REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

At

Nox-Crete, Incorporated
1444 South 20th Street
Omaha, Nebraska
RCRA ID# NED007284128

February 19, 2020

By

U.S. ENVIRONMENTAL PROTECTION AGENCY
Region 7
Enforcement and Compliance Assurance Division

1.0 INTRODUCTION

I performed a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) at the Nox-Crete, Incorporated, (hereafter "Nox-Crete") facility in Omaha, Nebraska, on February 19, 2020. I conducted the RCRA inspection under the authority of RCRA Section 3007(a), as amended. During the inspection, I collected the information and data necessary to determine compliance with the applicable RCRA regulatory and statutory requirements. This report and attachments present the results of the inspection. The RCRA CEI was conducted as a Level B Multi-Media Screening Inspection and the Region 7 Multimedia Screening Checklist was completed.

Nox-Crete was previously inspected by the EPA for compliance with RCRA on October 11-12, 2017. The findings included those related to waste determinations, hazardous waste accumulation container labeling and marking, posting contingency plan information, and personnel training.

2.0 PARTICIPANTS

Nox-Crete Personnel
- Dave McFarlane, Laboratory Manager
- Eric Hansen, Operations Manager
- Mike Cronin, Maintenance Supervisor

Environmental Protection Agency Region 7
- Kenneth Herstowski, Environmental Engineer, ECAD/CB/RCRA (Lead Inspector)

RCRA
590357

3.0 INSPECTION PROCEDURES

I followed the inspection procedures discussed in the RCRA CEI Standard Operating Procedure (No. 2321.1D), unless noted differently. I completed checklists and other inspection related documents and collected photocopies that are included as attachments to this report. I collected photographs with a digital camera. I obtained copies of records from the facility as detailed in the sections that follow.

February 19, 2020

At about 08:24, I conducted a drive-by preliminary visual inspection of the facility from 20th street searching the facility grounds for areas of concern observable from the adjacent public roadway. The facility appeared to be operating (water vapor from roof vents and personnel moving around the premises). No observable issues were identified during this preliminary examination. Following my preliminary visual inspection, I arrived unannounced at Nox-Crete. I parked in the designated visitor parking and entered the lobby of the Nox-Crete building. I introduced myself to the receptionist and explained the purpose of my visit was to conduct a RCRA CEI and asked for Mr. McFarlane as the facility contact. Mr. McFarlane arrived in the lobby and escorted me to a conference room in the Nox-Crete administrative offices.

I proceeded with an entrance conference. I presented my EPA credentials to Mr. McFarlane. We were joined by Mr. Hansen. I referenced and provided to Mr. McFarlane a copy of RCRA Section 3007 which provides inspection authority. Mr. McFarlane provided verbal consent to proceed with the inspection. I explained my need to collect accurate information and presented Mr. McFarlane with a copy of Title 18 United States Code, Sections 1001 and 1002, which provides for penalties if false and/or misleading information is provided to Federal representatives, and for the possession and use of fraudulent documents. Mr. McFarlane was made aware of Nox-Crete's confidentiality rights and was informed that a Confidentiality Notice would be provided at the end of the inspection to make a confidential business information (CBI) claim. I provided Mr. McFarlane EPA Region 7's "Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA in Connection with Inspections" and reviewed the information with him. Mr. McFarlane acted as the primary facility representative during the inspection.

During the inspection, discussions consisted of the facility operations, wastes generated, waste management practices, and an evaluation of RCRA air emissions compliance. I conducted a visual inspection of hazardous waste generation locations, satellite accumulation containers, container accumulation area, and universal waste accumulation.

A multi-media screening checklist was completed for Nox-Crete (attachment 1). Documents and records were collected during the inspection and a Receipt for Documents and Samples was prepared and signed by Mr. McFarlane (attachment 2). A Confidentiality Notice in which Mr. McFarlane asserted a claim of confidential business information over inspection photographs was signed by Mr. McFarlane (attachment 3). A Notice of Preliminary Findings was signed by Mr. McFarlane (attachment 4). Three photographs were taken during the inspection with a digital camera (attachment 5). I prepared a photographic log for the digital camera images

(attachment 6). I obtained two aerial photographs of the facility using Google Earth™ annotating the various areas of interest at the facility on the larger scale photograph (attachment 7). I obtained a facility map of Nox-Crete annotating the various areas of interest (attachment 8). I prepared and completed a site-specific inspection checklist (attachment 9).

I conducted a visual inspection of the laboratory and associated satellite accumulation area, the satellite accumulation in the Water Room, hazardous waste less than 90-day accumulation area in the Explosion Proof (EP) Room, and universal waste lamps in the maintenance shop. I was accompanied throughout the visual inspection by Mr. McFarlane. We were joined by other Nox-Crete personnel as described in the following sections.

Following my visual inspection, I reviewed inspection records, personnel training, hazardous waste manifests and land disposal restriction notices.

I summarized my findings and recommendations in an exit briefing with Messrs. McFarlane and Hansen. I provided Mr. McFarlane with a Receipt for Documents and Samples, Confidentiality Notice, and a Notice of Preliminary Findings, all of which he signed as acknowledgement of receipt. I provided Mr. McFarlane with the yellow copy of the completed carbonless transfer set of the Receipt of Documents and Samples form, the yellow copy of the completed carbonless transfer set of the Confidentiality Notice form and the original white copy of the completed carbonless transfer set of the Notice of Preliminary Findings form. I provided a copy of and reviewed with Mr. McFarlane the handout titled "Instructions for Responding to a Notice of Preliminary Findings." I reviewed with Mr. McFarlane compliance assistance information. I concluded the exit briefing at approximately 12:46 and I departed the facility.

4.0 FINDINGS AND OBSERVATIONS

4.1 General Information/Facility Description/RCRA Status

Nox-Crete is a manufacturer and marketer of concrete construction chemicals. Products produced and marketed include form release agents, curing compounds, sealers, coatings, bond breakers, and caulking compounds. Approximately 100 different products produced by Nox-Crete are sold through concrete construction supply companies worldwide.

The product manufacturing process involves mixing of raw materials in tanks to produce the desired product. Raw materials include solvents such as mineral spirits, aliphatic and aromatic hydrocarbons, oils, acrylic resins, pigments, dyes, surfactants and emulsifiers. Raw materials used in significant volume are received in bulk and stored in above-ground storage tanks. Raw materials used in lesser volume are received in containers that include both 55-gallon drums and intermediate bulk containers (IBC) commonly referred to as totes. The products are mixed in tanks ranging from 500 to 5,000 gallons in size. The resulting products are packaged in 1, 5, 55-gallon containers and 275 to 330-gallon IBCs. Nox-Crete does not receive used containers back from customers.

The Nox-Crete facility is in southeastern portion of the City of Omaha, in Douglas County, Nebraska. The facility is bounded on the north and south sides by railroad tracks and is split in two parts (east and west) by 20th street. The west part contains the manufacturing operations and the east part contains warehousing. Nox-Crete is located in an industrial corridor of 20th street with residential housing nearby (attachment 7). Nox-Crete employs approximately 35-40 workers that work two shifts Monday through Friday, 07:00 to 15:30 and 15:00 to 23:30.

4.2 RCRA Status

The Hazardous Waste Site Info Verification Report for Inspector (attachment 10) indicates that Nox-Crete is a federal small quantity generator of hazardous waste[1]. Based upon my review of the hazardous waste generation discussed in Section 4.3.1, Nox-Crete is a small quantity generator. Mr. McFarlane reviewed the Hazardous Waste Site Info Verification Report and indicated no changes. Based upon my observations and discussions with Mr. McFarlane, Nox-Crete is a small quantity handler of universal waste lamps. I inspected Nox-Crete as a small quantity generator of hazardous waste and a small quantity handler of universal waste. Mr. McFarlane stated that Nox-Crete is episodically a large quantity generator due to off-specification products and product returns that cannot be re-used in the manufacturing process. Nox-Crete notifies the Nebraska Department of Energy and Environment (NDEE) when large quantity generator episodic events occur.

4.3 Waste Streams and Management

The following sections summarize the major waste streams generated at Nox-Crete. I obtained copies of each of the 2019 hazardous waste shipments summaries (attachment 11).

4.3.1 Hazardous Waste

Nox-Crete generates spent solvent from cleaning chemical mixing equipment and from laboratory operations. The following is based upon the waste descriptions in the EPA's October 11, 2017, RCRA CEI report and my discussions with Mr. McFarlane and my visual observations during this inspection.

<u>Mixed Solvent</u>

Formulation tanks are used to mix the various solvent based products. Xylene, mineral spirits, and ethyl acetate are used in the cleaning of various formulation tanks. Some solvent used for cleaning a tank is able to be used as is in formulation of subsequent product batches. Approximately five gallons of solvent are used to clean a formulation tank. The five gallons of solvent used for cleaning a tank are stored in a bucket, prior to use in the next product batch. New product batches are manufactured approximately every week. The spent solvent that is not used in formulating product batches is accumulated in hazardous waste accumulation containers

[1] The EPA and Nebraska define a small quantity generator as hazardous waste generation between 100 and 1,000 kilograms per month with total on-site hazardous waste accumulation of less than 6,000 kilograms. Note that Nebraska has not yet adopted the "Hazardous Waste Generator Improvements Rule" promulgated November 28, 2016, in 81 Federal Register 85732.

located in the EP Room. The Mixed Solvent is transported by Barton Solvents and Coal City Cob to WRR Environmental Services (WRR) in Eau Claire, Wisconsin, for disposal. According to Mr. MacFarlane, the Mixed Solvent is fuel blended.

Coating pigments are mixed in a 20-gallon "bowl" located in the Water Room. Xylene, mineral spirits, and ethyl acetate are used to clean the bowl. Solvent used to clean the coating pigment mixing bowl cannot be reformulated or used to make a product. The solvent can be used several times for cleaning before it becomes a waste. Mr. MacFarlane stated that approximately two gallons of solvent are used to clean the bowl. When solvent used to clean the coating pigment mixing bowl is spent, the solvent is placed in a 55-gallon satellite accumulation container in the Water Room. Nox-Crete has determined that the Mixed Solvent is a hazardous waste with EPA Waste Codes D001 and F003. When the satellite accumulation container in the Water Room is full, the container is transferred to the Less Than 180-Day Hazardous Waste Accumulation Area. The Mixed Solvent is transported by Barton Solvents and Coal City Cob to WRR Environmental Services (WRR) in Eau Claire, Wisconsin for disposal. According to Mr. MacFarlane, the Mixed Solvent is fuel blended.

Spent Laboratory Solvents

Nox-Crete's Laboratory is used primarily to test products to ensure that they meet specifications. Prior to being unloaded from railcars and tanker trucks, samples of raw material are also tested for quality assurance purposes. Laboratory testing on raw material and finished products includes, but may not be limited to, flash point, specific gravity, percentage of solids, acid number of product (a measurement of how well a product releases), viscosity, stability (visual), infrared, and reference scans.

Solvents used as part of testing and cleaning of Laboratory equipment, include methanol, xylene, ethyl acetate, and acetone. Spent Laboratory Solvents are collected in five-gallon satellite accumulation containers located in the Laboratory. The Spent Laboratory Solvents have EPA waste codes D001 and F003. Spent Laboratory Solvents are transported by Barton Solvents and Coal City Cob to WRR Environmental Services (WRR) in Eau Claire, Wisconsin, for disposal. According to Mr. MacFarlane, the Spent Laboratory Solvents are fuel blended.

Off-Specification Product

Product formulation errors occasionally result in generation of Off-Specification Product. Nox-Crete may also occasionally receive outdated product from dealers or customers. Most off-specification or returned product can be reworked/used to make new product. However, some off-specification and returned products cannot be reworked and must be disposed.

If a solvent-based product cannot be used it is shipped as a D001 characteristic and F003 listed hazardous waste. Off-Specification Product waste generated at the facility includes adhesives, mis-formulated solvents, and raw material. Corrosive Off-Specification Product containing phosphoric acid has also been shipped as a D002 HW.

Mr. MacFarlane stated that if a water-based product needs to be disposed (e.g. coatings, acrylic polymer, mold release compound, concrete sealer, aqueous based polyurethane, and water-based paint) it will be profiled by WRR Environmental Services Co., Inc. and disposed as non-hazardous waste.

Nox-Crete generates approximately 150 gallons of hazardous waste and 150 gallons of non-hazardous waste Off-Specification Product each month. Both hazardous waste and non-hazardous Off-Specification Product is transported by Barton Solvents and Coal City Cob to WRR Environmental Services (WRR) in Eau Claire, Wisconsin, for disposal. According to Mr. MacFarlane, the Off-Specification Product is fuel blended.

Cloth Rags and Paper Wipes

Cloth rags and paper wipes are used at the facility for, but not limited to, wiping down mixing tanks and surface cleaning in the Laboratory. Cloth rags are used with solvents for cleaning and to clean up solvent spills and drippings in the EP Room. Cloth rags had historically been laundered at the facility, according to a 2009 RCRA CEI report. According to the October 10, 2017, RCRA CEI report, Mr. Cronin stated that cloth rags used throughout the facility were then disposed in the general trash. Approximately 50 pounds of cloth rags, including solvent-contaminated cloth rags, are generated each month. Paper wipes are used in the Laboratory. Paper wipes are used to clean up solvent spills and for cleaning test equipment. Approximately two pounds of paper wipes, including solvent-contaminated paper wipes, are generated in the QC lab each month.

Nox-Crete manages the Cloth Rags and Paper Wipes as solvent contaminated wipes. The contaminated wipes are disposed at the Pleasant Point Landfill in Elk City, Nebraska.

4.3.2 Used Oil

Mr. McFarlane stated that Nox-Crete generates used oil from servicing forklifts. Nox-Crete has their forklift trucks serviced by Clarklift in Omaha, Nebraska. Mr. MacFarlane stated that the used oil and filters are not accumulated at Nox-Crete but are taken off site by Clarklift after they conduct forklift maintenance.

4.3.3 Universal Waste Lamps

Nox-Crete is a small quantity handler of universal waste lamps. Universal waste lamps are stored in the maintenance shop (attachment 7). Nox-Crete sends the universal waste lamps to Waste Management, Bennington, Nebraska, for recycling.

Notice of Preliminary Finding (NOPF) 1: Universal Waste Lamp Management, Universal Waste Lamp Containers Not Closed, Nebraska Administrative Code (NAC), Chapter 25, 012.04A, *ref* 40 Code of Federal Regulations (CFR) Part 273.13(d)(1)

Nox-Crete's management of universal waste lamps was not consistent with the requirements of NAC, Chapter 25, 012.04A, which requires in pertinent part – *"A small quantity handler of*

universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions."

I visually inspected the universal waste lamp management on February 19, 2020. I was accompanied by Messrs. McFarlane and Cronin during my visual inspection. I observed two boxes of universal waste lamps. One box was four feet long and held four-foot universal waste lamps. One box was eight feet long and held eight-foot universal waste lamps (attachment 5, photograph 4). The four-foot box of universal waste lamps was open on both ends. The eight-foot box of universal waste lamps was open on one end.

The boxes were labeled "Universal Waste Lamps" and were dated with the start of the waste lamp accumulation.

4.4 Subpart BB – Air Emission Standards for Equipment Leaks

Nox-Crete was a small quantity generator of hazardous waste at the time of my inspection. The requirements for the control of air emissions from equipment in contact with hazardous waste having an organic constituent content greater than ten percent are found in NAC, Chapter 22, 020.[2] The requirements of NAC, Chapter 22, 020, applies to large quantity generators and treatment, storage and disposal facilities.

4.5 Subpart CC – Air Emission Standards for Tanks, Surface Impoundments, and Containers

Nox-Crete was a small quantity generator of hazardous waste at the time of my inspection. The requirements for the control of air emissions from tanks and containers accumulating hazardous waste having an average volatile organic concentration at the point of waste origination of greater than 500 parts per million by weight found in NAC, Chapter 22, 021.[3] The requirements of NAC, Chapter 22, 021, apply to large quantity generators and treatment, storage and disposal facilities.

4.6 Satellite Accumulation[4] in Containers

Nox-Crete utilizes satellite accumulation in two areas: The Laboratory and the Water Room (attachment 78).

4.6.1 Laboratory

Nox-Crete generates Spent Laboratory Solvents in the Laboratory (attachment 7). The solvents are used in testing and cleaning of Laboratory equipment. The Spent Laboratory Solvents include

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[2] NAC, Chapter 22, 020, incorporates by reference the requirements of 40 CFR Part 265, Subpart BB.
[3] NAC, Chapter 22, 021, incorporates by reference the requirements of 40 CFR Part 265, Subpart CC.
[4] Satellite accumulation is a term of art for the requirements under which a generator may accumulate hazardous waste in containers at or near any point of [hazardous waste] generation. The pertinent requirements are found in NAC, Chapter 9, 007.04, et seq., *ref* 40 CFR 262.15

methanol, xylene, ethyl acetate, and acetone. Spent Laboratory Solvents are collected in five-gallon satellite accumulation containers located in the Laboratory. The Spent Laboratory Solvents have EPA waste codes D001 and F003.

I visually inspected the Laboratory and the satellite accumulation containers therein. I was accompanied by Mr. McFarlane during the visual inspection. Against the northwest wall of the Laboratory were two satellite accumulation containers (attachment 5, photograph 1). One satellite accumulation container contained acetone, ethyl acetate and xylene. The second satellite accumulation container contained methanol. A step can was adjacent to the two satellite accumulation containers for solvent contaminated rags and wipes.

The satellite containers and contaminated wipes container were all labeled, closed, and in good condition. According to Mr. MacFarlane, when satellite accumulation containers are full, the five-gallon buckets are taken to the Less Than 180-Day Hazardous Waste Accumulation Area.

I observed no apparent issues or findings related to satellite accumulation in the Laboratory.

4.6.2 Water Room

Nox-Crete generates Mixed Solvents in the Water Room (attachment 7). Coating pigments are mixed in a 20-gallon "bowl" located in the Water Room. Xylene, mineral spirits, and ethyl acetate are used to clean the bowl. Solvent used to clean the coating pigment mixing bowl cannot be reformulated or used to make a product. The solvent can be used several times for cleaning before it becomes a waste. Mr. MacFarlane stated that approximately two gallons of solvent are used to clean the bowl. When solvent used to clean the coating pigment mixing bowl is spent, the solvent is placed in a 55-gallon satellite accumulation container in the Water Room.

I visually inspected the Water Room and the satellite accumulation container therein. I was accompanied by Mr. McFarlane during the visual inspection. The containers were all labeled, closed, and in good condition. According to Mr. MacFarlane, when satellite accumulation containers are full, the 55-gallon container is taken to the Less Than 180-Day Hazardous Waste Accumulation Area.

I observed no apparent issues or findings related to satellite accumulation in the Water Room.

4.7 Less Than 180-Day Hazardous Waste Accumulation Area

Nox-Crete accumulates hazardous waste in containers in one location in the EP Room described as the Less Than 180-Day Hazardous Waste Accumulation Area (attachment 7). The hazardous wastes accumulated in the Less Than 180-Day Hazardous Waste Accumulation Area located in the EP Room are shipped to WRR Environmental Services (WRR), RCRA ID# WID990829475, Eau Claire, Wisconsin. I found with the use of Google Maps™ that the distance from Omaha, Nebraska, to Eau Clair, Wisconsin, is approximately 434 miles. This distance is over 200 miles which allows a small quantity generator up to 270 days from the date that the accumulation

began in a hazardous waste container to ship the container to a treatment, storage and disposal facility.[5]

I visually inspected the EP Room and the hazardous waste accumulation containers therein. I was accompanied by Mr. McFarlane during the visual inspection. I observed nine hazardous waste accumulation containers. The oldest accumulation start date on a container was August 27, 2019. The most recent accumulation start date was February 10, 2020. The containers were all labeled, closed, and in good condition. A fire extinguisher was nearby on a building support column. Emergency information was posted on this same column (attachment 5, photograph 2). Emergency information was posted next to a telephone located just outside of the EP Room (attachment 5, photograph 3).

I observed no apparent issues or findings related to hazardous waste accumulation containers in the Less Than 180-Day Hazardous Waste Accumulation Area.

4.8 Inspections

Nox-Crete is a small quantity generator of hazardous waste. The requirements for inspections of less than 180-day hazardous waste accumulation are found at NAC, Chapter 9, 007.03C.[6] Mr. McFarlane stated that the Less Than 180-Day Hazardous Waste Accumulation Area is inspected weekly. Small quantity generators are not required to keep a log of the inspections of less than 180-day hazardous waste accumulations. Notwithstanding the foregoing, Nox-Crete keeps records of inspections at the Less Than 180-Day Hazardous Waste Accumulation Area in the EP Room and general facility inspections. I obtained copies of examples of the inspection records (attachment 12).

I observed no apparent issues or findings related to inspections of the less than 180-day hazardous waste accumulation in the EP Room.

4.9 Contingency Plan

Nox-Crete is a small quantity generator of hazardous waste. The requirements for contingency planning are found at NAC, Chapter 9, 007.09. The small quantity generator must post certain emergency information next to the telephone. I visually inspected the posted information accompanied by Mr. McFarlane. I observed during my visual inspection that emergency information was posted in the area of the EP Room used for less than 180-day hazardous waste accumulation (attachment 5, photograph 2), outside of the EP Room next to a telephone (attachment 5, photograph 3), and next to the satellite accumulation container in the Water Room. The posted information included the required emergency information.

I observed no apparent issues or findings related to the contingency plan.

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[5] NAC, Chapter 9, 007.03

[6] NAC, Chapter 9, 007.03C, cross references the container inspection requirements for large quantity generators in NAC, Chapter 10, 004.01A, et seq., except for 001A6

4.10 Training Requirements

Nox-Crete is a small quantity generator of hazardous waste. The requirements for personnel training are found at NAC, Chapter 9, 007.10. The small quantity generator must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies.

I discussed the personnel training with Mr. McFarlane. All new employees receive initial training within six weeks of their starting employment. The training consists of hazard and chemical safety for all employees. Laboratory, EP Room and Water Room employees get annual training for RCRA. Nox-Crete uses an outside vendor, US Compliance, Excelsior, Minnesota, to conduct the training. I obtained copies of the training curriculum for 2019 and 2020 (attachment 13).

I observed no apparent issues or findings related to personnel training.

4.11 Hazardous Waste Manifests/Land Disposal Restrictions

I reviewed the 2018 (four manifests) and 2019 (six manifests) hazardous waste manifests. No hazardous waste shipments had been made in 2020 prior to my inspection. The manifests were complete and included land disposal restriction notices. I obtained copies of examples of hazardous waste manifests (attachment 14).

I observed no apparent issues or findings related to hazardous waste manifests and land disposal restrictions.

