Kansas Statutes Annotated (K.S.A.) 65-3446 authorizes the Secretary of the Department of Health and Environment to impose an administrative penalty not to exceed $10,000 per day per violation for each violation of the hazardous waste statutes. This penalty matrix has been compiled to provide guidance to the KDHE staff when assessing monetary administrative penalties. The matrix provides penalty ranges; however, upon sufficient justification KDHE may impose the maximum penalty allowed by the statutes or a lesser amount than shown in any penalty range. This penalty matrix is not intended to include all possible violations or maximum number of offenses that may occur. The penalty amounts may be adjusted as necessary to ensure that each penalty reflects an actual and substantial economic deterrent to the violation and the economic benefit realized through the violation for which it is assessed.

<table>
<thead>
<tr>
<th>MATRIX NO.</th>
<th>VIOLATION</th>
<th>EPA REGULATORY CITATION (all are 40 CFR)</th>
<th>KDHE REGULATORY CITATION (all are K.A.R. 28-31-)</th>
<th>PROPOSED PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Unlawful Acts</td>
<td>None</td>
<td>K.S.A. 65-3441(a)</td>
<td>Use appropriate attachment (Attachment A and/or B) for guidance, or use the following range: $1,000 - $10,000</td>
</tr>
<tr>
<td>2</td>
<td>Failure by any person to evaluate all waste streams.</td>
<td>262.11</td>
<td>262(a)</td>
<td>$1,000 - $10,000 Or Attachment E</td>
</tr>
<tr>
<td>3</td>
<td>Failure by a generator or TSDF to use a laboratory certified by KDHE.</td>
<td>None</td>
<td>262(c)(2)</td>
<td>$500 - $10,000</td>
</tr>
<tr>
<td>4</td>
<td>Failure by a generator to properly quantify hazardous waste generation (such as when using a still).</td>
<td>261.5(c)</td>
<td>261(a)</td>
<td>$500 - $2,000</td>
</tr>
<tr>
<td>5</td>
<td>Failure by a generator, transporter or TSDF to obtain an EPA identification number.</td>
<td>Generators 262.12(a) Transporters 263.11 TSDF 264.11 or 265.11</td>
<td>LQG and SQG 262(a) KSQG 262a(e)(3)(A) Transporters 263 TSDF 264 and 265</td>
<td>$500 - $5,000 KSQG $1,000 - $5,000 SQG &amp; LQG $2,000 - $10,000 Transporter &amp; TSDF</td>
</tr>
<tr>
<td>6</td>
<td>Failure by a generator to update notification of hazardous waste activity within 60 days of change.</td>
<td>None</td>
<td>28-31-4</td>
<td>$500 - $5,000 Generator $1,000 - $10,000 TSDF</td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Code/Section</td>
<td>longest_136_base</td>
<td>Penalty Range</td>
</tr>
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<td>-----------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>7</td>
<td>Failure by a generator to use a transporter that properly registered with the department according to K.A.R. 28-31-6.</td>
<td>None</td>
<td>262a(a)(2)</td>
<td>$1,000 - $10,000</td>
</tr>
<tr>
<td>8</td>
<td>Failure by a generator to use a manifest for each hazardous waste shipment.</td>
<td>262.20(a)</td>
<td>262(a)</td>
<td>Base + (number of shipments X offense) = penalty</td>
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<td></td>
<td>Base:</td>
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<td></td>
<td></td>
<td></td>
<td>LQG $5,000 1st - $1,000</td>
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<td></td>
<td></td>
<td>SQG $3,000 2nd - $3,000</td>
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<td></td>
<td>KSQG $1,000</td>
</tr>
<tr>
<td>9</td>
<td>Failure by a generator, or TSDF to include all necessary or correct information on each manifest.</td>
<td>262.20(a)</td>
<td>262(a)</td>
<td>$500 - $5,000 Generators $500 - $10,000 TSDF</td>
</tr>
<tr>
<td>10</td>
<td>Failure by a generator, or a TSDF to prepare and send a Land Disposal Restriction notice or certification for each initial shipment of different hazardous waste.</td>
<td>SQG &amp; LQG 268.7</td>
<td>SQG &amp; LQG 268(a)</td>
<td>Base + (number of waste streams X offense) = penalty</td>
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<td>Base:</td>
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<td></td>
<td></td>
<td>TSDF $1,000 1st - $100</td>
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<td></td>
<td></td>
<td>LQG $500 2nd - $200</td>
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<td></td>
<td></td>
<td>SQG $300 3rd - $300</td>
</tr>
<tr>
<td>11</td>
<td>Failure by a generator, or a TSDF to include all necessary information on each LDR.</td>
<td>SQG &amp; LQG 268.7</td>
<td>SQG &amp; LQG 268(a)</td>
<td>$500 - $5,000 Generators $500 - $10,000 TSDF</td>
</tr>
<tr>
<td>12</td>
<td>Failure by a generator to prepare and/or implement an LDR waste analysis plan per 40 CFR 268.7(a)(5).</td>
<td>SQG &amp; LQG 268.7</td>
<td>SQG &amp; LQG 268(a)</td>
<td>$1,000 - $5,000</td>
</tr>
<tr>
<td>13</td>
<td>Failure by a generator, or a TSDF to keep a copy of any Land Disposal Restriction records for three years.</td>
<td>SQG &amp; LQG 268.7</td>
<td>SQG &amp; LQG 268(a)</td>
<td>TSDF $500 - $10,000 $500 - $5,000</td>
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<td></td>
<td>LQG $300 - $5,000</td>
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<td></td>
<td></td>
<td>SQG $200 - $5,000</td>
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<tr>
<td>14</td>
<td>Failure by a generator or TSDF to properly package, label, mark or placard hazardous waste per USDOT regulations.</td>
<td>262.30 thru 262.32</td>
<td>SQG and LQG 262(a)</td>
<td>Base + (number of shipments X offense) = penalty</td>
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<td>Base:</td>
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<td></td>
<td></td>
<td></td>
<td>TSDF $1,000 1st - $100</td>
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<td>LQG $500 2nd - $200</td>
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<td>SQG $300 3rd - $300</td>
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<td>KSQG $100</td>
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<td></td>
<td></td>
<td>CESQG $50</td>
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<tr>
<td>#</td>
<td>Violation</td>
<td>Generator records</td>
<td>Generator annual reports</td>
<td>Penalty</td>
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<tr>
<td>15</td>
<td>Failure by a generator to submit a biennial report (LQG only) or failure by a generator to submit a manifest exception report or other report when required.</td>
<td>262.40 LQG Bienniel report 262.41 Exception report 262.42 SQG &amp; KSQG reporting 262.44</td>
<td>262a(b) KSQG 262a(e)(3)(E) Other generator reports 262(a)</td>
<td>$500 - $10,000</td>
</tr>
<tr>
<td>16</td>
<td>Failure by a generator or TSDF or transporter to pay annual monitoring fee</td>
<td>None</td>
<td>TSDF 10(a) or (b) Transporter 10(c) Generator 10(d)</td>
<td>$500 - $10,000 (Penalty in addition to paying required fees.)</td>
</tr>
<tr>
<td>17</td>
<td>Failure by a generator to keep a copy of all manifests, biennial reports (LQG only), exception reports and waste analyses for a period of at least three years.</td>
<td>Generator records 262.40 LQG Bienniel report 262.41 Exception report 262.42 SQG &amp; KSQG reporting 262.44</td>
<td>Generator annual reports 262a(b) KSQG 262a(e)(3)(E) Other generator reports 262(a)</td>
<td>$100 - $5,000</td>
</tr>
<tr>
<td>18</td>
<td>Failure by a generator or TSDF to comply with any container requirement under 40 CFR 264/265, Subpart I.</td>
<td>TSDF 264/265, Subpart I LQG 262.34(a)(1) SQG 262.34(d)(2)</td>
<td>TSDF 264 &amp; 265 SQG and LQG 262(a) KSQG 262a(e)(3)(I) CESQG 262a(f)(2)(C)(iv)</td>
<td>$500 - $10,000</td>
</tr>
<tr>
<td>19</td>
<td>Failure by a generator or TSDF to take proper action to prevent ignition or reaction of ignitable, reactive or incompatible wastes; or to separate containers with incompatible waste or material.</td>
<td>TSDF 265.17(b) and subpart I LQG 262.34(a)(1) SQG 262.34(d)(2)</td>
<td>TSDF 264 &amp; 265 SQG and LQG 262(a) KSQG 262a(e)(3)(I) CESQG 262a(f)(2)(C)(iv)</td>
<td>$1,000 - $10,000</td>
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<tr>
<td>20</td>
<td>Failure by a LQG or TSDF to store containers at least 50 feet from facility property line.</td>
<td>264.176 or 265.176 262.34(a)</td>
<td>TSDF 264 &amp; 265 LQG 262(a)</td>
<td>$1,000 - $10,000</td>
</tr>
<tr>
<td>21</td>
<td>Failure by a generator or a TSDF to comply with any tank requirement under 40 CFR 264/265, Subpart J.</td>
<td>TSDF 264/265, Subpart J LQG 262.34(a)(1) SQG 262.34(d)(3)</td>
<td>TSDF 264 &amp; 265 SQG and LQG 262(a) KSQG 262a(e)(3)(J) CESQG 262a(f)(2)(C)(v)</td>
<td>$500 - $10,000</td>
</tr>
<tr>
<td>22</td>
<td>Failure by a generator or TSDF to mark each container of hazardous waste with the words &quot;Hazardous Waste.&quot;</td>
<td>TSDF 264/265 SQG and LQG 262.34(a)(3)</td>
<td>TSDF 264/265 SQG &amp; LQG 262(a) KSQG 262a(e)(3)(D) CESQG 262a(f)(2)(C)(ii) Satellite 262(c)(7)</td>
<td>Base + (number of containers X offense) = penalty</td>
</tr>
</tbody>
</table>

