

# APPENDIX I

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## Selecting a Waste Transporter & Recycling/Waste Management Company

If you generate hazardous waste, you are responsible for the waste material cradle to grave. This means that you are responsible for the waste even after it leaves your marina. When it is time to select a waste hauler, recycling or treatment, storage, or disposal facility, you will need to make sure that you chose a reputable company that is in compliance with all federal and state regulations.



### Selecting a Waste Transporter

Regulations pertaining to waste transportation vary depending on your generator status. Both federal and state regulations state that if you are a conditionally exempt small quantity generator (generate less than 220 pounds per month and store less than 2,200 pounds) you may transport your hazardous waste to a recycling facility or treatment, storage, or disposal facility yourself (see Appendix H, “Hazardous Waste Generator Status and How the Rules Apply to You,” on pages 159-162).

While this may seem like a way to save yourself money, the liability of transporting hazardous materials can be quite large. If there is a spill or release of hazardous materials during transportation, you will be liable and will have to pay for the cleanup costs. You may wish to just comply with the transportation requirements of a small quantity generator.

If you are a small quantity generator or a large quantity generator, you are required to ship your hazardous waste using a manifest and a U.S. EPA-permitted hazardous waste hauler. This includes transporters of used oil. Your chosen hauler must also have:

- A hazardous materials transporter registration with the U.S. Department of Transportation; and
- A hazardous materials/waste endorsement from the department of motor vehicles in the state in which they received their commercial driver’s license.

Your chosen hauler may also need:

- A registration in the destination state for interstate transport if the destination state or pass-through state requires it.

## ● Safety, Training and Equipment

You will want to make sure that the transporters you choose have health and safety programs in place. They should also train their employees in best management practices to minimize the potential for accidents or spills involving your waste. Transporters should have training programs which address:

- Use and inspection of safety and emergency equipment;
- Emergency response procedures and contingency plans including emergency response contractors;
- Container labeling and vehicle placarding, chemical compatibility, segregation, and securing of loads;
- Vehicle maintenance checks including a pre-trip safety inspection; and
- Substance abuse. They should have a stringent anti-drug policy. Ask to see their drug screening policy.

Transport companies should be able to supply you with training certificates and copies of inspection reports from previous inspections from regulatory agencies such as departments of transportation. Ask for copies of these documents if they do not supply them. You also may obtain a company's safety record, including the safety rating (if any), inspection summary and crash information, from the Safety and Fitness Electronic Records System at [www.safer.org](http://www.safer.org) (click on "Company Snapshot").

## ● Liability and Insurance

To minimize your liability, be sure the services you select meet or exceed minimum liability requirements (a copy of the certificate of insurance will show the amount of insurance coverage held by the company).

Transporters should be able to provide you with a list of customers in your geographic area who generate a similar waste stream(s). Call some of them and ask about the length of service; satisfaction with service; company reliability; safety practices; whether there have been any spills, emergency incidents, or other mishaps; and any other information pertinent to your circumstances.

Ask your transporter what role they will play in passing your waste to another responsible party, be it another transporter, or to a treatment, storage or disposal facility. You will need to know if they plan on using other haulers to transport your waste or if it is going to be delayed in shipment in storage or in transfer facilities (“10 day” yards). Ask your transporter about their relationship with the treatment, storage or disposal facility. If they have a good relationship, it may make dealing with any off-specification issues easier.

### ● Compliance Assistance

While you are responsible for the proper packaging and labeling/marketing of your waste materials before offering them for transportation, a good/reputable waste hauler should be well trained in hazardous materials regulations and should be able to assist you. Their assistance, however, does not relieve your responsibilities as a generator. You should inquire about their methods of keeping current with the regulations. See if they offer any assistance to their customer such as publications, workshops or consulting services.