5.0 COMPLIANCE ASSISTANCE

I provided and reviewed with Mr. McFarlane the following hard copy compliance assistance information:

Responding to a Notice of Preliminary Findings (EPA Handout)
Section 3007 Inspections Sheet (EPA Handout)
RCRA Facility Access Information Sheet (EPA Handout)
United States Code 1001/1002 Annotated (EPA Handout)
Notice Regarding Proprietary/Confidential Business Information Submitted to or Collected by EPA in Connection with Inspections (EPA Handout)
U.S. EPA Small Business Resource Information Sheet (EPA Handout)
Industry Sector Notebooks (EPA Handout)
Environmental Compliance Assistance Centers (EPA Handout)
e-Manifest Fact Sheet (EPA Handout)
e-Manifest Fact Sheet: Generators (EPA Handout)
e-Manifest Fact Sheet: Inspectors (EPA Handout)
RCRA Online A Quick Reference Guide (EPA Handout)
Requirements for Used Oil Management Standards (EPA Handout)
Emergency Response Program (EPA Handout)

Commercial Motor Vehicle Transportation System Security & Safety (EPA Handout)
Security Awareness (EPA Handout)
Chemical Facility Anti-Terrorism Standards (Homeland Security Handout)
Compliance Advisory: Reduction of Hazardous Waste Air Emissions April 2018 (EPA Handout)
Leak Detection and Repair: A Best Practices Guide (EPA Handout)
Tampering Pollutes Our Air (EPA Handout)
FLIR GF320 Product Sheet (EPA Handout)
Thermo Scientific TVA2020 Product Sheet (EPA Handout)
NDEQ Compliance Assistance Program (NDEE Handout)
Waste Determinations & Waste Testing (NDEE Handout)
Waste Computers, Monitors, and Electronics (NDEE Handout)
Best Management Tips for Automotive & Truck Repair Businesses (NDEE Handout)
Sump, Pit, Trench & Trap Wastes: Hazardous Waste Determinations (NDEE Handout)
Used Oil & Used Oil Filters Management (NDEE Handout)
Oil for Dust Suppression and Other Oil-Based Applications (NDEE Handout)
Universal Waste Regulations (NDEE Handout)
Aerosol Can Waste (NDEE Handout)
Solvent Stills and Hazardous Waste Counting (NDEE Handout)
Solvent-Contaminated Ship Towels, Rags, and Wipes (NDEE Handout)
Hazardous Waste Report: Guidance for Reporting (NDEE Handout)
Hazardous Waste Report: Frequently Asked Questions (NDEE Handout)
Hazardous Waste Manifest Requirements and Frequently Asked Questions in Nebraska (NDEE Handout)
Comparison of Hazardous Waste Generator Requirements (NDEE Handout)
Chemical Waste Disposal Options for Small Businesses (NDEE Handout)

6.0 SUMMARY

I conducted a RCRA inspection of Nox-Crete as a Nebraska small quantity generator of hazardous waste, small quantity handler of universal waste, and a used oil generator. The following apparent violations/issues are noted as discussed above:

NOPF 1: Universal Waste Lamp Management, Universal Waste Lamp Containers Not Closed, Nebraska Administrative Code (NAC), Chapter 25, 012.04A, *ref* 40 Code of Federal Regulations (CFR) Part 273.13(d)(1) – two universal waste containers were not closed.

Other than the items noted above, no other apparent RCRA violations were noted. However, the EPA may review my findings further after the inspection, which may change or add to my findings.

Date: March 4, 2020

Kenneth Herstowski
Environmental Engineer

Date: 3/4/2020

Ed Buckner
Chief, RCRA Section, Chemical Branch
Enforcement and Compliance Assistance Division

Attachments

1. Multi-Media Screening Checklist (2 pages)
2. Receipt for Documents (1 page)
3. Confidentiality Notice (1 page)
4. Notice of Preliminary Findings (1 page)
5. Inspection [3] Photographs (4 pages) – **Claimed CBI and Filed Separately**
6. Photograph Log (1 page) – **Claimed CBI and Filed Separately**
7. Aerial Photographs (2 pages)
8. Facility Diagram (1 page)
9. Nox-Crete CEI Checklist (56 pages)
10. Hazardous Waste Site Info Verification Report for Inspector (1 page)
11. Hazardous Waste Shipment Summaries (7 pages)
12. Inspection Records (3 pages)
13. Training Curriculum (2 pages)
14. Hazardous Waste Manifests (14 pages)

Forward To: EPCRA / RMP / TSCA ☐ CWA ☐ Wetlands ☐ UIC ☐ PWS ☐ CAA ☐ RCRA ☐ UST ☐ SPCC ☐

REGION VII MULTIMEDIA SCREENING CHECKLIST

Facility Name: Nox Crete Inc
Facility Ownership: same
Street: 1444 South 20th St
City: Omaha State: NE Zip:
Phone: 913 402 341 2000 Facility Contact: Dave McFarlane
Number of Employees: 35-40 Work Hours/Shifts 7-13:30 M-F Facility Subject to OSHA regulations Yes ☒ No ☐

Inspector Ken Horstowski
Primary Media: RCR
Inspector Phone Ext. 9135517631
Date: 2/19/20
SIC/NAICS Code

Main facility activity, major process chemical(s) & description: Manufacture concrete construction chemicals

(**Check all that apply**): painting/coating (water-based ☒, solvent-based ☒), printing ☐, reacting ☐, formulating ☒, distilling ☐, water treatment ☐, refrigeration ☐, manufacturing ☐, parts washers/degreasing (water-based ☐, halogenated-based ☐, non-halogenated-based ☐), combustion (boiler, furnaces, oxidizers) ☐ plating (chrome ☐, other_____).

EMERGENCY PLANNING & COMMUNITY RIGHT TO KNOW ACT (EPCRA) & TOXIC SUBSTANCE CONTROL ACT (TSCA)

1. Did facility file a Tier II report with fire department, Local & State Emergency Planning Committee? Yes ☒ No ☐ ***Forward to EPCRA***
2. Did facility manufacture, import, or process (formulate, blend, package) >25,000 lbs of a chemical or >100 lbs of a Persistent Bioaccumulative Toxin (lead, mercury, or polycyclic aromatic compounds) at any time over the last 5 years? No ☐ (stop) Yes ☒ ***Forward to EPCRA***
3. Has the facility: ***If any box in question 3 is marked - Forward to EPCRA***
   a. Stored ≥500 lbs of ammonia ☐, ≥100 lbs of chlorine ☐, or ≥10,000 lbs of an industrial chemical ☒ (Solvent), at any time over the last 2 years? ☐
   b. Stored ≥10,000 lbs of pressurized flammable material (propane, methane, butane, pentane, etc.) at any time over the last 2 years? ☐ NO
   c. Used ≥10,000 lbs of ammonia ☐, chlorine ☐, halogenated solvents ☐, solvent-based paints ☐, or solvents ☒, or nitrated compound, over the last calendar year? ☐
   d. Generated ≥ one half pound of metal dusts, fumes, or metal turnings, over the last calendar year? ☐ NO
4. Does the facility have any oil filled electrical equipment No ☒ (stop) Yes ☐ ***Forward to PCB and ask*** Has facility tested oil filled equipment to determine PCB content; No ☒ Yes ☐ number containing PCBs greater than 50 ppm _____ and percent of all equipment tested _____. Is equipment leaking (including wet or weeping equipment)? No ☒ Yes ☐ – ***Get Photo***

CLEAN WATER ACT (CWA) - National Pollution Discharge Elimination System (NPDES), Industrial Pretreatment, Storm Water, & Wetlands

1. Does the facility discharge any water/wastewater to storm sewers, surface water, or the land? No ☒ (stop) Yes ☐ Sewer
   If yes, are all water/wastewater discharges permitted? Yes ☒ No ☐ ***Forward to CWA***
2. Does the facility have process wastewaters that are discharged to a city POTW (Publicly Owned Treatment Works)? No ☐ (stop) Yes ☒
   If yes, are the discharges permitted by: State? ☐, City? ☒ – If yes, Stop here. No ☐ ***Forward to CWA***
   If yes, does the city have a state or EPA approved pretreatment program? Yes ☒ No or Don't Know ☐ ***Forward to CWA***
3. During rainfall events, can storm water carry pollutants from manufacturing, processing, storage, disposal, shipping and receiving areas, or from construction sites >1 acre, to storm sewers or surface water? No ☐ (stop) Yes ☒
   If yes, does the facility have an NPDES permit for these storm water discharges? Yes ☒ No ☐ ***Forward to CWA*** general permit
4. Did you see any wastewater discharges not identified by the facility? No ☐ (stop) Yes ☐ - Identify location, time, appearance of discharge: _____ (***Get Photo***) ***Forward to CWA***
5. Does the facility have any wetland areas (e.g. streams, ponds, or temporarily wet areas)? No ☒ (stop) Yes ☐
   If yes, have any wetland areas been dredged, filled, channelized, dammed, or had gravel removed from them within the last 5 years?
   No ☐ (stop) Yes ☐ - Identify location and timeframe _____ (***Get Photo***) ***FWD to Wetlands***
   exterior not inspected

Version Dec 2016 GRAY SHADED AREAS INDICATE ITEMS **YOU** NEED TO **LOOK** FOR DURING VISUAL INSPECTION

SAFE DRINKING WATER ACT (SDWA) - Underground Injection Control (UIC) & Public Water System (PWS)

1. Does facility discharge any liquids to the subsurface (septic systems, disposal wells, cesspools, etc.)? No ☒ (stop) Yes ☐ ***Forward to UIC***
   If yes, do these liquid wastes consist of sanitary wastewater only? Yes ☐ No ☐
2. Does facility provide drinking water to 25 people or more from its own source (private well, pond, etc)? No ☒ (stop) Yes ☐ ***Forward to PWS***
   If yes, does the facility test or monitor its drinking water in order to comply with state regulations? Yes ☐ No ☐

CLEAN AIR ACT (CAA)

1. Do you see any dense, non-steam, smoke or dust emissions leaving the facility property? No ☒ Yes ☐ ***Forward to CAA***
   Source_____ (***Get Photo***)
2. Does the facility have any new air pollution emitting equipment that was constructed or installed in the past 5 years? No ☒ (stop) Yes ☐
   If yes, is equipment permitted? Yes ☐ No ☐ ***Forward to CAA*** *Describe:*_____
3. Does the facility have a refrigeration process that contains more than 10,000 lbs of ammonia ? No ☒ (stop) Yes ☐ ***Forward to EPCRA/RMP***

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) and UNDERGROUND STORAGE TANKS (UST) RCRA Inspection

1. Does the facility generate more than 30-gallons (220 lbs./100kg) of hazardous waste per month or at any one time? No ☐ (stop) Yes ☐
   If yes, does facility have an EPA Hazardous Waste Identification Number? Yes ☐ (stop) No ☐ ***Forward to RCRA***
2. Is hazardous waste treated ☐ , stored >90-days ☐, burned ☐ , land filled ☐ , put in surface impoundments ☐ or waste piles ☐ ?
   No ☐ (stop) Yes ☐ If yes, is the facility permitted for above described activity? Yes ☐ No ☐ ***Forward to RCRA***
3. Did you see or does the facility have any large quantities of materials **that the facility claims to be non-hazardous waste material** (>10 drums, roll-offs, waste piles, etc. – exclude clean office trash, cardboard, & packaging type wastes)? No ☐ (stop) Yes ☐

Material Claimed To Be Non-Hazardous	How does the facility know these wastes are non-hazardous?		
	Testing, industry or manuf. info.., MSDS, etc. ☐ ;	None available ☐	***Forward to RCRA***
	Testing, industry or manuf. info.., MSDS, etc. ☐ ;	None available ☐	***Forward to RCRA***
	Testing, industry or manuf. info.., MSDS, etc. ☐ ;	None available ☐	***Forward to RCRA***
	Testing, industry or manuf. info.., MSDS, etc. ☐ ;	None available ☐	***Forward to RCRA***
	Testing, industry or manuf. info.., MSDS, etc. ☐ ;	None available ☐	***Forward to RCRA***

See RCRA Rep

4. Did you see any leaking hazardous waste containers, drums, or tanks? No ☐ Yes ☐ ***Forward to RCRA***
   Describe:_____ (***Get Photo***)
5. Did you see any signs of spills or releases (e.g., dead or stressed vegetation, stains, discoloration)? No ☐ Yes ☐ ***Forward to RCRA***
   Describe:_____ (***Get Photo***)
6. Did you see any chemical or waste handling practices that concern you (access to children/public)? No ☐ Yes ☐ ***Forward to RCRA &***
   EPCRA Describe:_____ (***Get Photo***)
7. Does the facility have any past or present underground petroleum product or hazardous material tanks? No ☐ Yes ☐ ***Forward to UST***
8. Does the facility have any underground fuel tanks for emergency generators? No ☐ Yes ☐ ***Forward to UST***

SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN (SPCC)

1. Does the facility have any aboveground oil tanks (petroleum, synthetic, animal, fish, vegetable), with an aggregate volume >1,320 gallons?
   No ☐ (stop) Yes ☒ - Does the facility have a certified SPCC Plan? Yes ☒ No ☐ ***Forward to SPCC***
   If yes, are there secondary containment systems for the tanks? Yes ☒ No ☐ ***Forward to SPCC***
   If yes, are any tanks leaking where oil could reach waters of the State or U.S.? No ☒ Yes ☐ (***Get Photo***) ***Forward to SPCC***

**** PLEASE TAKE PHOTOS TO DOCUMENT POTENTIAL PROBLEMS***

Version Dec 2016 GRAY SHADED AREAS INDICATE ITEMS **YOU** NEED TO **LOOK** FOR DURING VISUAL INSPECTION

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
RECEIPT FOR DOCUMENTS AND SAMPLES

Facility Name
Nox-Crete Inc NED007284128

Facility Address
1444 ~~Sothe~~ South 20th St Omaha NE

Documents Collected? YES ✓ (list below) NO ____

Samples Collected? YES ____ (list below) NO ✓ Split Samples: YES ____ NO ____

Documents/ Samples were: 1) Received no charge ✓ 2) Borrowed ____ 3) Purchased ____

Amount Paid: $ ____ Method: Cash ____ Voucher ____ To Be Billed ____

The documents and samples described below were collected in connection with the administration and enforcement of the applicable statute under which the information is obtained.

Receipt for the document(s) and/or sample(s) described below is hereby acknowledged:

Training Program (2019)	1 page
" " (2020)	1 page
Weekly Checklist	2 pages
Weekly HW Insp	1 page
Waste Shipment Quantities	7 pages
HW Manifest	14 pages
Fire Evacuation Map	1 page

Facility Representative (print)	Signature/Date	
David MacFarlane	David MacFarlane	2-19-20
Inspector (print)	Signature/Date	
Kenneth Herstowski	[signature]	2/19/20

U.S. EPA, Region 7, 11201 Renner Blvd., Lenexa, KS 66219

(Rev. 7/14/14) White Original • EPA • Yellow • Facility

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
CONFIDENTIALITY NOTICE

Facility Name Nox-Crete Inc NED007284128	
Facility Address 1444 South 20th St., Omaha, NE	
Inspector (print) Kenneth Herstowski	
U.S. EPA, Region 7, 11201 Renner Blvd., Lenexa, KS 66219	Date 2/19/20

The United States Environmental Protection Agency (EPA) is obligated, under the Freedom of Information Act, to release information collected during inspections to persons who submit requests for that information. The Freedom of Information Act does, however, have provisions that allow EPA to withhold certain confidential business information from public disclosure. To claim protection for information gathered during this inspection you must request that the information be held CONFIDENTIAL and substantiate your claim in writing by demonstrating that the information meets the requirements in 40 CFR2, Subpart B. The following criteria in Subpart B must be met:

1. Your company has taken measures to protect the confidentiality of the information, and it intends to continue to take such measures.

2. No statute specifically requires disclosure of the information.

3. Disclosure of the information would cause substantial harm to your company's competitive position.

Information that you claim confidential will be held as such pending a determination of applicability by EPA.

I have received this Notice and DO NOT want to make a claim of confidentiality at this time.	
Facility Representative Provided Notice (print)	Signature/Date

I have received this Notice and DO want to make a claim of confidentiality.	
Facility Representative Provided Notice (print) David MacFarlane David MacFarlane	Signature/Date 2-19-20

Information for which confidential treatment is requested:

Photos

(Rev. 7/1/14) White Original / EPA • Yellow / Facility

Notice of ~~Violation Pursuant to Requirements~~ Preliminary Findings
of the Resource Conservation and Recovery Act (RCRA)

TO: Facility Name: Nex-Crete Inc
Address: 1444 South 20th Street
Omaha Nebraska
EPA ID Number: NED007284128 Date: 2/19/20

This notice is provided to call your attention to the following areas of noncompliance with state and federal regulations. This notice does not constitute a compliance order (Administrative Civil Complaint) pursuant to Section 3008 of RCRA and may not be a complete listing of all ~~violations~~ potential findings resulting from the the inspection.

Citation	~~Description of Violation~~ Potential Finding
NAC Title 128, Ch 25, 012.04A	Universal Waste Lamp Boxes not closed

You are requested to submit a written response within **14 calendar days** of receipt of this notice. Your response should include a description of all corrective actions taken and/or a schedule for completing the necessary corrective actions. The response should be submitted to:

U. S. Environmental Protection Agency, Region VII
11201 Renner Blvd
Lenexa KS 66219

ATTN. Ken Herstowski ECAD/CB/RCRA

If you have any questions about this Notice or wish to discuss your response, you may call me at 913551763, or herstowski.ken@epa.gov (~~Compliance Officer~~) at _____.

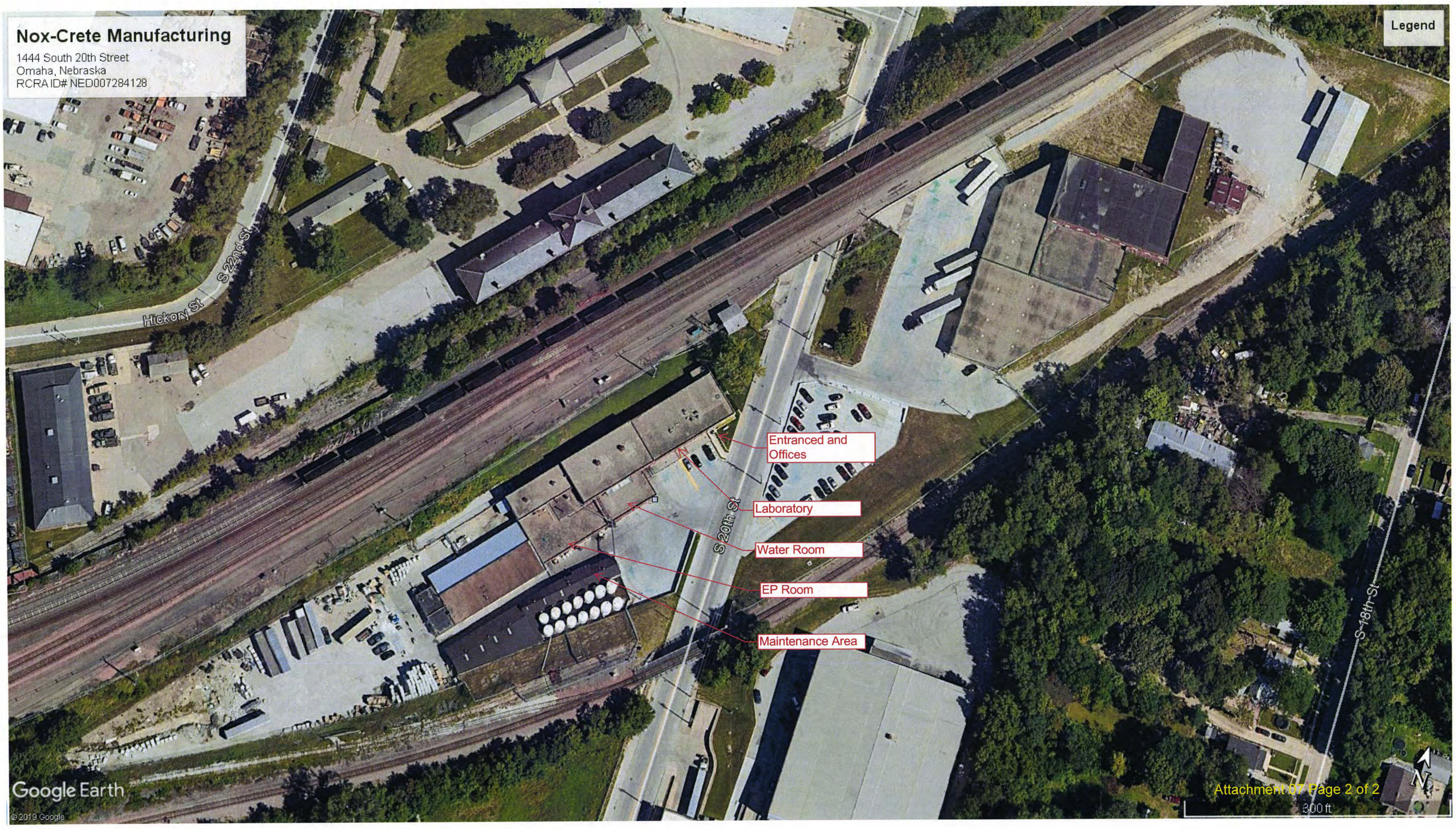
This Notice prepared by Kenneth Herstowski Date: 2/19/20

The undersigned person acknowledges that he/she has received a copy of this Notice and has read same.

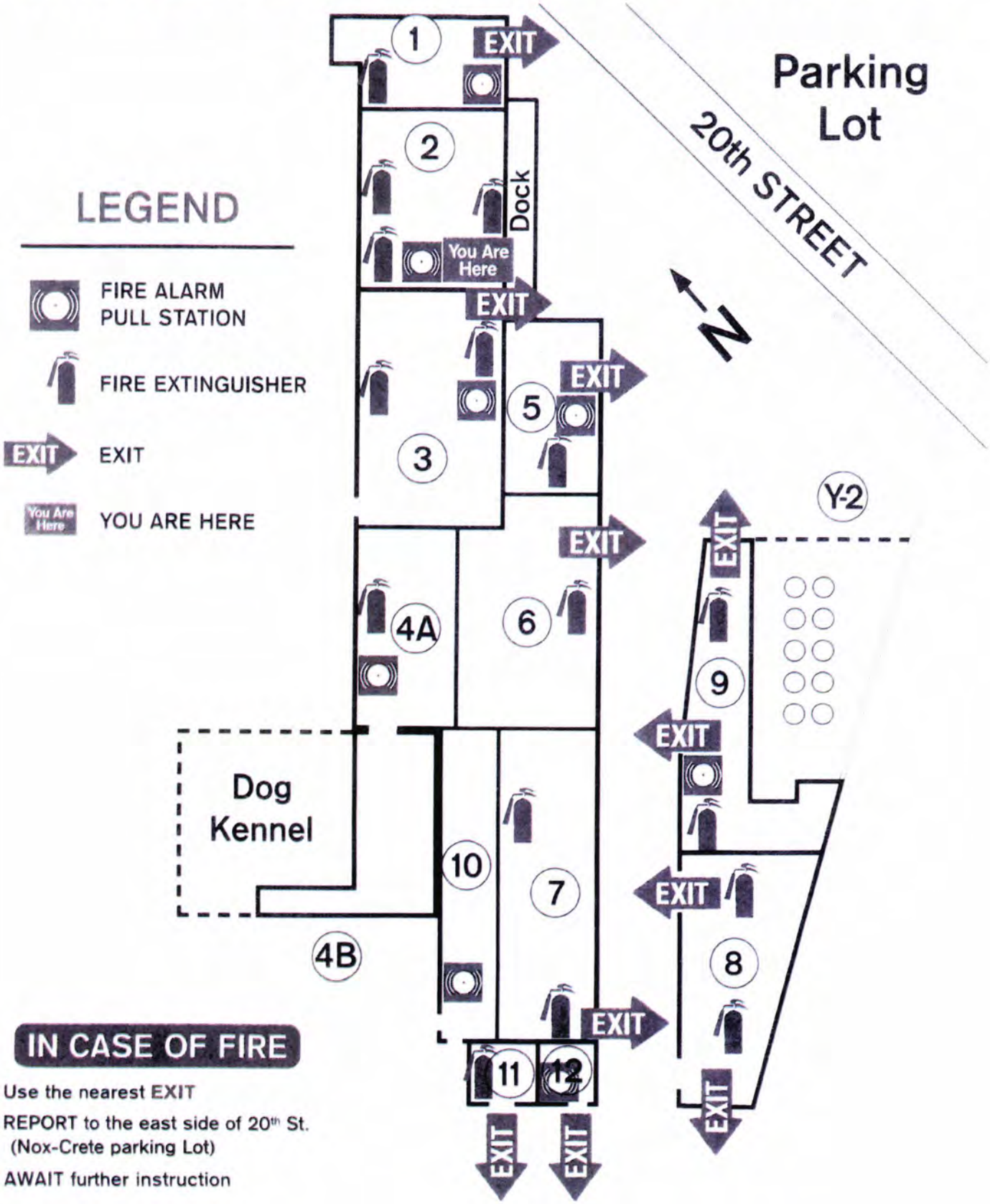
Printed Name: David MacFarlane Date: _____
Signature: _____
Title: Plant Manager

Page 1 of 1

Nox-Crete Manufacturing Inc.
1444 South 20th Street
Omaha, Nebraska
RCRA ID# NED007284128
Legend
us Park
Columbus Park
Hickory St
Southeast Omaha
Southeast Omaha
S 24th St
1444 S 20th St
William St
S 18th St
S 17th St
S 16th St
Pine St
Center St
Google Earth
© 2013 Google
Attachment 07 Page 1 of 2
700 ft
N


Nox-Crete Manufacturing
1444 South 20th Street
Omaha, Nebraska
RCRA ID# NED007284128
Legend
Hickory St
S 22nd St
S 20th St
S 18th St
Entranced and Offices
Laboratory
Water Room
EP Room
Maintenance Area
Google Earth
© 2019 Google
300 ft
N

FIRE EVACUATION MAP



IN CASE OF FIRE

- Use the nearest EXIT
- REPORT to the east side of 20th St. (Nox-Crete parking Lot)
- AWAIT further instruction

SMALL QUANTITY GENERATOR CHECKLIST
(Title 128 – Chapter 9)

PROJECT	**RCRA COMPLIANCE EVALUATION INSPECTION CHECKLIST**
FACILITY	Nox-Crete
ADDRESS	1444 South 20th Street
CITY	Omaha
STATE	Nebraska
RCRA ID#	NED007284128
LEAD INSPECTOR	Ken Herstowski
	United States Environmental Protection Agency Enforcement and Compliance Assurance Division Chemical Branch/RCRA Section

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1.0 Chapter 25 - STANDARDS FOR UNIVERSAL WASTE MANAGEMENT 16

This checklist is solely intended as guidance. The questions in this document are not exhaustive nor determinative and may not be relied upon to create a substantive or procedural right or benefit enforceable at law by any person.