Base: Offense: 
TSDF $1,000 1st - $200 
LQG $500 2nd - $300 
SQG $300 3rd - $500 
KSQG and CESQG $100

Or use Attachment F if there were multiple management violations for the same container or set of containers.
<table>
<thead>
<tr>
<th></th>
<th>Failure by a generator or TSDF to mark each tank of hazardous waste with the words &quot;Hazardous Waste.&quot;</th>
<th>Failure by a generator or TSDF to mark each container of hazardous waste with the accumulation start date.</th>
<th>Failure by a generator or TSDF to mark each tank of hazardous waste with the accumulation start date.</th>
<th>Failure by a generator or TSDF to accumulate or store hazardous waste in a closed container.</th>
</tr>
</thead>
<tbody>
<tr>
<td>23</td>
<td>Table: Hazardous Waste Penalty Matrix&lt;br&gt;&lt;br&gt;Revised December 9, 2011&lt;br&gt;&lt;br&gt;<strong>TSDF 264/265</strong>&lt;br&gt;SQG and LQG 262.34(a)(3)</td>
<td><strong>TSDF 264/265</strong>&lt;br&gt;SQG &amp; LQG 262(a)&lt;br&gt;KSQG 262a(e)(3)(D)&lt;br&gt;CESQG 262a(f)(2)(C)(ii)</td>
<td><strong>TSDF 264/265</strong>&lt;br&gt;TSDF $2,000&lt;br&gt;LQG $1,000&lt;br&gt;SQG $600&lt;br&gt;KSQG and CESQG $200</td>
<td>Base + (number of tanks X offense) = penalty&lt;br&gt;Base: Offense:&lt;br&gt;TSDF $2,000 1st - $200&lt;br&gt;LQG $1,000 2nd - $300&lt;br&gt;SQG $600 3rd - $500&lt;br&gt;KSQG and CESQG $200&lt;br&gt;Or use Attachment F if there were multiple management violations for the same container or set of containers.</td>
</tr>
<tr>
<td>24</td>
<td>Table: Hazardous Waste Penalty Matrix&lt;br&gt;&lt;br&gt;Revised December 9, 2011&lt;br&gt;&lt;br&gt;<strong>TSDF 264/265</strong>&lt;br&gt;Generator 262.34(a)(2)</td>
<td><strong>TSDF 264/265</strong>&lt;br&gt;All Generators 262(a)</td>
<td>Base + (number of containers X offense) = penalty&lt;br&gt;Base: Offense:&lt;br&gt;TSDF $1,000 1st - $200&lt;br&gt;LQG $500 2nd - $300&lt;br&gt;SQG $300 3rd - $500&lt;br&gt;KSQG and CESQG $100&lt;br&gt;Or use Attachment F if there were multiple management violations for the same container or set of containers.</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Table: Hazardous Waste Penalty Matrix&lt;br&gt;&lt;br&gt;Revised December 9, 2011&lt;br&gt;&lt;br&gt;<strong>TSDF 264 &amp; 265</strong>&lt;br&gt;Generator 262.34(a)(2)</td>
<td><strong>TSDF 264 &amp; 265</strong>&lt;br&gt;All Generators 262(c)(5)</td>
<td>Base + (number of tanks X offense) = penalty&lt;br&gt;Base: Offense:&lt;br&gt;TSDF $2,000 1st - $100&lt;br&gt;LQG $1,000 2nd - $300&lt;br&gt;SQG $600 3rd - $500&lt;br&gt;KSQG and CESQG $200</td>
<td>Base + (number of containers X offense) = penalty&lt;br&gt;Base: Offense:&lt;br&gt;TSDF $1,000 1st - $300&lt;br&gt;LQG $500 2nd - $500&lt;br&gt;SQG $300 3rd - $800&lt;br&gt;KSQG and CESQG $100&lt;br&gt;Or use Attachment F if there were multiple management violations for the same container or set of containers.</td>
</tr>
<tr>
<td>26</td>
<td>Table: Hazardous Waste Penalty Matrix&lt;br&gt;&lt;br&gt;Revised December 9, 2011&lt;br&gt;&lt;br&gt;<strong>TSDF 264/265, Subpart I</strong>&lt;br&gt;LQG 262.34(a)(1)&lt;br&gt;SQG 262.34(d)(2)</td>
<td><strong>TSDF 264 &amp; 265</strong>&lt;br&gt;SQG and LQG 262(a)&lt;br&gt;KSQG 262a(e)(3)(I)&lt;br&gt;CESQG 262a(f)(2)(C)(iv)</td>
<td>Base + (number of containers X offense) = penalty&lt;br&gt;Base: Offense:&lt;br&gt;TSDF $1,000 1st - $300&lt;br&gt;LQG $500 2nd - $500&lt;br&gt;SQG $300 3rd - $800&lt;br&gt;KSQG and CESQG $100&lt;br&gt;Or use Attachment F if there were multiple management violations for the same container or set of containers.</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Failure by a Large Quantity or Small Quantity Generator to conduct weekly inspections of a hazardous waste container storage area; or by a Kansas Small Quantity Generator to conduct monthly inspections of a hazardous waste container storage area.</td>
<td><strong>TSDF 264/265, Subpart I</strong></td>
<td><strong>SQG &amp; LQG 262(a)</strong></td>
<td>Base + (number of weeks X offense) = penalty [Need to add MONTHS]</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>LQG 262.34(a)(1) and 265.174</strong></td>
<td><strong>KSGQ 262a(e)(2)</strong></td>
<td><strong>Base:</strong> Offense - LQG:</td>
</tr>
</tbody>
</table>
| | | **SQG 262.34(d)(2) and 265.174** | **CESQG 262a(f)(2)(A)** | LQG $500  
SQG $300  
KSQG $100  
CESQG $50 |
| | | **SQG & LQG 262(a)** | **Offense – LQG:** |
| | | **LQG 262(a)** | 1st - $60  
2nd - $120  
3rd - $240 |
| | | **SQG 262(a)** | **Offense – SQG:** |
| | | **KSGQ 262a(e)(2)** | 1st - $20  
2nd - $40  
3rd - $80 |
| | | **CESQG 262a(f)(2)(A)** | **Offense – KSQG or CESQG:** |
| | | | 1st - $10  
2nd - $20  
3rd - $40 |
| | | | Or use Attachment F if there were multiple management violations for the same container or set of containers. |
| 28 | Failure by a generator to conduct inspections of a hazardous waste tank system. | **LQG 262.34(a)(1)(ii) and 265.195** | **LQG 262(a)** | Base + (number of days X offense) = penalty |
| | | **SQG 262.34(d)(3) and 265.201** | **SQG 262(a)** | **Base:** Offense - LQG: |
| | | **SQG 262(a)** | **KSQG 262a(e)(3)(J)** | LQG $500  
SQG $300  
KSQG $100  
CESQG $50 |
| | | **CESQG 262a(f)(2)(C)(v)** | **Offense – All other generators:** |
| | | | 1st - $10  
2nd - $15  
3rd - $30 |
| 29 | Failure by a generator to document weekly or monthly inspections of a hazardous waste container storage area or weekly tank inspections. | 265.15(d) | LQG 262a(c)  
SQG 262a(d)(2)(A)  
KSQG 262a(e)(3)(G)  
CESQG 262a(f)(2)(c)(iii) | Base + (number of weeks x offense) = penalty  
Base:  
LQG $400  
SQG $200  
KSQG $100  
CESQG $50  
Offense - LQG:  
1st - $30  
2nd - $60  
3rd - $120  
Offense - SQG:  
1st - $15  
2nd - $30  
3rd - $60  
Offense - KSQG:  
1st - $10  
2nd - $15  
3rd - $20  
Or use Attachment F if there were multiple management violations for the same container or set of containers. |  |
| 30 | Failure by a generator to document daily inspections of a hazardous waste tank system. | 265.15(d) | LQG: 262a(c)  
SQG: 262a(d)(2)(A)  
KSQG: 262a(e)(3)(G)  
CESQG: 262a(f)(2)(c)(iii) | Base + (number of days x offense) = penalty  
Base:  
LQG $400  
SQG $200  
KSQG $100  
CESQG $50  
Offense - LQG & SQG:  
1st - $15  
2nd - $30  
3rd - $60  
Offense - KSQG & CESQG:  
1st - $10  
2nd - $15  
3rd - $20  
Or use Attachment F if there were multiple management violations for the same container or set of containers. |  |
| 31 | Failure by a generator or TSDF to properly record information or conditions of hazardous waste management containers during inspections. | 264.15(d) or 265.15(d) | TSDF: 264 & 265  
LQG: 262a(c)  
SQG: 262a(d)(2)(A)  
KSQG: 262a(e)(3)(G)  
CESQG: 262a(f)(2)(c)(iii) | $500 - $10,000  
Or use Attachment F if there were multiple management violations for the same container or set of containers. |  |
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Citation</th>
<th>Penalty Formula</th>
<th>Base:</th>
<th>Offense:</th>
</tr>
</thead>
<tbody>
<tr>
<td>32</td>
<td>Failure by a generator to maintain only one container, 55 gallons or less, of each type of hazardous waste in a satellite area.</td>
<td>None</td>
<td>262(c)(6)</td>
<td>Base + (number of containers X offense) = penalty</td>
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<td>Base:</td>
<td>Offense:</td>
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<td>LQG</td>
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<td>KSQG</td>
<td>$100</td>
