NORTH DAKOTA HAZARDOUS WASTE COMPLIANCE GUIDE

APRIL 2024

FOR MORE INFORMATION CONTACT:

NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY

HAZARDOUS WASTE PROGRAM

701-328-5166

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Introduction

Welcome to the *Hazardous Waste Compliance Guide*. This document will provide all the information your business needs to remain in compliance with all hazardous waste regulations in North Dakota. For simplicity, the guide is broken into three main sections:

1. General Information. This section contains basic information relevant to all hazardous waste operators, such as definitions, contact information, and links to regulations and important websites.
2. Compliance in 10-Steps. A 10-step guide to compliance for hazardous waste generators.
3. Miscellaneous topics. Basic information regarding materials that may not be regulated hazardous wastes, but still have additional management requirements.

This guide is not a comprehensive list of all regulated activities, but a general guidance for ensuring compliance with the most common hazardous waste situations. If you are unable to find information regarding your specific operations, or have additional questions, please reach out to your regional hazardous waste contact. **HAZARDOUS WASTE REGIONS MAP.**

Definitions

The following terms and phrases, when used in this document, have the associated meanings:

1. **Hazardous Waste.** A waste material meeting the regulatory definition of hazardous waste.
2. **Hazardous Waste Operator.** A general term for any person or business that handles hazardous waste. May include hazardous waste generators, transporters, disposal facilities, or others.
3. **Hazardous Waste Transporter.** A waste transporter permitted for the hauling of hazardous wastes.
4. **Hazardous Characteristic.** Physical or chemical properties of a waste that present a hazard to human or environmental health.

Regulator Contact Information

The Hazardous Waste Program (HWP) within the North Dakota Department of Environmental Quality (NDDEQ) is responsible for regulating hazardous waste activities within the state of North Dakota. Any questions regarding this document, or general hazardous waste management, can be directed to the regional contact for your county (see Figure 1: Hazardous Waste Regions). Additionally, you can find links to various resources on the NDDEQ website:

https://deq.nd.gov/WM/

The Regulations

The Hazardous Waste Rules are located in Article 33.1-24 of the North Dakota Administrative Code. For simplicity, they are referred to as "the Rules" for this document. The Rules can be found online at the following location:

https://ndlegis.gov/information/acdata/html/33.1-24.html

The Rules contain all the information a hazardous waste operator would need to ensure compliance. Most communications with the HWP will include a specific reference to a rule for transparency. Most citations will look like this:

NDAC 33.1-24-03-29(a)(1)

Due to the size of the regulations, it isn't recommended that facilities maintain hard copies of the rules. Instead, use this guide for day to day operations, and refer to the rules only for specific questions of compliance.

Applicability

This section serves as a step-by-step guide for hazardous waste generators without a hazardous waste permit and will cover the steps necessary to ensure a permit is not needed. Facilities with a hazardous waste permit may have specific requirements that differ from those within this guide. Permitted facilities should refer to their permit and the guidance of their HWP contact to ensure compliance.

Step 1: Waste Streams & Generator Category

Hazardous waste is a subset of solid waste whose physical or chemical properties pose a substantial threat to human health or the environment. The Rules require a facility that generates a solid waste to determine if the waste is a hazardous or non-hazardous waste.

Table 1 "Typical Hazardous Wastes Generated by Small Businesses" contains common examples of hazardous wastes generated by various business types.

Table 1. Examples of hazardous wastes generated by business type.

Typical Hazardous Wastes Generated by Small Businesses			
Business Type	**Generation Processes**	**Waste Types**	**Waste Codes**
Dry cleaning and Laundry Facilities	Commercial dry cleaning processes	Still residues from solvent distillation, spent filter cartridges, cooked powder residues	D001, D039, F002
Construction	Painting prep and operations, carpentry and floor work, specialty contracting, heavy construction, wrecking and demolition, vehicle and equipment maintenance	Ignitable wastes, toxic wastes, solvent wastes, paint wastes, off-specification used oil, acids/bases	D001, D002, D003, F001-F005
Vehicle Maintenance	Degreasing, rust removal, painting prep and operations, spray booth, spray guns, brush cleaning, paint removal, tank cleanout, lead/acid batteries	Acids/bases, solvent wastes, ignitable wastes, toxic wastes, paint wastes, used batteries, off-specification used oil	D001, D002, D006, D007, D008, D018, F001-F005
Printing and Allied Industry	Plate prep, stencil prep for screen printing, photoprocessing, printing, cleaning	Acids/bases, heavy metal wastes, solvent wastes, toxic wastes, used ink	D002, D006, D007, D008, F001-F005
Equipment Repair	Degreasing, rust removal, painting prep and operations, spray booth, spray guns, brush cleaning, paint removal	Acids/bases, solvent wastes, ignitable wastes, toxic wastes, paint wastes, used batteries, off-specification used oil	D001, D002, D006, D007, D008, D018, F001-F005
Educational and Vocational Shops	Auto engine and body repair, metalworking, graphic arts-plate prep, woodworking	Ignitable wastes, solvent wastes, acids/bases, paint wastes	D001, D002, F001-F005

A hazardous waste determination must be made for each solid waste at the point of waste generation. This determination must be made before any dilution, mixing, or other alteration of the waste occurs. It must

also take place before the waste experiences changes, or has the potential to experience changes, in properties that would affect the RCRA classification as a result of exposure to the environment (for example, the evaporation of volatile chemicals like benzene). Waste generally falls into one of three categories: exempt wastes, listed hazardous wastes, and characteristic hazardous wastes.

A. Exempt Wastes

Some wastes are exempt from regulation as hazardous waste. Common examples of exempt wastes include household hazardous wastes, irrigation return flows, sewage, mining overburden, fly ash, scrap metal, exploration and production waste materials, and others. This is not a complete list of exemptions. Contact the HWP for further information regarding hazardous waste exclusions. It is important to note that excluded wastes, while not regulated as hazardous wastes, may still possess hazardous characteristics that can make handling and transportation of these wastes dangerous.

Empty containers and liners used to hold a hazardous waste (except compressed gases) are exempt if all the removable products or wastes have been removed from the container using common practices (i.e. pumping or pouring) and one of the following conditions is met:

1. No more than one inch of residue remains on the bottom of a container;
2. No more than 3% by weight of the waste remains inside of a container having a total capacity of 119 gallons or less; or
3. No more than 3/10's of 1% (0.003%) by weight of the waste remains inside of a container having a total capacity greater than 119 gallons.

If a container held compressed gas, it is considered empty when internal pressure approaches atmospheric pressure. If a container held an acutely hazardous (P) waste, contact the HWP for more information.

A container or an inner liner removed from a container that has held an acute (P) waste is empty if:

1. The container or inner liner has been triple-rinsed using a solvent capable of removing the commercial chemical product or manufacturing chemical intermediate;
2. The container or inner liner has been cleaned by another method that has been shown in the scientific literature or by tests conducted by the generator, to achieve equivalent removal; or
3. In the case of a container, the inner liner that prevented contact of the commercial chemical product or manufacturing chemical intermediate with the container has been removed.

Waste not specifically excluded by NDAC 33.1-24-02-04 must be evaluated to determine if it is a listed or characteristic hazardous waste.

B. Listed Hazardous Wastes

Wastes listed in the NDAC 33.1-24-02-16 and 33.1-24-02-17 meet one or more of the following criteria: the waste exhibits one or more hazardous characteristics (ignitability, corrosivity, reactivity, or toxicity), the waste has been found to be fatal to humans in low doses or significantly contributing to an increase in illness, or the waste contains any toxic constituent that, if improperly managed, is capable of posing a hazard to human health or the environment.

Listed hazardous wastes are split into three categories:

Non-Specific Sources (F-Listed)

Wastes that are not unique to any specific manufacturing process are listed in NDAC 33.1-24-02-16. These wastes are referred to as F-Listed wastes, or F-wastes. A list of these wastes can be found in Appendix IV, attached to this document. Examples include waste solvents, distillation bottoms, electroplating sludges or bath solutions, and others.

Specific Sources (K-Listed)

K-Listed wastes, or K-Wastes, are produced during specific manufacturing processes. The K-Listed wastes are often much more specific in their source than F-Listed wastes. The F- and K-Lists can be found in Appendix IV, attached to this document.

Unused Products and Spill Residues (P- or U-Listed)

Unused commercial chemical products, manufacturing chemical intermediates, off-specification commercial chemical products or manufacturing chemical intermediates, mixtures of the chemicals listed and spill residues may be classified as P- or U-listed wastes when disposed of.

The P and U lists designate, as hazardous waste, pure and commercial grade formulations of certain unused chemicals that are being disposed. For a waste to be considered a P- or U-listed waste it must meeting the following three criteria:

1. The waste must contain one of the chemicals listed on the P or U list;
2. The chemical in the waste must be unused; and
3. The chemical in the waste must be in the form of a commercial chemical product.

HWP defines a commercial chemical product (for P and U list purposes) as a chemical that is either 100 percent pure, technical (e.g., commercial) grade or the sole active ingredient in a chemical formulation.

C. Characteristic Hazardous Waste (D-Listed)

If a waste is not excluded from regulation as a hazardous waste and is not listed in NDAC 33.1-24-02-16 or -17, then it must be determined if the waste exhibits any hazardous characteristics. The waste must be

tested in accordance with the methods identified in NDAC 33.1-24-02. There are four categories of characteristic hazardous wastes:

1. **Characteristic of Ignitability.** Liquid waste is considered ignitable if it has a flashpoint of 140ºF or less. Gases are considered to be ignitable if classified as ignitable compressed gases or oxidizers. A solid is ignitable if it can spontaneously catch fire and burns so vigorously that it creates a hazard. Many solvents and fuels are examples of ignitable materials. Ignitable hazardous wastes have the waste code D001.

2. **Characteristic of Corrosivity.** Any aqueous (water-based) waste having a pH of less than or equal to 2.0 or greater than or equal to 12.5 is considered corrosive. A liquid able to corrode steel at a rate of 3 inches per year is also corrosive. Strong acids and bases are examples of corrosive materials. Corrosive hazardous wastes have the waste code D002.

3. **Characteristic of Reactivity.** Wastes that are unstable or explosive, that react violently with water or air, that form potentially explosive mixtures with water or air, and that can release toxic gases (such as hydrogen cyanide or hydrogen sulfide) are considered reactive. Reactive hazardous wastes have the waste code D003.

4. **Characteristic of Toxicity.** A waste exhibits the characteristic of toxicity if the toxicity characteristic leaching procedure (TCLP) detects substances at concentrations equal to or greater than those listed in *Table 2*.

If you generate any listed or characteristic waste as described above , you are a generator of hazardous waste. You must manage that waste in accordance with the North Dakota Hazardous Waste Management Rules. If you are uncertain about your waste determination, please contact the HWP.

Table 2. Toxicity characteristic regulatory limit.

D Code	Waste	TCLP Regulatory Limit (mg/L)
D004	Arsenic	5
D005	Barium	100
D006	Cadmium	1
D007	Chromium	5
D008	Lead	5
D009	Mercury	0.2
D010	Selenium	1
D011	Silver	5
D012	Endrin	0.02
D013	Lindane	0.4
D014	Methoxychlor	10
D015	Toxaphene	0.5
D016	2,4-D	10
D017	2,4,5-TP (Silvex)	1
D018	Benzene	0.5
D019	Carbon Tetrachloride	0.5
D020	Chlordane	0.03
D021	Chlorobenzene	100
D022	Chloroform	6
D023	o-Cresol	200
D024	m-Cresol	200
D025	p-Cresol	200
D026	Cresol	200
D027	1,4-Dichlorobenzene	7.5
D028	1,2-Dichloroethane	0.5
D029	1,1-Dichloroehtylene	0.7
D030	2,4-Dinitrotoluene	0.13b
D031	Heptachlor (& its epoxide)	0.008
D032	Hexachlorobenzene	0.13b
D033	Hexachlorobutadiene	0.5
D034	Hexachloroethane	3
D035	Methyl Ethyl Ketone	200
D036	Nitrobenzene	2
D037	Pentachlorophenol	100
D038	Pyridine	5
D039	Tetrachloroethylene	0.7
D040	Trichloroethylene	0.5
D041	2,4,5-Trichlorophenol	400
D042	2,4,6-Trichlorophenol	2
D043	Vinyl Chloride	0.2

D. Calculating Generator Status

The generator status is based on the total amount of all hazardous wastes generated during the month. If your waste production changes seasonally, your generator status may change. It is recommended that you manage your hazardous waste based on your routine highest monthly generation status.

Tables 3 and 4 describe the three categories of generators and which hazardous wastes must be counted in order to determine your generator status.

Table 3. Generator category determination.

Generator Category	Quantity of acute (P-listed) hazardous waste generated in a calendar month	Quantity of a non-acute (any waste code) hazardous waste generated in a calendar month	Quantity of residues from a cleanup of acute (P-listed) hazardous waste generated in a calendar month
Large quantity generator (LQG)	Greater than 1 kg (2.2 lbs)	Any amount	Any amount
Large quantity generator (LQG)	Any amount	Greater than or equal to 1,000 kg (2,200 lbs)	Any amount
Large quantity generator (LQG)	Any amount	Any amount	Greater than 100 kg (220 lbs)
Small quantity generator (SQG)	Less than or equal to 1 kg (2.2 lbs)	Between 100 kg (220 lbs) and 1,000 kg (2,200 lbs)	Less than or equal to 100 kg (220 lbs)
Very small quantity generator (VSQG)	Less than or equal to 1 kg (2.2 lbs)	Less than or equal to 100 kg (220 lbs)	Less than 100 kg (220 lbs)

NOTE: Be sure to combine like values. i.e; kilograms to kilograms, and pounds to pounds.