DRIVE-BY

Facility: Nox-Crete Mfg Date: 2/19/20 Arrival time: 0829

1. ☒ *Yes* ☐ *No* Drive-by conducted from public right-of-way? 20th St
2. ☒ *Yes* ☐ *No* Determine the direction "North" with respect to the facility, and provide a brief sketch of the layout and orientation (as can be viewed from the public right-of-way):

google earth map

3. ☒ *Yes* ☒ *No Obvious* concerns visible from public right-of-way (photos)?

☐ Containers	☐ Tanks	☐ Processing Equipment	☐ Loading Areas
☐ Unloading Areas	☐ Security Devices	☐ Open Drums	☐ Stressed Vegetation
☐ Unusual Staining	☐ Unusual Odors	☐ Obvious Discharges	☐ Improper Disposal
☐ Safety Concerns	☐ Other Concerns		

SITE ENTRY AND INBRIEFING

4. ☒ Used main entrance ☒ Entered during normal operating hours ☒ No excessive delays (>15 min)
5. ☒ *Yes* ☐ *No* Verified presence at correct facility (checked address/I.D. #)
6. ☒ *Yes* ☐ *No* Introduction
7. Facility Representative(s):

Name	Title	Years in position
Dave McFarlane	Lab Manager	+25yrs
Eric Hansen	Op Mgr	aug 017 8/2017

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8. ☒ *Yes* ☐ *No* Does representative have intimate knowledge of all waste management practices?
9. ☒ *Yes* ☐ *No* Presented credentials.
10. ☒ *Yes* ☐ *No* Explained authority to conduct inspection (Section 3007 of RCRA).
11. ☒ *Yes* ☐ *No* Explained responsibility to provide accurate information and provided Section 1001 and 1002 U.S.C. to facility
12. ☒ *Yes* ☐ *No* Was full access granted? ☐By facility representative ☐By other (name): _____

Access denied. Name of person denying access: _____

Time of denial:_____Reason for denial, or limitations placed on access: _____

13. ☒ *Yes* ☐ *No* Explained purpose, scope, and order of the inspection.
14. ☒ *Yes* ☐ *No* Explained documentation process—worksheets, checklists, photos, notes, statements.
15. ☒ *Yes* ☐ *No* Explained facility's right to claim CBI.
16. ☒ *Yes* ☐ *No* Provided updated CBI Notice.
17. ☒ *Yes* ☐ *No* Completed Multimedia Screening Checklist.
18. ☒ *Yes* ☐ *No* Explained documentation process—worksheets, checklists, photos, notes, statements
19. ☒ *Yes* ☐ *No* Discussed areas of the facility to be inspected.
20. ☒ *Yes* ☐ *No* Discussed records needed for review.
21. ☒ *Yes* ☐ *No* Approximate duration of inspection.
22. ☒ *Yes* ☐ *No* Health and safety, personal protective equipment (PPE).
23. ☒ *Yes* ☐ *No* Equipment that will be used during the inspection (camera, IR camera, etc.).
24. ☒ *Yes* ☐ *No* Potential for opportunity for the facility to "fix" deficiencies either during or shortly after the inspection.
25. ☒ *Yes* ☐ *No* Discuss the closing conference.
26. ☒ *Yes* ☐ *No* Discuss what should be expected from the agency after the inspection including the timeframe for the inspection report completion (i.e. an inspection report, information request or similar documentation). This may be more appropriately covered in the closing conference depending on the scale of the inspection.

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FACILITY BACKGROUND

1. Site History:
Date facility began operating: late 60's early 70's Number of employees: ≈ 35-40

Number of shifts/hour worked: 2 shifts 7:-3:30 / 3:-11:30 Number of days worked per week: M-F

Size (sq. ft., how divided):

2. ☒ Yes ☐ No Property owner and facility operator the same?

3. Major products or services provided: concrete industry chemicals mfg sealers, decorative coating, release agents, bond breakers

4. Major raw materials used: solvents mineral spirits, aliphatic aromatic hydrocarbons, acrylic resins, dyes

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5. Major manufacturing or processing operations which generate waste streams – (complete/update waste stream table):

Operation/Process	Waste Stream(s)
chemical mixing	cleaning solvent off-spec product usually reworks

6. Verified/compared above information with facility Notification Form: ☐Yes ☐No

7. Describe updates to the Verification Report: name changed to: nox-crete Inc

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8. Hazardous Waste Generator Status: (based on records review)

☐Non-generator

☐VSQG (0-100 kg/mo or 1 kg/mo acute waste and accumulate <1000 kg or 1 kg acute waste or 100 kg of acute spill residue)

☒SQG (100-1000 kg/mo and accumulate <6000 kg)

☐LQG (>1000 kg/mo or >1 kg/mo of acute waste)

9. Is facility's status solidly within above category?
☒Yes
☐No (describe) episodic large quantity generator

10. Resolved questions from Pre-Inspection Worksheet or Compliance Officer? ☒Yes ☐No ☐No Questions

11. Requested site map or diagram to identify all observations? ☒Yes ☐None Available

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GENERATOR WASTE STREAMs

See pre-inspection prepared waste table

___. **WASTE STREAM:** _____

FACILITY DETERMINATION: ☐Hazardous ☐Nonhazardous ☐Other ☐Not done ☐Inadequate

WASTE CODES: _____

DETERMINATION METHOD: ☐Product knowledge ☐Process knowledge ☐Testing

DOCUMENTATION: _____

GENERATING PROCESS: _____

GENERATION RATE: _____

ON-SITE MANAGEMENT: ☐In SAAs ☐Visually inspected? ☐In storage/Accumulation ☐Visually inspected?

_____

_____

OFF-SITE MANAGEMENT/DISPOSITION: _____

See waste table

_____

___. **WASTE STREAM:** _____

FACILITY DETERMINATION: ☐Hazardous ☐Nonhazardous ☐Other ☐Not done ☐Inadequate

WASTE CODES: _____

DETERMINATION METHOD: ☐Product knowledge ☐Process knowledge ☐Testing

DOCUMENTATION: _____

GENERATING PROCESS: _____

GENERATION RATE: _____

ON-SITE MANAGEMENT: ☐In SAAs ☐Visually inspected? ☐In storage/Accumulation ☐Visually inspected?

_____

_____

OFF-SITE MANAGEMENT/DISPOSITION: _____

_____

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___. **WASTE STREAM:** _____

FACILITY DETERMINATION: ☐Hazardous ☐Nonhazardous ☐Other ☐Not done ☐Inadequate

WASTE CODES: _____

DETERMINATION METHOD: ☐Product knowledge ☐Process knowledge ☐Testing

DOCUMENTATION: _____

GENERATING PROCESS: _____

GENERATION RATE: _____

ON-SITE MANAGEMENT: ☐In SAAs ☐Visually inspected? ☐In storage/Accumulation ☐Visually inspected?

_____

_____

OFF-SITE MANAGEMENT/DISPOSITION: _____

_____

___. **WASTE STREAM:** _____

FACILITY DETERMINATION: ☐Hazardous ☐Nonhazardous ☐Other ☐Not done ☐Inadequate

WASTE CODES: _____

DETERMINATION METHOD: ☐Product knowledge ☐Process knowledge ☐Testing

DOCUMENTATION: _____

GENERATING PROCESS: _____

GENERATION RATE: _____

ON-SITE MANAGEMENT: ☐In SAAs ☐Visually inspected? ☐In storage/Accumulation ☐Visually inspected?

_____

_____

OFF-SITE MANAGEMENT/DISPOSITION: _____

_____

Chapter 9 - REQUIREMENTS FOR SMALL QUANTITY GENERATORS OF HAZARDOUS WASTE

The requirements for small quantity generators are found in Chapter 9 of Title 128 of the NEBRASKA ADMINISTRATIVE CODE

Title 128 Chapter 9	√/ X/ NA	REQUIREMENT	COMMENT
001		Applicability.	
01.01	√	A small quantity generator is one who generates in a calendar month a total quantity of hazardous waste greater than 100 kilograms and less than 1,000 kilograms. Small quantity generators are subject to this Chapter.	SQG @ time of insp episodic LQG
01.02	√	A generator who treats, stores or disposes of hazardous waste on- site must comply with Chapter 4, 002 through 004, 005.03C, 005.04, and 005.05, Sections 007.03 and 007.04 of this Chapter, and, if applicable, Chapter 10, 007. A generator who treats, stores, or disposes hazardous waste onsite must also comply with all other applicable chapters of this Title.	
002	√	When making the quantity determinations of this Title, the generator must include all hazardous waste that it generates, except hazardous waste that:	
002.01	NA	Is exempt from regulation under Chapter 2, Sections 010 through 013, 015.01, 016, or Chapter 7, Section 002; or	
002.02	NA	Is managed immediately upon generation only in on-site elementary neutralization units, wastewater treatment units, or totally enclosed treatment facilities as defined in Chapter 1; or	
002.03	NA	Is recycled, without prior storage or accumulation, only in an on- site process subject to regulation under Chapter 7, Section 006; or	off spec product is used in process
002.04		Is used oil managed under the requirements of Chapter 7, Section 002.02; or	no used oil
002.05		Is spent lead-acid batteries managed under the requirements of Chapter 7, Section 012; or	no used batteries
002.06		Is universal waste managed under Chapter 25.	Bulbs

√ - no finding noted X – possible finding noted NA – not applicable

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Title 128 Chapter 9	√/ X/ NA	REQUIREMENT	COMMENT
003		In determining the quantity of hazardous waste generated, a generator need not include:	
003.01	√	Hazardous waste when it is removed from on-site storage as long as it is counted once; or	
003.02	NA	Hazardous waste produced by on-site treatment (including reclamation) of hazardous waste, so long as the hazardous waste that is treated was counted once; or	no reclamation off spec product used in new product production
003.03	NA	Spent materials that are generated, reclaimed, and subsequently reused on-site, so long as such spent materials have been counted once.	
004	NA	If a small quantity generator generates acute hazardous waste in a calendar month, in quantities greater than set forth below, all quantities of that acute hazardous waste are subject to full regulation under Chapter 10 and the notification requirements of Chapter 4.	
004.01		A total of one kilogram of acute hazardous wastes listed in Chapter 3, 013 through 016.	
004.02		A total of 100 kilograms of any residue or contaminated soil, water or other debris resulting from the clean-up of a spill, into or on any land or water, of any acute hazardous waste listed in Chapter 3, 013 through 016.	
005		The small quantity generator may accumulate acute hazardous waste on-site. If he accumulates at any time acute hazardous waste in quantities greater than those set forth in 004.01 or 004.02 of this Chapter, all of those accumulated acute hazardous wastes are subject to regulation under Chapter 10 and the notification requirements of Chapter 4. The time period of Chapter 10, 004.01 for accumulation of wastes on-site, begins when the accumulated wastes exceed the exclusion limit.	
006		A small quantity generator who generates and accumulates acute hazardous waste in a calendar month in quantities no greater than those specified in 004.01 and 004.02 of this Chapter is subject to the requirements of Chapter 8, 006.03 for all quantities of that acute hazardous waste.	
007		A small quantity generator shall comply with the following regarding their hazardous waste (except as	

√ - no finding noted X – possible finding noted NA – not applicable

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Title 128 Chapter 9	√/ X/ NA	REQUIREMENT	COMMENT
		provided otherwise by Sections 004 and 005 of this Chapter).	
007.01	√	Chapter 4, 002 - Hazardous Waste Determination.	
007.02	√	Chapter 4, 003 through 004 - DEQ/EPA Identification Number.	
007.03		A small quantity generator may accumulate hazardous waste on-site for 180 days or less (or for 270 days if the generator must transport the waste, or offer that waste for transportation, over a distance of 200 miles or more) without a permit or without having interim status provided that:	transports > 200 miles to Eau Claire WI
007.03A	√	The quantity of waste never exceeds 6,000 kilograms and;	not observed a 55 gal containers
007.03B	N/A	The generator complies with the tank requirements of Section 009 of this Chapter and; No tanks	
007.03C	√	The generator complies with the container requirements of Section 004.01A of Chapter 10, except Section 004.01A6 and;	
007.03D	√	The generator complies with the dating and labeling requirements of Sections 004.01F and 004.01G of Chapter 10 and;	
007.03E	√	The generator complies with the requirements of Chapter 16 except Section 002.01A and;	
007.03F	√	The generator complies with the requirements of Chapter 17 and;	
007.03G	√	The generator complies with the requirements of Section 005.01E of Chapter 20.	
007.04		Satellite accumulation.	
007.04A	√	A generator may accumulate as much as 55 gallons of hazardous waste, or one quart of acute hazardous waste listed in Chapter 3, 015, in containers at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with Section 007.03 of this Chapter provided the generator:	2 SAA 1 55 gal in Water Room 2 5 gal in LAB
007.04A1	√	Complies with Sections 004.01A1 and 004.01A2 of Chapter 10 and Chapter 16, 002.01C and	
007.04A2	√	Marks the containers with the words "Hazardous Waste" or with other words that identify the contents of the containers.	

√ - no finding noted X – possible finding noted NA – not applicable

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Title 128 Chapter 9	√/ X/ NA	REQUIREMENT	COMMENT
007.04B	√	A generator who accumulates either hazardous waste or acute hazardous waste in excess of the amounts listed in Section 007.04A of this Chapter at or near any point of generation must, with respect to that amount of excess waste, comply within three days with Section 004.01 of Chapter 10 or other applicable provisions of this Chapter. During the three-day period the generator must continue to comply with Sections 007.04A1 and 007.04A2 of this Chapter.The generator must mark the container holding the excess accumulation of hazardous waste with the date the excess amount began accumulating.	55 gallons or less at each location
07.05	NA	40 CFR Part 262 Subparts E and F, as incorporated by reference in Chapter 10, 006 - International Shipments, except that 262.56(a)(5) need not be complied with.	
07.06		The Manifest System.	
	√	The generator must comply with the manifest requirements of Chapter 10, 002 and 004.06, except if the waste is reclaimed under a contractual agreement pursuant to which:	
007.06A	NA	The type of waste and frequency of shipments are specified in the agreement.	
007.06B	NA	The vehicle used to transport the waste to the recycling facility and to deliver regenerated material back to the small quantity generator is owned and operated by the reclaimer of the waste; and	
007.06C	NA	The small quantity generator maintains a copy of the reclamation agreement for a period of at least three years after termination or expiration of the agreement.	
007.07	√	Furnish additional reports, and exception reports in accordance with Chapter 4.	not observed
007.08	√	At all times there must be at least one employee either on the premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures specified in Section 007.11 of this Chapter. This employee is the emergency coordinator.	
007.09		The small quantity generator must post the following information next to the telephone:	Photo

√ - no finding noted X – possible finding noted NA – not applicable

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Title 128 Chapter 9	√/ X/ NA	REQUIREMENT	COMMENT
007.09A	√	The name and telephone number of the emergency coordinator;	
007.09B	√	Location of fire extinguishers and spill control material, and, if present, fire alarm; and	spill control material not in proper places – returned during inspection Dave M. per Mike Cronin
007.09C	√	The telephone number of the fire department, unless the facility has a direct alarm.	
007.10	√	The small quantity generator must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies;	
007.11	NA	The emergency coordinator or the coordinator's designee must respond to any emergencies that arise. The applicable responses are as follows:	
007.11A		In the event of a fire, call the fire department or attempt to extinguish it using a fire extinguisher;	no emergency situations observed
007.11B		In the event of a spill, contain the flow of hazardous waste to the extent possible, and as soon as is practicable, clean up the hazardous waste and any contaminated materials or soil;	
007.11C		In the event of a fire, explosion, or other release which could threaten human health outside the facility or when the small quantity generator has knowledge that a spill has reached surface water, the small quantity generator must immediately notify the National Response Center. The report must include the following information:	
007.11C1		The name, address, and DEQ/EPA Identification Number of the small quantity generator;	
007.11C2		Date, time, and type of incident (e.g., spill or fire);	
007.11C3		Quantity and type of hazardous waste involved in the incident;	
007.11C4		Extent of injuries, if any; and	
007.11C5		Estimated quantity and disposition of recovered materials, if any.	
007.12		Pre-transport Requirements.	
007.12A	√	Package the waste in accordance with the applicable U.S. Department of Transportation regulations on packaging hazardous materials under 49 CFR Parts 173, 178, and 179.	55 gallon DOT drums
007.12B	√	Label each package in accordance with the applicable U.S. Department of Transportation	

√ - no finding noted X – possible finding noted NA – not applicable

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Title 128 Chapter 9	√/ X/ NA	REQUIREMENT	COMMENT
		regulations on hazardous materials under 49 CFR Part 172;	
007.12C	√	Mark each package in accordance with the applicable U.S. Department of Transportation regulations on hazardous materials under 49 CFR Part 172;	
007.12D	√	Mark each container of 119 gallons or less used in such transportation with the following words and information displayed in accordance with requirements of 49 CFR 172.304: "Hazardous Waste - Federal Law Prohibits Improper Disposal. If found, contact the nearest police or public safety authority or the U. S. Environmental Protection Agency. Generator's Name and Address. Generator's EPA Identification Number. Manifest tracking Number "; and	Waste Label
007.12E	√	Placard or offer the initial transporter the appropriate placards according to Department of Transportation regulations for hazardous materials under 49 CFR Part 172, Subpart F.	
008	NA	A small quantity generator who accumulates hazardous waste in quantities exceeding 6,000 kilograms or accumulates hazardous waste for more than 180 days (or for more than 270 days if the generator must transport the waste, or offer the waste for transportation, over a distance of 200 miles or more) is an operator of a storage facility and is subject to the requirements of Chapters 12 through 15 and Chapters 21 or 22 unless the generator has been granted an extension to the 180-day (or 270 day, if applicable) period. Such extension may be granted by the Director if hazardous wastes must remain on-site for longer than 180-days (or 270 days if applicable) due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted at the discretion of the Director on a case-by-case basis.	non observed oldest container date 8/27/19
009	NA	Small quantity generators that accumulate hazardous waste in tanks must:	
009.01		Comply with the following general operating requirements:	

√ - no finding noted X – possible finding noted NA – not applicable

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Title 128 Chapter 9	√/ X/ NA	REQUIREMENT	COMMENT
009.01A	NA	Treatment or storage of hazardous waste in tanks must comply with Chapter 16, 002.02.	
009.01B		Hazardous wastes or treatment reagents must not be placed in a tank if they could cause the tank or its inner liner to rupture, leak, corrode, or otherwise fail before the end of its intended life.	
009.01C		Uncovered tanks must be operated to ensure at least 60 centimeters (2 feet) of freeboard, unless the tank is equipped with a containment structure (e.g., dike or trench), a drainage control system, or a diversion structure (e.g., standby tank) with a capacity that equals or exceeds the volume of the top 60 centimeters (2 feet) of the tank.	
009.01D		Where hazardous waste is continuously fed into a tank, the tank must be equipped with a means to stop this inflow (e.g., waste feed cutoff system or by-pass system to a stand-by tank).	
009.01 E		Remedy any deterioration or malfunction found.	
009.02		Inspect where present:	
009.02A		Discharge control equipment (e.g., waste feed cutoff systems, by-pass systems, and drainage systems) at least once each operating day, to ensure that it is in good working order.	
009.02B		Data gathered from monitoring equipment and leak detection equipment (e.g., pressure and temperature gauges, and monitoring wells) at least once each operating day to ensure that the tank system is being operated according to its design.	
009.02C		The level of waste in uncovered tanks at least once each operating day to ensure compliance with Section 009.01C of this Chapter.	
009.02D		The construction materials of the tank at least weekly to detect corrosion or leaking of fixtures or seams; and	
009.02E		The construction materials of, and the area immediately surrounding the externally accessible portion of the tank system including discharge confinement structures (e.g., dikes) at least weekly to detect erosion or signs of releases of hazardous waste (e.g., wet spots or dead vegetation).	
009.03		Upon closure of the facility, remove all hazardous waste from tanks, discharge control equipment, and discharge confinement structures. (Hazardous waste	

√ - no finding noted X – possible finding noted NA – not applicable

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Title 128 Chapter 9	√/ X/ NA	REQUIREMENT	COMMENT
	NA	removed from the tank system is subject to the requirements of this Title.)	
009.04		Comply with the following special requirements for ignitable or reactive waste:	
009.04A		Ignitable or reactive waste must not be placed in a tank, unless:	
009.04A1		The waste is treated, rendered, or mixed before or immediately after placement in a tank so that the resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste under Chapters 3, 007 and 009 and Chapter 16, 001.02 is complied with; or	
009.04A2		The requirements in Chapter 16, 002.02 are complied with.	
009.05		Comply with the special requirements for incompatible wastes in Chapter 16, 001.03 and 001.04.	

