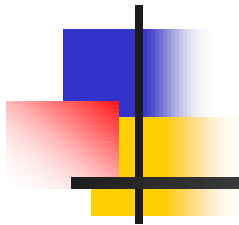




STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Hazardous Waste Handler Seminar Series
May 8, 2013



Michael R. Hastry, Chief
Bureau of Hazardous Waste & UST Enforcement
mike.hastry@dep.state.nj.us
tel. 609 943- 4989







- New Business – Request Compliance Assistance Visit
 - Anticipate Inspections. We Do!
 - Know the Regulations. Get Help!
 - Self-Disclosure of Violations.
 - Be Organized. Records Available!
 - Good Housekeeping.
-



- Understand the Notice of Violation (NOV).
 - Ask Questions
 - Come into Compliance. - Quicker the Better
 - Don't ignore the NOV.
 - Keep in Contact with the Inspector.
 - Expect a Follow-up Visit .
-



Most Commonly Cited Hazardous Waste Violations (Minor / Non-Minor)

Violated Citation	Description
40 CFR 262.11	Failure of generator of solid waste to determine if waste is hazardous.
40 CFR 262.34(a)(3)	Failure of generator to clearly mark each container or tank with the words "Hazardous Waste".
40 CFR 262.34(a)(2)	Failure of generator to clearly mark container with date when accumulation period begins or to make mark visible for inspection.
40 CFR 265.174	Failure of facility owner or operator to perform inspection of each area where containers are stored.
40 CFR 265.35	Failure of facility owner or operator to maintain sufficient aisle space for the unobstructed movement of personnel or equipment in an emergency.
40 CFR 265.37	Failure of facility owner or operator to make required arrangements with police or fire departments, emergency response contractors, equipment suppliers, or local hospitals, or to document any such authority's refusal of such arrangements.
N.J.A.C. 7:26A-6.4(d)4	Failure of used oil generator to comply with used oil labeling/marketing requirements.
40 CFR 273.14(e)	Failure of Small Quantity Handler of Universal Waste to properly label or mark universal waste lamps or containers of universal waste lamps.





-
- Administrative Orders / Penalty Assessments
 - Requests for Administrative Hearing
 - Informal Settlement Meeting
 - Settlement Agreements / ACO's
/Supplemental Environmental Projects
(SEP's)
-



- How do you keep compliant?
- How do you stay up to date on regulatory or policy changes?
- How do you keep your head above water?





Solid Waste and Emergency Response



[Recent Additions](#) | [Contact Us](#)

Search: All EPA This Area

You are here: [EPA Home](#) » [Office of Solid Waste and Emergency Response \(OSWER\)](#) » [OSWER Policy](#)

OSWER Policy

Policy and Guidance for Waste Management and Emergency Response Programs

Policy and Guidance

For specific policies and guidances on Superfund and abandoned hazardous waste site cleanup:

- [Laws, Policy and Guidance](#)

For specific policies and guidances on underground storage tanks

- [Policy and Guidance Pertaining to Underground Storage Tanks](#)

For specific policies and guidances on federal facilities

- [Laws, Regulations, Policy and Guidance](#)

For specific policies and guidances on emergency management

- [Policy and Guidance](#)

For specific policies and guidances on hazardous and solid waste management and the RCRA program

- [RCRA Online](#)

For specific policies and guidances on brownfields

- [Laws and Statutes](#)

[OSWER Home](#) | [Customer Satisfaction Survey](#)

[EPA Home](#) | [Privacy and Security Notice](#) | [Contact Us](#)

<http://www.epa.gov/oswer/oswerpolicy.htm>

[Print As-is](#)

Last updated on Friday, July 13, 2012

Solid Waste
Emergency
Response Home

About Solid Waste
Emergency
Response

Land Cleanup and
Redevelopment

Emergencies,
Accidents and Spills

Safe Waste
Management

Laws & Regulations

Grants & Funding

Publications

Our Policies

Our Offices

Our Partners





Wastes - Information Resources



[Recent Additions](#) | [Contact Us](#) Search: All EPA This Area

You are here: [EPA Home](#) » [Wastes](#) » [Information Resources](#) » RCRA Online

Wastes Home

Information Resources Home

Hazardous Waste Data

RCRA Online

Publications

Information Resources

Laws & Regulations

Educational Materials



RCRA Online

The RCRA Online database is designed to enable users to locate documents, including publications and other outreach materials, that cover a wide range of RCRA issues and topics.

While EPA makes every effort to keep this information timely and accurate, EPA makes no expressed or implied guarantees as to the accuracy or timeliness of the information contained in this database, the documents referenced in this database, or the choice of documents referenced in this database. EPA will, however, make an effort to correct errors brought to its attention.

In addition, since EPA cannot guarantee protection from potential alteration of or tampering with the materials on this server by outside parties, these materials do not constitute 'official' versions, and they are not intended, nor can they be relied upon, to create any rights enforceable by any party in litigation with the United States.

Tips On Using RCRA Online

You can download the [RCRA Online Brochure \(PDF\)](#) (2 pp, 267K, [About PDF](#))

If you have any questions or comments concerning the functionality or use of this database, please direct them to the [RCRA Frequent Questions Database](#).