Assume 1 gallon of water = Approx. 3.8 kg or 8.3 lbs.

Table 4. Countable vs. Non-Countable wastes.

Countable Wastes:	Non-Countable Wastes:
Accumulates on-site for any period of time prior to subsequent management.	Are specifically exempted from counting.
Are packaged and then transported off-site.	Are left as residue in conventionally emptied containers or in the bottom of product storage tanks.
Are placed directly in a regulated on-site treatment or disposal unit.	Are reclaimed continuously **without** storing prior to being reclaimed.
Are generated as still bottoms or sludges and removed from product storage containers or tanks.	Are managed in an elementary neutralization unit, totally enclosed treatment unit, or a wastewater treatment unit.
Are placed into satellite accumulation containers.	Are discharged directly to a POTW without being stored or accumulated first.
Are universal wastes which are managed as hazardous wastes.	Are already counted once in a calendar month, treated on-site or reclaimed and reused.

The generator category dictates what management conditions must be met to be exempt from the need for a hazardous waste permit. *Table 5* contains a summary of the applicable conditions based on generator category.

Table 5. Basic regulatory requirements based on generator category.

Required Management Activity	VSQG	SQG	LQG
Hazardous waste determination	●	●	●
State/EPA ID number		●	●
Storage quantity and/or time limits	●	●	●
Storage standards		●	●
Acceptable facilities for off-site management of wastes specified	●	●	●
Manifest		●	●
Biennial Report		●	●
Training, contingency plan and emergency procedures		●	●
DOT requirements		●	●
Land disposal restrictions		●	●
Universal waste requirements	*	●	●
Used oil Requirements	●	●	●
**VSQGs have the option of managing universal wastes as either universal waste or hazardous waste. Note that any universal waste managed as a hazardous waste would count towards generator category determinations.*			

Step 2: State/EPA ID Number and Other Notifications

A. State/EPA ID Number

Businesses that generate hazardous wastes in quantities of 220 pounds per month or more are required to obtain a state/EPA ID number. State/EPA ID numbers are site (physical location) specific and are used to identify the facility on manifests, reports, container labels, and other required documents.

The NDDEQ has opted into myRCRAid. myRCRAid is a component of the RCRAInfo Industry Application (RIA) which allows RCRA sites (generators; treatment, storage, and disposal facilities; transporters, et. al.) to submit EPA Form 8700-12 (RCRA Subtitle C Site Identification Form) electronically to the state. NDDEQ encourages online submission. It eliminates paper forms and paper acknowledgement letters and reduces processing time.

The 8700-12 form can be completed and submitted online after registering for EPA's RCRAInfo system. To obtain access:

1. In the Sign In box, click on Register.
2. A pop up box should appear titled "Select Registration Type".

3. Choose "Industry user" (even if not from traditional industry - this selection applies to anyone other than regulators).
4. Click on Continue to Industry User Registration

From there you will be able to set up an account. See the “Quick Instructions New User” to assist with creating a new users account.

U.S. EPA has produced a free online training resource (Learning Zen) with instructions on how to register as an industry user and how to complete the Notification of Regulated Waste Activity form.

Once you have an account, login and use myRCRAid to submit EPA Form 8700-12 information electronically. See the “Quick Instructions myRCRAid” to assist with submitting through myRCRAid.

Paper Form Submittal

1. The form can be completed for new EPA ID numbers as well as subsequent notifications. The notification form and instructions are available online.
2. A paper copy is not required if the information is submitted using MyRCRAid.
3. If you have any questions regarding the identification form or process, please contact the HWP. Completed forms may be submitted electronically or in hard copy:

Electronic Submissions Send To:	**Hard Copy Submissions Send To:**
HazardousWaste@nd.gov	North Dakota Department of Environmental Quality Division of Waste Management 4201 Normandy Dr. Bismarck, ND 58503-1324

B. Multiple State/EPA ID Numbers

Large companies may have several buildings on a “site”. If these buildings are on contiguous property (not divided by public roads or other property), then the facility may use a single State/EPA ID number. If a company operates several locations not on contiguous property, then separate State/EPA ID numbers may be required for each site depending on generator status. Please contact the HWP for guidance involving large, multi-site operations.

C. Other Notifications

The following topics are discussed in detail in other sections of the compliance guide. However, each topic has notification requirements that can be submitted using myRCRAid or submitting a paper copy.

Episodic Generation

The VSQG will have to obtain an identification number if they don't already have one using one of the methods listed section A.

Both VSQG and SQGs have to provide notification, using the 8700-12 form, to the NDDEQ at least thirty (30) days prior to a planned episodic event, and within 72 hours (3 days) of the unplanned event. The episodic event may last no more than sixty (60) calendar days.

Note: The episodic generator standards can be used for sites not normally hazardous waste generators. This was previously considered a "Short-Term Generator" event, but has now been phased out.

Healthcare Facilities With Hazardous Waste Pharmaceuticals

A healthcare facility must notify the department using EPA form 8700-12. that it is a health care facility operating under the pharmaceutical rules. The healthcare facility is not required to fill out box 10.B. (waste codes for federally regulated hazardous waste) of the site identification form with respect to its hazardous waste pharmaceuticals.

A healthcare facility that no longer operates under hazardous waste pharmaceutical requirements (because it is a very small quantity generator) must notify the HWP of the change in activity using EPA site identification form 8700-12.

Reverse Distributors of Hazardous Waste Pharmaceuticals

Reverse distributors managing regulated hazardous waste pharmaceuticals must notify the HWP of the activity using Form 8700-12.

Large Quantity Generator That Consolidates Waste From VSQGs

LQGs conducting consolidation activities must notify the NDDEQ at least thirty days prior to receiving wastes. This can be done on the ***LQG Consolidation of VSQG Hazardous Waste*** addendum to form 8700-12. All information for all VSQGs consolidating wastes at the LQG must be provided.

Step 3: Container Labeling, Marking, & Placarding

A vital component of a successful hazardous waste management program is communication. The most common form of communication regarding hazardous waste is through the use of labels, markings, and placards. These strategies ensure the contents and associated hazards of any containerized waste is apparent and ensures there is no confusion regarding what substance is in a container.

A. Containers

Hazardous waste must be stored safely in appropriate containers. The type of container used depends on the type of waste stored. If you are uncertain of what type of container to use, contact the Treatment

Storage and Disposal Facility (TSDF), the Department of Transportation (DOT), or the HWP for recommendations.

Requirements for hazardous waste containers include:

1. Containers must be made of sturdy, leak-proof materials and must meet DOT specifications for materials and construction. Typically, DOT 1A1 and 1A2 drums are used for hazardous liquid wastes and hazardous solid wastes.

2. The container must be made of, or lined with, materials which will not react with the hazardous waste stored inside. For example, use a plastic container for corrosive wastes. Steel containers may be damaged by corrosive wastes, which could lead to a release of hazardous waste.

3. All containers holding hazardous waste must be closed during storage, except when it is necessary to add or remove waste.

B. Container Labels and Markings

It is the generator's responsibility to ensure all containers are correctly labeled. Failure to properly label containers is a violation of the Rules, and can result in enforcement action up to and including monetary penalties. There are separate requirements for container labels, container markings for storage, and container markings for transportation.

Using commercial preprinted hazardous waste labels is one way to meet most requirements for container labeling and should occur at the initial point of generation. Pre-printed labels generally have sections for all required information. This information should be completed at the point of generation when the label is applied to the container. General tips for the use of pre-printed labels are:

1. Complete as much information as possible before attaching to the container. Many of the sections are required by the Rules, and failure to complete information may result in a violation;

2. Use an all-purpose, indelible felt-tip pen for marking the label;

3. Protect the label from spills by placing the label away from filling section or covering the label with clear plastic tape; and

4. Keep a photocopy of a properly filled out label for each hazardous waste stream generated for reference.

C. Markings for Storage

During storage, containers of hazardous waste must be marked clearly with their contents and the associated hazards. Note the following label requirements are required for SQGs, LQGs, and TSDFs – but VSQGs would benefit from following these practices as well.

All hazardous waste containers must be marked with:

1. The words “Hazardous Waste”;

2. An indication of the hazards of the contents in the container. Four or six inch indicators meeting OSHA hazard pictograms or DOT hazard label requirements are appropriate. Alternatively, the words indicating the hazard may be used if there are legible and visible within a reasonable distance; and

3. An accumulation start date. The accumulation start date is either the date that waste is first placed (accumulated) in the container or the date the container is filled and placed in storage if the container meets the requirements of a satellite accumulation container.

D. Marking for Transportation

49 CFR Part 172 dictates how to properly mark and label containers for transportation. Each hazardous waste container must be labeled and clearly marked with the following information:

1. Proper shipping name and UN/NA number (found in 49 CFR 172.101);

2. Generator name and address;

3. Manifest shipping document number;

4. Hazardous Waste Warning. This warning states, Hazardous Waste Federal Law Prohibits Improper Disposal. If found, contact the nearest police, public safety authority, or the U.S. EPA; and

5. DOT hazard labels. Hazard labels are 4" by 4" diamond shaped labels stating information such as FLAMMABLE, CORROSIVE, or OXIDIZER. Note these hazard labels also meet the requirement of hazard indicators required for storage.

E. Placards

Placards are 2' by 2' diamond shaped labels that are placed on transport vehicles. It is the generator's responsibility to provide the transporter with correct placards. However, most hazardous waste transporters carry an assortment of vehicle placards for this purpose. The placarding information can also be found in 49 CFR Part 172.

Step 4: Storage & Accumulation

Proper storage of hazardous waste is a key component of a hazardous waste management program. Improper storage of hazardous wastes can result in employee injury, load rejection, compliance issues, or releases to the environment. These incidents are costly, but can be avoided by complying with all regulatory requirements for storage and accumulation of hazardous wastes. Employees must be familiar with proper waste management of the waste they generate and should know what to do when the container is full.

A. SQG and LQG Storage Requirements

Storage requirements vary depending on generator category and the type of storage vessel. However, some general items are true regardless of generator category or vessel type:

1. A container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste;

2. Containers must be properly marked and labeled;

3. Containers must not be stored or handled in any manner that may cause them to rupture, leak, corrode, or otherwise fail;

4. The storage area must maintain sufficient aisle space to allow unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination

equipment to any area of the facility in an emergency;

5. Generators with containers of hazardous waste in storage must inspect those containers weekly. The containers must be visually inspected for leaks, structural integrity, container deterioration, and deterioration of the containment system. An example of a container inspection log is located in the back of this guidebook;

6. Incompatible wastes and/or materials must not be placed in the same container. Hazardous waste must not be placed in an unwashed container that previously held an incompatible waste. Incompatible wastes and/or materials stored in a common area must be separated by dikes, berms, walls, or other means; and

7. LQGs must store ignitable and/or reactive wastes at least 50 feet away from the property line, unless written approval is granted by the local fire authority. The written approval must be maintained in the records.

B. Secondary Containment

"Secondary Containment", or just "containment", refers to the methods used to ensure that a release is "contained" and doesn't affect the environment. Common examples of containment are berms, grated pallets, and double walled tanks. Follow these guidelines when construction secondary containment systems:

1. The containment system must be free of cracks or gaps, and be capable of containing leaked or spilled materials;

2. The containment system must be designed and operated to be ensure leaked/spilled materials do not contact the containers;

3. The containment system must have a capacity of 10% of the total volume of the maximum allowable containers, *or* the total volume of the *largest* container in the accumulation area, whichever is greater; and

4. Any accumulated material must be removed from the system in a timely manner to prevent overflow or breakthrough.

Containment is not required for most generators' container or tank storage areas, but there are some conditions which may require containment.

Storage areas holding containers with no free liquids are not required to have secondary containment systems provided the storage area is sloped, or otherwise designed and operated to remove precipitation; or the containers are elevated or otherwise protected from contact with accumulated precipitation.

C. Storage Quantity and Time Limits

The quantities of wastes that may be accumulated on-site by generators varies with the generator status and the distance to the TSDF facility. *Table 6* gives a brief explanation of the quantity and time limits.

D. Storage Time Limit Extensions

If your hazardous waste cannot be shipped off-site within the specified time limit, you may request a storage time extension. If you need to request an extension, the request must be in writing. Electronic or hard copy requests are both permitted.

The request must explain why the extension is needed, identify the types and quantity of waste, and describe the anticipated schedule for shipping of the waste. The HWP will consider each request on an individual basis.

E. Satellite Accumulation

A satellite accumulation point is an accumulation point that will accumulate very small volumes of hazardous waste over an extended period. Common examples include waste containers on lab benches or waste bins near work sites. Satellite accumulation points have containers:

1. Stored at or near the point of generation. The container is under the control of the operator generating the waste;

2. With a maximum volume of fifty-five gallons of hazardous waste, or one quart of acutely hazardous waste, per waste stream;

3. Marked with the words "Hazardous Waste" and indication of the hazards of the contents in the container. Labels should be visible, and appropriate for the size of the container. Labeling must occur when waste is first placed in the container or before.