1.0 Chapter 25 - STANDARDS FOR UNIVERSAL WASTE MANAGEMENT

√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
	001	Scope	
	001.01	This chapter establishes requirements for managing the following:	
NA	001.01A	Batteries as described in 002 of this chapter;	no batteries managed
	001.01B	Pesticides as described in 003 of this chapter;	" "
	001.01C	Mercury-containing items as described in 004 of this chapter; 001.01D Lamps as described in 005 of this chapter; and	" "
	001.01E	Electronic items as described in 006 of this chapter.	" "
	001.02	This chapter provides an alternative set of management standards in lieu of regulation under Title 128, Chapters 1 through 24.	
NA	002	Applicability--batteries.	
	002.01	Batteries covered under Title 128, Chapter 25.	Lead acid batteries
	002.01A	The requirements of this chapter apply to persons managing batteries, as defined in 008, except those listed in 002.02 of this chapter.	from fork lifts managed by service company

√ - no finding noted X – possible finding noted NA – not applicable

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA	002.01B	Spent Lead-acid batteries which are not managed under Title 128, Chapter 7 are subject to management under this chapter.	
	002.02	Batteries not covered under Title 128, Chapter 25. The requirements of this chapter do not apply to persons managing the following batteries:	
	002.02A	Spent lead-acid batteries that are managed under Title 128, Chapter 7.	
	002.02B	Batteries, as defined in 008 that are not yet wastes under Title 128, Chapter 2, including those that do not meet the criteria for waste generation in 002.03 of this chapter.	
	002.02C	Batteries, as defined in 008, that are not hazardous waste. A battery is a hazardous waste if it exhibits one or more of the characteristics identified in Title 128, Chapter 3, 005 through 010.	
	002.03	Generation of waste batteries.	
	002.03A	A used battery becomes a waste on the date it is discarded.	
	002.03B	An unused battery becomes a waste on the date the handler decides to discard it.	
NA	003	Applicability -- pesticides.	no pesticides managed
	003.01	Pesticides covered under Title 128. Chapter 25. The requirements of this chapter apply to persons managing pesticides, as defined in 008, meeting the following conditions, except those listed in paragraph 003.02 of this chapter:	
	003.01A	Recalled pesticides that are:	
	003.01A1	Stocks of a suspended and canceled pesticide that are part of a voluntary or mandatory recall under FIFRA Section 19(b), including, but not limited to those owned by the registrant responsible for conducting the recall; or	
	003.01A2	Stocks of a suspended or canceled pesticide, or a pesticide that is not in compliance with FIFRA, that are part of a voluntary recall by the registrant.	
	003.01B	Stocks of other unused pesticide products that are collected and managed as part of a waste pesticide collection program.	
	003.02	Pesticides not covered under Title 128, Chapter 25. The requirements of this chapter do not apply to persons managing the following pesticides:	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA	003.02A	Recalled pesticides described in 003.01A of this chapter and unused pesticide products described in 003.01B of this chapter, that are managed by farmers in compliance with Title 128, Chapter 10, 007.	
	003.02B	Pesticides not meeting the conditions set forth in 003.01 of this chapter. These pesticides must be managed in compliance with the hazardous waste regulations in Title 128, Chapters 1 through 24.	
	003.02C	Pesticides that are not wastes under Title 128, Chapter 2, 003 including those that do not meet the criteria for waste generation in 003.03 of this chapter or those that are not wastes as described in 003.04 of this chapter; and	
	003.02D	Pesticides that are not hazardous waste. A pesticide is a hazardous waste if it is listed in Title 128, Chapter 3, or if it exhibits one or more of the characteristics identified in Title 128, Chapter 3, 005 through 010.	
	003.03	When a pesticide becomes a waste.	
	003.03A	A recalled pesticide described in 003.01A of this chapter becomes a waste on the first date on which both of the following conditions apply:	
	003.03A1	The generator of the recalled pesticide agrees to participate in the recall; and	
	003.03A2	The person conducting the recall decides to discard the pesticide.	
	003.03B	An unused pesticide product described in 003.01B of this chapter becomes a waste on the date the generator decides to discard it.	
	003.04	Pesticides that are not wastes. The following pesticides are not wastes:	
	003.04A	Recalled pesticides described in 003.01A of this chapter provided that the person conducting the recall:	
	003.04A1	Has not made a decision to discard the pesticide. Until such a decision is made, the pesticide does not meet the definition of "solid waste" under Title 128, Chapter 2, 003; thus the pesticide is not a hazardous waste and is not subject to hazardous waste requirements, including this Chapter 25. This pesticide remains subject to the requirements of FIFRA; or	
	003.04A2	Has made a decision to use a management option that, under Title 128, Chapter 2, 003, does not cause the pesticide to be a solid waste (i.e., the selected option is use (other than use constituting disposal) or reuse	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
		(other than burning for energy recovery), or reclamation). Such a pesticide is not a solid waste and therefore is not a hazardous waste, and is not subject to the hazardous waste requirements including Chapter 25. This pesticide, including a recalled pesticide that is exported to a foreign destination for use or reuse, remains subject to the requirements of FIFRA.	
NA	003.04B	Unused pesticide products described in 003.01B of this chapter, if the generator of the unused pesticide product has not decided to discard them. These pesticides remain subject to the requirements of FIFRA.	
NA	004	Applicability -- mercury-containing items.	no MCO managed
	004.01	Mercury-containing items covered under Title 128, Chapter 25. The requirements of this chapter apply to persons managing mercury-containing items, as described in 008 except those listed in 004.02 of this chapter.	
	004.02	Mercury-containing items not covered under Title 128, Chapter 25. The requirements of this chapter do not apply to persons managing the following mercury-containing items:	
	004.02A	Mercury-containing items that are not yet wastes under Title 128, Chapter 2. Section 004.03 of this chapter describes when mercury-containing items become wastes.	
	004.02B	Mercury-containing items that are not hazardous waste. A mercury- containing item is a hazardous waste if it exhibits one or more of the characteristics identified in Title 128, Chapter 3, 005 through 010.	
	004.03	Generation of waste mercury-containing items.	
	004.03A	A used mercury-containing item becomes a waste on the date it is discarded.	
	004.03B	An unused mercury-containing item becomes a waste on the date the handler decides to discard it.	
	005	Applicability -- Lamps.	
	005.01	Lamps covered under Title 128, Chapter 25. The requirements of this part apply to persons managing lamps as described in 008, except those listed in paragraph 005.02 of this chapter.	
	005.02	Lamps not covered under Title 128, Chapter 25. The requirements of this chapter do not apply to persons managing the following:	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
✓	005.02A	Lamps that are not yet wastes under Title 128, Chapter 2. Section 005.03 of this chapter describes when lamps become wastes.	accumulates still usable bulbs from LED changouts
	005.02	B Lamps that are not hazardous waste. A lamp is a hazardous waste if it exhibits one or more of the characteristics identified in Title 128, Chapter 3.	
	005.03	Generation of waste lamps.	
✓	005.03A	A used lamp becomes a waste on the date it is discarded.	
✓	005.03B	An unused lamp becomes a waste on the date the handler decides to discard it.	
NA	006	Applicability — Electronic Items.	
	006.01	Electronic items covered under Title 128, Chapter 25. The requirements of this part apply to persons managing electronic items as described in 008, except those listed in section 006.02 of this chapter.	
	006.02	Electronic items not covered under Title 128, Chapter 25. The requirements of this chapter do not apply to persons managing the following:	
	006.02 A	Electronic items that are not yet wastes under Title 128, Chapter 2. Section of this chapter describes when electronic items become wastes.	
	006.02 B	Electronic items that are not hazardous waste. An electronic item is a hazardous waste if it exhibits one or more of the characteristics identified in Title 128, Chapter 3.	
	006.03	Generation of electronic items.	
	006.03A	A used electronic item destined for disposal becomes a waste on the date it is discarded.	
	006.03B	A used electronic item destined for recycling becomes a waste on the date the recycler determines that the item cannot be resold, donated, repaired, or refurbished, or determines that he/she cannot directly reuse or sell useable parts from the item.	
	006.03C	An unused electronic item becomes a waste on the date the handler decides to discard it.	
	008	The following definitions are for the purposes of Chapter 25.	
✓	008.01	"Battery" means a device consisting of one or more electrically connected electrochemical cells which is designed to receive, store, and deliver electric energy. An electrochemical cell is a system consisting of an anode, cathode, and an electrolyte, plus such	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
		connections (electrical and mechanical) as may be needed to allow the cell to deliver or receive electrical energy. The term battery also includes an intact, unbroken battery from which the electrolyte has been removed.	
	008.02	"Destination facility" means a facility that treats, disposes of, or recycles a particular category of universal waste, except those management activities described in 012.01, 012.03, 012.04, 023.01, 023.03, and 023.04 of this chapter. A facility at which a particular category of universal waste is only accumulated, is not a destination facility for purposes of managing that category of universal waste.	
	008.03	"Electronic item" means electronic equipment that contains one or more electronic circuit boards or other complex circuitry, including but not limited to computer monitors, televisions, central processing units (CPUs), laptop computers, printers, terminals, keyboards, mainframes, stereo equipment, telephones, and recording/playback devices. Electronic items include components and sub-assemblies or other parts derived from the disassembly of electronic devices. While many waste electronic items do not fail the toxicity characteristic leaching procedure test for heavy metals if left intact, individual components generated by disassembly may fail the toxicity characteristic leaching procedure test. "Electronic items" does not include discarded household appliances as defined by Title 132 – Integrated Solid Waste Management Regulations, Chapter 1, 034.	
	008.04	"FFDCA" means Federal Food Drug and Cosmetic Act (21 U.S.C. §301 et seq).	
	008.05	"FIFRA" means the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136-136y).	
	008.06	"Lamp", also referred to as "universal waste lamp", is defined as the bulb or tube portion of an electric lighting device. A lamp is specifically designed to produce radiant energy, most often in the ultraviolet, visible, and infra-red regions of the electromagnetic spectrum. Examples of common universal waste electric lamps include, but are not limited to, fluorescent, high intensity discharge, neon, mercury vapor, high pressure sodium, and metal halide lamps.	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA	008.07	"Large quantity handler of universal waste" means a universal waste handler (as defined in this section) who accumulates 5,000 kilograms or more total of universal waste (batteries, pesticides, mercury-containing items, lamps, or electronic items, calculated collectively) at any time. This designation as a large quantity handler of universal waste is retained through the end of the calendar year in which 5,000 kilograms or more total of universal waste is accumulated.	Small quantity handler
NA	008.08	"Mercury-containing item" means any electrical, mechanical, or medical product or component (excluding batteries and lamps) which contains elemental mercury and the elemental mercury is necessary for its operation where the mercury acts as a conductor of temperature, pressure, or electricity, or acts as a weight damper. The mercury must be housed within an outer metal, glass, or plastic casing. Mercury-containing devices include but are not limited to; barometers, sphygmomanometers, electrical switches and relays, gauges and flow regulators, manometers, bow stabilizers, thermometers, thermocouples, and mercury-filled pumps.	
	008.09	"OSHA" means Occupational Safety and Health Act 29 U.S.C §651 et seq).	
	008.10	"Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, or intended for use as a plant regulator, defoliant, or desiccant, other than any article that:	
	008.10A	Is a new animal drug under FFDCA section 201(w), or	
	008.10B	Is an animal drug that has been determined by regulation of the Secretary of Health and Human Services not to be a new animal drug, or	
	008.10C	Is an animal feed under FFDCA section 201(x) that bears or contains any substances described by 008.08A or 008.08B of this chapter.	
√	008.11	"Small quantity handler of universal waste" means a universal waste handler (as defined in this section) who does not accumulate 5,000 kilograms or more total of universal waste (batteries, pesticides, mercury-containing items, lamps, or electronic items, calculated collectively) at any time.	Small quantity handler of UW Lamps (accumulator)

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA	008.12	"Thermostat" means a temperature control device that contains metallic mercury in an ampule attached to a bimetal sensing element, and mercury-containing ampules that have been removed from these temperature control devices in compliance with the requirements of 012.03B1 through 012.03B8 or 023.03B1 through 023.03B8 of this chapter.	
	008.13	"Universal waste" means any of the following hazardous wastes that are subject to the universal waste requirements of Title 128, Chapter 25.	
	008.13A	Batteries as described in Title 128, Chapter 25, 002; 008.13B Pesticides as described in Title 128, Chapter 25, 003;	
	008.13C	Mercury-containing items as described in Title 128, Chapter 25, 004; and	
	008.13D	Lamps as described in Title 128, Chapter 25, 005.	non green tip lamps managed
	008.13E	Electronic items as described in Title 128, Chapter 25, 006.	
	008.14	Universal Waste Handler: 008.14A Means:	
√	008.14A1	A generator of universal waste; or	
NA	008.14A2	The owner or operator of a facility, including all contiguous property, that receives universal waste from other universal waste handlers, accumulates universal waste, and sends universal waste to another universal waste handler, to a destination facility or to a foreign destination.	
	008.14B	Does not mean:	
	008.14B1	A person who treats (except under the provisions of 012.01, 012.03, 012.04, 023.01, 023.03 or 022.04 of this chapter) or disposes of, or recycles universal waste; or	
	008.14B2	A person engaged in the off-site transportation of universal waste by air, rail, highway, or water, including a universal waste transfer facility.	
	008.15	"Universal waste transfer facility" means any transportation-related facility including loading docks, parking areas, storage areas and other similar areas where shipments of universal waste are held during the normal course of transportation for ten days or less.	
	008.16	"Universal waste transporter" means a person engaged in the off-site transportation of universal waste by air, rail, highway, or water.	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
	009	Small Quantity Handlers of Universal Waste. Sections 009 through 018.03 of this chapter define standards for small quantity handlers of universal waste.	
	010	Prohibitions. A small quantity handler of universal waste is:	
√	010.01	Prohibited from disposing of universal waste; and	Mercyles
√	010.02	Prohibited from diluting or treating universal waste, except by responding to releases as provided in 015 of this chapter; or by managing specific wastes as provided in 012 of this chapter.	
√	011	Notification. A small quantity handler of universal waste is not required to notify EPA of universal waste handling activities.	
	012	Waste Management.	
	012.01	Universal waste batteries. A small quantity handler of universal waste must manage universal waste batteries in a way that prevents release of any universal waste or component of a universal waste to the environment, as follows:	
X	012.01A	A small quantity handler of universal waste must contain any universal waste battery that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions in a container. The container must be closed, structurally sound, compatible with the contents of the battery, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.	containers not closed, 4' open both ends, 8' open one end
NA	012.01B	A small quantity handler of universal waste may conduct the following activities as long as the casing of each individual battery cell is not breached and remains intact and closed (except that cells may be opened to remove electrolyte but must be immediately closed after removal):	
	012.01B1	Sorting batteries by type;	
	012.01B2	Mixing battery types in one container;	
	012.01B3	Discharging batteries so as to remove the electric charge;	
	012.01B4	Regenerating used batteries;	
	012.01B5	Disassembling batteries or battery packs into individual batteries or cells;	
	012.01B6	Removing batteries from consumer products; or 012.01B7 Removing electrolyte from batteries.	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA	012.01C	A small quantity handler of universal waste who removes electrolyte from batteries, or who generates other solid waste (e.g., battery pack materials, discarded consumer products) as a result of the activities listed above, must determine whether the electrolyte and/or other solid waste exhibit a characteristic of hazardous waste identified in Title 128, Chapter 3 005 through 010.	
	012.01C1	If the electrolyte and/or other solid waste exhibit a characteristic of hazardous waste, it is subject to all applicable requirements of Title 128, Chapters 1 through 24. The handler is considered the generator of the hazardous electrolyte and/or other waste and is subject to the requirements of Title 128, Chapters 8, 9, and 10.	
	012.01C2	If the electrolyte or other solid waste is not hazardous, the handler must manage the waste in any way that is in compliance with applicable federal, state or local solid waste regulations.	
NA	012.02	Universal waste pesticides. A small quantity handler of universal waste must manage universal waste pesticides in a way that prevents releases of any universal waste or component of a universal waste to the environment. The universal waste pesticides must be contained in one or more of the following:	
	012.02A	A container that remains closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions; or	
	012.02B	A container that does not meet the requirements of 012.02A of this chapter, provided that the unacceptable container is overpacked in a container that does meet the requirements of 012.02A of this chapter; or	
	012.02C	A tank that meets the requirements of 40 CFR part 265 subpart J, except for 40 CFR 265.197(c), 265.200, and 265.201; as adopted by reference by Title 128, Chapter 22, 010; or	
	012.02D	A transport vehicle or vessel that is closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA	012.03	Universal waste mercury-containing items. A small quantity handler of universal waste must manage universal waste mercury-containing items in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:	
	012.03A	A small quantity handler of universal waste must contain any universal waste mercury-containing items that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions in a container. The container must be closed, structurally sound, compatible with the contents of the thermostat, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.	
	012.03B	A small quantity handler of universal waste may remove mercury-containing ampules from universal waste mercury-containing items provided the handler:	
	012.03B1	Removes the ampules in a manner designed to prevent breakage of the ampules;	
	012.03B2	Removes ampules only over or in a containment device (e.g., tray or pan sufficient to collect and contain any mercury released from an ampule in case of breakage);	
	012.03B3	Ensures that a mercury clean-up system is readily available to immediately transfer any mercury resulting from spills or leaks from broken ampules, from the containment device to a container that meets the requirements of Title 128, Chapter 10, 004;	
	012.03B4	Immediately transfers any mercury resulting from spills or leaks from broken ampules from the containment device to a container that meets the requirements of Title 128, Chapter 10, 004;	
	012.03B5	Ensures that the area in which ampules are removed is well ventilated and monitored to ensure compliance with applicable OSHA exposure levels for mercury;	
	012.03B6	Ensures that employees removing ampules are thoroughly familiar with proper waste mercury handling and emergency procedures, including transfer of mercury from containment devices to appropriate containers;	
	012.03B7	Stores removed ampules in closed, non-leaking containers that are in good condition;	

√ - no finding noted X – possible finding noted NA – not applicable

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA	012.03B8	Packs removed ampules in the container with packing materials adequate to prevent breakage during storage, handling, and transportation; and	
	012.03B9	A small quantity handler of universal waste who removes mercury- containing ampules from mercury-containing items must determine whether the following exhibit a characteristic of hazardous waste identified in Title 128, Chapter 3 005 through 010:	
	012.03B9(a)	Mercury or clean-up residues resulting from spills or leaks; and/or	
	012.03B9(b)	Other solid waste generated as a result of the removal of mercury-containing ampules (e.g., remaining mercury-containing item units).	
	012.03B10	If the mercury, residues, and/or other solid waste exhibit a characteristic of hazardous waste, it must be managed in compliance with all applicable requirements of Title 128, Chapters 1 through 24. The handler is considered the generator of the mercury, residues, and/or other waste and must manage it subject to the requirements of Title 128, Chapters 8, 9, and 10.	
	012.03B11	If the mercury, residues, and/or other solid waste is not hazardous, the handler must manage the waste in any way that is in compliance with applicable federal, state or local solid waste regulations.	
	012.03C	A small quantity handler of universal waste may drain elemental mercury from open-ended mercury-containing items provided the handler:	
	012.03C1	Ensures that the universal waste mercury-containing items are drained only over a containment device (e.g., tray or pan sufficient to collect and contain any mercury released from a device in case of breakage or spill);	
	012.03C2	Ensures that the draining operations are performed safely by developing and implementing a written procedure detailing how to safely drain the universal waste mercury-containing items. This procedure must include: the type of equipment to be used to drain universal waste mercury-containing items safely; operation and maintenance of the equipment; segregation of incompatible wastes; proper waste management practices; and waste characterization;	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA	012.03C3	Ensures that a spill clean-up kit is readily available to immediately clean up spills or leaks of the contents of the universal waste mercury-containing item which might occur during the mercury draining operation;	
	012.03C4	Immediately transfers the drained elemental mercury to a container that meets the requirements of Title 128, Chapter 10, 004;	
	012.03C5	Ensures that the area in which the universal waste mercury-containing items are drained is well ventilated and monitored to ensure compliance with applicable OSHA exposure levels for mercury;	
	012.03C6	Ensures that employees are thoroughly familiar with the procedure for draining universal waste mercury-containing items and proper waste handling and emergency procedures relevant to their responsibilities during normal facility operations and emergencies;	
	012.03C7	Stores the drained elemental mercury in a closed, non-leaking container that is in good condition; and	
	012.03C8	Maintains documentation of the date of accumulation, a description of the item drained, and the amount of elemental mercury drained.	
	012.03C9	Does not accumulate over 45 kilograms (almost 100 pounds) of elemental mercury at any one time.	
	012.03C10	A small quantity handler of universal waste who drains universal waste mercury-containing items, or who generates other solid waste as a result of draining the mercury-containing items, must determine whether the following exhibit a characteristic of hazardous waste identified in Title 128, Chapter 3, 005 through 010:	
	012.03C10(a)	Mercury or clean-up residues resulting from spills or leaks; and/or	
	012.03C10(b)	Other solid waste generated as a result of the draining of elemental mercury (e.g., remaining mercury-containing item units and filters).	
	012.03C11	If the mercury, residues, and/or other solid waste exhibit a characteristic of hazardous waste, they must be managed in accordance with all applicable requirements of Title 128, Chapters 1 through 24. The handler is considered the generator of the newly generated hazardous waste and is subject to the requirements of Title 128, Chapters 8, 9, and 10.	
	12.03C12	If the mercury residues and/or other solid waste are not hazardous, the handler may manage the waste in a	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
		way that is in compliance with applicable federal, state, or local solid waste regulations.	
	012.04	Universal waste lamps. A small quantity handler of universal waste must manage universal waste lamps in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:	
X	012.04A	A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.	2 boxes neither closed (PIC)
NA	012.04(B)	B A small quantity handler of universal waste must immediately clean up and place in a container any lamp that is broken and must place in a container any lamp that shows evidence of breakage, leakage, or damage that could cause the release of mercury or other hazardous constituents to the environment. Containers must be closed, structurally sound, compatible with the contents of the lamps and must lack evidence of leakage, spillage or damage that could cause leakage or releases of mercury or other hazardous constituents to the environment under reasonably foreseeable conditions.	no broken lamps observed
NA	012.05	Universal waste electronic items. A small quantity handler of universal waste must manage electronic items in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:	
	012.05A	A small quantity handler of universal waste must contain any universal waste electronic item in containers that are structurally sound, adequate to prevent breakage, and compatible with the contents of the item. Such containers must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.	
	012.05B	A small quantity handler of universal waste must immediately clean up and place in a container any electronic item that is broken, and must place in a container any electronic device that shows evidence of breakage, leakage, or damage that could cause the	