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<td></td>
<td>1&lt;sup&gt;st&lt;/sup&gt; - $100</td>
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<td></td>
<td>2&lt;sup&gt;nd&lt;/sup&gt; - $300</td>
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<td></td>
<td>3&lt;sup&gt;rd&lt;/sup&gt; - $500</td>
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<td></td>
<td>Or use Attachment F if there were multiple management violations for the same container or set of containers.</td>
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<tr>
<td>33</td>
<td>Failure by a LQG, SQG, or KSQG to move to storage, or manage a satellite container as a storage container, within 3 days of no longer meeting the satellite requirements.</td>
<td>262.34(c)(2)</td>
<td>SQG and LQG 262(a) KSQG 262(a)(e)(3)(D)</td>
<td>Base + (number of containers X offense) = penalty</td>
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<td>Base:</td>
<td>Offense:</td>
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<td>1&lt;sup&gt;st&lt;/sup&gt; - $100</td>
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<td>2&lt;sup&gt;nd&lt;/sup&gt; - $300</td>
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<td></td>
<td>3&lt;sup&gt;rd&lt;/sup&gt; - $500</td>
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<td></td>
<td></td>
<td>Or use Attachment F if there were multiple management violations for the same container or set of containers.</td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>Failure by a SQG or KSQG to do any part of their emergency preparedness program (except training), including designating an emergency coordinator or posting required information.</td>
<td>262.34(d)(5)</td>
<td>SQG 262(a) KSQG 262(a)(e)(3)(D)</td>
<td>$100 - $10,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>If none of the requirements are met, minimum $1,000 penalty for KSQG and $1,500 for SQG</td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>Failure by a SQG or KSQG to maintain any part of their required training program</td>
<td>262.34(d)(5)(iii)</td>
<td>SQG 262a(d)(1) KSQG 262a(e)(4)</td>
<td>$500 - $5,000</td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>Failure by a SQG or KSQG to train employees so that they are familiar with proper handling of hazardous waste. (no training at all)</td>
<td>262.34(d)(5)(iii)</td>
<td>SQG 262(a) KSQG 262(a)(e)(4)</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>Failure by a LQG to maintain any part of their required training program.</td>
<td>262.34(a)(4) and 265.16</td>
<td>262(a)</td>
<td>$750 - $10,000</td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>Failure by a LQG to provide any training to their employees or to develop and maintain training.</td>
<td>262.34(a)(4) and 265.16</td>
<td>262(a)</td>
<td>$3,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>Failure by a generator or TSDF to maintain and operate the facility per 40 CFR 265.31.</td>
<td>TSDF 264.31 or 265.31 LQG 262.34(a)(4) SQG 262.34(d)(4)</td>
<td>TSDF 264 and 265 SQG and LQG 262(a) KSQG 262(a)(e)(3)(H)</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Part Numbers</td>
<td>Range</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>-----------------------------------------------------------------------------</td>
<td>--------------</td>
<td>------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>Failure by a generator (not CESQG) or a TSDF to provide and maintain adequate emergency equipment on site, access to communications or alarm systems, and adequate aisle space; and to attempt to make arrangements with local authorities.</td>
<td>TSDF 264.32 thru 264.37 or 265.32 thru 265.37 LQG 262.34(a)(4) SQG 262.34(d)(4)</td>
<td>TSDF 264 and 265 SQG and LQG 262(a) KSSQG 262(a)(3)(H)</td>
<td>$500 - $10,000</td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>Failure by a LQG or TSDF to prepare a contingency plan.</td>
<td>TSDF 264.51 or 265.51 LQG 262.34(a)(4)</td>
<td>TSDF 264 and 265 LQG 262(a)</td>
<td>$5,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>Failure by a LQG or TSDF to include all information in a contingency plan or to amend a contingency plan.</td>
<td>TSDF 264.52 and 264.54 or 265.52 and 265.54 LQG 262.34(a)(4)</td>
<td>TSDF 264 and 265 LQG 262(a)</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>Failure by a LQG or TSDF to submit copies of the contingency plan to all outside agencies.</td>
<td>TSDF 264.53 or 265.53 LQG 262.34(a)(4)</td>
<td>TSDF 264 and 265 LQG 262(a)</td>
<td>$2,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>44</td>
<td>Failure by a LQG or TSDF to submit the original or revised copies of the contingency plan to some outside agencies.</td>
<td>TSDF 264.53 or 265.53 LQG 262.34(a)(4)</td>
<td>TSDF 264 and 265 LQG 262(a)</td>
<td>$500 - $10,000</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>Failure by a LQG or TSDF to implement the contingency plan as required.</td>
<td>TSDF 264.56 or 265.56 LQG 262.34(a)(4)</td>
<td>TSDF 264 and 265 LQG 262(a)</td>
<td>$2,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>Failure by a LQG or TSDF to comply with requirements of 40 CFR 264/265 Subparts AA, BB, CC.</td>
<td>TSDF 264/265 Subparts AA, BB, and CC LQG 262.34(a)(1)</td>
<td>TSDF 264 &amp; 265 LQG 262(a)</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>Failure by a SQG or LQG to comply with the storage time limit, or storage of more than 13,200 pounds by a SQG.</td>
<td>LQG 262.34(a) SQG 262.34(d) or (e)</td>
<td>262(a)</td>
<td>Use appropriate attachment (Attachment C or D), or use the following range: $1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>Failure by any generator to comply with any requirement contained in the state or federal regulations other than those listed herein.</td>
<td>Any</td>
<td>Any</td>
<td>$500 - $10,000</td>
<td></td>
</tr>
<tr>
<td>49</td>
<td>Failure by a TSDF to prepare, implement or maintain any part of a waste analysis plan at the facility.</td>
<td>264.13 or 265.13</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>Failure by a TSDF to provide security to prevent unknowing or unauthorized entry to a hazardous waste treatment storage or disposal site.</td>
<td>264.14 or 265.14</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>#</td>
<td>Description</td>
<td>Violation Numbers</td>
<td>Area(s) Covered</td>
<td>Penalty Range</td>
<td></td>
</tr>
<tr>
<td>----</td>
<td>-----------------------------------------------------------------------------</td>
<td>-------------------</td>
<td>----------------</td>
<td>--------------------------</td>
<td></td>
</tr>
<tr>
<td>51</td>
<td>Failure by a TSDF to meet the general facility inspection requirements including preparation of an inspection schedule, maintaining the schedule, and implementing the schedule.</td>
<td>264.15 or 265.15</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>Failure by a TSDF to prepare, implement, maintain, or amend any part of a personnel training program.</td>
<td>264.16 or 265.16</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>53</td>
<td>Failure by a TSDF to utilize a manifest for each hazardous waste shipment.</td>
<td>264.71 or 265.71</td>
<td>264 &amp; 265</td>
<td>$5,000 + (number of shipments X $3,000) = penalty</td>
<td></td>
</tr>
<tr>
<td>54</td>
<td>Failure by a TSDF to notify KDHE of an unresolved manifest discrepancy.</td>
<td>264.72 or 265.72</td>
<td>264 &amp; 265</td>
<td>$500 - $10,000</td>
<td></td>