4. In good condition and compatible with the accumulated waste;

5. Kept closed, except when necessary to add or remove waste; and

6. Within three calendar days of becoming full, the container is marked with an accumulation start date and transported to a hazardous waste storage area. The accumulation start date is the date the satellite accumulation container was filled.

A generator may have more than one satellite accumulation area throughout the facility. A satellite accumulation area may contain more than one fifty-five gallon waste container *only* if distinct waste streams are being separately accumulated.

Table 6. Storage limits and shipping schedules by generator category.

Generator Category	Storage Limit	Shipping Schedule
VSQG	1,000 kg (2,200 lbs); if exceeded, generator is regulated at next higher category.	Less than 1,000 kg may be stored indefinitely. Once 1,000 kg is accumulated, the waste must be shipped off-site within 180 days, or 270 days if TSDF is located more than 200 miles distant.
SQG	6,000 kg (13,200 lbs); if exceeded, generator is operating an unpermitted storage facility.	All accumulated wastes must be shipped off-site within 180 days of the storage date, or 270 days if the TSDF is located more than 200 miles distant.
LQG	No limit.	All accumulate wastes must be shipped within 90 days of the storage date.

F. LQG Storage Area Closure

If an LQG is closing a storage area, but will remain an operating hazardous waste generator, the LQG must place a notification of closure within the facilities operating record within thirty days of closing the unit within the operating facility.

However, if an LQG is closing the entire facility, the closure standards described in NDAC 33.1-24-03-29(1)(h) must be met. The LQG must notify the department using form 8700-12 no later than thirty days prior to closing the facility. They must also meet the following closure requirements:

1. Remove any hazardous waste from a storage area, eliminating the possibility of a post-closure release of hazardous waste;
2. Remove or decontaminate all equipment, structures, and soils associated with the waste storage area. This includes any containment system components (pads, liners, etc.), bases, subsoils, or other equipment/structures; and
3. All hazardous waste generated during the closure/decontamination process is properly managed and disposed of.

If an LQG cannot meet the closure standards of NDAC 33.1-24-03-29(1)(h), the unit must be closed as a landfill. Contact the HWP for additional guidance on storage area closure and closure as a landfill.

G. Hazardous Waste Storage in Tanks

These rules apply to all owners and operators of facilities that use tank systems for storing or treating hazardous waste. Several requirements must be followed for tank system and are listed in the Hazardous waste rules, NDAC 33.1-24-05-105 through 115, and include:

1. Assessment of existing tank system's integrity;
2. Design and installation of new tank systems or components;
3. Containment and detection of releases;
4. General operating requirements;
5. Inspections;
6. Response to leaks or spills and disposition of leaking or unfit-for-use tank systems;
7. Closure and postclosure care;
8. Special requirements for ignitable or reactive and incompatible wastes;
9. Waste analysis and trial tests;
10. Special requirements for SQG's; and
11. Air emission standards

Tank systems used to treat or store hazardous waste which contains no free liquids and are situated inside a building with an impermeable floor are not required to have secondary containment systems.

Step 5: Transportation & Disposal

Generators of hazardous waste are responsible for the safe transportation and disposal of hazardous waste. Only transporters with a valid North Dakota Solid Waste Transporter Permit and an active EPA Identification Number may accept and transport hazardous waste.

Disposal facilities must have an active hazardous waste disposal permit issued by an authorized state RCRA program or the EPA. There are no permitted hazardous waste disposal facilities located within North Dakota.

A. Finding a Permitted Hazardous Waste Transporter

The NDDEQ maintains a list of permitted waste transporters online at:

https://deq.nd.gov/FOIA/SolidWaste/ActiveWasteHaulers.aspx

The list is an interactive spreadsheet of all permitted waste transporters. To find transporters permitted for hazardous waste transportation, enter the term "hazardous" in the search bar. The spreadsheet will return

all transporters with active permits to transport hazardous and universal wastes within North Dakota. The spread sheet will provide contact information for all permitted transporters.

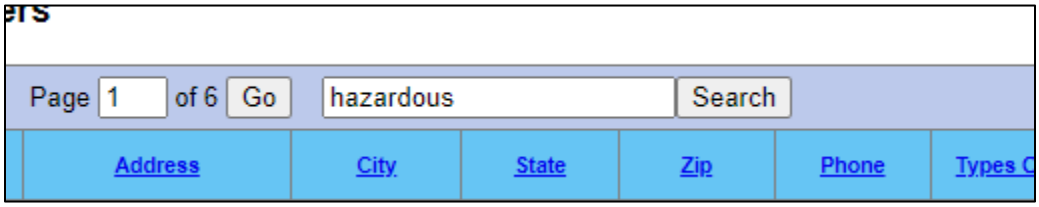


Figure 1. The search bar can be used to find permitted hazardous waste transporters.

B. Questions to Ask Your Transporter

It is important to ensure you select a transporter that will meet your facility's needs. Be sure to have all information related to your hazardous waste activities, especially quantity and types of waste generated. When making your selection, be sure to find out:

1. How frequently will they be able to provide shipments?
2. Will they be able to accommodate the quantities of waste your facility will generate?
3. How do they handle manifest activities, and how will they provide the required materials?
4. What fees are associated with the process? (Layover fees, manifest fees, etc.)
5. Does the transporter have any customer references they can provide?
6. Can the transporter provide proof of their permit status?

It is also a good idea to check online reviews, local business associations, and other sources to determine if there are any active complaints or issues with the transporter.

C. Selecting a Disposal Facility

There are no permitted hazardous waste disposal facilities located within North Dakota. Generally, an established hazardous waste transporter will propose a disposal facility they commonly use. However, in cases where a new waste stream is being accepted, or if an alternative facility must be located, a new facility must be identified. In most cases, this will be done by the transporter. However, as the generator, you are ultimately responsible for the proper disposal of your waste. Therefore, it is important you are aware of the requirements of a disposal facility, and ensure all regulatory requirements are addressed.

Key points to consider when selecting a disposal facility:

1. Is the facility a final designated facility, or is it an intermediate location? (Transfer station, treatment unit, etc.)

2. Is the facility permitted by the proper hazardous waste authority? (Usually a state government, but may be federal)

3. How is the waste managed at the facility? Is it incinerated, land-disposed, reclaimed, or some other process?

4. When was the last inspection of the facility, and were there any violations?

Note this is not an exhaustive list of considerations. It is important your waste supervisor understands the basic requirements of a waste disposal or treatment facility, and ensures they are asking the appropriate questions for your waste stream.

D. Very Small Quantity Generator Hazardous Waste Disposal

VSQGs may, with approval from the disposal facility, transport their hazardous waste to a permitted municipal or industrial waste landfill. However, many municipal and industrial landfills will not accept hazardous wastes from commercial or industrial sources. Therefore, it is important to contact these facilities prior to attempting to dispose of hazardous waste at the facilities. In these cases, the best practice would be to contact a permitted hazardous waste transporter and arrange for permitted hazardous waste transport and disposal.

Alternatively, VSQGs under the same owner (for example, franchise locations) may transport their hazardous wastes to an LQG that is owned by the same entity. This is known as *VSQG Consolidation* and allows VSQGs to transport their hazardous waste to a facility with an established collection and disposal process.

Step 6: Hazardous Waste Manifests

Hazardous waste generators are liable for the management of their wastes from the point of generation to the point of disposal. This process is tracked through the use of the hazardous waste manifest – a uniform document used by generators, transporters, and TSDFs as evidence of proper waste management.

A. Paper Manifests

In North Dakota, generators must use the Uniform Hazardous Waste Manifest, EPA Form 8700-22. Instructions for completing the manifest are found in Appendix I of NDAC 33.1-24-03. Numerous copies of paper manifests are generated during the management process. The manifest process can be summarized as:

1. **The initial manifest.** Generators will receive an initial manifest when a hazardous waste transporter picks up waste. This manifest will document the types and amounts of hazardous waste picked up by the transporter. A representative of the generator must sign the manifest, stating the information on the manifest is correct. Copies of this manifest must be maintained;

2. **Intermediate manifest/chain of custody manifests.** In cases where waste is not shipped directly to a disposal or treatment facility, the manifest will have additional indicators listing

the temporary holding locations for the waste. Intermediate manifests are primarily handled by the transporter and storage facilities;

3. **Final manifest.** The final manifest is generated when the final disposal/treatment facility receives the hazardous waste. A receiving facility will sign for the hazardous waste and a copy of this completed manifest must be sent to the generator as proof of the wastes proper disposal.

It is important to ensure paper manifests are maintained in ways that allow for verification of the waste management process. Common management practices include binders containing initial and final manifests or scanning and storing manifests electronically. Manifests must be maintained for a minimum of three years after the waste reaches its final destination.

B. Electronic Manifest System (e-Manifest)

As of June 30, 2018, all manifests must be submitted to the U.S. Environmental Protection Agency's (EPA's) e-Manifest system by the receiving facilities. The e-Manifest system enables electronic tracking of hazardous wastes shipments from generators to TSDFs and will serve as a national reporting hub and database for all hazardous waste manifests and shipment data. Receiving facilities must pay a fee to support the maintenance and use of the e-Manifest system. E-Manifest allows generators to electronically track their manifests and to print copies as needed. The system also allows for easier verification of waste transportation data by regulators.

For more information about e-Manifest please visit: www.epa.gov/e-manifest

Generators and transporters may register for e-Manifest if they wish to electronically create and sign manifests in the system. Registration is also necessary to view manifest records or to submit post-receipt data corrections to manifests. If generators do not create e-Manifest accounts for viewing hazardous waste manifests, they should make arrangements with their receiving facilities to obtain paper copies of completed manifests per recordkeeping requirements in Section 33.1-24-03-13(1). The e-Manifest system will only supply electronic copies of completed manifests to registered generators with e-Manifest accounts. (e-Manifest Fact Sheet for Generators)

C. Registering for e-Manifest

Generators may register for e-Manifest through the RCRAInfo Industry Application. In order to register for e-Manifest, generators will need the following:

1. An active State/EPA ID number for the associated facility; and
2. A Site Manager assigned to the registered site or corresponding EPA ID. It is good practice to have at least two Site Managers identified before registering.

Once the online registration is complete, the HWP or facility Site Manager will approve the registration (dependent on what permissions are being requested). Once the registration is complete, the registered agent will be able to use e-Manifest and RCRAInfo to manage the hazardous waste tracking process.

D. Exception Reports

SQGs that do not receive a copy of the designated facility-signed manifest within 60 days of shipment are required to submit to the HWP one legible copy of the manifest indicating they have not received confirmation of final disposal. The HWP will follow-up with the SQG, and if necessary, the transporter and final disposal facility to determine the status of the waste.

If an LQG does not receive a final copy of the manifest within 35 days of shipment, they must contact the transporter, the TSDF, or both, to verify the status of the shipment. If a final copy of the manifest is not received within 45 days of shipment, the LQG must provide a written notification to the HWP. The notification must include a legible copy of the initial manifest and a detailed explanation of the steps taken to locate the hazardous waste in question. An LQG must provide this notification within 60 days of the initial shipment of hazardous waste.

E. Land Disposal Restrictions

Land disposal is the placement of waste in, or on, the land. Uncontrolled land disposal of hazardous waste can threaten human health and the environment. The Land Disposal Restrictions (LDRs) provide additional protection from threats posed by hazardous waste disposal. The LDR regulations ensure hazardous waste cannot be land disposed until the waste meets specific treatment standards. These treatment standards serve to reduce the mobility or toxicity of the hazardous constituents in the waste.

Generators must determine if waste is subject to LDRs at the point of generation. LDRs require small and large quantity generators of hazardous waste to provide an initial notice for each hazardous waste shipped to a TSDF. The notice must state whether the waste must be treated prior to being land disposed and identify the underlying hazardous constituents (UHCs) in the waste. Notification is required even if the waste is destined for non-land based disposal (e.g. incineration).

A new notice is only required if any changes were made to the process which generates the waste, the character or composition of the waste, or the receiving facility. Copies of the LDR notification must be retained in your files for at least three years from the date the waste was sent to the TSDF.

There are some general exclusions to the LDR regulations:

1. VSQGs are not required to provide, or maintain, LDRs;
2. Waste pesticides and residues farmers dispose of on their own property are exempt from LDR restrictions; and
3. Selected low-volume losses and laboratory waste discharged to land based wastewater treatment facilities.

The applicable LDR is based upon the hazardous waste code of the waste. Most generators need only provide the notification, while treatment and disposal facilities will be responsible for the actual treatment/disposal requirements. However, it is important to note generators maintain liability for wastes improperly managed, even at the point of disposal. The HWP recommends all generators become familiar with the specific restrictions for their waste streams and ensure their treatment/disposal facilities are meeting these requirements.

Step 7: Emergency Planning & Response

Hazardous waste presents dangers to staff, property, and the environment. The presence of these materials can make an emergency situation even more challenging, especially if there are no emergency procedures in place. For this reason, hazardous waste regulations identify minimum emergency planning requirements. Your generator category will determine what emergency planning must be completed at your facility.

