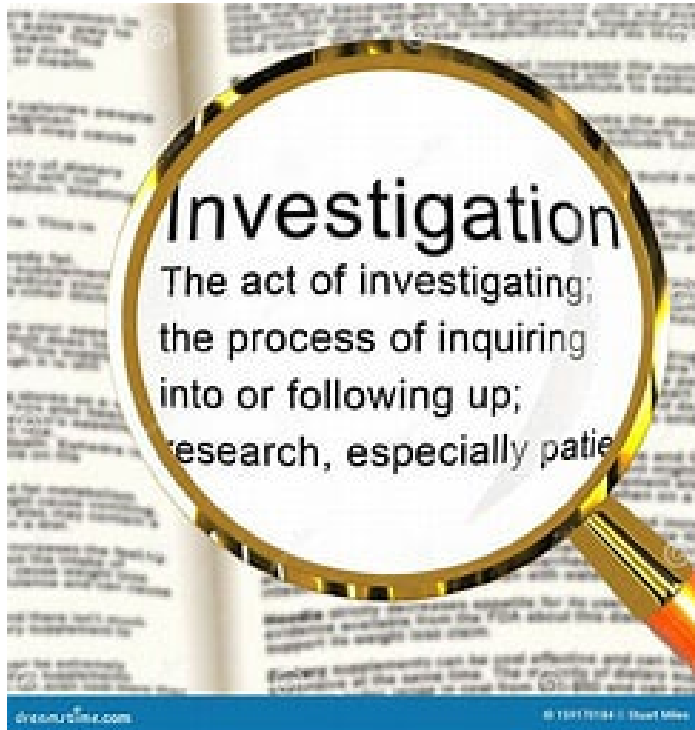
TCEQ San Antonio Region

Rhonda Reza

Objective

Provide an insider perspective of TCEQ investigations and better equip the regulated community with information to achieve and maintain compliance

Compliance Investigations



Why and when they occur



What to expect and how to prepare

Why am I being investigated?



To determine compliance with programmatic rules and regulations



Two types of investigations

Scheduled and
Unscheduled

Scheduled Investigations

By registering or authorizing with the TCEQ, a facility becomes subject to compliance investigations

- Notice is provided
- Investigator will give an overview of what to expect and what documents will be reviewed.



Unscheduled Investigations

On-demand, incident driven investigations



Complaints of alleged violations

No notice is provided



Emergency Responses to spills

Complaint Investigations

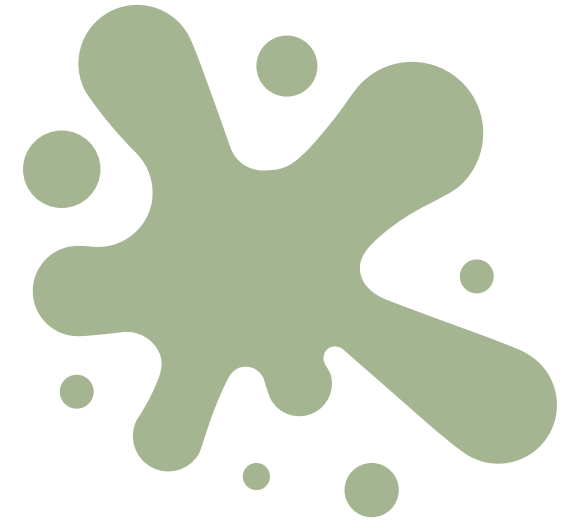
- TCEQ protects the confidentiality of complainants.
- Information is received from various sources (public, employees, etc.)

Initiates an investigation to address a complainant's concern

- Findings could spur a full compliance investigation

Emergency Response

- A reportable spill or discharge could trigger an investigation.
 - Example: 1000-gallon fuel spill from an aboveground storage tank would trigger an emergency response investigation and a petroleum storage tank investigation



What to expect...



Pre-
Investigation

Investigation

Post
Investigation



Research related regulated entity information



Past Investigations (if applicable)



Central Registry



Determine applicable regulatory requirements

Pre- Investigation Phase

Investigation Phase:

Onsite Visit

The Investigator will

- Observe equipment, and processes of the facility
- Take photographs
- Record field notes
- Ask questions of key personnel
- Take measurements and may collect samples*
- Review or request applicable paperwork

Post Investigation:

- Exit Interview Form
- Review the results of the investigation
- Request additional documents (if applicable)
- Outline any alleged/potential violations
- Final letter will be sent once the investigation report is approved
 - ❖ General Compliance
 - ❖ Notice of Violation
 - ❖ Notice of Enforcement



Common Violations

Failed to complete a hazardous waste determination for each solid waste generated
or
Failed to conduct a waste classification determination on all industrial solid wastes

Texas Waste Code	Waste Class	Status	Waste Status Code Change Date	Mixed Radioactive	TCEQ Audit Complete	Waste Update Date	Inactive Reason
***** Active Wastes *****							
0026119H	H	Active		N	No	7/3/13	
Waste Description: Chromium containing rinsewater to be treated on-site in CWA wastewater treatment system. Treated water is discharged to POTW. Generating process--rinsing of parts following Alodine and hard chrome plating. Generation date prior to 1984 Date of Generation: 3/15/02 Texas Form Code: 119 - Other inorganic liquids EPA Form Code: W119 Other inorganic liquid EPA Hazardous Waste Numbers: D007 Current Management Units: 17 - Waste Water Treatment Plant: 010 Origin Codes: 1 - Generated on-site from a product process or service activity Source Codes: G03 - Plating and phosphating NAICS Code: 332813 Plating New Chemical Substance: N							
0027119H	H	Active		N	No	7/3/13	
Waste Description: Cadmium cyanide rinsewaters to be treated on-site in CWA pretreatment system and subsequently discharged to POTW. Generating process--rinsing of parts following cadmium cyanide plating process. Generation date prior to 1984 Date of Generation: 3/15/02 Texas Form Code: 119 - Other inorganic liquids EPA Form Code: W119 Other inorganic liquid EPA Hazardous Waste Numbers: D002 D006 Current Management Units: 17 - Waste Water Treatment Plant: 010 Origin Codes: 1 - Generated on-site from a product process or service activity							