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NA		release of hazardous constituents to the environment. Containers must be structurally sound, compatible with the contents of the electronic item and must lack evidence of leakage, spillage or damage that could cause leakage or releases of hazardous constituents to the environment under reasonably foreseeable conditions.	
	012.05C	A small quantity handler of universal waste may disassemble universal waste electronic items provided the handler:	
	012.05C1	Ensures that the universal waste electronic items are disassembled in a manner designed to prevent the release of any universal waste or component of universal waste to the environment;	
	012.05C2	Ensures that the disassembly operations are performed safely by developing and implementing a written procedure detailing how to safely disassemble each universal waste electronic item managed at the site. This procedure must include: the type of equipment to be used to disassemble the universal waste electronic items safely; operation and maintenance of all equipment; segregation of incompatible wastes; proper waste management practices; and waste characterization;	
	012.05C3	Ensures that a spill clean-up kit is readily available to immediately clean up spills or leaks of the contents of the universal waste electronic item which may occur during disassembly operations;	
	012.05C4	Immediately segregates and transfers the disassembled electronic items to containers that meet the requirements of 012.05A and 012.05B of this chapter;	
	012.05C5	Ensures that employees are thoroughly familiar with the procedures for disassembling universal waste electronic items, proper waste handling, and emergency procedures relevant to their responsibilities during normal facility operations and emergencies;	
	012.05C6	Maintains a system to ensure compliance with the written disassembling and management procedures;	
	012.05C7	A small quantity handler of universal waste who disassembles universal waste electronic items, or who generates other solid waste as a result of disassembling the electronic items, must determine whether the disassembled electronic item, its components and/or	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
		other solid wastes exhibit a characteristic of hazardous waste identified in Title 128, Chapter 3, 005 through 010, or are listed as a hazardous waste identified in Title 128, Chapter 3, 013 through 016;	
N/A	012.05C8	If the disassembled universal waste electronic item or its components exhibit a characteristic of hazardous waste, they may continue to be managed as universal waste under this chapter. If the disassembled universal waste item or its components are not managed as universal waste under this chapter, then the handler is considered the generator of the newly generated hazardous waste and is subject to all applicable requirements of Title 128, Chapters 8, 9, and 10. The newly generated hazardous waste must be managed in accordance with all applicable requirements of Title 128, Chapters 1 through 24. If the disassembled universal waste electronic items or components become newly generated hazardous waste, the hazardous waste must be contained in containers that meet the requirements of Title 128, Chapter 10, 004;	
NA	012.05C9	If the disassembled universal waste electronic item, its components, and/or other solid waste are not hazardous, the handler must manage the waste in a way that is in compliance with applicable federal, state, and local solid waste regulations.	
	013	Labeling/marking. A small quantity handler of universal waste must label or mark the universal waste to identify the type of universal waste as specified below:	
NA	013.01	Universal waste batteries (i.e., each battery), or a container in which the batteries are contained, must be labeled or marked clearly with any one of the following phrases: "Universal Waste--Battery(ies), or "Waste Battery(ies)," or "Used Battery(ies);"	
NA	013.02	A container, (or multiple container package unit), tank, transport vehicle or vessel in which recalled universal waste pesticides as described in Title 128, Chapter 25, 003.01A are contained must be labeled or marked clearly with:	
NA	013.02(A)	A The label that was on or accompanied the product as sold or distributed; and 013.02B The words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s);"	
NA	013.03	A container, tank, or transport vehicle or vessel in which unused pesticide products as described in Title	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA		128, Chapter 25, 003.01B are contained must be labeled or marked clearly with:	
	013.03A1	The label that was on the product when purchased, if still legible;	
	013.03A2	If using the labels described in 013.03A1 of this chapter is not feasible, the appropriate label as required under the Department of Transportation regulation 49 CFR part 172;	
	013.03A3	If using the labels described in 013.03A1 and 013.03A2 of this chapter is not feasible, another label prescribed or designated by the waste pesticide collection program administered or recognized by a state; and	
	013.03B	The words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)".	
NA	013.04	Universal waste mercury-containing items, i.e., each mercury-containing item, or a container in which the mercury-containing items are contained, must be labeled or marked clearly with any one of the following phrases: "Universal Waste – Mercury-containing Item(s)," or "Waste Mercury-containing Item(s)," or "Used Mercury-containing Item(s)."	
√	013.05	Universal Waste lamps, i.e., each lamp, or a container in which the lamps are contained, must be labeled or marked clearly with any one of the following phrases: "Universal Waste--Lamps" or "Waste Lamps" or "Used Lamps".	
NA	013.06	Universal waste electronic items. Each universal waste electronic item or a container in which universal waste electronic items are contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste – Electronic Item(s)," or "Waste Electronic Item(s)," or "Used Electronic Item(s)." The name of the electronic item may be substituted for the words "Electronic Item(s)" (e.g., "Universal Waste – Monitor(s)" or "Waste Circuit Boards").	
	014	Accumulation time limits.	
NA √	014.01	A small quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated, or received from another handler, unless the requirements of 014.02 of this chapter are met.	< 1 yr
NA	014.02	A small quantity handler of universal waste may accumulate universal waste for longer than one year	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
		from the date the universal waste is generated, or received from another handler, if such activity is solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment, or disposal. However, the handler bears the burden of proving that such activity is solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment, or disposal. A small quantity handler of universal waste must obtain written approval from NDEQ Waste Management Section prior to the one year accumulation time limit if the one year accumulation time limit is to be exceeded.	
	014.03	A small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration by:	
√	014.03A	Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received;	
NA	014.03B	Marking or labeling each individual item of universal waste (e.g., each battery, mercury-containing item, lamp, or electronic item) with the date it became a waste or was received;	
	014.03C	Maintaining an inventory system on-site that identifies the date each universal waste became a waste or was received;	
	014.03D	Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received;	
	014.03E	Placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received; or	
	014.03F	Any other method which clearly demonstrates the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.	
√	015	Employee training. A small quantity handler of universal waste must inform all employees who handle	RCRA training

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
		or have responsibility for managing universal waste of the proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility.	
	016	Response to releases.	
√	016.01	A small quantity handler of universal waste must immediately contain all releases of universal wastes and other residues from universal wastes.	none observed
NA	016.02	A small quantity handler of universal waste must determine whether any material resulting from the release is hazardous waste, and if so, must manage the hazardous waste in compliance with all applicable requirements of Title 128, Chapters 1 through 24. The handler is considered the generator of the material resulting from the release, and must manage it in compliance with Title 128, Chapters 8, 9, and 10.	
	017	Off-site shipments.	
	017.01	A small quantity handler of universal waste is prohibited from sending or taking universal waste to a place other than another universal waste handler, a destination facility, or a foreign destination.	sends off site to UW Handler - Waste Management Inc
√	017.02	If a small quantity handler of universal waste self-transports universal waste off-site, the handler becomes a universal waste transporter for those self-transportation activities and must comply with the transporter requirements of 031 through 037 of this chapter while transporting the universal waste.	
√	017.03	If a universal waste being offered for off-site transportation meets the definition of hazardous materials under 49 CFR parts 171 through 180, a small quantity handler of universal waste must package, label, mark and placard the shipment, and prepare the proper shipping papers in accordance with the applicable Department of Transportation regulations under 49 CFR parts 172 through 180;	
√	017.04	Prior to sending a shipment of universal waste to another universal waste handler, the originating handler must ensure that the receiving handler agrees to receive the shipment.	
√	017.05	If a small quantity handler of universal waste sends a shipment of universal waste to another handler or to a destination facility and the shipment is rejected by the	non observed

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		receiving handler or destination facility, the originating handler must either:	
NA	017.05A	Receive the waste back when notified that the shipment has been rejected, or	
|	017.05B	Agree with the receiving handler on an alternative destination facility to which the shipment will be sent.	
NA	017.06	A small quantity handler of universal waste may reject a shipment containing universal waste, or a portion of a shipment containing universal waste that he has received from another handler. If a handler rejects a shipment or a portion of a shipment, he must contact the originating handler to notify him of the rejection and to discuss reshipment of the load. The handler must:	
|	017.06A	Send the shipment back to the originating handler, or	
|	017.06B	If agreed to by both the originating and receiving handler, send the shipment to a destination facility.	
NA	017.07	If a small quantity handler of universal waste receives a shipment containing hazardous waste that is not a universal waste, the handler must immediately notify NDEQ of the illegal shipment, and provide the name, address, and phone number of the originating shipper. NDEQ will provide instructions for managing the hazardous waste.	generator only
NA	017.08	If a small quantity handler of universal waste receives a shipment of non-hazardous, non-universal waste, the handler must manage the waste in any way that is in compliance with applicable federal, state or local solid waste regulations.	" "
√	018	Tracking universal waste shipments. A small quantity handler of universal waste is not required to keep records of shipments of universal waste.	bills of lading kept
NA	019	Exports. A small quantity handler of universal waste who sends universal waste to a foreign destination other than to those OECD countries specified in 40 CFR 262.58(a)(1) (in which case the handler is subject to the requirements of 40 CFR part 262, subpart H) must:	no exports
|	019.01	Comply with the requirements applicable to a primary exporter in 40 CFR 262.53, 262.56(a)(1) through (4), (6), and (b) and 262.57 as incorporated by reference in Title 128, Chapter 9, 007.05.	
|	019.02	Export such universal waste only upon consent of the receiving country and in conformance with the EPA	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA		Acknowledgment of Consent as defined in 40 CFR 262 subpart E as incorporated by reference in Title 128, Chapter 9, 007.05, and	
	019.03	Provide a copy of the EPA Acknowledgment of Consent for the shipment to the transporter transporting the shipment for export.	
	020	Large Quantity Handlers of Universal Waste. Sections 021 through 030.03 of this chapter define standards for large quantity handlers of universal waste.	
	021	Prohibitions. A large quantity handler of universal waste is:	
	021.01	Prohibited from disposing of universal waste; and	
	021.02	Prohibited from diluting or treating universal waste, except by responding to releases as provided in 027 of this chapter; or by managing specific wastes as provided in 023 of this chapter.	
	022	Notification.	
	022.01A	Except as provided in 022.01B and 022.01C of this chapter, a large quantity handler of universal waste must have sent written notification of universal waste management to the Department, and received an Identification Number, before meeting or exceeding the 5,000 kilogram storage limit.	
	022.01B	A large quantity handler of universal waste who has already notified the Department of his hazardous waste management activities and has received an Identification Number is not required to renotify under this section. Such Identification Number shall be known as an NDEQ/EPA Identification Number.	
	022.01C	A large quantity handler of universal waste who manages recalled universal waste pesticides as described in Title 128, Chapter 25, 003.01A and who has sent notification to EPA as required by 40 CFR part 165 is not required to notify for those recalled universal waste pesticides under this section.	
	022.02	This notification must include:	
	022.02A	The universal waste handler's name and mailing address;	
	022.02B	The name and business telephone number of the person at the universal waste handler's site who should be contacted regarding universal waste management activities;	

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NA	022.02C	The address or physical location of the universal waste management activities;	
	022.02D	A list of all of the types of universal waste managed by the handler (e.g., batteries, pesticides, mercury-containing items, lamps, electronic items);	
	022.02E	A statement indicating that the handler is accumulating more than 5,000 kilograms of universal waste at one time and the types of universal waste (e.g., batteries, pesticides, mercury-containing items, lamps, electronic items) the handler is accumulating above this quantity.	
	023	Waste management.	
	023.01	Universal waste batteries. A large quantity handler of universal waste must manage universal waste batteries in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:	
	023.01A	A large quantity handler of universal waste must contain any universal waste battery that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions in a container. The container must be closed, structurally sound, compatible with the contents of the battery, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.	
	023.01B	A large quantity handler of universal waste may conduct the following activities as long as the casing of each individual battery cell is not breached and remains intact and closed (except that cells may be opened to remove electrolyte but must be immediately closed after removal);	
	023.01B1	Sorting batteries by type;	
	023.01B2	Mixing battery types in one container;	
	023.01B3	Discharging batteries so as to remove the electric charge;	
	023.01B4	Regenerating used batteries;	
	023.01B5	Disassembling batteries or battery packs into individual batteries or cells;	
	023.01B6	Removing batteries from consumer products; or	
	023.01B7	Removing electrolyte from batteries.	
	023.01C	A large quantity handler of universal waste who removes electrolyte from batteries, or who generates other solid waste (e.g., battery pack materials,	

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NA		discarded consumer products) as a result of the activities listed above, must determine whether the electrolyte and/or other solid waste exhibit a characteristic of hazardous waste identified in Title 128, Chapter 3 005 through 010.	
	023.01C1	If the electrolyte and/or other solid waste exhibit a characteristic of hazardous waste, it must be managed in compliance with all applicable requirements of Title 128, Chapters 1 through 24. The handler is considered the generator of the hazardous electrolyte and/or other waste and is subject to the requirements of Title 128, Chapters 8, 9, and 10.	
	023.01C2	If the electrolyte or other solid waste is not hazardous, the handler must manage the waste in any way that is in compliance with applicable federal, state or local solid waste regulations.	
	023.02	Universal waste pesticides. A large quantity handler of universal waste must manage universal waste pesticides in a way that prevents releases of any universal waste or component of a universal waste to the environment. The universal waste pesticides must be contained in one or more of the following:	
	023.02A	A container that remains closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions; or	
	023.02B	A container that does not meet the requirements of 023.02A of this chapter, provided that the unacceptable container is overpacked in a container that does meet the requirements of paragraph 023.02A of this chapter; or	
	023.02C	A tank that meets the requirements of 40 CFR part 265 subpart J, except for 40 CFR 265.197(c), 265.200, and 265.201 as adopted by reference by Title 128, Chapter 22, 010; or	
	023.02D	A transport vehicle or vessel that is closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.	
	023.03	Universal waste mercury-containing items. A large quantity handler of universal waste must manage universal waste mercury-containing items in a way that	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA		prevents releases of any universal waste or component of a universal waste to the environment, as follows:	
	023.03A	A large quantity handler of universal waste must contain any universal waste mercury-containing item that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions in a container. The container must be closed, structurally sound, compatible with the contents of the mercury-containing item, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.	
	023.03B	A large quantity handler of universal waste may remove mercury-containing ampules from universal waste mercury-contiaing item provided the handler:	
	023.03B1	Removes the ampules in a manner designed to prevent breakage of the ampules;	
	023.03B2	Removes ampules only over or in a containment device (e.g., tray or pan sufficient to contain any mercury released from an ampule in case of breakage);	
	023.03B3	Ensures that a mercury clean-up system is readily available to immediately transfer any mercury resulting from spills or leaks from broken ampules, from the containment device to a container that meets the requirements of Title 128, Chapter 10, 004;	
	023.03B4	Immediately transfers any mercury resulting from spills or leaks from broken ampules from the containment device to a container that meets the requirements of Title 128, Chapter 10, 004;	
	023.03B5	Ensures that the area in which ampules are removed is well ventilated and monitored to ensure compliance with applicable OSHA exposure levels for mercury;	
	023.03B6	Ensures that employees removing ampules are thoroughly familiar with proper waste mercury handling and emergency procedures, including transfer of mercury from containment devices to appropriate containers;	
	023.03B7	Stores removed ampules in closed, non-leaking containers that are in good condition;	
	023.03B8	Packs removed ampules in the container with packing materials adequate to prevent breakage during storage, handling, and transportation; and	
	023.03B9	A large quantity handler of universal waste who removes mercury- containing ampules from mercury-	

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NA		containing items must determine whether the following exhibit a characteristic of hazardous waste identified in Title 128, Chapter 3, 005 through 010:	
	023.03B9(a)	Mercury or clean-up residues resulting from spills or leaks; and/or	
	023.03B9(b)	Other solid waste generated as a result of the removal of mercury-containing ampules (e.g., remaining mercury-containing item units).	
	023.03B10	If the mercury, residues, and/or other solid waste exhibit a characteristic of hazardous waste, it must be managed in compliance with all applicable requirements of Title 128, Chapters 1 through 24. The handler is considered the generator of the mercury, residues, and/or other waste and is subject to the requirements of Title 128, Chapters 8, 9, and 10.	
	023.03B11	If the mercury, residues, and/or other solid waste is not hazardous, the handler must manage the waste in any way that is in compliance with applicable federal, state or local solid waste regulations.	
	023.03C	A large quantity handler of universal waste may drain elemental mercury from open-ended mercury-containing items provided the handler:	
	023.03C1	Ensures that the universal waste mercury-containing items are drained only over a containment device (e.g., tray or pan sufficient to collect and contain any mercury released from a device in case of breakage or spill);	
	023.03C2	Ensures that the draining operations are performed safely by developing and implementing a written procedure detailing how to safely drain the universal waste mercury-containing items. This procedure must include: the type of equipment to be used to drain universal waste mercury-containing items safely; operation and maintenance of the equipment; segregation of incompatible wastes; proper waste management practices; and waste characterization;	
	023.03C3	Ensures that a spill clean-up kit is readily available to immediately clean up spills or leaks of the contents of the universal waste mercury-containing item which might occur during the mercury draining operation;	
	023.03C4	Immediately transfers the drained elemental mercury to a container that meets the requirements of Title 128, Chapter 10, 004;	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA	023.03C5	Ensures that the area in which the universal waste mercury-containing items are drained is well ventilated and monitored to ensure compliance with applicable OSHA exposure levels for mercury;	
	023.03C6	Ensures that employees are thoroughly familiar with the procedure for draining universal waste mercury-containing items and proper waste handling and emergency procedures relevant to their responsibilities during normal facility operations and emergencies;	
	023.03C7	Stores the drained elemental mercury in a closed, non-leaking container that is in good condition; and	
	023.03C8	Maintains documentation of the date of accumulation, a description of the item drained, and the amount of elemental mercury drained.	
	023.03C9	Does not accumulate over 45 kilograms (almost 100 pounds) of elemental mercury at any one time.	
	023.03C10	A large quantity handler of universal waste who drains universal waste mercury-containing items, or who generates other solid waste as a result of draining the mercury-containing items, must determine whether the following exhibit a characteristic of hazardous waste identified in Title 128, Chapter 3, 005 through 010:	
	023.03C10(a)	Mercury or clean-up residues resulting from spills or leaks; and/or	
	023.03C10(b)	Other solid waste generated as a result of the draining of elemental mercury (e.g., remaining mercury-containing item units and filters).	
	023.03C11	If the mercury, residues, and/or other solid waste exhibit a characteristic of hazardous waste, they must be managed in accordance with all applicable requirements of Title 128, Chapters 1 through 24. The handler is considered the generator of the newly generated hazardous waste and is subject to the requirements of Title 128, Chapters 8, 9, and 10.	
	023.03C12	If the mercury residues and/or other solid waste are not hazardous, the handler may manage the waste in a way that is in compliance with applicable federal, state, or local solid waste regulations.	
	023.04	Universal waste lamps. A large quantity handler of universal waste must manage universal waste lamps in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:	

√ - no finding noted X – possible finding noted NA – not applicable

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA	023.04A	A large quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.	
	023.04B	A large quantity handler of universal waste must immediately clean up and place in a container any lamp that is broken and must place in a container any lamp that shows evidence of breakage, leakage, or damage that could cause the release of mercury or other hazardous constituents to the environment. Containers must be closed, structurally sound, compatible with the contents of the lamps and must lack evidence of leakage, spillage or damage that could cause leakage or releases of mercury or other hazardous constituents to the environment under reasonably foreseeable conditions.	
	023.05	Universal waste electronic items. A large quantity handler of universal waste must manage electronic items in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:	
	023.05A	A large quantity handler of universal waste must contain any universal waste electronic item in containers that are structurally sound, adequate to prevent breakage, and compatible with the contents of the item. Such containers must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.	
	023.05B	A large quantity handler of universal waste must immediately clean up and place in a container any electronic item that is broken, and must place in a container any electronic device that shows evidence of breakage, leakage, or damage that could cause the release of hazardous constituents to the environment. Containers must be structurally sound, compatible with the contents of the electronic item and must lack evidence of leakage, spillage or damage that could cause leakage or releases of hazardous constituents to the environment under reasonably foreseeable conditions.	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA	023.05C	A large quantity handler of universal waste may disassemble universal waste electronic items provided the handler:	
	023.05C1	Ensures that the universal waste electronic items are disassembled in a manner designed to prevent the release of any universal waste or component of universal waste to the environment;	
	023.05C2	Ensures that the disassembly operations are performed safely by developing and implementing a written procedure detailing how to safely disassemble each universal waste electronic item managed at the site. This procedure must include: the type of equipment to be used to disassemble the universal waste electronic items safely; operation and maintenance of all equipment; segregation of incompatible wastes; proper waste management practices; and waste characterization;	
	023.05C3	Ensures that a spill clean-up kit is readily available to immediately clean up spills or leaks of the contents of the universal waste electronic item which may occur during disassembly operations;	
	023.05C4	Immediately segregates and transfers the disassembled electronic items to containers that meet the requirements of 023.05A and 023.05B of this chapter;	
	023.05C5	Ensures that employees are thoroughly familiar with the procedures for disassembling universal waste electronic items, proper waste handling, and emergency procedures relevant to their responsibilities during normal facility operations and emergencies;	
	023.05C6	Maintains a system to ensure compliance with the written disassembling and management procedures;	
	023.05C7	A small quantity handler of universal waste who disassembles universal waste electronic items, or who generates other solid waste as a result of disassembling the electronic items, must determine whether the disassembled electronic item, its components and/or other solid wastes exhibit a characteristic of hazardous waste identified in Title 128, Chapter 3, 005 through 010, or are listed as a hazardous waste identified in Title 128, Chapter 3, 013 through 016.	
	023.05C8	If the disassembled universal waste electronic item or its components exhibit a characteristic of hazardous waste, they may continue to be managed as universal	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA		waste under this chapter. If the disassembled universal waste item or its components are not managed as universal waste under this chapter, then the handler is considered the generator of the newly generated hazardous waste and is subject to all applicable requirements of Title 128, Chapters 8, 9, and 10. The newly generated hazardous waste must be managed in accordance with all applicable requirements of Title 128, Chapters 1 through 24. If the disassembled universal waste electronic items or components become newly generated hazardous waste, the hazardous waste must be contained in containers that meet the requirements of Title 128, Chapter 10, 004;	
	023.05C9	If the disassembled universal waste electronic item, its components, and/or other solid waste are not hazardous, the handler must manage the waste in a way that is in compliance with applicable federal, state, and local solid waste regulations.	
	024	Labeling/marking. A large quantity handler of universal waste must label or mark the universal waste to identify the type of universal waste as specified below:	
	024.01	Universal waste batteries (i.e., each battery), or a container or tank in which the batteries are contained, must be labeled or marked clearly with the any one of the following phrases: "Universal Waste--Battery(ies)," or "Waste Battery(ies)," or "Used Battery(ies);"	
	024.02	A container (or multiple container package unit), tank, transport vehicle or vessel in which recalled universal waste pesticides as described in Title 128, Chapter 25, 003.01A are contained must be labeled or marked clearly with:	
	024.02	A The label that was on or accompanied the product as sold or distributed; and 024.02B The words "Universal Waste--Pesticide(s)" or "Waste--Pesticide(s);"	
	024.03	A container, tank, or transport vehicle or vessel in which unused pesticide products as described in Title 128, Chapter 25, 003.01B are contained must be labeled or marked clearly with:	
	024.03A1	The label that was on the product when purchased, if still legible;	
	024.03A2	If using the labels described in 024.03A1 of this chapter is not feasible, the appropriate label as required under	