A. VSQG Requirements

VSQGs are not required by the Hazardous Waste Management Rules to establish emergency procedures or contingency plans. There is also no regulation requiring training or instruction in hazardous waste operations or emergency response. However, other training requirements may still exist. Spill Prevention, Control, and Countermeasure (SPCC) plans are federally required in situations where oil storage exceeds certain thresholds. The NDDEQ recommends all operators conduct basic safety training, and to be aware of all applicable requirements for their facility.

Note that if a VSQG ever changes generator status, even for a single month in a year, they would be required to meet all applicable requirements for the new generator category.

B. SQG Requirements

SQG emergency planning consists of basic training, role identification, and communication requirements. All SQGs must, at minimum:

1. Designate at least one employee as an Emergency Coordinator. This employee must be either on-site or on-call at all times.
2. Emergency information must be posted near a telephone. The information that must be posted includes:
    a. Name and contact number of the Emergency Coordinator;
    b. Location of fire extinguishers, spill control equipment, and fire alarm; and
    c. Phone number of the local fire department (unless the fire alarm has a direct contact function).
3. Provide training to all staff on the proper handling of hazardous waste, appropriate for their roles and responsibilities. NOTE: There isn't a single definition of what would constitute

"appropriate" training. In general, OSHA Hazardous Waste Operations and Emergency Response (HAZWOPER) training is appropriate for most positions, as long as the appropriate training is given. Questions can be directed to OSHA or the NDDEQ for guidance on what training would be considered appropriate.

4. Identify the duties of the Emergency Coordinator(s) in the event of an emergency. Such duties may include:

    a. Reporting the incident (See *National Response Center Reporting*);

    b. Contacting emergency services;

    c. Taking emergency mitigation actions; and/or

    d. Coordinating the cleanup of any materials released as a result of the incident.

C. LQG Requirements

An LQG must meet all the requirements of an SQG. They must also prepare a written contingency plan (sometimes called an emergency response plan, or other name). At a minimum, the contingency plan must include:

1. Emergency procedures for all facility personnel during a response to fires, explosions, and unplanned sudden or non-sudden release of hazardous waste to the environment;
2. A description of arrangements with local police and fire departments, hospitals, contractors, and state and local emergency response teams;
3. A list of qualified personnel (identified by name) who may act as an Emergency Coordinator, including the priority of their assumption. It must also include work and home/cell telephone numbers and addresses;
4. A list/map identifying the location and type of emergency equipment available at the facility. This includes alarm systems, spill control equipment, fire extinguishers, etc.; and
5. An evacuation plan for all areas of the facility, particularly those pertaining to the treatment, storage, and disposal areas of the facility. The evacuation plan must describe signals, evacuation routes, and alternate routes.

Copies of the contingency plan must be kept at the facility and provided to local authorities. Any amendments or updates should be submitted to maintain up-to-date information with the appropriate authorities. Updates can be submitted as whole documents, or as substitution pages with the corrected information.

All LQGs must submit a quick reference guide for the contingency plan to the local authorities. The quick reference guide must have the following information:

1. The types, names, and associated hazards of each type of hazardous waste at the site;
2. The estimated maximum amount of each hazardous waste that may be present onsite;
3. The identification of any unique or special treatment needed for exposure to a hazardous waste onsite;
4. A map of the facility showing the location of hazardous waste generation, accumulation, and treatment, along with routes for waste processing;
5. A street map of the facility in relation to surrounding businesses, schools, and residential areas to understand how best to evacuate citizens and workers;
6. The locations of water supply (ex; fire hydrants and its flow rate);
7. The identification of onsite notification systems; and
8. The name of the emergency coordinator(s) and twenty-four/seven emergency telephone number. In cases where an emergency coordinator is on-site at all times, the number must be that position's contact.

Step 8: Staff Training

Proper training and education is important in reducing employee injury, incidents of non-compliance, and releases to the environment. Training requirements vary based on generator category, but the HWP recommends all facilities generating hazardous waste have some form of employee training.

Ideas for training include brief safety meetings, webinars, and outside contractor-supplied training. Records should include the type and description of the training, the date the training was held, and which employees attended. Many regulatory agencies, such as OSHA, have additional training requirements. A well-developed training program will ensure employee training is sufficient for all regulated activities.

A. VSQG Requirements

There are no training requirements for VSQGs. It is recommended that personnel receive guidance on hazardous waste handling and emergency procedures.

B. SQG Requirements

SQGs must ensure all employees handling hazardous waste are trained in proper waste handling and operations. While there are no record keeping requirements associated with this practice, it is recommended that records be maintained documenting the type of training received, the source, and the date of the training.

C. LQG Requirements

LQGs are subject to a formal personnel training program. Facility personnel must successfully complete a program of instruction either in a classroom, online, or on-the-job. Requirements for the training program are:

1. It must be directed by a person trained in hazardous waste management procedures. The training must include personnel hazardous waste management procedures, including contingency plan implementation relevant to the employee's position;

2. At a minimum, it must be designed to ensure that facility personnel are able to respond to emergencies by familiarizing employees with emergency procedures, emergency equipment, and emergency systems, including where needed:

3. It must cover procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment;

4. It must cover key parameters for automatic waste feed cut-off systems;

5. It must cover communications or alarm systems;

6. It must cover response to fires or explosions;

7. It must cover response to ground-water contamination incidents; and

8. It must cover shutdown of operations.

Employees must successfully complete the training program within six months after the date of their employment or assignment to the facility, or to a new position at the facility, whichever is later. Employees may not work in unsupervised positions until they have completed these training standards. Facility personnel must take part in an annual review of the initial training.

A large quantity generator must maintain the following documents and records:

1. Job title for each position at the facility related to hazardous waste management and the name of the employee(s) filling each job;

2. A written job description with the requisite skill, education or other qualifications, and duties of facility personnel assigned to each position;

3. A written description of the type and amount of introductory and continuing training that will be given to each person filling a position where hazardous waste is handled; and

4. Records that document that required training or job experience has been given and completed by facility personnel. These documents must be kept for three years. These training

records may be transferred if facility personnel move within the same company.

D. Hazardous Waste Operations and Emergency Response (HAZWOPER)

The Department of Labor, under OSHA, enacted training requirements for employees involved with certain hazardous waste operations. Persons requiring this training include those involved in:

1. Cleanup at uncontrolled waste dump sites;
2. Working at permitted hazardous waste TSDFs;
3. Responding to emergencies involving hazardous materials; and
4. First responder occupations.

The HAZWOPER training required by OSHA is different than the training required for hazardous waste management outlined above. For more information, contact OSHA at (701) 250-4521.

Step 9: Reporting

A. Biennial Reports

The Biennial Report (BR) records information on hazardous waste generation, transportation, and disposal for the previous odd numbered calendar year. The BR must be submitted to the HWP by March 1 of every even numbered year. The HWP recommends electronic submission of the BR through the RCRAInfo Industry Application.

LQGs, SQGs, TSDFs, and reverse distributors of hazardous waste pharmaceuticals are all required to submit a BR.

VSQGs are not required to file a BR. Hazardous waste generated during an episodic event does not require the submission of a BR.

B. Intent to Import or Export

The HWP requires facilities that intend to import hazardous waste from, or export to, another country to provide notification. The HWP requires the notification to include the date of shipment, the quantity of hazardous waste shipped/received, frequency of shipments, and descriptions of the waste material. The notification must also describe how the waste will be transported, stored, treated, and/or disposed of at the final destination.

If you are importing or exporting hazardous wastes into North Dakota from a foreign country, you must contact the HWP for further detailed information on reporting requirements.

C. Episodic Generation

On occasion, a company may need to dispose of hazardous wastes that are not generated on a regular basis or from an event (either planned or unplanned).

An Episodic Generator is a very small or small quantity generator that experiences a planned or unplanned event that generates an abnormal quantity of waste. Instead of being subject to a changing generator category, the generator may manage these wastes according to the Episodic Generator regulations in 33.1-24-03. Episodic Generator events may be planned (tank cleanouts, high volume period, etc.) or unplanned (release, expired or old product, etc.).

No more than one episodic event per calendar year will be allowed unless a petition is granted by the HWP. If your facility is planning, or has experienced, an episodic event, contact the HWP for additional guidance and refer to NDAC 33.1-24-03-34 to ensure all requirements are met.

Notification must be provided to the HWP at least thirty (30) days prior to a planned episodic event, and no more than 72 hours (3 days) after an unplanned event. The episodic event may last no more than sixty (60) calendar days.

In North Dakota we do not issue short-term generator State/EPA Identification numbers. If you have a one-time generation of hazardous waste, you will need to follow the instructions for episodic generation.

D. Spill Reporting

Any release from a hazardous waste storage area, permitted or not, must be reported to the HWP. Releases may be reported by calling the associated inspector, reported through the North Dakota Department of Emergency Services, or through the State Radio 24-Hour Hotline. Spills may also be reported online through the North Dakota Unified Spill Reporting System (https://www.spill.nd.gov/). Failure to report a release in a timely manner may constitute a violation of North Dakota regulations.

Table 7. Environmental incident reporting contacts.

Reporting Entity	Contact Information
NDDEQ Hazardous Waste Program	701-328-5166
NDDEQ Spill Investigation Team	701-328-5210
NDDES Main Office	701-328-8100
NDDES State Radio	1-833-997-7455 (in ND only)
ND Unified Spill Reporting System	https://www.spill.nd.gov/

Depending on the severity of the spill or accidental discharge, the HWP may require the owner or operator to:

1. Take immediate remedial measures;
2. Determine the extent of pollution to waters of the state;

3. Provide alternate water sources to water users impacted by the spill or accidental discharge; and/or

4. Any other actions necessary to protect human health and the environment.

Specific minimum quantities for mandatory reporting of spills have not been established so all spills must be reported.

E. Right-to-Know, SARA Title III, and EPCRA Reporting

Communities and employees have the right to know about the amounts, location, and potential effects of hazardous chemicals being used or stored in designated quantities. These right to know laws are also known as the Superfund Amendments and Reauthorization Act (SARA) Title III and Emergency Planning and Community Right-to-know Act (EPCRA). Facilities are required to submit Safety Data Sheets (SDS), on Occupational Safety and Health Administration (OSHA) chemicals defined as hazardous by the Hazardous Communication Standard, to the North Dakota Department of Emergency Services (NDDES), Division of Homeland Security, and the Local Emergency Planning Committees (LEPCs).

An annual report is required to be submitted to the State Emergency Response Commission (SERC), LEPCs, and fire departments. This report is to include the names of chemicals, their quantities, and associated physical and health hazards. This report is due every March 1 of each year for the preceding calendar year.

Employers are required to make SDSs on hazardous materials used by the company available to their employees. Employees must be trained in the proper handling of hazardous materials. SDSs must be kept on file at the facility for thirty years. For further information concerning Right to Know, contact OSHA or the NDDES.

Step 10: Record Keeping

Proper record keeping practices make following state rules for managing hazardous waste much easier. Manifests make tracking hazardous waste simple and LDRs help generators ensure that wastes are being disposed of properly. Each generator status has their record keeping requirements, but keep in mind that periods of record retention are automatically extended during the course of any unresolved enforcement action regarding the regulated activity or can be extended at the request of the HWP.

A. VSQG Requirements

Record keeping requirements for VSQGs are limited. It is recommended that manifests, land disposal restriction forms and contractual agreements for the recycling of hazardous wastes should be kept on file.

B. SQG Requirements

SQGs have the following record keeping requirements:

1. A generator must keep a copy of each signed manifest until they've received the signed copy from

the designated facility. Keep manifests for three years;

2. Keep a copy of each biennial report and exception report for three years;

3. Records of any test results, waste analysis, or other determinations made to determine if a waste is hazardous or not for at least three years from the date the waste was last sent to onsite or offsite treatment, storage, or disposal;

4. SQG are subject to Land Disposal Restrictions and any paperwork generated should be kept for three years; and

5. Proof that a business has made arraignments with the local fire department as well as any other organization necessary to respond to an emergency. If a facility has attempted to make arraignments but no arrangement exists, document the attempt.

C. LQG Requirements

LQGs must follow SQG record keeping requirements as well as the training record keeping requirements for LQGs. Training documents must be kept until the facility closes. LQGs must also keep the following documents:

1. Manifests and manifest discrepancy reports;

2. Documentation when updating and/or revising the contingency plan;

3. Monitoring logs, or other records to demonstrate that hazardous waste stored in tanks has been emptied within ninety days;

4. Notification of closed waste accumulation units, documentation is kept in the operating record; and

5. LQGs that accumulate waste onsite from VSQGs that are under their control must maintain records for shipments for three years from the date the hazardous waste was received from the VSQG. They must identify the name, site address, and contact information for the VSQG, as well as the description of the hazardous waste received, quantity and date the waste was received.

Miscellaneous Topics

A. Hazardous Waste Pharmaceuticals at Healthcare Facilities

Healthcare facilities are subject to NDAC 33.1-24-05-310 through 33.1-24-05-320. Hazardous waste pharmaceuticals generated by other types of entities are subject to NDAC 33.1-24-03 for the generation and accumulation of hazardous wastes.

Exemptions from pharmaceutical rules apply to:

1. Hazardous waste pharmaceuticals that are also listed on a schedule of controlled substances by the Drug Enforcement Administration in title 21, Code of Federal Regulations, part 1308; and
2. Household hazardous waste pharmaceuticals that are collected in a take back event or program, including those that are collected by an authorized collector, as defined by the Drug Enforcement Administration.