If you want more information on the RCRA program, please visit the [Contact Us](#) page. This page provides links to EPA's Regional Offices, state environmental offices and the RCRA Frequent Questions Database.

Start Using RCRA Online

Before you continue, please [READ THE DISCLAIMER](#)

How To Use RCRA Online

What's New

Topics Search

Full Text Search

Advanced Search

[EPA Home](#) | [Privacy and Security Notice](#) | [Contact Us](#)

<http://www.epa.gov/epawaste/inforesources/online/index.htm>

[Print A-Z-1a](#)

Last updated on Friday, October 19, 2012





Wastes - Hazardous Waste - Definition of Solid Waste

Recent Additions | Contact Us Search: All EPA This Area Go

You are here: [EPA Home](#) » [Wastes](#) » [Hazardous Waste](#) » [Definition of Solid Waste](#) » Tool

[Wastes Home](#)

[Hazardous Waste Home](#)

[Definition of Solid Waste Home](#)

[DSW Tool](#)

[DSW Compendium](#)

[DSW Federal Register Notices](#)

[Additional Resources](#)

[Information Resources](#)

[Laws & Regulations](#)

[Educational Materials](#)



DSW Decision Tool v2

Note: The DSW Decision Tool has been updated to reflect the new [Revisions to the Definition of Solid Waste Final Rule](#). Also, a new feature has been added that allows users to review and print the scenario-specific outcome of the DSW Decision Tool. [More details about the changes to the DSW Decision Tool.](#)

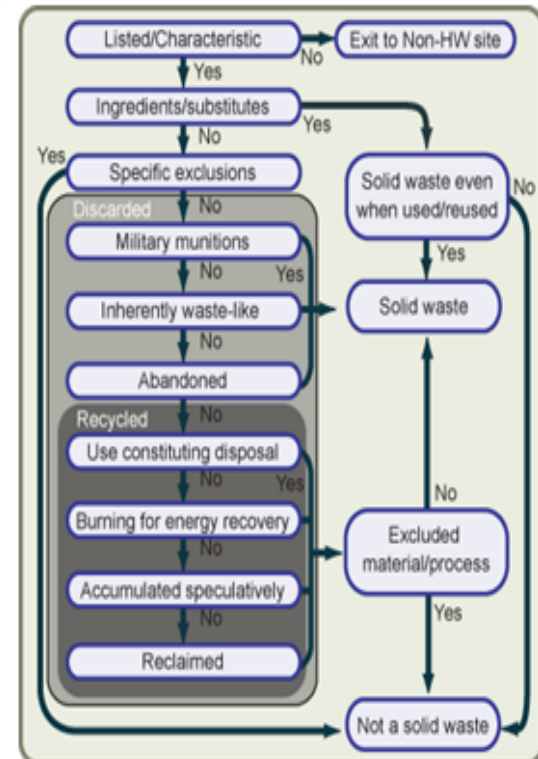
The Definition of Solid Waste Decision Tool v2 is an interactive decision support tool designed to follow a series of decisions that a typical user might make when determining whether a material meets the definition of solid waste for purposes of being a hazardous waste (see [40 CFR 261.1\(b\)](#)). The decisions in the tool are organized to simplify this determination process and to allow the user to reach a conclusion as quickly as possible. **Note:** This tool does not follow the outline of the definition of solid waste regulations in the same order that appears in those regulations (see [40 CFR 261.2](#)).

Instructions for using the tool:

1. Read the question and description for each step. If more information is needed to answer the question, use the resources listed under the description to access EPA training modules or review EPA interpretations and decisions on the topic in the Definition of Solid Waste Compendium.
2. Click on the appropriate link to move to the next step or to see whether your waste is a solid waste. Users also may navigate by clicking in the left column of the flow chart.
3. Once you have obtained the DSW Decision Tool outcome for your material, you may print an outcome report for your records. **Note:** navigating using the flow chart will reset the recording function. Also, using your browser's Back button may disrupt the recording function.

[Begin](#)

Definition of Solid Waste Process Flowchart



You will need Adobe Reader to view some of the files on this page. See [EPA's PDF page](#) to learn more.

Disclaimer: This DSW Decision Tool is a decision support tool provided by EPA for the convenience of the regulated community. It is not a regulation, nor can it be considered a substitute for the actual regulations, themselves, or for related laws and applicable court decisions. If a person uses this web site to make decisions regarding whether his material is a solid waste, he makes that decision at the risk of having incorrectly interpreted applicable laws, regulations and/or legal decisions. EPA does not intend this web site to be cited as precedent before a court or before EPA to support a person's decision whether to treat his material as a solid waste. EPA recommends you contact your authorized state agency or EPA regional office should you have any concerns or doubts about whether your material is subject to RCRA jurisdiction. No information entered by users is maintained by EPA, and the generation of outcomes by the DSW Decision Tool, along with additional information entered by the user, does not constitute a submission.