√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA		the Department of Transportation regulation 49 CFR part 172;	
	024.03A3	If using the labels described in 024.03A1 and 024.03A2 of this chapter is not feasible, another label prescribed or designated by the pesticide collection program; and	
	024.03B	The words "Universal Waste--Pesticides(s)" or "Waste--Pesticide(s)."	
	024.04	Universal waste mercury-containing items, i.e., each mercury-containing item, or a container in which the mercury-containing items are contained, must be labeled or marked clearly with any one of the following phrases: "Universal Waste – Mercury-containing Item(s)," or "Waste Mercury-containing Item(s)," or "Used Mercury-containing Item(s)."	
	024.05	Universal waste lamps, i.e., each lamp, or a container in which the lamps are contained, must be labeled or marked clearly with any one of the following phrases: "Universal Waste--Lamps," or "Waste Lamps," or "Used Lamps".	
	024.06	Universal waste electronic items. Each universal waste electronic item or a container in which universal waste electronic items are contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste – Electronic Item(s)," or "Waste Electronic Item(s)," or "Used Electronic Item(s)." The name of the electronic item may be substituted for the words "Electronic Item(s)" (e.g., "Universal Waste – Monitor(s)" or "Waste Circuit Boards").	
	025	Accumulation time limits.	
	025.01	A large quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated, or received from another handler, unless the requirements of 025.02 of this chapter are met.	
	025.02	A large quantity handler of universal waste may accumulate universal waste for longer than one year from the date the universal waste is generated, or received from another handler, if such activity is solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment, or disposal. However, the handler bears the burden of proving that such activity was solely for the purpose of accumulation of such	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA		quantities of universal waste as necessary to facilitate proper recovery, treatment, or disposal. A large quantity handler of universal waste must obtain written approval from NDEQ Waste Management Section prior to the one year accumulation time limit if the one year accumulation time limit is to be exceeded.	
	025.03	A large quantity handler of universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration by:	
	025.03A	Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received;	
	025.03B	Marking or labeling the individual item of universal waste (e.g., each battery, lamp, mercury-containing item, or electronic item) with the date it became a waste or was received;	
	025.03C	Maintaining an inventory system on-site that identifies the date the universal waste being accumulated became a waste or was received;	
	025.03D	Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received.	
	025.03E	Placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received; or	
	025.03F	Any other method which clearly demonstrates the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.	
	026	Employee training. A large quantity handler of universal waste must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relative to their responsibilities during normal facility operations and emergencies.	
	027	Response to releases.	
	027.01	A large quantity handler of universal waste must immediately contain all releases of universal wastes and other residues from universal wastes.	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA	027.02	A large quantity handler of universal waste must determine whether any material resulting from the release is hazardous waste, and if so, must manage the hazardous waste in compliance with all applicable requirements of Title 128, Chapters 1 through 24. The handler is considered the generator of the material resulting from the release, and is subject to the requirements of Title 128, Chapters 8, 9, and 10.	
	028	Off-site shipments.	
	028.01	A large quantity handler of universal waste is prohibited from sending or taking universal waste to a place other than another universal waste handler, a destination facility, or a foreign destination.	
	028.02	If a large quantity handler of universal waste self-transports universal waste off-site, the handler becomes a universal waste transporter for those self-transportation activities and must comply with the transporter requirements of 031 through 037 of this chapter while transporting the universal waste.	
	028.03	If a universal waste being offered for off-site transportation meets the definition of hazardous materials under 49 CFR 171 through 180, a large quantity handler of universal waste must package, label, mark and placard the shipment, and prepare the proper shipping papers in accordance with the applicable Department of Transportation regulations under 49 CFR parts 172 through 180;	
	028.04	Prior to sending a shipment of universal waste to another universal waste handler, the originating handler must ensure that the receiving handler agrees to receive the shipment.	
	028.05	If a large quantity handler of universal waste sends a shipment of universal waste to another handler or to a destination facility and the shipment is rejected by the receiving handler or destination facility, the originating handler must either:	
	028.05A	Receive the waste back when notified that the shipment has been rejected; or	
	028.05B	Agree with the receiving handler on a destination facility to which the shipment will be sent.	
	028.06	A large quantity handler of universal waste may reject a shipment containing universal waste, or a portion of a shipment containing universal waste that he has	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA		received from another handler. If a handler rejects a shipment or a portion of a shipment, he must contact the originating handler to notify him of the rejection and to discuss reshipment of the load. The handler must:	
	028.06A	Send the shipment back to the originating handler; or	
	028.06B	If agreed to by both the originating and receiving handler, send the shipment to a destination facility.	
	028.07	If a large quantity handler of universal waste receives a shipment containing hazardous waste that is not a universal waste, the handler must immediately notify NDEQ of the illegal shipment, and provide the name, address, and phone number of the originating shipper. NDEQ will provide instructions for managing the hazardous waste.	
	028.08	If a large quantity handler of universal waste receives a shipment of non-hazardous, non-universal waste, the handler must manage the waste in any way that is in compliance with applicable federal, state or local solid waste regulations.	
	029	Tracking universal waste shipments.	
	029.01	Receipt of shipments. A large quantity handler of universal waste must keep a record of each shipment of universal waste received at the facility. The record may take the form of a log, invoice, manifest, bill of lading, or other shipping document. The record for each shipment of universal waste received must include the following information:	
	029.01A	The name and address of the originating universal waste handler or foreign shipper from whom the universal waste was sent;	
	029.01B	The quantity of each type of universal waste received (e.g., batteries, pesticides, lamps, mercury-containing items, electronic items);	
	029.01C	The date of receipt of the shipment of universal waste.	
	029.02	Shipments off-site. A large quantity handler of universal waste must keep a record of each shipment of universal waste sent from the handler to other facilities. The record may take the form of a log, invoice, manifest, bill of lading or other shipping document. The record for each shipment of universal waste sent must include the following information:	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA	029.02A	The name and address of the universal waste handler, destination facility, or foreign destination to whom the universal waste was sent;	
	029.02B	The quantity of each type of universal waste sent (e.g., batteries, pesticides, lamps, mercury-containing items, electronic items);	
	029.02C	The date the shipment of universal waste left the facility.	
	029.03	Records retention.	
	029.03A	A large quantity handler of universal waste must retain the records described in 029.01 of this chapter for at least three years from the date of receipt of a shipment of universal waste.	
	029.03B	A large quantity handler of universal waste must retain the records described in 029.02 of this chapter for at least three years from the date a shipment of universal waste left the facility.	
	030	Exports. A large quantity handler of universal waste who sends universal waste to a foreign destination other than to those OECD countries specified in 40 CFR 262.58(a)(1) (in which case the handler is subject to the requirements of 40 CFR part 262, subpart H) must:	
	030.01	Comply with the requirements applicable to a primary exporter in 40 CFR 262.53, 262.56 (a)(1) through (4), (6) and (b) and 262.57 as incorporated by reference in Title 128, Chapter 10, 006;	
	030.02	Export universal waste only upon consent of the receiving country and in conformance with the EPA Acknowledgment of Consent as defined in 40 CFR 262 Subpart E as incorporated by reference in Title 128, Chapter 10, 006; and	
	030.03	Provide a copy of the EPA Acknowledgment of Consent for the shipment to the transporter transporting the shipment for export.	
	031	Universal Waste Transporters. Sections 032 through 037.02 of this chapter define standards for universal waste transporters.	
	032	Prohibitions. A universal waste transporter is:	
	032.01	Prohibited from disposing of universal waste; and	
	032.02	Prohibited from diluting or treating universal waste, except by responding to releases as provided in 035 of this chapter.	
	033	Waste management.	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA	033.01	A universal waste transporter must comply with all applicable U.S. Department of Transportation regulations in 49 CFR part 171 through 180 for transport of any universal waste that meets the definition of hazardous material in 49 CFR 171.8. For purposes of the Department of Transportation regulations, a material is considered a hazardous waste if it is subject to the Uniform Hazardous Waste Manifest requirements of Title 128, Chapter 10, 002. Because universal waste does not require a hazardous waste manifest, it is not considered hazardous waste under the Department of Transportation regulations.	
	033.02	Some universal waste materials are regulated by the Department of Transportation as hazardous materials because they meet the criteria for one or more hazard classes specified in 49 CFR 173.2. As universal waste shipments do not require a manifest under Title 128, Chapter 10, 002, they may not be described by the DOT proper shipping name "hazardous waste, (l) or (s), n.o.s.", nor may the hazardous material's proper shipping name be modified by adding the word "waste".	
	034	Storage time limits.	
	034.01	A universal waste transporter may only store the universal waste at a universal waste transfer facility for ten days or less.	
	034.02	If a universal waste transporter stores universal waste for more than ten days, the transporter becomes a universal waste handler and must comply with the applicable requirements of Sections 009 through 019 or 020 through 030 of this chapter while storing the universal waste.	
	035	Response to releases.	
	035.01	A universal waste transporter must immediately contain all releases of universal wastes and other residues from universal wastes.	
	035.02	A universal waste transporter must determine whether any material resulting from the release is hazardous waste, and if so, it is subject to all applicable requirements of Title 128, Chapters 1 through 24. If the waste is determined to be a hazardous waste, the transporter is subject to the requirements of Title 128, Chapters 8, 9, and 10.	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
	036	Off-site shipments.	
NA	036.01	A universal waste transporter is prohibited from transporting the universal waste to a place other than a universal waste handler, a destination facility, or a foreign destination.	
	036.02	If the universal waste being shipped off-site meets the Department of Transportation's definition of hazardous materials under 49 CFR 171.8, the shipment must be properly described on a shipping paper in accordance with the applicable Department of Transportation regulations under 49 CFR part 172.	
	037	Exports. A universal waste transporter transporting a shipment of universal waste to a foreign destination other than to those OECD countries specified in 40 CFR 262.58(a)(1) (in which case the handler is subject to the requirements of 40 CFR part 262, subpart H) may not accept a shipment if the transporter knows the shipment does not conform to the EPA Acknowledgment of Consent. In addition the transporter must ensure that:	
	037.01	A copy of the EPA Acknowledgment of Consent accompanies the shipment; and	
	037.02	The shipment is delivered to the facility designated by the person initiating the shipment.	
	038	Universal Waste Destination Facilities. Sections 038.01 through 040.02 of this chapter define standards for universal waste destination facilities.	
	038.01	The owner or operator of a destination facility (as defined in 008 of this chapter) is subject to all applicable requirements of Title 128, Chapters 7, and 12 through 24, and the notification requirements of Title 128, Chapter 4.	
	038.02	The owner or operator of a destination facility that recycles a particular universal waste without storing that universal waste before it is recycled must comply with Title 128, Chapter 7, 006.	
	039	Off-site shipments.	
	039.01	The owner or operator of a destination facility is prohibited from sending or taking universal waste to a place other than a universal waste handler, another destination facility or foreign destination.	
	039.02	The owner or operator of a destination facility may reject a shipment containing universal waste, or a	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA		portion of a shipment containing universal waste. If the owner or operator of the destination facility rejects a shipment or a portion of a shipment, he must contact the shipper to notify him of the rejection and to discuss reshipment of the load. The owner or operator of the destination facility must:	
	039.02A	Send the shipment back to the original shipper; or	
	039.02B	If agreed to by both the shipper and the owner or operator of the destination facility, send the shipment to another destination facility.	
	039.03	If the owner or operator of a destination facility receives a shipment containing hazardous waste that is not a universal waste, the owner or operator of the destination facility must immediately notify NDEQ of the illegal shipment, and provide the name, address, and phone number of the shipper. NDEQ will provide instructions for managing the hazardous waste.	
	039.04	If the owner or operator of a destination facility receives a shipment of non- hazardous, non-universal waste, the owner or operator must manage the waste in any way that is in compliance with applicable federal or state solid waste regulations.	
	040	Tracking universal waste shipments.	
	040.01	The owner or operator of a destination facility must keep a record of each shipment of universal waste received at the facility. The record may take the form of a log, invoice, manifest, bill of lading, or other shipping document. The record for each shipment of universal waste received must include the following information:	
	040.01A	The name and address of the universal waste handler, destination facility, or foreign shipper from whom the universal waste was sent;	
	040.01B	The quantity of each type of universal waste received (e.g., batteries, pesticides, lamps, mercury-containing items, electronic items); and	
	040.01C	The date of receipt of the shipment of universal waste.	
	040.02	The owner or operator of a destination facility must retain the records described in 040.01 of this chapter for at least three years from the date of receipt of a shipment of universal waste.	
	041	Imports. Persons managing universal waste that is imported from a foreign country into the United States are subject to the applicable requirements of this	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA		chapter, immediately after the waste enters the United States, as indicated below:	
	041.01	A universal waste transporter is subject to the universal waste transporter requirements of Sections 031 through 037 of this chapter.	
	041.02	A universal waste handler is subject to the small or large quantity handler of universal waste requirements of Sections 009 through or 020 through 030 of this chapter, as applicable.	
	041.03	An owner or operator of a destination facility is subject to the destination facility requirements of Sections 038 through 040.02 of this chapter.	
	041.04	Persons managing universal waste that is imported from an OECD country as specified in 40 CFR 262.58(a)(1) are subject to Sections 041.01 through 041.03 of this chapter, in addition to the requirements of 40 CFR part 262, subpart H.	
	042	Petitions. Petitions to include other wastes under Title 128, Chapter 25 may be submitted in accordance with Sections 042.01 through 043.08 of this chapter.	
	042.01	Any person seeking to add a hazardous waste or a category of hazardous waste to this chapter may petition for a regulatory amendment under this subpart and Title 128, Chapter 6, 001.	
	042.02	To be successful, the petitioner must demonstrate to the satisfaction of the Director that regulation under the universal waste regulations of Title 128, Chapter 25 is: appropriate for the waste or category of waste; will improve management practices for the waste or category of waste; and will improve implementation of the hazardous waste program. The petition must include the information required by Title 128, Chapter 6, 001.02. The petition should also address as many of the factors listed in Chapter 25, 043 as are appropriate for the waste or waste category addressed in the petition.	
	042.03	The Director will evaluate petitions using the factors listed in Chapter 25, 043. The Director will grant or deny a petition using the factors listed in Chapter 25, 043. The decision will be based on the weight of evidence showing that regulation under Title 128, Chapter 25 is appropriate for the waste or category of waste, will improve management practices for the	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NA		waste or category of waste, and will improve implementation of the hazardous waste program.	
	043	Factors for petitions to include other wastes under Title 128, Chapter 25.	
	043.01	The waste or category of waste, as generated by a wide variety of generators, is listed in Title 128, Chapter 3, 011 through 016, or (if not listed) a proportion of the waste stream exhibits one or more characteristics of hazardous waste identified in Title 128, Chapter 3, 005 through 010. (When a characteristic waste is added to the universal waste regulations of Title 128, Chapter 25 by using a generic name to identify the waste category (e.g., batteries), the definition of universal waste in Title 128, Chapter 25, 008 will be amended to include only the hazardous waste portion of the waste category (e.g., hazardous waste batteries).) Thus, only the portion of the waste stream that does exhibit one or more characteristics (i.e., is hazardous waste) is subject to the universal waste regulations of Title 128, Chapter 25;	
	043.02	The waste or category of waste is not exclusive to a specific industry or group of industries, is commonly generated by a wide variety of types of establishments (including, for example, households, retail and commercial businesses, office complexes, conditionally exempt small quantity generators, small businesses, government organizations, as well as large industrial facilities);	
	043.03	The waste or category of waste is generated by a large number of generators (e.g., more than 1,000 nationally) and is frequently generated in relatively small quantities by each generator;	
	043.04	Systems to be used for collecting the waste or category of waste (including packaging, marking, and labeling practices) would ensure close stewardship of the waste;	
	043.05	The risk posed by the waste or category of waste during accumulation and transport is relatively low compared to other hazardous wastes, and specific management standards proposed or referenced by the petitioner (e.g., waste management requirements appropriate to be added to Title 128, Chapter 25, 012, 023, and 033; and/or applicable Department of Transportation	

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√/ X/ NA	Title 128 Chapter 25	REGULATORY REQUIREMENT	COMMENTS
NN		requirements) would be protective of human health and the environment during accumulation and transport;	
	043.06	Regulation of the waste or category of waste under Title 128, Chapter 25 will increase the likelihood that the waste will be diverted from non-hazardous waste management systems (e.g., the municipal solid waste stream, non-hazardous industrial or commercial solid waste stream, municipal sewer or stormwater systems) to recycling, treatment, or disposal in compliance with Subtitle C of RCRA.	
	043.07	Regulation of the waste or category of waste under Title 128, Chapter 25 will improve implementation of and compliance with the hazardous waste regulatory program; and/or	
	043.08	Such other factors as may be appropriate.	

EXIT BRIEFING

1. ☒ *Yes* ☐ *No:* Briefly restate the purpose of inspection.
2. ☒ *Yes* ☐ *No:* Clarify any questions the inspector may have regarding the observed process.
3. ☒ *Yes* ☐ *No:* Revisit CBI process.
4. ☒ *Yes* ☐ *No:* Facility representative signed CBI form.
5. ☒ *Yes* ☐ *No:* Facility representative claimed CBI information. Photos
6. ☒ *Yes* ☐ *No:* Facility representative signed Document Receipt form.
7. ☒ *Yes* ☐ *No:* Reviewed all data/information collected and documented all concerns or preliminary findings.
8. ☒ *Yes* ☐ *No:* Addressed all unresolved inspection-related issues.
9. ☒ *Yes* ☐ *No:* Explained that recommendations provided are for informational purposes only and DO NOT require specific actions
10. ☒ *Yes* ☐ *No:* Preliminary findings identified and explained, including circumstances, location, and regulations.
11. ☒ *Yes* ☐ *No:* Discuss potential deficiencies, areas of concern, and observations made during the inspection.
12. ☒ *Yes* ☐ *No:* Document any actions that the facility took to correct potential deficiencies or areas of concern, that occurred during the inspection.
13. ☒ *Yes* ☐ *No:* Explained that findings and observations are based on your current knowledge of RCRA, and that final findings may differ.
14. ☒ *Yes* ☐ *No:* Explained that compliance officer will make final decisions and that all compliance questions should be directed toward the compliance officer.
15. ☒ *Yes* ☐ *No:* Notice of Preliminary Findings issued.
16. ☒ *Yes* ☐ *No:* Facility Representative singed Notice of Preliminary Findings.
17. ☒ *Yes* ☐ *No:* Provided "Instructions for Responding to a Notice of Preliminary Findings (NOPF).
18. ☒ *Yes* ☐ *No:* Explained importance of a timely (14-day) and adequate response.
19. ☒ *Yes* ☐ *No:* Discuss the opportunity for the facility to fix and document any actions that it took to correct potential deficiencies or areas of concern.
20. ☒ *Yes* ☐ *No:* Remind the source that compliance is the source's responsibility, that any identified potential deficiencies or areas of concern are not a final determination of compliance, that it is EPA's intent to provide written subsequent correspondence describing any deficiencies identified during the inspection review process back in the office and that EPA reserves the right to bring an enforcement action.
21. ☒ *Yes* ☐ *No:* Itemize any outstanding data or materials requested during the inspection and establish a schedule for delivery.
22. ☒ *Yes* ☐ *No:* Provided compliance assistance materials.
23. ☒ *Yes* ☐ *No:* Describe as needed the process of converting field and record review observations into an inspection report and case officer review.
24. ☒ *Yes* ☐ *No:* Describe follow-up correspondence related to the inspection that the facility should expect, and establish a schedule for such.
25. ☒ *OK* ☐ *Not OK*: Attitude and demeanor of facility representative(s)

Notes/Observations: no additional

√ - no finding noted X – possible finding noted NA – not applicable

This checklist is solely intended as guidance. The questions in this document are not exhaustive nor determinative and may not be relied upon to create a substantive or procedural right or benefit enforceable at law by any person.

February 5, 2020

Hazardous Waste Site Info Verification Report for Inspector

PROCEDURES for Inspectors/Investigators performing Site Visits:
If during the course of the site visit, the inspector/investigator becomes aware of any changes which should be made to the information printed on this form, please make the corrections and return the form to ECAD/CB/RCRA.

If a facility wants to change their information, they must fill out a RCRA Subtitle C Site Identification Form (or equivalent State form) and mail it to the appropriate State. Iowa forms should be mailed to EPA Region 7. Iowa and Nebraska facilities may also submit their updates online by registering for the RCRAInfo Industry App - myRCRAid at https://rcrainfo.epa.gov/rcrainfoprod/

EPA RCRA ID Number:	NED007284128
Name of Company/Site:	NOX-CRETE MANUFACTURING INC.
Location of Site:	1444 SOUTH 20TH STREET OMAHA, NE 68108 DOUGLAS County
Land Type:	Private
NAICS:	325998 - ALL OTHER MISCELLANEOUS CHEMICAL PRODUCT AND PREPA
Mailing Address:	1444 SOUTH 20TH STREET OMAHA, NE 68108
Site Contact:	DAVID M MACFARLANE
Job Title:	LAB MANAGER
Address:	1444 SOUTH 20TH STREET OMAHA, NE 68108
Email:	DAVE@NOX-CRETE.COM
Phone Number:	402-341-2080
Current Owner of Site:	NOX-CRETE MANUFACTURING INC
Phone Number:	402-341-2080
Owner Type:	Private
Current Operator of Site:	NOX-CRETE MANUFACTURING INC
Phone Number:	402-341-2080
Operator Type:	Private
TYPE(S) OF REGULATED ACTIVITY:	Federal Large Quantity Generator
Hazardous Wastes Handled:	D001 D002 F003 F005

I 01/27/11 2 1st N 12/20/96 N 11/20/17 1

Certified by Notification on 05/24/18 by
DAVID M MACFARLANE 02/26/18
LAB MANAGER

Date of Site Visit: 2/19/20
Name of Inspector (Please print):
(Check one): [ ] EPA R7 ECAD [ ] EPA R7 Contractor [ ] NDEQ/SEE Investigator
Signature of Inspector/Investigator:

Ship 1/25/19

MONTHS Year DRUM #	Jan-19 LABEL DATE	NOX-CRETE WEIGHT(lbs.)	HAZ-WASTE % SOLIDS	FILL LOCATION	S-K PROFILE # :	COMMENTS
1	12/13/2018	428	10%	EP ROOM	2007100190-1FA221	MIXED SOLVENTS
2	10/25/2018	440	0%	EP ROOM	2007100190-1FA221	MIXED SOLVENTS
3	12/13/2018	496	50%	EP ROOM	2004050142-1HF803	SILCOSEAL
4	12/21/2018	397	0%	EP ROOM	2007100190-1FA221	MIXED SOLVENTS
5	10/28/2018	456	5%	EP ROOM	2007100190-1FA221	MIXED SOLVENTS
6	12/13/2018	321	60%	EP ROOM	2004050142-1HF803	SILCOSEAL
7	11/13/2018	410	20%	EP ROOM	2004050142-1HF803	SILCOSEAL
8	10/25/2018	485	0%	EP ROOM	2004050142-1HF803	SILCOSEAL
9	12/12/2018	441	5%	EP ROOM	2007100190-1FA221	MIXED SOLVENTS
TOTAL HAZ-WASTE		3874				
NON HAZ-WASTE						
10	11/12/2018	255	20%	Water room	201010106-NREG	EPOXY RESIN
11	10/25/2018	678	80%	Water room	2010110104-NREG	WATER BASED PIGMENT
12	11/15/2018	506	50%	Water room	2007110207-NEEG	EDGE FLEX
TOTAL NON HAZ-WASTE		1439				
TOTAL WASTE		5,313				

Josh 712-322-3896

ship 3/1/19

MONTHS		NOX-CRETE	WHASTE OILS			
Year	march 1 2019					
NON HAZ-WASTE						
1	2/28/2019	2250	0%	OIL FILL	2004080263-1FB221	WASTE OIL
2	2/28/2019	2247	0%	OIL FILL	2004080263-1FB221	WASTE OIL
3	2/28/2019	2318	0%	OIL FILL	2004080263-1FB221	WASTE OIL
4	2/28/2019	2131	0%	OIL FILL	2004080263-1FB221	WASTE OIL
5	2/28/2019	830	0%	OIL FILL	2004080263-1FB221	WASTE OIL
TOTAL NON HAZ-WASTE						
TOTAL WASTE		9,776				