A healthcare facility must ship non-creditable hazardous waste pharmaceuticals to a permitted TSDF. A healthcare facility shipping non-creditable hazardous waste pharmaceuticals should not list the standard hazardous waste code in item 13 of the manifest. Instead, item 13 should be marked "PHARMS".

A healthcare facility generating a solid waste that is a non-creditable or potentially creditable pharmaceutical will need to determine whether that pharmaceutical is a hazardous waste pharmaceutical. A healthcare facility may choose to manage its nonhazardous waste pharmaceuticals as non-creditable or potentially creditable hazardous waste pharmaceuticals.

B. Labeling of HazWaste Pharmaceuticals

A healthcare facility must label or clearly mark each container of non-creditable hazardous waste pharmaceuticals with the phrase "Hazardous Waste Pharmaceuticals".

C. Accumulation of HazWaste Pharmaceuticals

A healthcare facility may accumulate non-creditable hazardous waste pharmaceuticals on site for one year or less without a permit. The healthcare facility must demonstrate the length of time it has been accumulating the wastes by marking, labeling, or by maintaining an inventory system.

D. Land Disposal Restriction of HazWaste Pharmaceuticals

A healthcare facility that generates non-creditable hazardous waste pharmaceuticals shall comply with the land disposal restrictions in accordance with subsection 1 of section 33.1-24-05-256 requirements. However, it is not required to identify the hazardous waste numbers (i.e., hazardous waste codes) on the LDR notification.

E. Biennial Reports and Record Keeping for HazWaste Pharmaceuticals

Healthcare facilities are not required to submit biennial reports regarding hazardous waste pharmaceuticals (NOTE: If the healthcare facility generates other hazardous wastes in amounts greater than 1,000 kg or 2,200 lbs, then BRs are required for that waste).

Final manifests must be kept for a period of three years from the date of disposal. Healthcare facilities should maintain initial copies of the manifest until receiving a final copy from the designated facility. Waste analysis results should also be kept for three years.

F. Prohibitions

Healthcare facilities are prohibited from sending hazardous wastes, other than potentially creditable hazardous waste pharmaceuticals, to a reverse distributor.

All healthcare facilities are prohibited from discharging hazardous waste pharmaceuticals to a sanitary sewer or septic system.

G. Asbestos

Asbestos materials are not regulated by the HWP. For more information regarding asbestos removal or disposal contact the Indoor Air Program.

H. Radioactive Materials

Radioactive materials and wastes are not regulated by the HWP. Radioactive wastes and materials are subject to various regulations and controls. For guidance, please contact the Radiation Control Program.

I. Polychlorinated Biphenyls (PCBs)

Wastes containing polychlorinated biphenyls (PCBs) are not regulated under the North Dakota Hazardous Waste Management Rules. 40 CFR 761 Toxic Substance Control Act (TSCA), CERCLA (Superfund) and the Clean Water Act (CWA) are federal regulations under which these materials must be managed. However, the HWP maintains a federally certified inspector and compliance officer on staff. If you suspect you have PCB-containing materials, contact the HWP for proper management and disposal procedures.

J. Onsite Distillation Units & Still Bottoms

Onsite distillation for recycling waste solvent is an effective method of reducing hazardous waste generation, in addition to reducing operating costs to replace used solvent. Materials reclaimed using onsite distillation units need not be included when determining hazardous waste generator category. However, when the units are cleaned out and the 'still bottoms' – the sludge that accumulates at the bottom of the distillation unit – is removed, that material *does* count towards generator category.

K. Used Oil Generators

'Used Oil' is any refined oil product that has been used for its intended purpose. Used oil is most commonly generated from activities such as vehicle oil changes, but is not strictly limited to used motor oils. Generators of used oil must meet the following management standards:

1. **Storage.** Used oil may only be stored in tanks or containers marked with the words 'Used Oil'. The containers must be in good condition. Secondary containment is not required, but is recommended.
2. **Response to Releases.** Generators of used oil must immediately respond to used oil releases. The *Used Oil Response* guide is attached to this document for reference on how to respond to a used oil release.
3. **Burning in a Space Heater**. Used oil may be burned in a space heater only if the material originated with the generator, and only if the maximum capacity of the heater is less than 500,000 BTUs. Any gases that are combusted by the heater must vent to the atmosphere.
4. **Disposal.** Used oil may not be land disposed. Generators should contact used oil processors for proper management of the material.

L. Chlorofluorocarbons (CFCs)

Many chlorofluorocarbons (CFCs) are not regulated under the Hazardous Waste Management Rules but are regulated under the Air Pollution Control Rules. However, some CFCs are regulated under both. Many CFCs may not be released to the atmosphere because of the impacts CFCs have on the ozone. An example of an ozone-depleting CFC is Freon 12, a refrigerant normally found in refrigerators and automobile air conditioners. Questions regarding the disposal of CFCs may be addressed to either the HWP or the Division of Air Quality.

Attachment 1: SQG and VSQG Inspection Checklist

The attached checklist is used by the NDDEQ to guide inspections of Small Quantity and Very Small Quantity Generators. The information contained on the checklist is an excellent reference for operators to ensure they are meeting most regulatory requirements. However, please note the checklist is not a complete representation of all hazardous waste rules. There may be requirements that are specific to an organizations operations, or waste streams, that are not captured by the checklist. Just as NDDEQ inspectors are trained not to rely 100% on the checklist, neither should operators.

Facility Name:	Facility Address:
State/EPA ID Number:	Telephone Number:
Facility Contact:	Title:
Date of Last Inspection:	
Type of Notification: SQG VSQG	

Yes	**No**	
		Is sampling or photographic equipment required?
		Is special safety or personal protection required?
		Is a hazardous waste file maintained?
		Did the facility conduct an episodic generation event? (Complete Episodic Generator List)

Inspection Type:	(unannounced) (announced) (CEI) (Complaint) (Multimedia) (Other)
Expected Waste Streams:	

Pre-inspection Interview:	
Time In:	Time Out:
Date of Inspection:	
Business type:	
Owner/Subsidiary of:	
Number of Employees:	
Other Comments:	

Participants:	**Position:**

This checklist includes Hazardous Waste requirements found in Article 33.1-24 NDAC. It is not an inclusive checklist of all requirements for hazardous waste generators. The applicable chapter and subsection are referenced after each item.

VSQG Checklist

Yes	No	
		Has the generator determined if hazardous waste is produced? (33.1-24-03-02 and 33.1-24-03-26(2))
		In a calendar month, does the facility generate less than or equal to 1 kg of acute hazardous waste, 100 kg of non-acute hazardous waste or residues from the cleanup of hazardous waste? (33.1-24-03-03 and 33.1-24-03-26(1) If no, the facility is not considered a VSQG. Generator status must be accurately determined, and the inspection must be conducted at the appropriate classification.
		Has the very small quantity generator accumulated at any time greater than one kilogram [2.2 pounds] of acute hazardous waste or one hundred kilograms [220 pounds] of any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous? (33.1-24-03-26(3)) If yes, the facility is subject to LQG conditions for exemption.
		Has the very small quantity generator accumulated at any time one thousand kilograms [2,200 pounds] or greater of nonacute hazardous waste. (33.1-24-03-26(4)) If yes, all quantities of that hazardous waste are subject to SQG conditions for exemption:
		Is the waste sent to a permitted municipal waste landfill, industrial waste landfill, TSDR facility, or an LQG under the control of the owner/operator? (33.1-24-03-26(5))
		Does the generator mix his characteristic hazardous waste with nonhazardous waste? If the mixture meets any of the characteristics of hazardous waste then it is fully regulated. (33.1-24-02-05(8))
		Does the generator mix his listed hazardous waste with solid waste? If so the mixture it is fully regulated. (33.1-24-02-05(9))
		Does the generator mix his hazardous waste with used oil? If so the mixture is subject to sections 33.1-24-05-600 through 689. (33.1-24-02-10 & 33.1-24-05-610(2)(c))

Comments:

-If managing Used Oil and/or Universal Waste, see Checklists on page 7.

SQG Checklist		
General Facility Checklist		
Yes	**No**	
		Has the generator identified the waste streams and determined which wastes are hazardous? (33.1-24-03-02 and 33.1-24-03-28(1)) List waste streams: Equipment Y/N # units Size Service Cycle Parts Washers Carb/Brake Washer Distillation Unit Paint Gun Cleaners
		Are biennial reports maintained for at least three years from the due date (March 1st of even numbered years) (33.1-24-03-13(2))
		Does the generator have copies of waste analysis, test results, or other determination for the last three years since TSDF verification? (33.1-24-03-13(3))
		Does the generator store their waste in tanks? (If so there are additional requirements for them) (33.1-24-03-28(3) and 33.1-24-03-28(6)(b))
Additional Comments:		

Contingency/Emergency Response and Training Checklist		
Yes	**No**	
		Is the facility equipped with an internal communications or alarm system capable of providing immediate emergency instruction to facility personnel? (33.1-24-03-28(8)(b)(1))
		Is the facility equipped with a device such as a telephone or a hand-held two-way radio (immediately available at scene of operation) that is capable of summoning emergency assistance from local police and fire depts? (33.1-24-03-28(8)(b)(2))
		Is the facility equipped with fire extinguishers, fire control, spill control equipment, and decontamination equipment? (33.1-24-03-28(8)(b)(3))
		Is the facility equipped with water at adequate volume and pressure to supply hoses, sprinklers, foam-producing equipment? (33.1-24-03-28(8)(b)(4))
		Does the facility test and maintain the equipment listed above? (33.1-24-03-28(8)(c))
		Has the facility attempted to make arrangements with the local police department, fire department, other emergency response teams, emergency response contractors, equipment suppliers, and local hospitals, taking into account the types and quantities of hazardous wastes handled at the facility? (33.1-24-03-28 (8)(f))

		Designation of emergency coordinator(s)? (33.1-24-03-28(9)(a))

Contingency/Emergency Response and Training Checklist		
		Are employees familiar with proper waste handling and emergency response procedures? (33.1-24-03-28(9)(c))
Comments:		

Manifests and Land Disposal Restrictions Checklist		
Yes	**No**	
		Are the manifests properly completed? (33.1-24-03-04 & Appendix I)
		Are the manifests properly signed? (33.1-24-03-07 & Appendix I)
		Descriptions on manifest similar to waste stream description? (33.1-24-03 Appendix I)
		Are copies of manifests maintained for at least 3 years for wastes shipped offsite? (33.1-24-03-13(1))
		Have any manifests not been returned from the TSDF during the last year and were they reported to the NDDH? (33.1-24-03-15(3))
		Does the generator have a contractual agreement to remove solvent wastes? Is a copy maintained for 3 years? (33.1-24-03-04(5)(b)) (Note to inspectors: If the facility has a reclamation agreement with a solvent recycling company to recycle and return solvents, a manifest for each shipment is not required.)
		Is a one-time written LDR notification present for the waste stream(s)? (33.1-24-05-256) (Note to Inspectors: No further notification is necessary until the waste or the TSDR change.)
		Does the LDR notification indicate appropriate treatment standards? (33.1-24-05-256)
		Are waste codes on LDR the same as the manifests? (33.1-24-05-256)
		Are LDRs maintained for 3 years after TSD verification? (33.1-24-05-256(1)(h))
Comments:		

Solvent Contaminated Wipes (33.1-24-02-04(1)(w) & (2)(p))		
Yes	**No**	
		Are the containers labeled “excluded solvent-contaminated wipes”?
		Is the container closed? (container is considered closed when there is complete contact between the fitted lid and the rim)

		Are the containers being removed one-hundred and eighty days from the start date of accumulation?
		Do they have the following documentation? • Name and address of the laundry or dry cleaner that received the wipes for laundering or the landfill sent for disposal. • Documentation that the 180-day accumulation time limit is being met

		• Description of the process used to ensure no free liquids were in the container prior to shipment

Accumulation Area Checklist		
Yes	**No**	
		Is emergency response information posted near the phone? (33.1-24-03-28(9)(b))
		Are quantities accumulated within the limits: Time less than 180 (270 days if 200 miles plus)? (33.1-24-03-28(11)) Maximum accumulation limit of 6000 kg? (33.1-24-03-28(2)(a))
		Is the central accumulation area inspected at least once a week? (33.1-24-03-28(2)(b)(5))

Accumulation Storage Area (33.1-24-03-28(2)(b) and 33.1-24-03-28-(6)(a))						
Waste Type	**No. of containers**	**Dated Y/N**	**Labeled/ Marked Y/N**	**Closed Y/N**	**Good Condition Y/N**	**Hazards Label Y/N**

Satellite Accumulation Area Checklist		
Location:		
Wastes:		
Yes	**No**	
		Is there less than 55 gallons of non-acute, or 1 quart of acute, hazardous waste per waste stream present? (33.1-24-03-27)
		Is the container at or near any point of generation and under the control of the operator? (33.1-24-03-27)
		Is the container marked or labeled with the words hazardous waste? (33.1-24-03-27(5)(a))

		Have the containers been marked with the hazards of the wastes contained therein? (33.1-24-03-27(5)(b))
		Is the container closed? (33.1-24-03-27(4))
		Have full containers been removed from the satellite accumulation area within three consecutive calendar days and is it dated from the day it was filled? (33.1-24-03-27(6)(b)&(c))

