

# Hazardous Waste Connection

*Compliance Information for Generators in Kansas*

Fall 2009

Vol. 9, No. 1

## INSIDE

Director's Comments.....	2
Unlawful Disposal of Hazardous Waste.....	2
NEW Hazardous Waste Storage Containers Poster Available.....	2
Satellite Accumulation Containers.....	3
Information Exchange.....	3
Contacts & Upcoming Events.....	4

## TSD Groundwater Monitoring Inspections

*by Christy McCormick, Bureau of Waste Management*

Comprehensive Monitoring Evaluations (CME) and Operation and Maintenance (O&M) inspections are one of the tools that KDHE and EPA use to evaluate the effectiveness of groundwater monitoring systems at treatment, storage, and disposal (TSD) facilities. These inspections are required by the Resource Conservation and Recovery Act (RCRA) and are done every few years to ensure the remedial method selected for the facility is still sufficient for the facility.

CMEs focus on the geology and hydrology of the facility and determine if the groundwater monitoring system is adequately designed to detect releases as well as define the extent and rate of contaminant migration. These evaluations are often done at facilities that have in-place groundwater monitoring systems and active remediation systems. CMEs are also performed if there is a major change in the remedial method, i.e. turning off an SVE system, or removal of a contamination source.

O&M inspections focus mainly on the groundwater monitoring system and how well it is operated and maintained. O&Ms are done more frequently at facilities to ensure that the groundwater monitoring system is working adequately. While CMEs and O&Ms are two different reports, an O&M inspection is an integral part of any CME. Knowing the ins and outs of the groundwater monitoring system is essential to understanding how the system will interact with the hydrology of the area.

*(Continued on Page 2)*

### Hazardous Waste Connection

Kansas Department of Health &  
Environment



Prepared and Distributed by  
Bureau of Waste Management

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#### *KDHE Mission*

*As the state's environmental protection and public health agency, KDHE promotes responsible choices to protect the health and environment for all Kansans.*

## Hazardous Waste Disposed Under Special Waste Disposal Authorization

*by Perry Piper, Bureau of Waste Management*

Upon review of a special waste disposal request renewal, analytical results submitted with the request form indicated a chromium TCLP concentration of 26.1 mg/L. The regulatory limit for determining if a waste is hazardous for chromium (D007) is 5.0 mg/L. The analytical data had a test date from six months prior to the actual date it was submitted. KDHE contacted the facility to confirm that the proper analytical data had been submitted with the request form, and if so, was the waste in question still on site. The facility management stated they thought the correct analytical data had been submitted. They also confirmed the waste had been shipped off site under a previous special waste disposal authorization.

The facility was consequently cited for unlawful disposal of hazardous waste in violation of K.S.A. 65-344 1(a)(1) as well as failure to comply with manifest and hazardous waste transporter requirements in violation of K.A.R. 28-31-4(d) and K.A.R. 28-31-6, respectively.

The facility received a penalty for unlawful disposal and hazardous waste transportation issues. The facility was also required to submit quarterly analyses of the waste stream to maintain its special waste disposal authorization.

This example demonstrates that waste characteristics can change and that generators should routinely re-test wastes to confirm earlier waste determinations.

## Director's Comments

by Bill Bider, Director, Bureau of Waste Management

It has been quite a while since the Bureau of Waste Management prepared and distributed an issue of the Hazardous Waste Connection newsletter. We decided to reinstitute the newsletter as a way to help generators and TSD facilities establish and maintain fully compliant hazardous waste management programs. In each newsletter, which we hope to publish every six months, we will provide examples of common violations, some general compliance guidelines, and usually a technical article or two to help readers learn more about hazardous waste regulatory issues. We will also provide a list of key contacts and information sources within KDHE.

We hope you find this issue to be of value as you try to comply with applicable regulations. If you have questions, please contact us. I can assure you that we will work with you and provide technical assistance if you initiate contact. Please send me a personal e-mail if you have any general comments or if you would like to see certain issues addressed in future newsletters.



Actual Size - 11 x 17 inches

### NEW POSTER HAZARDOUS WASTE STORAGE CONTAINERS

To receive a copy,  
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### GW Monitoring Inspections

(continued from Page 1)

It is important to note that all CME and O&M inspections are planned well in advance, and unlike compliance inspections, the facility is notified prior to any inspection. In planning for an upcoming inspection, there are several things a facility can do to prepare. First, make sure all records are up-to-date and accurate. The KDHE project manager may need to review this documentation to complete a report. Second, do a visual inspection of all wells in the groundwater monitoring system. This will ensure that the facility owner is aware of any repairs that need to be done and the inspector will not catch the facility off guard when it comes up during the inspection. Third, make sure the field tech performing the sampling is up-to-date on any recent changes made to the sampling and analysis plan (SAP). Typically, the SAP is written and revised by people other than those actually doing the work. They will be unaware of any changes made unless they are notified.