Ship 4/22/19

NOX-CRETE DRUM	HAZARD AND DATE	NOX-CRETE WEIGHT	WHASTE % SOLIDS	ROOM	PROFILE	PRODUCT NAME
1	2/18/2019	432	0%	EP	2007100190-1FA221	MIX-SOLVENTS
2	2/19/2019	343	0%	EP	2007100190-1FA221	MIX-SOLVENTS
3	2/20/2019	456	20%	EP	2004050142-1FA22F	WHAST SILCOSEAL 200F
4	2/20/2019	517	20%	EP	2004050142-1FA22F	WHAST SILCOSEAL 200F
5	2/20/2019	525	20%	EP	2004050142-1FA22F	WHAST SILCOSEAL 200F
TOTES						
1	3/20/2019	2330	20%	EP	2004050142-1FA22F	WHAST SILCOSEAL 200F
2	3/22/2019	2330	20%	EP	2004050142-1FA22F	WHAST SILCOSEAL 200F
3	4/1/2019	2321	20%	EP	2004050142-1FA22F	WHAST SILCOSEAL 200F
4	4/5/2019	1883	15%	EP	2007110209-1CA221	SILCOSEAL 77/WATER
HAZURDOS WHASTE		11137				
NON HAZ-WA	DRUMS					
1	3/22/2019	201	30%	WATER ROOM	2017120136-EWA259	ROVENE 6140
2	3/22/2019	478	30%	WATER ROOM	2017120136-EWA259	ROVENE 6140
3	3/22/2019	478	30%	WATER ROOM	2017120136-EWA259	ROVENE 6140
4	3/22/2019	438	30%	WATER ROOM	2017120136-EWA259	ROVENE 6140
5	3/22/2019	440	30%	WATER ROOM	2017120136-EWA259	ROVENE 6140
6	3/22/2019	439	30%	WATER ROOM	2017120136-EWA259	ROVENE 6140
7	3/22/2019	450	30%	WATER ROOM	2017120136-EWA259	ROVENE 6140
8	3/23/2019	484	20%	WATER ROOM	3005120044-1FA221	CURE&SEAL 100E
9	3/23/2019	130	25%	WATER ROOM	2010110104-1FA221	CURE&SEAL 1200E
10	3/23/2019	381	25%	WATER ROOM	2010110104-1FA221	CURE&SEAL 1200E
11	3/23/2019	388	25%	WATER ROOM	2010110104-1FA221	CURE&SEAL 1200E
12	3/24/2019	397	25%	WATER ROOM	2017120135-1FB221	R-960
13	3/24/2019	82	25%	WATER ROOM	2016100083-1FA221	1127 SURE SOL
14	3/24/2019	264	15%	WATER ROOM	2016100093-1FA221	1167 POLY G 55-122
TOTES						
1	3/25/2019	2120	25%	WATER ROOM	2017120136-EWA259	ROVENE 6140
2	2/25/2019	1590	20%	WATER ROOM	2018070091-1FA225	PLASTIFLOW R SC

TOTAL NON HAZURDOS WASTE		8760				
TOTAL HAZURDOS AND NON HAZDUROS WHAST		19897				

ship 7/16/19

NOX-CRETE HAZ WASTE

	Label Date	Nox-Crete Weights(lbs)	NON HAZ WAS % solids	Fill Location	S-K PROFILE #	Coments
1	6/15/2019	469	10%	EP ROOM	2007100190-1FA221	Mix Solvents
2	5/31/2019	476	10%	EP ROOM	2007100190-1FA221	Mix Solvents
3	7/2/2019	470	15%	EP ROOM	2004050142-1FA22F	Whast silcoseal
4	5/31/2019	489	10%	EP ROOM	2007100190-1FA221	Mix Solvents
5	6/3/2019	341	25%	EP ROOM	2019040044-TWA242	JEFFD-200/floor dry
6	5/15/2019	397	15%	EP ROOM	819040042-2FB231	Desmophe 1920D
7	6/20/2019	220	25%	EP ROOM	2019040044-TWA242	JEFFD-200/floor dry
8	6/22/2019	302	25%	EP ROOM	2019040040-TWA242	DY JF85 B
total Haz-Whaste		3164				

shipped 10/3/19

NOX-CRETE HAZ WASTE						
	Label Date	Nox-Crete Weights(lbs)	NON HAZ WAST % solids	Fill Location	S-K PROFILE #	Coments
1	8/8/2019	440	10%	EP ROOM	2007100190-1FA221	Unknown solvents
2	8/13/2019	509	10%	EP ROOM	2004050142-1FA22F	Silcoseal whaste
3	9/1/2019	452	15%	EP ROOM	2007100190-1FA221	Unknown solvents
4	7/2/2019	474	10%	EP ROOM	2007100190-1FA221	Unknown solvents
5	9/1/2019	314	5%	EP ROOM	2004050142-1FA22F	Silcoseal whaste
6	9/4/2019	199	10%	EP ROOM	2004050142-1FA22F	Silcoseal whaste
7	7/13/2019	274	10%	EP ROOM	2019040043-1FA221	Acryl pen pig
8	8/13/2019	361	10%	EP ROOM	2004050142-1FA22F	Silcoseal whaste
9	7/28/2019	506	10%	EP ROOM	2004050142-1FA22F	Silcoseal whaste
10	7/28/2019	460	10%	EP ROOM	2007100190-1FA221	Unknown solvents
11	8/1/2019	320	10%	EP ROOM	2004050142-1FA22F	Silcoseal whaste
12	7/17/2019	434	10%	EP ROOM	2007100190-1FA221	Unknown solvents
13	7/10/2019	509	10%	EP ROOM	2004050142-1FA22F	Silcoseal whaste
14	9/16/2019	347	10%	EP ROOM	2007050142-1FA221	Unknown solvents
Total HAZ-WASTE		5599				
NON-HAZ WASTE						
1	N/A	497	50%	Water room	2007110207-EWO165	
2	N/A	311	20%	Water room	2010080033-1ON249	
TOTAL NON_HAZ WASTE		808				
TOTAL WASTE		6407				

shio 12/30/19

NOX-CRETE HAZ WASTE		12/18/2019					
	Label Date	Nox-Crete Weights(lbs)	NON HAZ WAST % solids	Fill Location	S-K PROFILE #	Coments	
1	10/1/2019	290	10%	EP ROOM	2004050142-1HF803	Silcoseal whaste	line 8
2	10/10/2019	343	10%	EP ROOM	2004050142-1HF803	Silcoseal whaste	line 8
3	10/30/2019	309	15%	EP ROOM	2007100190-1FA221	Unknown solvents	
4	11/5/2019	452	10%	EP ROOM	2007100190-1FA221	Unknown solvents	
5	11/20/2019	474	10%	EP ROOM	2004050142-1HF803	Silcoseal whaste	line 7
6	11/30/2019	438	10%	EP ROOM	2004050142-1HF803	Silcoseal whaste	line 7
7	12/10/2019	364	15%	EP ROOM	2007100190-1FA221	Unknown solvents	
Total H/W		2670					

HAZARDOUS WASTE STORAGE INSPECTION LOG

		MAIN HAZARDOUS WASTED STORAGE AREA				REACTION ROOM SATELLITE HAZARDOUS WASTE STORAGE AREA			LAB SATELLITE HAZARDOUS WASTE STORAGE AREA		
EMPLOYEE NAME	DATE	PROPERLY LABELED	PROPERLY DATED	BUNGS TIGHT	INSPECTED FOR LEAKS	PROPERLY LABELED	BUNGS TIGHT	INSPECTED FOR LEAKS	PROPERLY LABELED	BUNGS TIGHT	INSPECTED FOR LEAKS
10/7/19	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
10/14/19	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
10/21/19	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
10/28/19	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
11/4/19	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
11/11/19	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
11/18/19	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
11/25/19	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
12/2/19	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
12/9/19	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
12/16/19	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
12/23/19	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
12/30/19	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
1/7/20	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
1/14/20	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
1/21/20	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
1/28/20	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
2/3/20	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
2/10/20	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
2/17/20	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

NOX-CRETE MANUFACTURING, INC.
OMAHA, NEBRASKA

WEEKLY CHECKLIST

DATE: 2/14/20

- ✓ Check grounding cables at pumps. Report problems to the Plant Manager.
- ✓ Check eye wash stations. Report problems to the Plant Manager.
- ✓ Check lights. Report burned out lights to Plant Manager.
- ✓ Check Emergency Spill Kit. Make sure all supplies are complete.
- ✓ Check fire extinguishers. Make sure they are in place and charged.
- ✓ Check all exits. Make sure they are clear and unobstructed.
- ✓ Check first-aid box. Make sure it is complete (see check list).
- ✓ Check inventory of personal safety gear. Notify Plant Manager if supplies are low.
- ✓ Check all tanks for leakage or deterioration. Report any problems to the Plant Manager.
- ✓ Check all above ground piping for leakage or deterioration. Report any problems to the Plant Manager.
- ✓ Check all pumps for leakage. Report any problems to the Plant Manager.
- ✓ Check all valves for leakage. Report any problems to the Plant Manager.
- ✓ Check all discharge quick connects for caps. Report missing or damaged caps to the Plant Manger.
- ✓ Check steam return line tank for any oil contamination. Report any contamination to the Plant Manager.
- ✓ Check plant security systems. Verify all zones are secure. Notify Plant Manager of any necessary repairs.

Explanation of supplies or repairs needed:

Inspection Made By:

US COMPLIANCE

2020

HEALTH & SAFETY COMPLIANCE CALENDAR

Nox-Crete Products – Omaha, NE

MONTH	EMPLOYEE TRAINING	COMPLIANCE PROGRAM ACTIVITIES & FACILITY EVENTS	ERT/SAFETY COMMITTEE MEETINGS & KEY DEADLINES
1st Quarter	• Annual All Employee Training: - Hazard Communication - Injury & Illness Prevention - Emergency Action Plan - Fire Extinguisher - PPE - Respiratory Vol. Use - Bloodborne Pathogens Awareness - Lockout/Tagout Awareness - Confined Space Awareness - Ergonomics	• Injury & Illness Prevention Plan (I2P2) • Lockout/Tagout Program	• DOT HazMat Training Webinar: January 11 • Post OSHA 300A: February 1 to April 30 • DOT HazMat Training Webinar: March 12 • 2019 eITA Submission Due: March 2
2nd Quarter	• Respiratory Protection: Required Use + Fit Testing • Confined Space: Authorized Entry	• Hazard Communications • Fall Protection + Walking and Working Surfaces • Lockout/Tagout Program	• DOT HazMat Training Webinar: May 8 • **Severe Weather Drill**
3rd Quarter	• Environmental Trainings: - RCRA/Hazardous Waste - SPCC/Spill Prevention Control & Countermeasures - SWPPP/Stormwater Pollution Prevention Plan	• Bloodborne Pathogens Program • Hot Work Program	• DOT HazMat Training Webinar: July 9 • DOT HazMat Training Webinar: September 11 • **Fire Drill**
4th Quarter	• Bloodborne Pathogens: Authorized Clean-up Training	• Emergency Response Plan • Ergonomics Program • IH Survey • PSA Deliverables Review • Quick Audit: Programs & Training Dates • 2021 Calendar Development	• DOT HazMat Training Webinar: November 12

This document is a summary of requirements that need to be completed. It does not necessarily list every requirement with which the facility must comply. It is the facility's responsibility to ensure all reports are submitted and compliance is maintained with all conditions listed. U.S. Compliance should be contacted with any questions related to health & safety compliance. Dates may be subject to change.

ATTAIN & SUSTAIN
ENVIRONMENTAL | HEALTH | SAFETY
COMPLIANCE

2019

Health & Safety Compliance Calendar
Nox-Crete Products

SITE CONTACTS: Plant Manager- Mike Cronin: mikec@nox-crete.com
Operations Manager- Eric Hansen: ehansen@nox-crete.com

Visit	Employee Training	Compliance Program Activities & Facility Events	Safety Committee Meetings Key Deadlines
1st Quarter	▪ **Annual All Employee Training:** - Hazard Communication - Injury & Illness Prevention - Emergency Action Plan - Fire Extinguisher - Personal Protective Equipment - Respiratory Vol. Use (App D) - Bloodborne Pathogens Awareness - Confined Space Awareness - Lockout/Tagout Affected	▪ Respiratory Protection Program Audit ▪ Hazard Communication Program Audit ▪ Injury & Illness Prevention Plan Program Audit	▪ DOT Haz Mat Webinar: Jan 11th ▪ DOT Haz Mat Webinar: March 7th ▪ Annual Fire Extinguisher Inspections: January ▪ Post OSHA 300A – Feb 1 to Apr 30 ▪ 2018 Electronic Injury Report Due to OSHA – 3/2/19 ▪ Safety Committee Meeting ▪ 2019 Safety Program Goals & Objectives Development ▪ Review of OSHA's Top 10
2nd Quarter	▪ Respiratory Protection: Required Use + Fit Testing ▪ Crane & Hoist Safe Use & Inspection (Applicable employees) ▪ Confined Space Entry (Applicable employees)	▪ Lockout/Tagout Program Audit + Periodic Inspections Audit ▪ Hoist/Crane Safe Use & Inspection Program Development ▪ Emergency Response Plan Audit	▪ DOT Haz Mat Webinar: May 10th ▪ Severe Weather Drill ▪ Confined Space Monitor Calibration ▪ Safety Committee Meeting ▪ Review of Safety Action Item List Report
3rd Quarter	▪ Bloodborne Pathogens: Authorized for Clean-Up ▪ Environmental Trainings: - RCRA/Hazardous Waste Management - SPCC/Spill Response Control and Countermeasures - SWPPP/Storm Water Pollution and Prevention Plan	• Personal Protective Equipment Program + JHA Review • Bloodborne Pathogens Program Audit • Confined Space Program Audit	▪ DOT Haz Mat Webinar: July 11th ▪ DOT Haz Mat Webinar: Sept. 13th ▪ Fire Drill ▪ Safety Committee Meeting ▪ OSHA Inspection Protocols- What To Do If OSHA Shows Up
4th Quarter	▪ Lockout/Tagout Authorized Training (Maintenance Staff) ▪ Hot Work Program Training (Maintenance Staff) ▪ Walking Working Surfaces/Fall Protection Training (All plant employees)	▪ Forklift Program Audit ▪ Hot Work Program Audit ▪ Fall Protection Program Audit ▪ Working Walking Surfaces Assessment	▪ DOT Haz Mat Webinar: Nov. 7th ▪ Safety Committee Meeting ▪ Review of 2019 Safety Program Goals & Objectives ▪ 2019 Injury Review ▪ 2020 Safety Program Goals & Objectives Development

BLACK: USCC *RED: Nox-Crete Internal* *BLUE: USCC AI-A-Cart* **Note: All events are subject to change**

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number: NED007284328
2. Page 1 of: 1
3. Emergency Response Phone: 800-424-9300
4. Manifest Tracking Number: [illegible] FLE

5. Generator's Name and Mailing Address: New Cruble Inc, 1545 - 28th St, Omaha NE 68139
Generator's Site Address (if different than mailing address):
Generator's Phone: 402-341-2080

6. Transporter 1 Company Name: Hayden Solvents Inc
U.S. EPA ID Number: [illegible]

7. Transporter 2 Company Name: Coal City Cob Company, Inc
U.S. EPA ID Number: TXD000070939

8. Designated Facility Name and Site Address: WRR Environmental Services, 5200 Ryder Road, Eau Claire, WI 54701-9675
U.S. EPA ID Number: WID980820475
Facility's Phone: 715-834-9524

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
	1. Non-RCRA waste liquid, (mold release compound)	—	DM	—	P	NREG
	2. Non-RCRA hazardous waste liquid (powder washer)	—	DM	—	P	NREG
	3. Non-RCRA hazardous waste liquid (Acrylic Polymer)	1	DM	.00	P	NREG
	4.					

14. Special Handling Instructions and Additional Information
1. 20081290040 IFA221 3. 20071102OT-EW6359 CINE 703319
2. 20081290044 IFA212 4. 18272954

15. **GENERATOR'S/OFFEROR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name: [illegible] Signature: [illegible] Month: 10 Day: [illegible] Year: [illegible]

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.:

17. Transporter Acknowledgment of Receipt of Materials
Transporter 1 Printed/Typed Name: [illegible] Signature: [illegible] Month: 10 Day: 03 Year: [illegible]
Transporter 2 Printed/Typed Name: Tom Bohl Signature: Tom Bohl Month: 10 Day: [illegible] Year: [illegible]

18. Discrepancy
18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection
Manifest Reference Number:
18b. Alternate Facility (or Generator) U.S. EPA ID Number
Facility's Phone:
18c. Signature of Alternate Facility (or Generator) Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)
1 2 3 4

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a
Printed/Typed Name: Jacob Purdeaux Signature: [illegible] Month: 10 Day: 2 Year: 19

GENERATOR | INT'L | TRANSPORTER | DESIGNATED FACILITY

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

DESIGNATED FACILITY TO GENERATOR

Please print or type

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST	1. Generator ID Number: NED007284128	2. Page 1 of 1	3. Emergency Response Phone: 800-424-9300	4. Manifest Tracking Number: 013920828 FLE

5. Generator's Name and Mailing Address: Nox-Crete Inc, 1444 S 20Th St., Omaha, NE 68108 — Generator's Phone: 402-341-2080

Generator's Site Address (if different than mailing address):

6. Transporter 1 Company Name: Barton Solvents Inc — U.S. EPA ID Number: IAD089570063

7. Transporter 2 Company Name: Coal City Cob Company, Inc — U.S. EPA ID Number: TXR000079839

8. Designated Facility Name and Site Address: WRR Environmental Services, 5200 Ryder Road, Eau Claire, WI 54701-9678 — Facility's Phone: 715-834-9624 — U.S. EPA ID Number: WID990829475

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
X	1. UN 1993, Waste Flammable liquids, n.o.s. (Aliphatic Petroleum Distillates), 3, II, RQ, D001	6	DM	2,400	P	D001
	2. Non Hazardous Non Regulated Material (Water Based Polymer)	—	DM	—	P	NREG
	3. Non-RCRA hazardous waste liquid (Water Based Paint)	—	DM	—	P	NREG
	4. Non Hazardous Non Regulated Material (Polycarboxalate)	—	TP	—	P	NREG

14. Special Handling Instructions and Additional Information
1. 2007100190 - 1FA221
2. 2017120136 - EWA259
3. 2010110104 - 1FB212
4. 2018070091 - 1FA225

CCN# 803309

19292970

15. **GENERATOR'S/OFFEROR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true. 194135

Generator's/Offeror's Printed/Typed Name: Robert E. Powers — Signature: [signature] — Month 10 Day 3 Year 19

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit: Date leaving U.S.
Transporter signature (for exports only):

17. Transporter Acknowledgment of Receipt of Materials

Transporter 1 Printed/Typed Name: Joe Mannion Driver — Signature: [signature] — Month 10 Day 03 Year 19

Transporter 2 Printed/Typed Name: Tom Bohl — Signature: Tom Bohl — Month 10 Day 09 Year 19

18. Discrepancy

18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection

Manifest Reference Number:

18b. Alternate Facility (or Generator) — U.S. EPA ID Number:
Facility's Phone:

18c. Signature of Alternate Facility (or Generator) — Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)

1.	2.	3.	4.
A001			

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a

Printed/Typed Name: Sandy Pendergast — Signature: [signature] — Month 10 Day 12 Year 19

GENERATOR — INT'L — TRANSPORTER — DESIGNATED FACILITY

EPA Form 8700-22 (Rev. 12-17) Previous editions are obsolete.

DESIGNATED FACILITY TO GENERATOR

Please print or type. Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST	1. Generator ID Number	2. Page 1 of	3. Emergency Response Phone	4. Manifest Tracking Number
	NED007284128	1	800-424-9300	013920827 FLE

5. Generator's Name and Mailing Address: Nox-Crete Inc, 1444 S 20Th St, Omaha, NE 68108 — Generator's Phone: 402-341-2080

Generator's Site Address (if different than mailing address):

6. Transporter 1 Company Name: Barton Solvents Inc — U.S. EPA ID Number: IAD089570063

7. Transporter 2 Company Name: Coal City Cob Company, Inc — U.S. EPA ID Number: TXR000079839

8. Designated Facility Name and Site Address: WRR Environmental Services, 5200 Ryder Road, Eau Claire, WI 54701-9678 — Facility's Phone: 715-834-9624 — U.S. EPA ID Number: WID990829475

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
X	1 UN1993, Waste Flammable liquids, n.o.s. (Xylene/Ethyl Acetate), 3, II, RQ	—	DM	—	P	F003 D001
X	~~2 NA9077, HAZARDOUS WASTE SOLID, N.O.S. (XYLENE), 9, PGII~~	—	~~DM~~	—	~~P~~	~~F003~~
X	3 UN1263, Waste Paint related material, 3, II, RQ, F003, D001	5m X17	DM	2,000	P	F003 D001
	~~4 Non-RCRA hazardous waste liquid (Acrylic Resin)~~	—	~~DM~~	—	~~P~~	~~NREG~~

14. Special Handling Instructions and Additional Information: 1. 91020019 - 1FA221; ~~2. 2004100231 - 7WD102~~ archived; 3. 2004050142 - 1HF803; ~~4. 2010110100 - 1FB212~~ archived; CCN# 803309; 19292969

15. **GENERATOR'S/OFFEROR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true. 194135

Generator's/Offeror's Printed/Typed Name: Robert E. Powers — Signature: [signature] — Month 10 Day 3 Year 19

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit: Date leaving U.S.:

Transporter signature (for exports only):

17. Transporter Acknowledgment of Receipt of Materials

Transporter 1 Printed/Typed Name: Jerry Munnion Driver — Signature: [signature] — Month 10 Day 03 Year 19

Transporter 2 Printed/Typed Name: Tom Bohl — Signature: Tom Bohl — Month 10 Day 09 Year 19

18. Discrepancy

18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection

Manifest Reference Number:

18b. Alternate Facility (or Generator) — U.S. EPA ID Number

Facility's Phone

18c. Signature of Alternate Facility (or Generator) — Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)

1	2	3	4
		H100	

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a

Printed/Typed Name: Jacob Pendergast — Signature: [signature] — Month 10 Day 12 Year 19

GENERATOR — INT'L — TRANSPORTER — DESIGNATED FACILITY

EPA Form 8700-22 (Rev. 12-17). Previous editions are obsolete. DESIGNATED FACILITY TO GENERATOR

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number: NED007284128
2. Page 1 of 1
3. Emergency Response Phone: 800-424-9300
4. Manifest Tracking Number: 006715938 **FLE**

5. Generator's Name and Mailing Address: Nor-Crete Inc, 1444 S 20Th St, Omaha, NE 68108
Generator's Site Address (if different than mailing address):
Generator's Phone: 402-341-2080

6. Transporter 1 Company Name: Barton Solvents Inc — U.S. EPA ID Number: IAD089570063

7. Transporter 2 Company Name: Coal City Cob — U.S. EPA ID Number: TXR000079839

8. Designated Facility Name and Site Address: WRR Environmental Services, 5200 Ryder Road, Eau Claire, WI 54701 — U.S. EPA ID Number: WID990829475
Facility's Phone: 715-834-9624

9a HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
X	1. NA3077 HAZARDOUS WASTE SOLID, N.O.S. (XYLENE), 9 PGIII	—	DM	—	P	F003
X	2. UN1993, Waste Flammable liquids, n.o.s. (XYLENE, TOLUENE), 3, 9 PG-F003, D001	—	DM	—	P	F003 F005 D001
	3. Non-RCRA hazardous waste liquid, (heat transfer oil)	1	DM	150	P	NREG
	4. Non-RCRA hazardous waste solid (Resin)	—	DM	—	P	NREG

14. Special Handling Instructions and Additional Information
1. 2004100231 - 7WD102
2. 2007100189 - 1RA520
3. 2010080833 - 1ON249
4. 2010110107 - 1FD050

11192847

15. **GENERATOR'S/OFFEROR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true. 144135

Generator's/Offeror's Printed/Typed Name: Robert E. Pau — Signature: [signature] — Month 10 Day 3 Year 19

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.:

17. Transporter Acknowledgment of Receipt of Materials
Transporter 1 Printed/Typed Name: [illegible] — Signature: [signature] — Month 10 Day 03 Year 19
Transporter 2 Printed/Typed Name: Tom Bohl — Signature: Tom Bohl — Month 10 Day 09 Year 19

18. Discrepancy
18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection
Manifest Reference Number:
18b. Alternate Facility (or Generator) — U.S. EPA ID Number
Facility's Phone:
18c. Signature of Alternate Facility (or Generator) — Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)
1. 2. 3. 4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a
Printed/Typed Name: [illegible] Pendergast — Signature: [signature] — Month 10 Day 12 Year 19

GENERATOR / INT'L / TRANSPORTER / DESIGNATED FACILITY

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

DESIGNATED FACILITY TO GENERATOR

BILL OF LADING

WRR Environmental Services Co., Inc.