### ● Cost

Talk to your transporter about minimum charges, surcharges, and demurrage. They may offer a reduced rate if you can comply with a milk run schedule that they set up. A “milk run” service allows you to share some of the transportation costs with other small quantity generators transporting drums on the same load. Speak with the haulers to see if they charge more for a small volume of material or drums or conversely will they discount prices for a larger volume? An oil hauler may be able to pick up good used oil for little to nothing if the volume is worth their effort. Ask about surcharges for issues with drums, loading and labeling/marketing. Are they charging you for something you could handle yourself? What will they charge you if the treatment, storage or disposal facility holds the truck due to issues with your waste or paperwork? Will you be charged a demurrage rate?

## Choosing a Waste Management Facility

In choosing a waste management facility, you will want to make sure that you are choosing a reputable company that is in compliance with all regulations. You should also look for companies that can handle your needs as you see them. Do you want a company that can handle all of your different waste streams, acting as a treatment facility for some while brokering other streams, or do you want various facilities for your various waste streams? Do you want a facility that also offers transportation or will schedule transportation for you? Many waste management companies offer an “audit package,” a book that contains information on what the facility does, its history and permits.

Regulations and permit requirements required by treatment and disposal facilities vary depending on what type of material they handle and in what manner they manage the material. Recycling facilities will require fewer permits than treatment, storage or disposal facilities that are regulated under the Resource Conservation and Recovery Act (RCRA). Some wastewater treatment plants operate under a different set of regulations found in the Clean Water Act. There are other permits that may be required by IDEM's Office of Water Quality and Office of Air Quality. If your waste will be disposed of in another state, you will need to make sure that they comply with all of that state's requirements.

## ● Required Permits, Etc.

If you are shipping your waste to a treatment, storage, or disposal facility you should make sure they have:

- A U.S. EPA/state identification number;
- The authorization to treat hazardous waste (e.g., a RCRA permit, interim status permit, or a variance for non-RCRA waste management); and
- All applicable local, regional, and state permits (e.g., National Pollutant Discharge Elimination System permit for industrial waste discharge, air permits, etc.).

## ● Safety, Equipment and Training

You will want to make sure the facilities that will be receiving your waste operate under strict safety and training standards to minimize the potential for accidents or spills involving your waste. Treatment, storage or disposal facilities should have training programs which address:

- Facility evacuation;
- Use and inspection of safety and emergency equipment;
- Emergency response procedures and contingency plan implementation);
- Container labeling and vehicle placarding;
- Regular facility maintenance checks;
- Occupational Safety and Health Administration (OSHA) Hazardous Work Operations and Emergency Responses (HAZWOPER) training; and
- OSHA training specific to any equipment on site.

Contingency plans should designate equipment and trained personnel for emergency/spill response.

Treatment, storage or disposal facility operation plans should address all aspects of facility operations, including equipment maintenance and provisions for security (e.g., fencing and adequate warning signs).

All hazardous materials/waste handlers are required to have on-the-job and formal training that includes:

1. General training for recognition and identification of hazardous materials;
2. Function/job-specific training; and
3. Safety training (emergency response and accident/exposure prevention).

These training requirements may be met by a one-time 24 or 40-hour hazardous waste and operations training course and 8-hour annual refresher courses. If they generate or ship waste they will need U.S. Department of Transportation training.

Training records or copies of employee training certificates can verify fulfillment of training requirements. Training record information is also available in inspection reports. Ask to see documentation of training. You should also ask to see inspection reports from IDEM and Indiana Occupational Safety and Health Administration inspectors.

## ● Inspection Records

Inspection records are a good way to determine if your waste handler is compliant with the regulations pertaining to its operation. Treatment, storage or disposal facilities located in Indiana are inspected by IDEM and may be inspected by U.S. EPA. If your waste is being shipped to another state, you will need to contact that state's regulatory agency. Inspections may include:

- Containers (including labeling requirements), tanks, and containment areas;
- Emergency equipment such as self-contained breathing apparatus units, fire extinguishers, showers, and eye wash facilities;
- Emergency lights, gates, and fences;
- Personal protection equipment; and
- Operation records, including training plans, contingency plans, closure plans, inspection plans, biennial reports, and compliance with financial and land disposal restriction requirements.