Satellite Accumulation Area Checklist		
Location:		
Wastes:		
Yes	**No**	
		Is there less than 55 gallons of non-acute, or 1 quart of acute, hazardous waste per waste stream present? (33.1-24-03-27)
		Is the container at or near any point of generation and under the control of the operator? (33.1-24-03-27)
		Is the container marked or labeled with the words hazardous waste? (33.1-24-03-27(5)(a))
		Have the containers been marked with the hazards of the wastes contained therein? (33.1-24-03-27(5)(b))
		Is the container closed? (33.1-24-03-27(4))
		Have full containers been removed from the satellite accumulation area within three consecutive calendar days and is it dated from the day it was filled? (33.1-24-03-27(6)(b)&(c))

Satellite Accumulation Area Checklist		
Location:		
Wastes:		
Yes	**No**	
		Is there less than 55 gallons of non-acute, or 1 quart of acute, hazardous waste per waste stream present? (33.1-24-03-27)
		Is the container at or near any point of generation and under the control of the operator? (33.1-24-03-27)
		Is the container marked or labeled with the words hazardous waste? (33.1-24-03-27(5)(a))
		Have the containers been marked with the hazards of the wastes contained therein? (33.1-24-03-27(5)(b))
		Is the container closed? (33.1-24-03-27(4))
		Have full containers been removed from the satellite accumulation area within three consecutive calendar days and is it dated from the day it was filled? (33.1-24-03-27(6)(b)&(c))

Satellite Accumulation Area Checklist		
Location:		
Wastes:		
Yes	**No**	

		Is there less than 55 gallons of non-acute, or 1 quart of acute, hazardous waste per waste stream present? (33.1-24-03-27)
		Is the container at or near any point of generation and under the control of the operator? (33.1-24-03-27)
		Is the container marked or labeled with the words hazardous waste? (33.1-24-03-27(5)(a))
		Have the containers been marked with the hazards of the wastes contained therein? (33.1-24-03-27(5)(b))
		Is the container closed? (33.1-24-03-27(4))
		Have full containers been removed from the satellite accumulation area within three consecutive calendar days and is it dated from the day it was filled? (33.1-24-03-27(6)(b)&(c))

Used Oil Checklist		
Yes	**No**	
		Is the facility storing used oil in: Tank: Aboveground Size:_____Gallons Underground Size:_____Gallons Container: Number: Size:
		Are containers in good condition and not leaking? (33.1-24-05-622(2))
		Are the containers labeled or clearly marked as Used Oil? (33.1-24-05-622(3)(a)) If it is an underground tank, are the fill pipes labeled? (33.1-24-05-622(3)(b))
		Have releases been cleaned up? (33.1-24-05-622(4))
		Does the facility have any space heaters? How many? _____(33.1-24-05-623)
		Is the used oil shipped offsite? Used Oil Jobber: _____ (33.1-24-05-624)
Comments:		

Universal Waste Checklist		
Yes	**No**	
		Is the facility managing universal wastes? (33.1-24-05-709) Circle size: Small Quantity handler of universal waste (Less than 5K Kilograms) Large Quantity handler of Universal waste – If so, have they notified?
		Have the employees who handle the waste been informed of the proper handling and emergency procedures appropriate for the type or types of universal waste handled at the facility? (33.1-24-05-716)
		Batteries: is each battery or the container labeled “Universal Waste-Battery(ies)”, “Waste Battery(ies)” or “Used Battery(ies)”? (33.1-24-05-714(1))
		Mercury-containing equipment: is each device or container labeled “Universal Waste-Mercury Containing Equipment”, “Waste Mercury Containing Equipment” or “Used Mercury Containing Equipment”? (33.1-24-05-714(4))
		Lamps: is each lamp or a container or package labeled “Universal Waste-Lamp(s)”, “Waste Lamp(s)” or “Used Lamp(s)”? (33.1-24-05-714(5))

		Pesticides: Are the containers labelled with the original label and the words “Universal waste-Pesticide(s)” (33.1-24-05-714(2))
		Container closed, structurally sound, compatible with the contents and free of leaks, spills or damage? (33.1-24-05-713(1)(a), 713(2)(a), 713(3)(a) and 713(4)(a))
		Can the handler prove that the universal wastes are stored less than one year? (33.1-24-05-715(1) & (3))
Comments:		

Additional Comments:

Post-inspection review:

Conduct exit interview with facility contact. The interview should include observations made during the inspections, and recommendations on these observations. List questions raised during the inspection. Discuss all obvious violations of the rules.

State overall compliance status will be determined after reviewing inspection results with supervisors and the issuance of an inspection report.

Issue a Notice of Inspection form.

Do not discuss potential civil or criminal actions.

Episodic Generation Checklist		
Yes	**No**	
		Did the generator conduct a planned episodic event? Date of Event:
		Did the generator conduct an unplanned episodic event? Date of Event:
		Was more than one episodic event conducted in a calendar year? Date of 1st event: Date of 2nd event: Date(s) of additional event(s):
		If more than one event was conducted in a calendar year, was a petition submitted to the NDDEQ for an additional event? (33.1-24-03-34(4))
		Was proper notification given to the NDDEQ? Min. 30 days prior to planned event; no more than 3 days after an unplanned event. (33.1-24-03-34)
		Were episodic wastes accumulated in containers? (33.1-24-03-34)
		Were episodic wastes accumulated in tanks? (33.1-24-03-34)
		Are hazardous waste tanks or containers labeled with the words “episodic hazardous waste” and the hazards of the waste? (33.1-24-03-34)
		Have episodic hazardous wastes been accumulated on-site for less than sixty (60) days from the date of generation? (33.1-24-03-34(2)(e) & (3)(e)
		Are records being maintained at the site for a minimum of 3 years after the episodic event?

GENERATOR CATEGORY REFERENCE TABLE

Quantity of acute hazardous waste generated in a calendar month	**Quantity of a non-acute hazardous waste generated in a calendar month**	**Quantity of residues from a cleanup of acute hazardous waste generated in a calendar month**	**Generator category**
Greater than 1 kg (2.2 lbs)	Any amount	Any amount	Large quantity generator
Any amount	Greater than or equal to 1,000 kg (2,200 lbs)	Any amount	Large quantity generator
Any amount	Any amount	Greater than 100 kg (220 lbs)	Large quantity generator
Less than or equal to 1 kg (2.2 lbs)	Between 100 kg (220 lbs) and 1,000 kg (2,200 lbs)	Less than or equal to 100 kg (220 lbs)	Small quantity generator
Less than or equal to 1 kg (2.2 lbs)	Less than or equal to 100 kg (220 lbs)	Less than 100 kg (220 lbs)	Very small quantity generator

Attachment 2: LQG and TSDF Checklist

The attached checklist is used by the NDDEQ to guide inspections of Large Quantity Generators and permitted TSDFs. The information contained on the checklist is an excellent reference for operators to ensure they are meeting most regulatory requirements. However, please note the checklist is not a complete representation of all hazardous waste rules. There may be requirements that are specific to an organizations operations, or waste streams, that are not captured by the checklist. Just as NDDEQ inspectors are trained not to rely 100% on the checklist, neither should operators.

Facility Name:	Facility Address:
State/EPA ID Number:	Telephone Number:
Facility Contact:	Title:
Date of Last Inspection:	

Type of Notification:

TSDF LQG

Yes	No	
		Is sampling or photographic equipment required?
		Is special safety or personal protection required?
		Is a hazardous waste file maintained?

Inspection Type:	(unannounced) (announced) (CEI) (Complaint) (Multimedia) (Other)
Expected Waste Streams:	

Pre-inspection Interview:

Time In:	Time Out:
Date of Inspection:	
Business type:	
Owner/Subsidiary of:	
Number of Employees:	
Other Comments:	

Participants:	**Position:**

This checklist includes Hazardous Waste requirements found in Article 33.1-24 NDAC. It is not an inclusive checklist of all requirements for hazardous waste generators. The applicable chapter and subsection are referenced after each item.		
General Facility Checklist		
Yes	**No**	
		Has the generator identified the waste streams and determined which wastes are hazardous? (33.1-24-03-02) List waste streams: Equipment Y/N # units Size Service Cycle Parts Washers Carb/Brake Washer Distillation Unit Paint Gun Cleaners
		Are biennial reports maintained for at least three years from the due date? (33.1-24-03-02)
		Does the generator have copies of waste analysis, test results, or other determination for the last three years since TSDF verification? (33.1-24-03-13)
		Is the facility equipped with an internal communications or alarm system capable of providing immediate emergency instruction to facility personnel? (33.1-24-05-16)
		Is the facility equipped with a telephone or two-way radio immediately available at scene of operation that is capable of summoning emergency assistance from local and state government? (33.1-24-05-16(2))
		Is the facility equipped with fire extinguishers, fire control, spill control, decontamination, and other special equipment? (33.1-24-05-16(3))
		Is the facility equipped with water at adequate volume and pressure to supply hoses, sprinklers, foam-producing equipment? (33.1-24-05-16(4))
		Does the facility test and maintain the equipment listed above? (33.1-24-05-17)
Additional Comments:		

Manifests and Land Disposal Restrictions Checklist		
Yes	No	
		Have wastes been shipped offsite?
		Are the manifests properly completed? (33.1-24-03-04 & Appendix I)
		Are the manifests properly signed? (33.1-24-03-07 & Appendix I)
		Descriptions on manifest similar to waste stream description? (33.1-24-03 Appendix I)
		Are copies of manifests maintained for at least 3 years for wastes shipped offsite? (33.1-24-03-13(1))
		Have wastes been received from offsite; and are copies of manifests maintained for at least 3 years for wastes received from offsite? (33.1-24-03-13(1))
		Have waste been exported to or imported from a foreign country? (33.1-24-03-17 & -30)
		Have any manifests not been returned from the TSDF during the last year and did they send in an exception report to the NDDEQ? (33.1-24-03-15(1) & (2))
		Have any unresolved manifest discrepancies been submitted to the Department? (33.1-24-05-39)
		Is a one-time written LDR notification present for the waste stream(s)? (33.1-24-05-256) (Note to Inspectors: No further notification is necessary until the waste or the TSDR change.)
		Does the LDR notification indicate appropriate treatment standards? (33.1-24-05-256)
		Are waste codes on LDR the same as the manifests? (33.1-24-05-256)
		Are LDRs maintained for 3 years after TSD verification? (33.1-24-05-256(1)(h))
Comments:		

Contingency Plan Checklist		
Yes	**No**	
		Is a contingency plan maintained onsite? (33.1-24-05-28(1)) Current Version dated:
		Does the contingency plan include arrangements with the local fire departments, police departments, hospitals, contractors and state and local emergency response teams? (33.1-24-05-20 and -27(3))
		Does the contingency plan include a response plan for fires, explosions or any unplanned sudden of non-sudden release of hazardous waste or hazardous constituents to air, soil, or surface water? (33.1-24-05-27(1) and -31)
		Does the contingency plan include an up-to-date list of all emergency equipment, their capabilities and location of each? (33.1-24-05-27(5))
		Does the contingency plan include an evacuation plan for facility personnel with signals and rally points? (33.1-24-05-27(6))

		Does the contingency plan include an up-to-date list of names, addresses and phone numbers (office and home) of all persons qualified to act as emergency coordinator? (33.1-24-05-27(4) and -30)

Contingency Plan Checklist		
Yes	**No**	
		Are the emergency coordinators listed in the order in which they assume responsibility? (33.1-24-05-27(4))
		Have any physical changes occurred at the facility or personnel changes occurred that would impact the contingency plan and cause a need for the plan to be revised? (33.1-24-05-29)
		Is there a quick reference guide for the contingency plan? (33.1-24-05-32)
Comments:		

Personnel Training Checklist		
Yes	**No**	
		Are employees familiar with proper handling of hazardous waste and emergency response procedures? (33.1-24-05-07(1)(a))
		Is personnel training conducted by a person trained in hazardous waste management procedures? (33.1-24-05-07(1)(b))
		Is the training program designed to ensure that the contingency plan is covered along with all the emergency procedures, equipment and emergency systems? (33.1-24-05-07(1)(c))
		Have new employees been trained within six months after the date of their employment? (33.1-24-05-07(2))
		Have employees been given annual retraining? (33.1-24-05-07(3)) Date of last training:
		Does the facility have on record the job title for each position at the facility related to hazardous waste management and the name of the employee filling each job? (33.1-24-05-07(4)(a))
		Does the facility have a written job description of each position listed above? (33.1-24-05-07(4)(b))
		Does the facility have a written description of the type and amount of training that will be given to each person filling a position listed in above? (33.1-24-05-07(4)(c))
		Does the facility have records documenting training completed by facility personnel? (33.1-24-05-07(4)(d))
		Are training records for former employees kept for at least three years from the date the employee last worked at the facility? (33.1-24-05-07(5))
Comments:		