</tr>
<tr>
<td>55</td>
<td>Failure by a TSDF to maintain any portion of a written operating record at the site.</td>
<td>264.73 or 265.73</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>56</td>
<td>Failure by a TSDF to certify and document that there is a program in place to reduce the volume and toxicity of hazardous waste generated at their facility.</td>
<td>264.75 or 265.75</td>
<td>264 &amp; 265</td>
<td>$500 - $10,000</td>
<td></td>
</tr>
<tr>
<td>57</td>
<td>Failure by a TSDF to notify KDHE that a waste shipment was received without a manifest or shipping papers.</td>
<td>264.76 or 265.76</td>
<td>264 &amp; 265</td>
<td>$500 - $10,000</td>
<td></td>
</tr>
<tr>
<td>58</td>
<td>Failure by a TSDF to prepare, implement, or amend any portion of a written closure plan for the facility.</td>
<td>264.112 or 265.112</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>59</td>
<td>Failure by a TSDF to prepare, maintain, or operate any portion of a groundwater monitoring system and submit monitoring reports.</td>
<td>264.90 thru 264.94 or 265.90 thru 265.94</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>60</td>
<td>Failure by a TSDF to prepare, amend or implement any portion of a written post-closure plan.</td>
<td>264.118 or 265.118</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>61</td>
<td>Failure by a TSDF to prepare and/or keep current cost estimates for closure.</td>
<td>264.142 or 265.142</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>62</td>
<td>Failure by a TSDF to provide and/or keep current financial assurance for closure.</td>
<td>264.143 or 265.143</td>
<td>264 &amp; 265</td>
<td>$5,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>63</td>
<td>Failure by a TSDF to prepare and/or keep current cost estimates for post-closure care.</td>
<td>264.144 or 265.144</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Code(s)</td>
<td>Section(s)</td>
<td>Penalty Range</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>-----------------------------------------------------------------------------</td>
<td>------------------------------------------</td>
<td>------------</td>
<td>---------------</td>
<td></td>
</tr>
<tr>
<td>64</td>
<td>Failure by a TSDF to provide and/or keep current financial assurance for post closure care.</td>
<td>264.145 or 265.145</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>65</td>
<td>Failure by a TSDF to provide and maintain liability insurance for sudden accidental occurrences.</td>
<td>264.147 or 265.147</td>
<td>264 &amp; 265</td>
<td>$5,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>66</td>
<td>Failure by a TSDF to maintain and properly operate a tank system.</td>
<td>264.190 thru 264.199 or 265.190 thru 265.199</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>67</td>
<td>Failure by a TSDF to maintain and properly operate a surface impoundment.</td>
<td>264.220 thru 264.230 or 265.220 thru 265.230</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>68</td>
<td>Failure by a TSDF to maintain and properly operate a land treatment unit.</td>
<td>264.270 thru 264.283 or 265.270 thru 265.282</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>69</td>
<td>Failure by a TSDF to operate and properly maintain a land disposal unit.</td>
<td>264.300 thru 264.317 or 265.300 thru 265.316</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>70</td>
<td>Failure by a TSDF to maintain and properly operate a hazardous waste incinerator.</td>
<td>264.340 thru 265.351 or 265.340 thru 265.352</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>71</td>
<td>Failure by a TSDF to maintain and properly operate a containment building.</td>
<td>264.1100 thru 265.1102 or 265.1100 thru 265.1102</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>72</td>
<td>Failure by a permitted TSDF to comply with a permit condition.</td>
<td>264 or 265 and 270</td>
<td>264 &amp; 265</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>73</td>
<td>Failure by a transporter to maintain manifest records.</td>
<td>263.22</td>
<td>263</td>
<td>$500 - $5,000</td>
<td></td>
</tr>
<tr>
<td>74</td>
<td>Failure by a transporter to comply with any portion of the manifesting system.</td>
<td>263.20</td>
<td>263</td>
<td>$1,000 - $5,000</td>
<td></td>
</tr>
<tr>
<td>75</td>
<td>Failure by a transporter to comply with any of the requirements outlined in the state regulations other than those listed herein.</td>
<td>263: 49 CFR 172, 173, 178, and 179</td>
<td>263 &amp; 263a</td>
<td>$500 - $5,000</td>
<td></td>
</tr>
<tr>
<td>76</td>
<td>Failure by a transporter to register with KDHE.</td>
<td>None</td>
<td>263a(b)</td>
<td>$500 - $5,000</td>
<td></td>
</tr>
<tr>
<td>77</td>
<td>Failure by a transporter to secure and/or maintain liability insurance on each vehicle transporting hazardous waste.</td>
<td>None</td>
<td>263a(c)</td>
<td>$1,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>78</td>
<td>Failure by a transporter to take appropriate remedial and clean up actions in the event of a hazardous waste discharge.</td>
<td>263.30 thru 263.31</td>
<td>263</td>
<td>$3,000 - $10,000</td>
<td></td>
</tr>
<tr>
<td>79</td>
<td>Failure by any person to store used oil in a storage unit not in good condition.</td>
<td>279.22(b)</td>
<td>279(a)</td>
<td>$100 - $5,000</td>
<td></td>
</tr>
<tr>
<td>80</td>
<td>Failure by any person to mark each container, tank, or fill pipe to UST with the words “Used Oil.”</td>
<td>279.22(c)</td>
<td>279(a)</td>
<td>$100 - $5,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Section(s)</td>
<td>Section(s)</td>
<td>Penalty Range</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>-----------------------------------------------------------------------------</td>
<td>------------</td>
<td>------------</td>
<td>---------------</td>
<td></td>
</tr>
<tr>
<td>81</td>
<td>Failure by any person to respond to a release of used oil as outlined in the regulations.</td>
<td>279(d)</td>
<td>279(a)</td>
<td>$100 - $5,000</td>
<td></td>
</tr>
<tr>
<td>82</td>
<td>Failure by any person to comply with any of the self-transportation regulations.</td>
<td>279.24</td>
<td>279(a)</td>
<td>$100 - $5,000</td>
<td></td>
</tr>
<tr>
<td>83</td>
<td>Failure by any person to determine the total halogen content of the used oil under the rebuttable presumption.</td>
<td>279</td>
<td>279(a)</td>
<td>$100 - $5,000</td>
<td></td>
</tr>
<tr>
<td>84</td>
<td>Failure by any person to maintain appropriate used oil records.</td>
<td>279</td>
<td>279(a)</td>
<td>$100 - $5,000</td>
<td></td>
</tr>
<tr>
<td>85</td>
<td>Failure by any person to prepare a SPCC plan.</td>
<td>279</td>
<td>279(a)</td>
<td>$100 - $5,000</td>
<td></td>
</tr>
<tr>
<td>86</td>
<td>Failure by any person to comply with any of the used oil processor and re-refiner regulations.</td>
<td>279 Subpart F</td>
<td>279(a)</td>
<td>$100 - $5,000</td>
<td></td>
</tr>
<tr>
<td>87</td>
<td>Failure by any person to meet notification requirements for used oil activities.</td>
<td>279.42, 279.51, 279.62, 279.73</td>
<td>279(a)</td>
<td>$100 - $5,000</td>
<td></td>
</tr>
<tr>
<td>88</td>
<td>Failure by any person to burn off-spec used oil in an authorized unit.</td>
<td>279</td>
<td>279(a)</td>
<td>$100 - $5,000</td>
<td></td>
</tr>
<tr>
<td>89</td>
<td>Failure by any person to comply with any used oil requirement other than those listed herein.</td>
<td>279</td>
<td>279(a)</td>
<td>$100 - $5,000</td>
<td></td>
</tr>
</tbody>
</table>