To obtain general site information and violation history on a treatment, storage or disposal facility, you can utilize U.S. EPA's Enforcement and Compliance History Online at [www.epa.gov/echo](http://www.epa.gov/echo). You may also wish to contact the better business bureau to see if there have been any business complaints regarding the treatment, storage or disposal facility.

### ● References

Treatment, storage or disposal facilities should be able to provide you with a list of customers in your geographic area who generate a similar waste stream(s). Call some and ask about the length of service; satisfaction with service; company reliability; safety practices; whether there have been any spills, emergency incidents, or other mishaps; and any other information pertinent to your circumstances.

### ● Disposal Options

As you remain responsible for your waste from “cradle to grave,” it is important that you know where your waste is going, how it is going to be managed, and the final disposition of any residues, ash, or empty containers. Ask how “off-spec” waste shipments will be handled. You may wish to ask for certificates of destruction or recycling. Ask if they plan to ship your waste to a third party. If they plan on using a third party, you should investigate the third party as closely as you have inspected your chosen treatment, storage or disposal facility. In determining the final disposition, you need to decide on what your future liability could be versus cost of disposal. If your waste is landfilled, you could be liable for any mishandling or future actions against the landfill owner. Incineration is not always appropriate for each type of waste and is more costly. Some facilities use third parties that are located in Canada. How do you feel about your waste being exported? Ask your treatment, storage or disposal facility what your options are and whether they will allow you to put limitations on how your waste is handled.

Contact more than one potential treatment, storage or disposal facility to get an idea of your options. Choose a service that will assist you in selecting the most cost-effective and environmentally-sound disposal option.

Choose options which minimize potential future liability. Whenever possible, have your hazardous wastes recycled, reclaimed, or treated, in that order of priority.

### ● Compliance Assistance

It is important that your service provider keep up-to-date with hazardous waste transportation/disposal requirements and regulations because the rules sometimes change. You should look for companies that have full-time environmental staff. For national companies, ask if they have regulatory staff at each location. Ask companies how they keep abreast of new requirements and choose one that is informed.

Some companies provide customers with private consultations, classes on proper labeling and manifesting, and/or newsletters highlighting new developments and regulations. Look for companies that will assist you in sampling, profiling, manifest preparation, and reporting requirements, as well as provide you with the 24-hour emergency phone number required for your hazardous waste shipments. Remember, however, it is still your responsibility to make sure that

all waste determinations, shipping, management, disposition and reporting are in compliance with state and federal regulations.

## ● Cost

Ask your sales representative about minimum charges and options for reducing costs which may not be obvious (e.g., pick-up as needed vs. regularly scheduled pick-up).

Treatment, storage or disposal facilities must have a "profile" identifying a waste stream's characteristics before accepting it. This usually involves sampling and chemical analysis. Most treatment, storage or disposal facilities provide profiling services, but some may require or allow outside chemical analysis. Profiling fees range widely depending on what analysis they require. Shop around for reasonable rates. Disposal fees will vary depending on the type of waste and type of recycling/treatment/disposal. Choose the option that will minimize current and future costs.

## ● Site Visit

If possible, make a site visit before contracting for services. Look for:

- A clean and orderly site and well-maintained equipment/ vehicles;
- Clear hazard signs and safety warnings;
- Properly contained and organized hazardous waste storage areas (no large backlog or stockpiling of empty containers, etc.);
- Adequate supervision of operations and employees who are using proper safety precautions;
- Signs of spills or releases;
- Adequate security provisions (e.g., fences, locks, alarms, warning signs, etc.); and
- An organized record keeping system (how do they track manifests, how often do they inspect the facility, etc.).

## Finding Environmental Service Providers

There are several resources other than the yellow pages that may help you locate an environmental service provider, including:

Your local solid waste management district;

Your local chamber of commerce;

Neighboring businesses;

[www.enviroyellowpages.com](http://www.enviroyellowpages.com); and

[www.earth911.com](http://www.earth911.com).

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