Permitted Units Checklist		
Yes	**No**	
		Does the facility have a permit?
		Is the operating record complete?
		Does the facility have a **permitted storage area**? Permitted Capacity:_____ Amount currently in storage:
		Are wastes in the storage area allowed by the permit?
		Is the secondary containment in good condition?
		Are there any free liquids in the secondary containment?
		Are the permitted units in compliance with the organic air emission regulations?
		Does the facility have **permitted tank(s)**?
		Is the tank(s) marked AHazardous Waste@ with letters at least 4 inches high?
		Are the wastes stored in the tank(s) allowed by the permit?
		Is the secondary containment in good condition?
		Are there any free liquids in the secondary containment?
		Are the permitted units in compliance with the organic air emission regulations?
		Does the facility have **permitted surface impoundments**?
		Is the leak detection system detecting leachate?
		Is the liner in good condition?
		Are the permitted units in compliance with the organic air emission regulations?
Comments:		

Central Accumulation Area Checklist		
Yes	**No**	
		Weekly drum inspection logbook present? (33.1-24-05-93)
		Is there sufficient aisle space to allow inspection and emergency access? (33.1-24-05-19)
		Are containers compatible with the wastes stored in them? (33.1-24-05-91)
		Is the facility designed, constructed, maintained or operated to minimize the release hazardous waste to the air, soil or surface water? (33.1-24-05-15)
		If the containers hold free liquids: Is the containment free of cracks or gaps? (33.1-24-05-94(2)(a))
		If the containers hold free liquids: Is the base sloped or the containment systems designed and operated to drain and remove liquids? (33.1-24-05-94(2)(b))
		If the containers hold free liquids: Does the containment system have sufficient capacity to contain ten percent of the volume of containers for the volume of the largest container? (33.1-24-05-94(2)(c))
		If the containers hold free liquids: are there any free liquids or spills in the containment system? (33.1-24-05-94(2)(d) & (e))
		If the containers hold solid waste only: is the floor sloped to drain and remove liquids or are they stored on pallets or are otherwise protected from contact with accumulated liquid? (33.1-24-05-94(3)(b))
		Are reactive or ignitable wastes stored at least 50 feet from the facility=s property line? (33.1-24-05-95) If not, has written exemption been provided from the local fire authority? Is a copy of the written exemption present on site?
Comments:		

Accumulation Storage Area					
Waste Type	**No. of containers**	**Container dated Y/N**	**Labeled/ Marked Y/N**	**Container Closed Y/N**	**Good Condition Y/N**

Satellite Accumulation Area Checklist		
Location:		
Wastes:		
Yes	**No**	
		Is there less than 55 gallons of non-acute, or 1 quart of acute, hazardous waste per waste stream present? (33.1-24-03-27)
		Is the container at or near the point of generation and under the control of the operator? (33.1-24-03-27)
		Is the container marked/labeled as hazardous waste or the contents otherwise identified? (33.1-24-03-27(5))
		Have the containers been marked with the hazards of the wastes contained therein? (33.1-24-03-27(5))
		Is the container closed? (33.1-24-03-27(4))

Satellite Accumulation Area Checklist		
Location:		
Wastes:		
Yes	**No**	
		Is there less than 55 gallons of non-acute, or 1 quart of acute, hazardous waste per waste stream present? (33.1-24-03-27)
		Is the container at or near the point of generation and under the control of the operator? (33.1-24-03-27)
		Is the container marked/labeled as hazardous waste or the contents otherwise identified? (33.1-24-03-27(5))
		Have the containers been marked with the hazards of the wastes contained therein? (33.1-24-03-27(5))
		Is the container closed? (33.1-24-03-27(4))

Satellite Accumulation Area Checklist		
Location:		
Wastes:		
Yes	**No**	
		Is there less than 55 gallons of non-acute, or 1 quart of acute, hazardous waste per waste stream present? (33.1-24-03-27)
		Is the container at or near the point of generation and under the control of the operator? (33.1-24-03-27)
		Is the container marked/labeled as hazardous waste or the contents otherwise identified? (33.1-24-03-27(5))
		Have the containers been marked with the hazards of the wastes contained therein? (33.1-24-03-27(5))

		Is the container closed? (33.1-24-03-27(4))

Satellite Accumulation Area Checklist		
Location:		
Wastes:		
Yes	**No**	
		Is there less than 55 gallons of non-acute, or 1 quart of acute, hazardous waste per waste stream present? (33.1-24-03-27)
		Is the container at or near the point of generation and under the control of the operator? (33.1-24-03-27)
		Is the container marked/labeled as hazardous waste or the contents otherwise identified? (33.1-24-03-27(5))
		Have the containers been marked with the hazards of the wastes contained therein? (33.1-24-03-27(5))
		Is the container closed? (33.1-24-03-27(4))

Satellite Accumulation Area Checklist		
Location:		
Wastes:		
Yes	**No**	
		Is there less than 55 gallons of non-acute, or 1 quart of acute, hazardous waste per waste stream present? (33.1-24-03-27)
		Is the container at or near the point of generation and under the control of the operator? (33.1-24-03-27)
		Is the container marked/labeled as hazardous waste or the contents otherwise identified? (33.1-24-03-27(5))
		Have the containers been marked with the hazards of the wastes contained therein? (33.1-24-03-27(5))
		Is the container closed? (33.1-24-03-27(4))

Satellite Accumulation Area Checklist		
Location:		
Wastes:		
Yes	**No**	
		Is there less than 55 gallons of non-acute, or 1 quart of acute, hazardous waste per waste stream present? (33.1-24-03-27)
		Is the container at or near the point of generation and under the control of the operator? (33.1-24-03-27)
		Is the container marked/labeled as hazardous waste or the contents otherwise identified? (33.1-24-03-27(5))

		Have the containers been marked with the hazards of the wastes contained therein? (33.1-24-03-27(5))
		Is the container closed? (33.1-24-03-27(4))

Used Oil Checklist		
Yes	**No**	
		Is the facility storing used oil in: Tank: Aboveground Size:_____Gallons Underground Size:_____Gallons Container: Number: Size:
		Are containers in good condition and not leaking? (05-622.2.)
		Are the containers labeled or clearly marked AUsed Oil@? (05-622.3.a.) If it is an underground tank, are the fill pipes labeled? (05-622.3.b.)
		Does the facility have a used oil space heater? Number of space heaters:
		Is the used oil shipped offsite? Used Oil Jobber:
Comments:		

Universal Waste Checklist		
Yes	**No**	
		Is the facility managing universal wastes? (05-701) Circle size: Small Quantity handler of universal waste Large Quantity handler of Universal waste
		Have the employees who handle the waste been informed of the proper handling and emergency procedures appropriate for the type or types of universal waste handled at the facility? (05-716)
		Batteries: is each battery or the container labeled AUniversal Waste-Battery(ies)@, AWaste Battery(ies)@ or AUsed Battery(ies)@? (05-714.1.)
		Mercury containing devices: is each device or container labeled AUniversal Waste-Mercury Containing Device(s)@, AWaste Mercury Containing Device(s) @ or AUsed Mercury Containing Device(s)@? (05-714.4.)
		Lamps: is each lamp or a container or package labeled AUniversal Waste-Lamp(s)@, AWaste Lamp(s)@ or AUsed Lamp(s)@? (05-714.5.)
		Container closed, structurally sound, compatible with the contents and free of leaks, spills or damage? (05-713.1.a, 713.2.a, 713.3.a and 713.4.a)
		Can the handler prove that the universal wastes are stored less than one year? (05-715.1.)

Comments:

VSQG Consolidation at an LQG		
Yes	**No**	
		Does the facility receive wastes from VSQGs under the control of the same owner/operator? (33.1-24-03-26(5)(g))
		Are containers marked with the words “hazardous waste” and the associated hazard identification? (33.1-24-03-26(5)(g)(2))
Comments:		

Additional Comments:

Post-inspection review:

Conduct exit interview with facility contact. The interview should include observations made during the inspections, and recommendations on these observations. List questions raised during the inspection. Discuss all obvious violations of the rules.

State overall compliance status will be determined after reviewing inspection results with supervisors and the issuance of an inspection report.

Issue a Notice of Inspection form.

Do not discuss potential civil or criminal actions.

Attachment 3: Healthcare Facility Checklist

NORTH DAKOTA HEALTHCARE FACILITY CHECKLIST

This checklist is to be used for all healthcare facilities that are above VSQG limits for both hazardous waste pharmaceuticals and non-pharmaceutical hazardous waste or if the facility has opted into the Subpart P rule.

VSQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste. *NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in*

Safety Equipment Used:

GENERAL REQUIREMENTS		
1.	Has the healthcare facility notified NDDEQ using the 8700-12 form that the facility is a healthcare facility? Section 33.1-24-05-312(1)(a)(1) NDAC Note: The notification needs to be submitted by September 1, 2021, or within 60 days of the healthcare facility becoming subject to the rule. If a healthcare facility is an LQG, the notification can be submitted as part of the next biennial report due 3/1/2022. The notification needs to be kept of file as long as the healthcare facility is subject to the rule. Section 33.1-24-05- 312(1)(a)(2) NDAC	Yes ☐ No ☐ N/A ☐
2.	Has the healthcare facility discharged hazardous waste pharmaceuticals to a sewer system that passes through to a publicly owned treatment works? Section 33.1-24-05-315 NDAC	Yes ☐ No ☐ N/A ☐
3.	Has the healthcare facility sent hazardous waste other than potentially creditable hazardous waste pharmaceuticals to a reverse distributor? Section 33.1-24-05-313(3) NDAC Note: Shipping non-creditable hazardous waste pharmaceuticals requires the use of a manifest. It may be necessary to fill out a separate generator checklist if the hazardous waste sent off-site was non-pharmaceutical hazardous waste. The facility would be in violation of Section 33.1-24- 03-04 NDAC for failure to use a hazardous waste manifest, depending on the facility's generator category.	Yes ☐ No ☐ N/A ☐
4.	Have test results, waste analyses, or other determinations made to support the healthcare facility's hazardous waste determinations been retained for at least three years? Section 33.1-24-05-312(10)(c) NDAC. Note: Individual determinations are not required if managing all pharmaceuticals as hazardous	Yes ☐ No ☐ N/A ☐
MANAGEMENT OF NON-CREDITABLE HAZARDOUS WASTE PHARMACEUTICALS (NC HWPs)		
5.	Does the healthcare facility ensure that all personnel managing NC HWPs are thoroughly familiar with proper waste handling and emergency procedures relevant to the personnel's responsibilities during normal facility operations and emergencies? Section 33.1-24-05-312(2) NDAC	Yes ☐ No ☐ N/A ☐

7.	Has the healthcare facility determined whether a non-creditable pharmaceutical is a hazardous waste pharmaceutical (i.e., the waste exhibits a characteristic identified in rules Sections 33.1-24-02-10 through 33.1-24- 05-14 or is listed in rules Section 33.1-24-02-15 through 19)? Section 33.1-02-05-312(3) NDAC Note: Individual determinations are not required if managing all waste pharmaceuticals as NC HWP.	Yes ☐ No ☐ N/A ☐

CONTAINER STANDARDS for NC HWPs			
8.	Are NC HWPs placed in containers that are structurally sound, compatible with the contents, and that lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions ? Section 33.1-24-05- 312(4) NDAC		Yes ☐ No ☐ N/A ☐
9.	Are containers that hold ignitable or reactive NC HWPs, or that mix or commingle incompatible NC HWPs managed so that the containers do not have the potential to do any of the following:		
	a.	Generate extreme heat or pressure, fire or explosion, or violent reaction? Section 33.1-24-05-(4)(b)(1) NDAC	Yes ☐ No ☐ N/A ☐
	b.	Produce uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health? Section 33.1-24-05-(4)(b)(2) NDAC	Yes ☐ No ☐ N/A ☐
	c.	Produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions? Section 33.1-24-05-(4)(b)(3) NDAC	Yes ☐ No ☐ N/A ☐
	d.	Damage the structural integrity of the container? Section 33.1-24- 05-(4)(b)(4) NDAC	Yes ☐ No ☐ N/A ☐
10.	Are containers of NC HWPS closed and secured in a manner that prevents unauthorized access to the contents? Section 33.1-24-05- (4)(c) NDAC		Yes ☐ No ☐ N/A ☐
11.	Are NC HWPs prohibited from being combusted because of the dilution prohibition of Section 33.1-24-05-252 stored in a separate container and labeled with all applicable hazardous waste numbers? Section 33.1-24-05- (4)(d) NDAC Note: NC HWPs and non-hazardous NC waste pharmaceuticals may be accumulated in the same container.		Yes ☐ No ☐ N/A ☐
12.	Are containers labeled or clearly marked with the phrase "Hazardous Waste Pharmaceuticals?" Section 33.1-24-05-312(5) NDAC		Yes ☐ No ☐ N/A ☐
13.	Are containers accumulated on-site for one year or less? Section 33.1-24-05- 312(6)(a) NDAC		Yes ☐ No ☐ N/A ☐

14.	Has the healthcare facility demonstrated the length of time that the NC HWPs have been accumulating, starting from the date the NC HWP first becomes a waste? Section 33.1-24-05-312(6)(b) NDAC This demonstration can be made by any of the following methods: A. Marking or labeling the container of NC HWPs with the date that it became a waste. B. Maintaining an inventory system that identifies the date the NC HWPs being accumulated first became a waste. C. Placing the NC HWPs in a specific area and identifying the earliest date that any of them in the area became a waste.	Yes ☐ No ☐ N/A ☐
MANIFEST REQUIREMENTS for NC HWPs		
15.	Are all NC HWPs shipped off-site accompanied by a manifest (U.S. EPA Form 8700-22)? Section 33.1-24-05-318(1)(b) NDAC [Section 33.1-24- 03-04 NDAC]	Yes ☐ No ☐ N/A ☐