Note:
K.S.A.  Kansas Statutes Annotated
K.A.R.  Kansas Administrative Regulations
CFR   Code of Federal Regulations
CESQG Conditionally Exempt Small Quantity Generator
KSQG  Kansas Small Quantity Generator
SQG   Small Quantity Generator
LQG   Large Quantity Generator
TSDF  Treatment, Storage, and Disposal Facility (TSDF means both permitted and interim status facilities)
SPCC  Spill Prevention, Control, and Countermeasure
Person “Person” means an individual, trust, firm, joint stock company, federal agency, corporation, including a government corporation, partnership, state, municipality, commission, political subdivision of a state, or any interstate body.

List of Attachments:
ATTACHMENT A - UNLAWFUL DISPOSAL OF HAZARDOUS WASTE
ATTACHMENT B - UNLAWFUL TREATMENT OF HAZARDOUS WASTE
ATTACHMENT C - LQG STORAGE OF HAZARDOUS WASTE OVER 90 DAYS WITHOUT A PERMIT
ATTACHMENT D - SQG STORAGE OF HAZARDOUS WASTE OVER TIME LIMIT WITHOUT A PERMIT and/or STORAGE OF MORE THAN 13,200 LBS
ATTACHMENT E - FAILURE TO DETERMINE IF WASTE IS HAZARDOUS
ATTACHMENT F - CONTAINER MANAGEMENT
## ATTACHMENT A
### UNLAWFUL DISPOSAL OF HAZARDOUS WASTE