## Unlawful Disposal of Hazardous Waste in Violation of K.S.A. 65-3441

by Perry Piper, Bureau of Waste Management

During a recent Kansas Department of Health and Environment (KDHE) inspection, KDHE staff observed waste paper towels/ wipes in a trash can and in the facility's dumpster. The facility owner told the KDHE inspector that the paper towels/ wipes in the trash contained a biodegradable non-hazardous solvent. When the KDHE inspector asked to see the solvent that was being used, the facility painter gave the KDHE inspector a can of the solvent used. An MSDS provided for the can of solvent indicated the waste stream was an F-Listed hazardous waste containing 20% MEK (F005), 22% Toluene (F005), and 19% Xylene (F003). In addition to being an F-Listed waste, it was also a characteristic hazardous waste for Ignitability (D001).

The facility representatives stated that they thought they had been using a non-hazardous solvent. The facility painter failed to tell the owner and operations manager that they had started using a different solvent with a low-flash point.

The facility corrected the violation by initiating new operating procedures to manage the paper towels/ wipes as hazardous waste. The facility implemented a new container management program and the waste paper towels/ wipes are transported as hazardous waste to a registered treatment storage and disposal facility.

Subsequently the facility received a penalty for unlawful disposal. This case demonstrates the importance of establishing review procedures for all new chemical purchases to ensure that generated wastes are properly managed.

# Satellite Accumulation Containers

by Rebecca Wenner, Bureau of Waste Management

Satellite accumulation is defined in K.A.R. 28-31-4(j) as “up to 55 gallons of each type of hazardous waste or one quart of acutely hazardous waste in no more than one container at or near any point of generation where wastes initially accumulate, and that is under the control of the operator of the process generating the waste.”

- **What is the difference between satellite accumulation and storage?**

The key difference between satellite and storage containers is that a satellite accumulation container does not have an accumulation start date and is not required to be inspected weekly. The satellite accumulation container is also not subject to the 90-day storage limit for an EPA generator (until it becomes full or is managed as a storage container).

- **Can I have one 55-gallon drum at each satellite location?**

Yes, you can have one satellite container at each point of generation as long as it meets the definition above (not more than 55 gallons).

- **If I have three paint booths, can I have three satellite accumulation locations?**

Yes, if you have three separate points of generation, then you can have three separate satellite accumulation areas. If the paint booths are close together, you may choose to have only one satellite accumulation area (one drum) into which all three painters (operators) put their waste. This is an operational decision that may be made on a case-by-case basis.

- **Can I leave my satellite containers in the same physical location when they get full and manage them as a storage container in that area?**

Yes, you do not have to physically move your satellite accumulation containers to a new area when they get full or no longer meet the definition of satellite accumulation. You can choose to manage these storage containers at their present location by adding the accumulation start date and conducting weekly inspections. If you have more than one hazardous waste storage area, make sure that you are noting each storage area that you are inspecting so that it is clear to our inspector and so that whoever conducts your weekly inspections doesn't forget an area.

- **Do I need to inspect my satellite accumulation areas?**

No. As long as your container meets the definition of satellite accumulation container, there is not a requirement that it be inspected weekly. We do, however, strongly recommend that you inspect your satellite accumulation areas weekly or at least regularly to ensure that they are being managed properly.

- **Define “under the control of the operator”**

This means that the satellite accumulation container is in close proximity to the person generating the waste and therefore using the container, with little or no obstruction. We would prefer that the operator be able to see the container. Some exceptions can be made to this interpretation, and this can be very site specific.

## Information Exchange

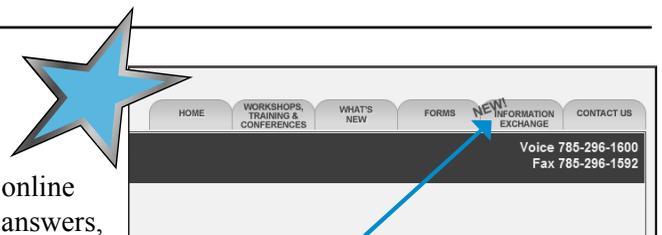
by Bill Bider, Director, Bureau of Waste Management

The Bureau of Waste Management has recently established a new online “**Information Exchange**” for persons interested in sharing questions, answers, and comments related to solid waste management in Kansas. You can access the information exchange network by going to [http://www.kdheks.gov/waste/p\\_q&a\\_intro.html](http://www.kdheks.gov/waste/p_q&a_intro.html).

The “Exchange” is organized according to subject to facilitate its use. We hope you take advantage of this easy to use system of communication to help you do your job better and to share your knowledge to help others as well. The network allows you to choose whether to identify yourself or not when your questions or answers appear online. The system also is designed to keep you notified of changes or additions to subject areas where you have the greatest interest, if you would like to receive such notifications.

Please let us know what you think about the Information Exchange and its value in helping you perform your job. We recognize that the Exchange is presently of limited value until more people begin utilizing it. At present, there are many questions in the Exchange seeking feedback from individuals who have knowledge and experience in various waste management areas.

Thanks for helping make this new communication tool a success.



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**ADDRESS SERVICE REQUESTED**



**Contacts**

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**Upcoming Events**

**Hazardous Waste Workshops will be coming Spring 2010.**

Check our website for more information. [www.kdheks.gov/waste](http://www.kdheks.gov/waste)