16.		Have the manifest requirements in Section 33.1-24-03-04 through 33.1-24- 03-07 been complied with? 33.1-24-05-318(1)(b) NDAC Note: Waste codes do not need to be identified, only PHARMS or PHR	Yes ☐ No ☐ N/A ☐
17.		Does each manifest designate at least one facility which is permitted to handle the waste? Section 33.1-24-03-04(2) NDAC	Yes ☐ No ☐ N/A ☐
18.		If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate another facility or instruct the transporter to return the waste? Section 33.1-24-03-04(3) or (4) NDAC	Yes ☐ No ☐ N/A ☐
19.		Have the manifests been signed by the generator and initial transporter? Section 33.1-24-03-07(1)(a)&(b) NDAC	Yes ☐ No ☐ N/A ☐
20.		Are signed copies of manifests being retained for at least three years? Section 33.1-24-03-13(1) NDAC	Yes ☐ No ☐ N/A ☐
21.		Has the healthcare facility complied with land disposal restriction requirements in accordance with Section 33.1-24-05-312(7) NDAC? (hazardous waste numbers do not need to be identified) [See Sections 33.1-24-05-250 through 309 NDAC]	Yes ☐ No ☐ N/A ☐
22.		Did the healthcare facility receive a rejected load? If so, did it do all the following:	Yes ☐ ☐ N/A ☐ N
	a.	Sign either item 18c of the original manifest or item 20 of the new manifest? Section 33.1-24-05-312(8)(a)(1)&(2) NDAC	Yes ☐ No ☐ N/A ☐
	b.	Provide the transporter a copy of the manifest? Section 33.1-24-05- 312(8)(b) NDAC	Yes ☐ No ☐ N/A ☐
	c.	Within thirty days after receipt of the rejected shipment, send a copy of the manifest to the designated facility that returned the shipment? Section 33.1-24-05-312(8)(c) NDAC	Yes ☐ No ☐ N/A ☐

	d.	Within ninety days after receipt of the rejected shipment, transport or offer for transport the returned shipment in accordance with the shipping standards of Section 33.1-24-05-312(8)(d) NDAC	Yes ☐ No ☐ N/A ☐
23.		If the healthcare facility did not receive a copy of the manifest with the signature of the owner or operator of the designated facility within 60 days after being accepted by the transporter, did the healthcare facility submit the following: Section 33.1-24-05-312(9)(b)(1) NDAC	Yes ☐ ☐ N/A ☐ N o
	a.	A legible copy of the original manifest, indicating that the healthcare facility has not received confirmation of delivery, to the director?	Yes ☐ No ☐ N/A ☐
	b.	A handwritten or typed note on the manifest or on an attached sheet of paper, stating that the return copy was not received and explaining the efforts taken to locate and the results of those efforts?	Yes ☐ No ☐ N/A ☐

24.	For shipments rejected by the designated facility and shipped to an alternate facility, if a healthcare facility does not receive a copy of the manifest for a rejected shipment of the non-creditable hazardous waste pharmaceuticals that is forwarded by the designated facility to an alternate facility, with the signature of the owner or operator of the alternate facility, within sixty days after the date the non-creditable hazardous waste was accepted by the initial transporter forwarding the shipment of non-creditable hazardous waste pharmaceuticals from the designated facility to the alternate facility, did the healthcare facility submit all of the following: Section 33.1-24-05- 312(9)(b)(2) NDAC		Yes ☐ No ☐ N/A ☐
	a.	A legible copy of the original manifest, indicating that the healthcare facility has not received confirmation of delivery, to the director?	Yes ☐ No ☐ N/A ☐
	b.	A handwritten or typed note on the manifest or on an attached sheet of paper, stating that the return copy was not received and explaining the efforts taken to locate the non-creditable hazardous waste pharmaceuticals, and the results of those efforts?	Yes ☐ No ☐ N/A ☐
25.	Are signed copies of exception reports being maintained for at least three years? Section 33.1-24-05-312(10)(b) NDAC		Yes ☐ No ☐ N/A ☐
MISCELLANEOUS REQUIREMENTS for NC HWPs			
26.	Has the healthcare facility immediately contained all spills of NC HWPs and manage the spill clean-up materials as NC HWPs? Section 33.1-24-05- 312(11) NDAC		Yes ☐ No ☐ N/A ☐
27.	Has the healthcare facility accepted NC HWPs from an off-site healthcare facility that is a VSQG? If so, are the following conditions met?		Yes ☐ No ☐ N/A ☐
	a.	Is the receiving healthcare facility under control of the same "person" as the VSQG? Section 33.1-24-05-312(12)(a) NDAC and Section 33.1-24-03-26 NDAC	Yes ☐ No ☐ N/A ☐
	b.	Is the receiving healthcare facility operating under Sections 33.1-24- 05-310 through 320 for the management of NC HWPs? Section 33.1- 24-05-312(b) NDAC	Yes ☐ No ☐ N/A ☐
	c.	Does the healthcare facility manage NC HWPs it receives from off- site in compliance with Sections 33.1-24-05-310 through 320? Section 33.1-24-05-312(12)(c) NDAC	Yes ☐ No ☐ N/A ☐
	d.	Does the receiving healthcare facility keep records of shipments it receives from off-site for three years? Section 33.1-24-05-312(12)(d) NDAC.	Yes ☐ No ☐ N/A ☐

PRE-TRANSPORT REQUIREMENTS for NC HWPs					
28.	Does the healthcare facility package, label, and mark its hazardous waste in accordance with all applicable DOT regulations? Section 33.1-24-05-318 (1) NDAC		Yes ☐	No ☐	N/A ☐
29.	Does the healthcare facility mark each container of one hundred-nineteen gallons or less used in such transportation with the following words and information? "HAZARDOUS WASTE - Federal Law Prohibits Improper Disposal. If found, contact the nearest police or public safety authority or the U.S. Environmental Protection Agency. Healthcare Facility's or Reverse distributor's Name and Address _. Healthcare Facility's or Reverse distributor's EPA Identification Number___. Manifest Tracking Number _____. " Section 33.1-24-05-318(1)(a)(3)(b) NDAC Note: See federal rule §266.508 for a container marking example.		Yes ☐	No ☐	N/A ☐
30.	Are lab packs that will be incinerated marked with EPA hazardous waste numbers, D004, D005, D006, D007, D008, D010, and D011, where applicable? Note: A nationally recognized electronic system may be used Section 33.1-24- 05-318(1)(a)(3)(c)		Yes ☐	No ☐	N/A ☐
31.	Before off-site transportation, does the healthcare facility placard or offer the appropriate DOT placards to the initial transporter? Section 33.1-24-05- 318(1)(a)(4) NDAC		Yes ☐	No ☐	N/A ☐
MANAGEMENT OF POTENTIALLY CREDITABLE HAZARDOUS WASTE PHARMACEUTICALS (PC HWPs)					
32.	Has the healthcare facility accepted PC HWPs from an off-site healthcare facility that is a VSQG? If so, are the following conditions met?		Yes ☐	No ☐	N/A ☐
	a.	Is the receiving healthcare facility under control of the same “person” as the VSQG? Section 33.1-24-05-313(2)(a) NDAC	Yes ☐	No ☐	N/A ☐
	b.	Is the receiving healthcare facility operating under Sections 33.1-24-05- 310 through 320 NDAC for the management PC HWPs? Section 33.1- 24-05-313(2)(b)	Yes ☐	No ☐	N/A ☐
	c.	Does the healthcare facility manage the PC HWPs it receives from off- site in compliance with Sections 33.1-24-05-310 through 320 NDAC? Section 33.1-24-05-313(2)(c) NDAC	Yes ☐	No ☐	N/A ☐
	d.	Does the healthcare facility keep records of shipments it receives from off-site for three years? Section 33.1-24-05-313(2)(d) NDAC	Yes ☐	No ☐	N/A ☐

33.	Has the healthcare facility retained copies of shipping papers and confirmation of deliveries for all shipments of PC HWPs for at least three years? Section 33.1-24-05-313(5) NDAC	Yes ☐	No ☐	N/A ☐
34.	Did the healthcare facility comply with DOT regulations for any PC HWPs that meets the definition of “hazardous material?” Section 33.1-24-05-319(1) NDAC	Yes ☐	No ☐	N/A ☐

35.	If delivery confirmation is not received within thirty-five calendar days after the date that the shipment of PC HWPs was sent, did the healthcare facility contact the carrier and the reverse distributor to report delivery confirmation was not received and to determine the status of the PC HWPs? Section 33.1-24-05-319(3) NDAC	Yes ☐	No ☐	N/A ☐
36.	Has the healthcare facility immediately contained all spills of potentially creditable hazardous waste pharmaceuticals and manage the spill clean-up materials as non-creditable hazardous waste pharmaceuticals? Section 33.1- 24-05-313(6) NDAC	Yes ☐	No ☐	N/A ☐

Abbreviation Key:

Hazardous Waste Pharmaceuticals-
HWPs Non-Creditable- NC
Potentially Creditable- PC

In General:

Reactives must be segregated from Ignitables
Acids must be segregated from Caustics
Corrosives should be segregated from
Flammables
Oxidizers should be segregated from EVERYTHING.
Many corrosives are water reactive.
Most reactive organics must be segregated from inorganic reactive (metals).

INCOMPATIBLE WASTES - Some Deadly Combinations -

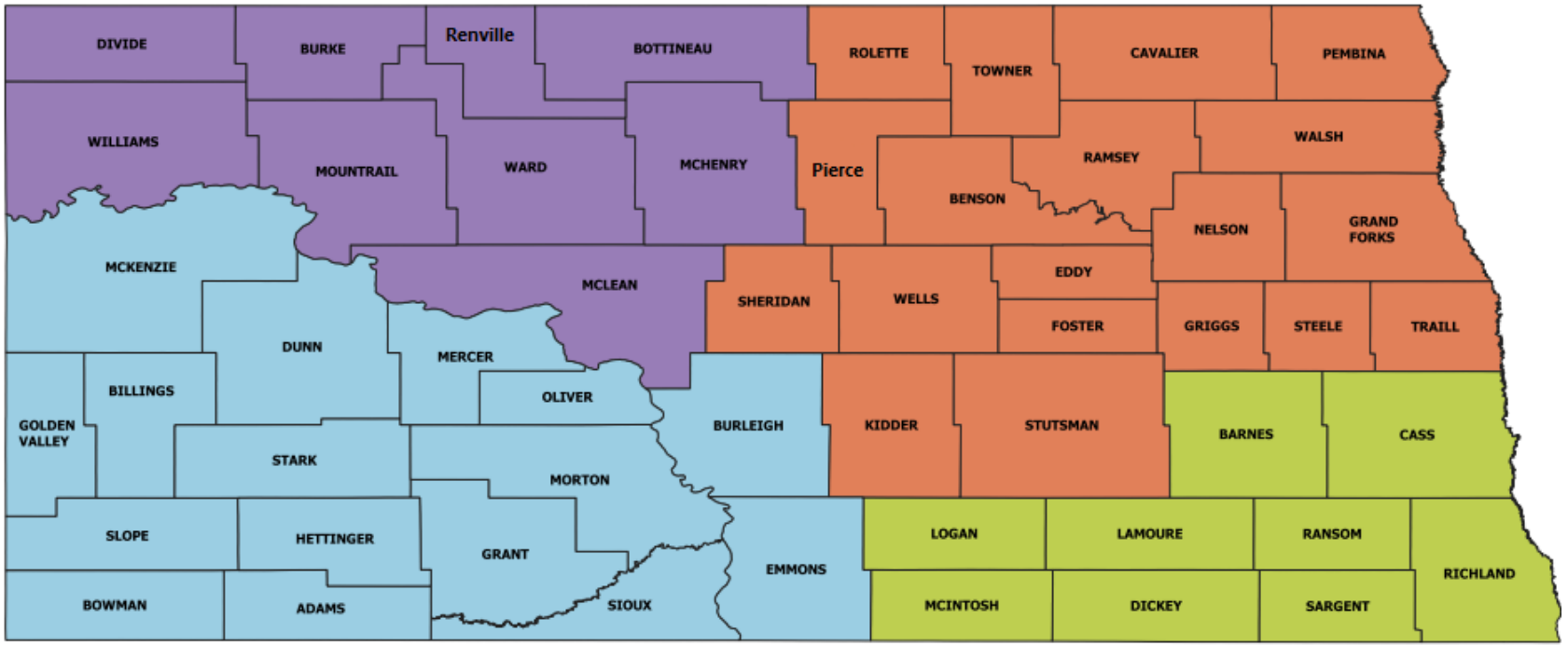
Acids + Oil or Grease = FIRE

Acids + Caustics = HEAT/SPATTERING
Caustics + Epoxies = EXTREME HEAT
Chlorine Gas + Acetylene = EXPLOSION
Flammable Liquids + Hydrogen Peroxide = FIRE/EXPLOSION
Aluminum Powder + Ammonium Nitrate = EXPLOSION

Attachment 4: HazWaste Inspectors Regional Map

Hazardous Waste Management Regions

Division of Waste Management
Derek Kannenberg, Program Manager
701-328-5160



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