<table>
<thead>
<tr>
<th>TYPE OF DISPOSAL SITE OR LOCATION</th>
<th>Household Hazardous Waste Facility</th>
<th>Subtitle D Municipal Solid Waste Landfill</th>
<th>Other Permitted Solid Waste Site</th>
<th>Unpermitted Disposal On-Site</th>
<th>Unpermitted Disposal Off-Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEVERITY</td>
<td>Minor</td>
<td>Moderate</td>
<td>Major</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 - 3</td>
<td>4 - 6</td>
<td>7 - 9</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BASE AMOUNT</th>
<th>1&lt;sup&gt;st&lt;/sup&gt; Offense</th>
<th>2&lt;sup&gt;nd&lt;/sup&gt; Offense</th>
<th>3&lt;sup&gt;rd&lt;/sup&gt; Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>LQG</td>
<td>$3,000</td>
<td>$6,000</td>
<td>$12,000</td>
</tr>
<tr>
<td>SQG</td>
<td>$2,200</td>
<td>$4,400</td>
<td>$8,800</td>
</tr>
<tr>
<td>KSQG</td>
<td>$1,500</td>
<td>$3,000</td>
<td>$6,000</td>
</tr>
<tr>
<td>CESQG</td>
<td>$1,000</td>
<td>$2,100</td>
<td>$4,000</td>
</tr>
<tr>
<td>Other Person</td>
<td>$700</td>
<td>$1,400</td>
<td>$2,800</td>
</tr>
</tbody>
</table>

ADD POINTS AND MULTIPLY BY $500, THEN ADD CORRESPONDING BASE AMOUNT = TOTAL

**POINTS**
- Type of Disposal Location: _________
- Severity: _________
- Total Points: _________

(Total Points x $500) + BASE AMOUNT = $____________________ TOTAL PENALTY
## ATTACHMENT B
### UNLAWFUL TREATMENT OF HAZARDOUS WASTE

<table>
<thead>
<tr>
<th>AMOUNT OF WASTE</th>
<th>Up to 55 lbs</th>
<th>55 lbs up to 220 lbs</th>
<th>220 lbs up to 2,200 lbs</th>
<th>2,200 lbs or more</th>
</tr>
</thead>
<tbody>
<tr>
<td>NUMBER OF TIMES TREATMENT OCCURRED</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>1 to 10 times</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>11 to 52 times</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>53 to 104 times</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>More than 104 times</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BASE AMOUNT</th>
<th>1st Offense</th>
<th>2nd Offense</th>
<th>3rd Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>LQG</td>
<td>$3,000</td>
<td>$6,000</td>
<td>$12,000</td>
</tr>
<tr>
<td>SQG</td>
<td>$2,200</td>
<td>$4,400</td>
<td>$8,800</td>
</tr>
<tr>
<td>KSQG</td>
<td>$1,500</td>
<td>$3,000</td>
<td>$6,000</td>
</tr>
<tr>
<td>CESQG</td>
<td>$1,000</td>
<td>$2,000</td>
<td>$4,000</td>
</tr>
<tr>
<td>Other Person</td>
<td>$700</td>
<td>$1,400</td>
<td>$2,800</td>
</tr>
</tbody>
</table>

ADD POINTS AND MULTIPLY BY $875, THEN ADD CORRESPONDING BASE AMOUNT = TOTAL POINTS

Amount of Waste: __________
Number of Times: __________
Total Points: __________

(Total Points x $875) + BASE AMOUNT = $______________ TOTAL PENALTY
## ATTACHMENT C