Failed to notify

Texas Waste Code	Waste Class	Status	Waste Status Code Change Date	Mixed Radioactive	TCEQ Audit Complete	Waste Update Date	Inactive Reason
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Failed to label containers



Failure to keep containers closed (except when adding or removing waste)



Failure to dispose of waste within the 90 or 180 days



HAZARDOUS WASTE

FEDERAL LAW PROHIBITS IMPROPER DISPOSAL
IF FOUND CONTACT THE NEAREST POLICE OR PUBLIC SAFETY
AUTHORITY OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY

GENERATOR INFORMATION:

NAME

ADDRESS

CITY

EPA

ID NO.

ACCUMULATION

START DATE

MANIFEST
DOCUMENT NO.

STATE

PHONE

ZIP

EPA
WASTE NO.

D.O.T. PROPER SHIPPING NAME AND UN OR NA NO. WITH PREFIX

HANDLE WITH CARE!

8-362 UUNE 1-800-295-5510

03/19/2015

Failure to conduct weekly inspections



Preparing for an Investigation

These are some good practices to help you prepare for investigations. These are intended to supplement your understanding of your authorization and applicable regulations.





Keep Compliance Documentation Organized

- Records are a large portion of assessing compliance.
- Maintain records well to demonstrate compliance
 - Legible and Organized

Investigation Checklists

<https://www.tceq.texas.gov/compliance/investigation/checklists>

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Texas Commission on Environmental Quality

CHECKLIST WORKSHEET

IHW CEI GENERAL FACILITY

Regulating Entity Name


Date :

Additional I.D.:

Investigator Name:

Item Number	Description	SECTION A: GENERAL SITE INFORMATION AND UNAUTHORIZED DISCHARGES		
	Answer	Citations	Notes	
Item Number 1	Description	Describe land use within one mile.		
	Answer	Citations	Notes	
Item Number 2	Description	Are any closed or abandoned solid waste units present?		
	Answer	Citations	Notes	
Item Number 3	Description	Has proof of deed recordation of all closed solid waste land disposal units been provided to the TCEQ, if required?		
	Answer	Citations	335.8(b)(4)	Notes
Item Number 4	Description	Attach plant map or sketch showing site orientation, waste management units, and major topographic features.		
	Answer	Citations	Notes	
Item Number 5	Description	Is any evidence present of fires and explosions or other releases to the environment from solid waste units or other on-site sources?		
	Answer	Citations	335.4(1)	Notes
Item Number 6	Description	If fires, explosions or other releases have threatened, or could have threatened, human health outside of the facility site, or if the generator had knowledge that a spill had reached surface waters, have these occurrences been reported?		
	Answer	Citations	327.3(b)	Notes
Item Number 7	Description	Have all releases of contaminants to the environment been documented and was appropriate action taken by the responsible party and reports submitted?		
	Answer	Citations	335.69(a)(4)(A)	Notes
Item Number	Description	SECTION B: HAZARDOUS WASTE DETERMINATION AND NOTIFICATION		
	Answer	Citations	Notes	
Item Number 1	Description	Has the generator completed a hazardous waste determination for each solid waste generated?		
	Answer	Citations	335.62	Notes
Item Number 1A	Description	Listed as a hazardous waste in 40 CFR Part 261, Subpart D? Reference 335.504(2), 262.11(b).		
	Answer	Citations	Notes	
Item Number 1B	Description	Process or materials knowledge? Reference 335.504(3)(B), 262.11(c)(2).		
	Answer	Citations	Notes	
Item Number 1C	Description	Tested for characteristics as identified in Part 261, Subpart C? Reference 335.504(3)(A), 262.11(c)(1).		
	Answer	Citations	Notes	
Item Number 2	Description	Has the generator documented waste classification determinations on all industrial (including non-hazardous) solid wastes? Check the method(s) used for determination.		
	Answer	Citations	335.503(a)	Notes
Item Number 2A	Description	Process or materials knowledge? 335.511		
	Answer	Citations	Notes	

Review Facility Information

 TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY

Questions or Comments >>

Query HomeCustomer SearchRE SearchID SearchDocument SearchTCEQ Home

Central Registry Query - Regulated Entity Search

Search for a person, organization, place, or thing that is of environmental interest to the TCEQ, where regulatory activities or interest to us occur or have occurred in the past.

Regulated Entity Search

Option 1: Enter a Regulated Entity Reference Number (RN):

RN Number ⓘ : (9 digits or RN + 9 digits)

Option 2: Complete one or more of these fields:

Regulated Entity: (Name or part of name 2-40 characters.)

Program: -- Select a regulatory program if desired --

Program ID: (Permit, registration, or other program identifier.)

ID Status: (ID status, only used if program or ID entered.)

Street Address ⓘ: (3-35 characters.)

City: (Enter complete or partial city name, 3-30 characters.)

ZIP Code: (Must be numeric and 5 digits.)

County:

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HAVE KEY
PERSONNEL
AVAILABLE



HOUSEKEEPING



HOUSEKEEPING



Questions?

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