Compliance & Enforcement

- [Home](#)
- [Programs/Contacts](#)
- [Enforcement in Action](#)
- [Compliance Advisories](#)
- [Compliance Assistance](#)
- [Stewardship](#)
- [Supplemental Envir. Proj. \(SEPs\)](#)
- [Self Disclosure](#)
- [Reports & Requests](#)
- [Contact Info](#)
- [Partner Links](#)



Updates
<p>March 6, 2013 Storm Warning: Reminder of Requirements to Call the DEP Hotline at 1-877- WARN DEP (1-877-927-8337)</p>
<p>March 4, 2013 Upcoming FREE Air Compliance & Enforcement (ACE) Training/Outreach Seminar</p>
<p>February 8, 2013 Precautionary Measures for Wastewater and Stormwater Systems before a Storm Event</p>
<p>December 12, 2012 Wood Chip Management Guidance</p>
<p>November 9, 2012 Emergency Generators and Packaged Boilers Use Provisions Necessitated by Hurricane Sandy</p>
<p>November 7, 2012 Upcoming FREE Solid Waste & Recycling Training/Outreach Seminar</p>
<p>November 7, 2012 Portable Material Handling Equipment Use Provisions Necessitated by Hurricane Sandy</p>
<p>Subscribe to the Compliance and Enforcement Advisories</p>

Compliance & Enforcement plays a critical role within the DEP by deterring violations that would otherwise threaten our environment and the health of our citizens. We pursue the goal of violation deterrence in a manner that is fair and predictable in concert with partners on federal, state and local levels, ensuring that all NJ citizens and groups are protected equally and businesses are on a level playing field.

- ▶ To encourage compliance and environmental stewardship, we continue to seek innovative ways to provide incentives, information and assistance to those we regulate and to the interested public.
- ▶ To ascertain compliance, we employ site inspections and detailed reviews of reported information.
- ▶ To ensure compliance we put violators on notice, take administrative actions, levy penalties and where necessary, work cooperatively with criminal prosecutors.

[Assistant Commissioner's Message](#)





Report Categories

Please be advised that Dataminer reports go offline on Sundays due to maintenance purposes

- ▶ [2008 Permit Extension Act](#)
- ▶ [Air Quality Permitting and Reporting](#)
- ▶ [Ambient Water Quality](#)
- ▶ [Certified Laboratories](#)
- ▶ [Community Access](#)
- ▶ [Community Right to Know](#)
- ▶ [Compliance & Enforcement](#)
- ▶ [Exams and Licensing](#)
- ▶ [General Environmental Reports](#)
- ▶ [Hazardous Waste Manifest](#)
- ▶ [Hurricane Sandy](#) 
- ▶ [Incidents/Complaints](#)
- ▶ [Mandatory Diesel Retrofit Program](#)
- ▶ [NJPDES Permitting Program](#)
- ▶ [Pending Permit Progress Reports](#)
- ▶ [Permitting Dashboard](#)
- ▶ [Pesticide Control Program](#)
- ▶ [Site Remediation](#)
- ▶ [Stewardship](#)
- ▶ [Vehicle Registration Search \(2009 forward\)](#)
- ▶ [Volunteer and Watershed Ambassador Ambient Water Quality](#)
- ▶ [Water Supply and Geoscience](#)
- ▶ [Waiver Rule](#)
- ▶ [Whats New](#)
- ▶ [X-Ray Compliance](#)

Welcome to the New Jersey Department of Environmental Protection's online reports portal, NJDEP Data Miner. Within you will find a variety of reports that will provide you with up to the minute results from many different environmental media and subjects. In order to provide flexibility, many of these reports require the user to enter some criteria, which will result in a customized document.

NJDEP has reports on the following topics:

- **2008 Permit Extension Act**

This category contains reports related to the 2008 Permit Extension Act. The 2008 Permit Extension Act was signed into law on September 6, 2008 with the intent of offering economic relief to various segments of the New Jersey economy, particularly the real estate and construction sectors. The Act allowed for permit extensions of up to three and one half years assuming the criteria for inclusion is met.

[→ Access the 2008 Permit Extension Act Reports](#)



Search for Regulated Sites by Location



Find the Sites or Certified/Licensed Individuals regulated by NJDEP in your County/Municipality and obtain inspection results, status of permit applications/registrations, and other environmental data.

Search by County
Atlantic

Search by Municipality
ALL → OR

Search by Zip Code
→

Include:
 All Sites Licenses/Certifications/Regulated Individuals

Search for Regulated Sites by Name



Find the Sites or Certified/Licensed Individuals regulated by NJDEP based on Name and obtain inspection results, status of permit applications/registrations, and other environmental data.

Search by Company Name
→

Include:
 All Sites Licenses/Certifications/Regulated Individuals

Search for Regulated Sites by ID Number



Find the Sites or Certified/Licensed Individuals regulated by NJDEP based on ID Number and corresponding NJDEP Program. Use either Program/Program Interest ID or Program/Alternate ID and obtain inspection results, status of permit applications/registrations, and other environmental information.

Program
ALL

Program Interest ID
→

OR

Program
ALL

Alternate ID
→

Include:
 All Sites Licenses/Certifications/Regulated Individuals

Find reports by keyword





10/31/2012 11:17