### LQG STORAGE OF HAZARDOUS WASTE OVER 90 DAYS WITHOUT A PERMIT

<table>
<thead>
<tr>
<th>AMOUNT OF WASTE STORED OVER 90 DAYS</th>
<th>Up to 55 gallons (1 drum)</th>
<th>2 to 5 drums (55 to 275 gallons)</th>
<th>6 drums to 10 drums (276 gallons up to 550 gallons)</th>
<th>Greater than 10 drums or 551 gallons</th>
</tr>
</thead>
<tbody>
<tr>
<td>NUMBER OF DAYS OVER 90</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>0 to 30</td>
<td>31 to 90</td>
<td>91 to 180</td>
<td>181 to 365 days</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>181 to 365 days</td>
<td>Greater than 1 year</td>
<td>Greater than 2 years</td>
<td>3 years or more</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>6</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>STORAGE LOCATION</td>
<td>Controlled</td>
<td>Uncontrolled</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>STORAGE CONDITIONS (WASTE)</td>
<td>Satisfactory</td>
<td>Fair</td>
<td>Unsatisfactory</td>
<td>Very Poor</td>
</tr>
<tr>
<td></td>
<td>0</td>
<td>1</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>TYPE OF WASTE</td>
<td>Solid</td>
<td>Low Toxicity</td>
<td>Medium Toxicity</td>
<td>Acute Toxicity</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Liquids, compressed gases, dioxins, reactive explosives</td>
<td>2</td>
<td>3</td>
<td>5</td>
</tr>
</tbody>
</table>

Total Points (from above) __________

(Total Points x Multiplier) = $ ____________ TOTAL PENALTY

<table>
<thead>
<tr>
<th>Multiplier</th>
<th>1st Offense</th>
<th>2nd Offense</th>
<th>3rd Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>$500</td>
<td>$700</td>
<td>$1,000</td>
<td></td>
</tr>
</tbody>
</table>

Note: If waste was stored in 55-gallon containers, use the number of containers for the calculation. If waste was stored in containers either larger or smaller than 55-gallons, use the approximate capacity of the container for the calculation (in gallons).

### DEFINITIONS:

- **Controlled**: Stored in hazardous waste storage area or other controlled area inside or outside facility.
- **Uncontrolled**: Stored inside or outside in a dangerous area or under dangerous conditions or outside in an uncontrolled, unsafe and remote area.
- **Satisfactory**: Stored in compliance with RCRA requirements (labeling, dating, inspections, closure, condition).
- **Fair**: Not stored in compliance with RCRA requirements (labeling, dating, inspections, closure, condition), but only minor problems.
- **Unsatisfactory**: Condition of 1 or all containers is poor and or containers are not properly closed.
- **Very Poor**: Condition of containers has or may have led to a release; integrity of the container is deteriorated or compromised.
- **Low Toxicity**: D001-D043 only; F003 only; U-listed; Ignitable, Reactive, Corrosive (IRC).
- **Medium Toxicity**: Other F-listed, K-listed, and U-listed, except dioxins and reactive non-explosives.
- **Acute Toxicity**: P-listed and F-listed, K-listed, and U-listed dioxins and reactive explosives.
## ATTACHMENT D

### SQG STORAGE OF HAZARDOUS WASTE OVER TIME LIMIT WITHOUT A PERMIT and/or STORAGE OF MORE THAN 13,200 LBS

<table>
<thead>
<tr>
<th>Row</th>
<th>AMOUNT OF WASTE STORED OVER LIMIT</th>
<th>Up to 55 gallons (1 drum)</th>
<th>2 to 5 drums (55 to 275 gallons)</th>
<th>6 drums to 15 drums (276 up to 825 gallons)</th>
<th>16 drums to 20 drums (826 up to 1,100 gallons)</th>
<th>21 drums to 30 drums (827 up to about 1,650 gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>0.5</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>NUMBER OF DAYS OVER LIMIT (if not over limit, then 0 points)</td>
<td>0 to 30</td>
<td>31 to 90</td>
<td>91 to 180</td>
<td>181 to 365 days</td>
<td>Greater than 1 year</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>Greater than 2 years</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3 years or more</td>
</tr>
<tr>
<td>C</td>
<td>EXCEEDS 13,200 POUNDS ON-SITE</td>
<td>Greater than 13,200 pounds on-site</td>
<td>If using Row C, do not use points from Rows A and B.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D</td>
<td>STORAGE LOCATION</td>
<td>Controlled</td>
<td>Uncontrolled</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>0</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E</td>
<td>STORAGE CONDITIONS (WASTE)</td>
<td>Satisfactory</td>
<td>Fair</td>
<td>Unsatisfactory</td>
<td>Very Poor</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>0</td>
<td>1</td>
<td>3</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>F</td>
<td>TYPE OF WASTE</td>
<td>SOLID</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Low Toxicity</td>
<td>Medium Toxicity</td>
<td>Acute Toxicity</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1</td>
<td>2</td>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Liquids, compressed gases, dioxins, reactive explosives</td>
<td>2</td>
<td>3</td>
<td>5</td>
<td></td>
</tr>
</tbody>
</table>

### Multiplier

<table>
<thead>
<tr>
<th>1st Offense</th>
<th>2nd Offense</th>
<th>3rd Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>$500</td>
<td>$700</td>
<td>$1,000</td>
</tr>
</tbody>
</table>

### ROW POINTS:

<table>
<thead>
<tr>
<th>POINTS:</th>
<th>Note:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Amount of Waste</td>
<td></td>
</tr>
<tr>
<td>B Number of Days</td>
<td></td>
</tr>
<tr>
<td>C Exceeds 13,200 lbs</td>
<td></td>
</tr>
<tr>
<td>D Storage Location</td>
<td></td>
</tr>
<tr>
<td>E Storage Conditions</td>
<td></td>
</tr>
<tr>
<td>F Type of Waste</td>
<td></td>
</tr>
<tr>
<td>Total Points</td>
<td></td>
</tr>
<tr>
<td>Multiplier</td>
<td></td>
</tr>
</tbody>
</table>

Note: If using Rows A and B, do not use points from Row C.

Note: If using Row C, do not use points from Rows A and B.

Note: If waste was stored in 55-gallon containers, use the number of containers for the calculation. If waste was stored in containers either larger or smaller than 55-gallons, use the approximate capacity of the container for the calculation (in gallons).

(Total Points x Multiplier) = $______________ TOTAL PENALTY
## ATTACHMENT E

**FAILURE TO DETERMINE IF WASTE IS HAZARDOUS**

### POINTS FOR A WASTE STREAM, BASED ON AMOUNT OF WASTE

<table>
<thead>
<tr>
<th>Waste Stream</th>
<th>Routine Waste Stream</th>
<th>NA</th>
<th>NA</th>
<th>&lt; 10 gallons per month</th>
<th>10 to 55 gallons per month</th>
<th>56 to 275 gallons per month</th>
<th>276 to 1,650 gallons per month</th>
<th>More than 1,650 gallons per month</th>
</tr>
</thead>
<tbody>
<tr>
<td>One-time or Non-routine Waste</td>
<td>0 to 1 gallon</td>
<td>&gt;1 to &lt; 5 gallons</td>
<td>5 to &lt; 10 gallons</td>
<td>10 to 55 gallons</td>
<td>56 to 275* gallons</td>
<td>276 to 1,650** gallons</td>
<td>More than 1,650 gallons</td>
<td></td>
</tr>
<tr>
<td>Points</td>
<td>0.1</td>
<td>0.3</td>
<td>0.5</td>
<td>1</td>
<td>2-4</td>
<td>5-7</td>
<td>8-10</td>
<td></td>
</tr>
</tbody>
</table>

### Calculate Total Points:

<table>
<thead>
<tr>
<th>Waste Stream</th>
<th>Amount of Waste (per month or on-site at the time of the inspection, depending on the circumstances)</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Points</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### BASE AMOUNT

<table>
<thead>
<tr>
<th>Waste Stream</th>
<th>1st Offense</th>
<th>2nd Offense</th>
<th>3rd Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>LQG</td>
<td>$2,000</td>
<td>$3,500</td>
<td>$5,000</td>
</tr>
<tr>
<td>SQG</td>
<td>$1,000</td>
<td>$2,500</td>
<td>$4,000</td>
</tr>
<tr>
<td>KSQG</td>
<td>$700</td>
<td>$1,500</td>
<td>$2,000</td>
</tr>
<tr>
<td>CESQG</td>
<td>$500</td>
<td>$1,000</td>
<td>$1,500</td>
</tr>
</tbody>
</table>

**Notes**

1. If the amount of waste is not known and cannot be estimated, use 2 points for the calculation (this is for consistency between cases).
2. Waste weighing 8 pounds per gallon will result in the following:
   - 275 gallons is roughly equivalent 5, 55-gallon drums or 2,200 pounds
   - 1,650 gallons is roughly equivalent 13,200 pounds or 30, 55-gallon drums
## ATTACHMENT F
### CONTAINER MANAGEMENT

<table>
<thead>
<tr>
<th>CONTAINER MARKINGS</th>
<th>Labeled either &quot;Hazardous Waste&quot; or had accumulation start date</th>
<th>Labeled with correct contents of container, but no accumulation start date (and not &quot;Hazardous Waste&quot;)</th>
<th>No identifying markings (or wrong contents) and no accumulation start date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 container (up to 55 gallons)</td>
<td>1 container</td>
<td>1 container (up to 55 gallons)</td>
<td>1 container (up to 55 gallons)</td>
</tr>
<tr>
<td>2 to 5 containers (55 to 275 gallons)</td>
<td>2 to 5 containers</td>
<td>2 to 5 containers (55 to 275 gallons)</td>
<td>2 to 5 containers</td>
</tr>
<tr>
<td>6 to 10 containers (276 to 550 gallons)</td>
<td>Greater than 10 containers (or 551 gallons)</td>
<td>Greater than 10 containers (or 551 gallons)</td>
<td>Greater than 10 containers</td>
</tr>
<tr>
<td>Greater than 10 containers (or 551 gallons)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OPEN CONTAINERS (Satellite or Storage)</th>
<th>1 container</th>
<th>2 to 5 containers</th>
<th>6 to 10 containers</th>
<th>Greater than 10 containers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 container (up to 55 gallons)</td>
<td>1 container</td>
<td>2 to 5 containers</td>
<td>6 to 10 containers</td>
<td>Greater than 10 containers</td>
</tr>
<tr>
<td>Greater than 1 container (greater than 55 gallons)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>WEEKLY INSPECTIONS</th>
<th>Missing information only (dates, times, names, etc.)</th>
<th>Failure to document inspections and/or missing 1 to 4 weeks of inspections</th>
<th>Failure to conduct weekly inspections</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 container (up to 55 gallons)</td>
<td>1 container</td>
<td>2 to 5 containers</td>
<td>6 to 10 containers</td>
</tr>
<tr>
<td>2 to 5 containers</td>
<td>2 to 5 containers</td>
<td>6 to 10 containers</td>
<td>Greater than 10 containers</td>
</tr>
<tr>
<td>6 to 10 containers (276 to 550 gallons)</td>
<td>Greater than 10 containers (or 551 gallons)</td>
<td>Greater than 10 containers (or 551 gallons)</td>
<td>Greater than 10 containers</td>
</tr>
<tr>
<td>Greater than 10 containers (or 551 gallons)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NOT MEETING THE DEFINITION OF SATELLITE (more than 1 container; more than 55 gallons; not at or near the point of generation)</th>
<th>One satellite area in violation</th>
<th>2 to 5 satellite areas in violation</th>
<th>6 or more satellite areas in violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 container (up to 55 gallons)</td>
<td>1 container</td>
<td>2 to 5 containers</td>
<td>6 to 10 containers</td>
</tr>
<tr>
<td>Greater than 1 container (greater than 55 gallons)</td>
<td>Greater than 1 container (greater than 55 gallons)</td>
<td>Greater than 1 container (greater than 55 gallons)</td>
<td>Greater than 1 container (greater than 55 gallons)</td>
</tr>
<tr>
<td>Greater than 1 container (greater than 55 gallons)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### BASE AMOUNT

<table>
<thead>
<tr>
<th>BASE AMOUNT</th>
<th>1st Offense</th>
<th>2nd Offense</th>
<th>3rd Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>TSDF</td>
<td>$700</td>
<td>$900</td>
<td>$1,100</td>
</tr>
<tr>
<td>LOG</td>
<td>$500</td>
<td>$700</td>
<td>$1,000</td>
</tr>
<tr>
<td>SQG</td>
<td>$200</td>
<td>$400</td>
<td>$600</td>
</tr>
<tr>
<td>KSQG</td>
<td>$100</td>
<td>$200</td>
<td>$300</td>
</tr>
<tr>
<td>CESQG</td>
<td>$50</td>
<td>$100</td>
<td>$150</td>
</tr>
</tbody>
</table>

### POINTS (from chart above)

<table>
<thead>
<tr>
<th>Container Markings</th>
<th>Total Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Open Containers</td>
<td></td>
</tr>
<tr>
<td>Weekly Inspections</td>
<td></td>
</tr>
<tr>
<td>Satellite Containers</td>
<td></td>
</tr>
</tbody>
</table>

Note: Except for open containers, if waste was stored in 55-gallon containers, use the number of containers for calculation. If waste was stored in containers either larger or smaller than 55-gallons, use the approximate capacity of the container for the calculation (in gallons).

(Total Points x Multiplier) = $TOTAL PENALTY