5200 Ryder Road, Eau Claire, WI 54701
(715) 834-9624 FAX (715) 836-8785

GENERATOR CLAIMING VERY SMALL QUANTITY

GENERATOR STATUS _____
(SIGNED)

Shippers #	Your P.O. No.
All information must be typed or printed.	

1. Generator's Name and Mailing Address Nox-Crete Inc 1444 S 20Th St Omaha, NE 68108		A. Profile #
2. Generator's Phone ( ) 402-341-2080		B. State Generator's ID NED007284128
3. Transporter 1 Company Name Barton Solvents Inc	4. US EPA ID Number IAD089570063	C. State Transporter's ID D. Transporter's Phone 712-322-2509
5. Transporter 2 Company Name Coal City Coal Company, Inc	6. US EPA ID Number TXR000079639	E. State Transporter's ID N/A F. Transporter's Phone 972-923-7500
7. Designated Facility Name and Site Address WRR Environmental Services Co., Inc. 5200 Ryder Road Eau Claire, WI 54701	8. US EPA ID Number WID 990 829 475	G. State Facility's ID H. Facility's Phone 715-834-9624

	9. US DOT Description (Including Proper Shipping Name, Hazard Class, ID Number and Packing Group) H.M.	10. Containers No.	Type	11. Total Quantity	12. Unit Wt/Vol	I. Waste No.
a.	Non Hazardous Non Regulated Material (Waterbased Blast-off)		TP		P	N R E G
b.	UN2735, Amines, liquid, corrosive, n.o.s. (Polyoxypropylenediamine), 8 , II		DR		P	N R E G
c.	Non Hazardous Non Regulated Material (Concrete Curring Compound)	1	DM	100	P	N R E G
d.	Non Hazardous Non Regulated Material (Polyether Polyol)		DM		P	N R E G

J. Additional Descriptions for Materials Listed Above		K. Handling Code for Wastes Listed Above
a. 2019040045 EWA559	c. 2019040040 1FA221	a. c.
b. 2019040044 TWA242	d. 2019040042 1FB221	b. d.

13. Special Handling Instructions and Additional Information
a. c.
b. d.
WRR Info
101305 19990174

14. Emergency Phone# 800-424-9300 803309

15. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national governmental regulations and according to the requirements of the Wisconsin Department of Natural Resources.

Printed/Typed Name & Position Title	Signature	Date Month Day Year
16. TRANSPORTER 1 Acknowledgement of Receipt of Materials		Date
Printed/Typed Name & Position Title	Signature	Month Day Year
17. TRANSPORTER 2 Acknowledgement of Receipt of Materials		Date
Printed/Typed Name & Position Title	Signature	Month Day Year

18. Discrepancy Indication Space

19. FACILITY OWNER OR OPERATOR: Certification of receipt of hazardous materials covered by this document except as noted in Item 18.

Printed/Typed Name & Position Title	Signature	Date Month Day Year

Form 100 Copy Distribution: 1 - Facility retain 2 - Facility send to Generator 3 - Transporter retain 4 - Generator retain

BILL OF LADING

WRR Environmental Services Co., Inc.

5200 Ryder Road, Eau Claire, WI 54701
(715) 834-9624 FAX (715) 836-8785

194135

GENERATOR CLAIMING VERY SMALL QUANTITY

GENERATOR STATUS _____ (SIGNED)

Shippers #	Your P.O. No.
All Information must be typed or printed.	

1. Generator's Name and Mailing Address Nox-Crete Inc 1444 S.20Th St. Omaha, NE 68108		A. Profile #
2. Generator's Phone ( ) 402-341-2080		B. State Generator's ID NED007264128
3. Transporter 1 Company Name Barton Solvents Inc	4. US EPA ID Number IAD089570063	C. State Transporter's ID D. Transporter's Phone 712-322-2509
5. Transporter 2 Company Name Gear City Cob Company, Inc	6. US EPA ID Number TXR000079839	E. State Transporter's ID N/A F. Transporter's Phone 972-923-7500
7. Designated Facility Name and Site Address WRR Environmental Services Co., Inc 5200 Ryder Road Eau Claire, WI 54701	8. US EPA ID Number WID 990 829 475	G. State Facility's ID H. Facility's Phone 715-834-9624

	9. US DOT Description (Including Proper Shipping Name, Hazard Class, ID Number and Packing Group)	H.M.	10. Containers No.	Type	11. Total Quantity	12. Unit Wt/Vol	I. Waste No.
a.	Non Hazardous Non Regulated Material (Waterbased Blast-off)			TP		P	N R E G
b.	UN2735, Amines, liquid, corrosive, n.o.s. (Polyoxypropylenediamine), 8, II	X		DR		P	N R E G
c.	Non Hazardous Non Regulated Material (Concrete Curring Compound)		1	DM	100	P	N R E G
d.	Non Hazardous Non Regulated Material (Polyether Polyol)			DM		P	N R E G

J. Additional Descriptions for Materials Listed Above
a. 2019040045 EWA559 c. 2019040043 1FA221
b. 2019040044 TWA242 d. 2019040042 1FB221

K. Handling Code for Wastes Listed Above
a. c.
b. d.

13. Special Handling Instructions and Additional Information
a. c.
b. d.
WRR Info
101305 19290174

14. Emergency Phone# 800-424-9300 803309

15. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national governmental regulations and according to the requirements of the Wisconsin Department of Natural Resources.

Printed/Typed Name & Position Title	Signature	Date (Month Day Year)
Rob Powell	[signature]	10 9 19
16. TRANSPORTER 1 Acknowledgement of Receipt of Materials		
Printed/Typed Name & Position Title	Signature	Date (Month Day Year)
Gary Munson Driver	[signature]	10 03 19
17. TRANSPORTER 2 Acknowledgement of Receipt of Materials		
Printed/Typed Name & Position Title Tom Bohl driver	Signature Tom Bohl	Date (Month Day Year) 10 09 19

18. Discrepancy Indication Space

19. FACILITY OWNER OR OPERATOR: Certification of receipt of hazardous materials covered by this document except as noted in Item 18.

Printed/Typed Name & Position Title	Signature	Date (Month Day Year)
Jacob Pendergast	[signature]	10 12 19

Form 100 Copy Distribution: 1 - Facility retain 2 - Facility send to Generator 3 - Transporter retain 4 - Generator retain

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number

2. Page 1 of

3. Emergency Response Phone

4. Manifest Tracking Number 006715933 FLE

GENERATOR

5. Generator's Name and Mailing Address

Generator's Site Address (if different than mailing address)

Generator's Phone

6. Transporter 1 Company Name

U.S. EPA ID Number

7. Transporter 2 Company Name

U.S. EPA ID Number

8. Designated Facility Name and Site Address

U.S. EPA ID Number

Facility's Phone

9a HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
	1					
	2					
	3					
	4					

14. Special Handling Instructions and Additional Information

15. **GENERATOR'S/OFFEROR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name | Signature | Month | Day | Year

INT'L

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit

Transporter signature (for exports only) Date leaving U.S.

TRANSPORTER

17. Transporter Acknowledgment of Receipt of Materials

Transporter 1 Printed/Typed Name | Signature | Month | Day | Year

Transporter 2 Printed/Typed Name | Signature | Month | Day | Year

DESIGNATED FACILITY

18. Discrepancy

18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection

Manifest Reference Number:

18b. Alternate Facility (or Generator)

U.S. EPA ID Number

Facility's Phone

18c. Signature of Alternate Facility (or Generator) | Month | Day | Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)

1 | 2 | 3 | 4

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a

Printed/Typed Name | Signature | Month | Day | Year

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

GENERATOR'S INITIAL COPY

Land Disposal Notification & Disposal

WRR Document: 11192847

Company Name: Nox-Crete Inc

Manifest Tracking Number: 006715938FLE

WASTE TYPE

A. This shipment contains waste(s) restricted from land disposal under 40 CFR Part 268 and OAC Chapter 3745-59.
RESTRICTED WASTE REQUIRING TREATMENT
This shipment contains restricted wastes that must be treated to comply with the applicable treatment standards and/or prohibitions prior to land disposa

B. RESTRICTED WASTE SUBJECT TO VARIANCE
Waste Code(s)
This shipment contains a restricted waste subject to a nationwide variance that expires on

C. RESTRICTED WASTE THAT CAN BE LANDFILLED WITHOUT FURTHER TREATMENT 268.7(2)
Waste Code(s)
This shipment contains a restricted waste that meets the applicable treatment standards and/or prohibition levels and can be landfilled without further tr
I have attached all available supporting data.
"I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or thorough knowledge of the support this certification that the waste complies with the treatment standards specified in 40 CFR part 268 Subpart D, Rules 3745-59-40 to 3745-59-44 Administrative Code, and all applicable prohibitions set forth in 40 CFR 268.32, and Rule 3745-59-32 of the Administrative code or RCRA Section 3004 believe that the information I submitted is true, accurate and complete. I am aware that there are significant penalties for submitting a false certification including the possibility of a fine and imprisonment"
Evaluation of this waste is based upon:
Analysis (attached) Knowledge of waste (materials used/process employed)

D. RESTRICTED WASTE TREATED TO PERFORMANCE STANDARDS
Waste code(s)
" I certify under penalty of law that I have personally examined and am familiar with the treatment technology and operation of the treatment process us support this certification and that, based on my inquiry of those individuals immediately responsible for obtaining this information, I believe that the treat process has been operated and maintained properly so as to comply with performance levels specified in 40 CFR part 268 subpart D (and) in Rules 37 to 3745-59-44 of the Administrative Code, and all applicable prohibitions set forth in 40 CFR 40 268.32 and in Rule 3745-59-32 of the Administrative C RCRA section 3004(d) without impermissible dilution of the prohibited waste. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment"

E. RESTRICTED WASTES FOR WHICH THE TREATMENT STANDARD IS EXPRESSED AS A SPECIFIED TECHNOLOGY (ANDTHE WASTE HAS BEEN TREATED BY THAT TECHNOLOGY)
Waste Code(s)
" I certify under penalty of law that the waste has been treated in accordance with the requirement of 40 CFR 268.42 and rule 3745-59-42 of the Admini Code. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment"

F. LAB PACK CERTIFICATIONS
Waste Code(s)
Include Lab Pack Addendum

LINE	PROFILE	DESCRIPTION	WASTE TYPE (see above categories)		WASTE CODE	DESCRIPTION
9b 1	2004100231	SHREDDABLE SOLIDS FUEL BLEND	A	NON-WASTEWATER	F003	NON-HALOGENATED SOLVENTS
9b 2	2007100189	WASTE XYLENE-BLEND	R	NON-WASTEWATER	D001	IGNITABILITY
9b 2	2007100189	WASTE XYLENE-BLEND	R	NON-WASTEWATER	F003	NON-HALOGENATED SOLVENTS
9b 2	2007100189	WASTE XYLENE-BLEND	R	NON-WASTEWATER	F005	NON-HALOGENATED SOLVENTS
9b 3	2010080033	NON-HAZARDOUS WASTE OIL	R	NON-WASTEWATER	NREG	NON REGULATED
9b 4	2010110107	Dispersible Solids Direct to GAR	R	NON-WASTEWATER	NREG	NON REGULATED

SIGNATURE [signature] DATE SIGNED 10-3-18

Please print or type. (Form designed for use on elite (12-pitch) typewriter.) Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number
2. Page 1 of
3. Emergency Response Phone
4. Manifest Tracking Number

FLE

5. Generator's Name and Mailing Address

Generator's Site Address (if different than mailing address)

Generator's Phone:

6. Transporter 1 Company Name

U.S. EPA ID Number

7. Transporter 2 Company Name

U.S. EPA ID Number

8. Designated Facility Name and Site Address

U.S. EPA ID Number

Facility's Phone:

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
	1.					
	2.					
	3.					
	4.					

14. Special Handling Instructions and Additional Information

15. **GENERATOR'S/OFFEROR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name | Signature | Month | Day | Year

GENERATOR

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:

Transporter signature (for exports only): Date leaving U.S.

INT'L

17. Transporter Acknowledgment of Receipt of Materials

Transporter 1 Printed/Typed Name | Signature | Month | Day | Year

Transporter 2 Printed/Typed Name | Signature | Month | Day | Year

TRANSPORTER

18. Discrepancy

18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection

Manifest Reference Number:

18b. Alternate Facility (or Generator) U.S. EPA ID Number

Facility's Phone:

18c. Signature of Alternate Facility (or Generator) | Month | Day | Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)

1	2	3.	4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a

Printed/Typed Name | Signature | Month | Day | Year

DESIGNATED FACILITY

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete. GENERATOR'S INITIAL COPY

Land Disposal Notification & Disposal

Company Name:Nox-Crete Inc

WRR
Document: 18272954

Manifest Tracking Number: 011495296FLE

WASTE TYPE

A. This shipment contains waste(s) restricted from land disposal under 40 CFR Part 268.
RESTRICTED WASTE REQUIRING TREATMENT
This shipment contains restricted wastes that must be treated to comply with the applicable treatment standards and/or prohibitions prior to land disposal

B. RESTRICTED WASTE SUBJECT TO VARIANCE
Waste Code(s)
This shipment contains a restricted waste subject to a nationwide variance that expires on

C. RESTRICTED WASTE THAT CAN BE LANDFILLED WITHOUT FURTHER TREATMENT 268.7(2)
Waste Code(s)
This shipment contains a restricted waste that meets the applicable treatment standards and/or prohibition levels and can be landfilled without further treatment. I have attached all available supporting data.
"I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or thorough knowledge of the waste to support this certification that the waste complies with the treatment standards specified in 40 CFR part 268 Subpart D, and all applicable prohibitions set forth in 40 CFR 268.32, or RCRA Section 3004(d). I believe that the information I submitted is true, accurate and complete. I am aware that there are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment"
Evaluation of this waste is based upon
Analysis (attached) Knowledge of waste (materials used/process employed)

D. RESTRICTED WASTE TREATED TO PERFORMANCE STANDARDS
Waste code(s)
"I certify under penalty of law that I have personally examined and am familiar with the treatment technology and operation of the treatment process used to support this certification and that based on my inquiry of those individuals immediately responsible for obtaining this information, I believe that the treatment process has been operated and maintained properly so as to comply with performance levels specified in 40 CFR part 268 subpart D and all applicable prohibitions set forth in 40 CFR 40 268.32 or RCRA section 3004(d) without impermissible dilution of the prohibited waste. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment"

E. RESTRICTED WASTES FOR WHICH THE TREATMENT STANDARD IS EXPRESSED AS A SPECIFIED TECHNOLOGY (ANDTHE WASTE HAS BEEN TREATED BY THAT TECHNOLOGY)
Waste Code(s)
"I certify under penalty of law that the waste has been treated in accordance with the requirement of 40 CFR 268.42. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment"

F. LAB PACK CERTIFICATIONS
Waste Code(s)
Include Lab Pack Addendum

LINE	PROFILE	DESCRIPTION	WASTE TYPE (see above)		WASTE CODE	SUB CATEGORY
9b 1	2006120040	WASTE PCE	A	NWW	NREG	
9b 2	2006120044	WASTE CURE & SEAL 100E	A	NWW	NREG	
9b 3	2007110207	EDGE FLEX	A	NWW	NREG	

SIGNATURE [signature]

DATE SIGNED 10-3-19

Please print or type.

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number: NED007284178
2. Page 1 of: 1
3. Emergency Response Phone: 800-424-9300
4. Manifest Tracking Number: 013920828 FLE

5. Generator's Name and Mailing Address: Nox-Crete Inc, 1444 S 20Th St, Omaha, NE 68108
Generator's Site Address (if different than mailing address):
Generator's Phone: 402-341-2980

6. Transporter 1 Company Name: Barton Solvents Inc — U.S. EPA ID Number: IAD089520063

7. Transporter 2 Company Name: Coal City Cob Company, Inc — U.S. EPA ID Number: [illegible]

8. Designated Facility Name and Site Address: WRR Environmental Services, 5200 Ryder Road, Eau Claire, WI 54701-9678 — U.S. EPA ID Number: WID988829477
Facility's Phone: 715-834-9624

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
X	1. UN 1993, Waste Flammable liquids, n.o.s. (Alphate Petroleum Distillates), 3, RQ, III		DM	2	P	D001
	2. Non Hazardous Non Regulated Material (Water Based Polymer)		DM		P	NREG
	3. Non RCRA hazardous waste liquid (Water Based Paint)		DM		P	NREG
	4. Non Hazardous Non Regulated Material (Polycarbonate)		TP		P	NREG

14. Special Handling Instructions and Additional Information
1. 2007100190 - 1FA221
2. 2017120136 - EWA259
3. 2010110104 - 1FB212
4. 2018070091 - 1FA225
CL# 203306
19292970

15. **GENERATOR'S/OFFEROR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name — Signature — Month — Day — Year

16. International Shipments: ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.

17. Transporter Acknowledgment of Receipt of Materials
Transporter 1 Printed/Typed Name — Signature — Month — Day — Year
Transporter 2 Printed/Typed Name — Signature — Month — Day — Year

18. Discrepancy
18a. Discrepancy Indication Space: ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection
Manifest Reference Number:

18b. Alternate Facility (or Generator) — U.S. EPA ID Number
Facility's Phone:

18c. Signature of Alternate Facility (or Generator) — Month — Day — Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)
1 — 2 — 3 — 4

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a
Printed/Typed Name — Signature — Month — Day — Year

GENERATOR — INT'L — TRANSPORTER — DESIGNATED FACILITY

EPA Form 8700-22 (Rev. 12-17) Previous editions are obsolete.

GENERATOR'S INITIAL COPY

Land Disposal Notification & Disposal

Company Name: Nox-Crete Inc

WRR Document: 19292970

Manifest Tracking Number: 013920828FLE

WASTE TYPE

A. This shipment contains waste(s) restricted from land disposal under 40 CFR Part 268.
RESTRICTED WASTE REQUIRING TREATMENT
This shipment contains restricted wastes that must be treated to comply with the applicable treatment standards and/or prohibitions prior to land disposal.

B. RESTRICTED WASTE SUBJECT TO VARIANCE
Waste Code(s)
This shipment contains a restricted waste subject to a nationwide variance that expires on

C. RESTRICTED WASTE THAT CAN BE LANDFILLED WITHOUT FURTHER TREATMENT 268.7(2)
Waste Code(s)
This shipment contains a restricted waste that meets the applicable treatment standards and/or prohibition levels and can be landfilled without further treatment. I have attached all available supporting data.
"I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or thorough knowledge of the waste to support this certification that the waste complies with the treatment standards specified in 40 CFR part 268 Subpart D, and all applicable prohibitions set forth in 40 CFR 268.32, or RCRA Section 3004(d). I believe that the information I submitted is true, accurate and complete. I am aware that there are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment".
Evaluation of this waste is based upon:
Analysis (attached) Knowledge of waste (materials used/process employed)

D. RESTRICTED WASTE TREATED TO PERFORMANCE STANDARDS
Waste code(s)
" I certify under penalty of law that I have personally examined and am familiar with the treatment technology and operation of the treatment process used to support this certification and that, based on my inquiry of those individuals immediately responsible for obtaining this information. I believe that the treatment process has been operated and maintained properly so as to comply with performance levels specified in 40 CFR part 268 subpart D and all applicable prohibitions set forth in 40 CFR 40 268.32 or RCRA section 3004(d) without impermissible dilution of the prohibited waste. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment".

E. RESTRICTED WASTES FOR WHICH THE TREATMENT STANDARD IS EXPRESSED AS A SPECIFIED TECHNOLOGY (ANDTHE WASTE HAS BEEN TREATED BY THAT TECHNOLOGY)
Waste Code(s)
" I certify under penalty of law that the waste has been treated in accordance with the requirement of 40 CFR 268.42. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment".

F. LAB PACK CERTIFICATIONS
Waste Code(s)
Include Lab Pack Addendum.

LINE	PROFILE	DESCRIPTION	WASTE TYPE (see above)		WASTE CODE		SUB CATEGORY
9b 1.	2007100190	UNKNOWN SOLVENTS/MINERAL	A	NWW	D001	>10%TOC	
9b 2.	2017120136	ROVENE 6140	A	NWW	NREG		
9b 3.	2010110104	WASTE #10-WATER BASED PIGI	A	NWW	NREG		
9b 4.	2018070091	PLASTICFLOW R SUPER CONCE	A	NWW	NREG		

SIGNATURE [signature] DATE SIGNED 10-3-19

Please print or type.

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number: NED007284128
2. Page 1 of -
3. Emergency Response Phone: 800-424-9300
4. Manifest Tracking Number: 013320827 FLE

5. Generator's Name and Mailing Address
Nox Crete Inc
1444 S 20Th St
Omaha, NE 68108
Generator's Phone: 402-341-2080

Generator's Site Address (if different than mailing address)

6. Transporter 1 Company Name: Barton Solvents Inc
U.S. EPA ID Number: IAD089570063

7. Transporter 2 Company Name: Coal City Cob Company, Inc
U.S. EPA ID Number: TXR000079839

8. Designated Facility Name and Site Address
WRR Environmental Services
6200 Ryder Road
Eau Claire, WI 54701-9678
Facility's Phone: 715-834-9624
U.S. EPA ID Number: WID990829475

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
X	1. UN1993, Waste Flammable liquids, n.o.s. (Xylene Ethyl Acetate) [illegible]		DM		P	F003 D001
X	2. NA3077, HAZARDOUS WASTE SOLID, N.O.S. (XYLENE), 9, PGIII		DM		P	F003
X	3. UN1263, Waste Flammable material, 3, II, RQ, F003, D001	[illegible]	DM		P	F003 D001
	4. Non-RCRA hazardous waste liquid (Acrylic Resin)		DM		P	NREG

14. Special Handling Instructions and Additional Information
1. 91020019 - 1FA221
2. 2004100231 - AWG102
3. 2004050142 - 1HF803
4. 2010110100 - 1FB212
CON# 203306
19292969

15. **GENERATOR'S/OFFEROR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name: [illegible] Signature: [illegible] Month Day Year

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.

17. Transporter Acknowledgment of Receipt of Materials
Transporter 1 Printed/Typed Name: [illegible] Signature: [illegible] Month Day Year
Transporter 2 Printed/Typed Name: Signature: Month Day Year

18. Discrepancy
18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection
Manifest Reference Number:
18b. Alternate Facility (or Generator) U.S. EPA ID Number
Facility's Phone:
18c. Signature of Alternate Facility (or Generator) Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)
1. 2. 3. 4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a
Printed/Typed Name: Signature: Month Day Year

GENERATOR — INT'L — TRANSPORTER — DESIGNATED FACILITY

EPA Form 8700-22 (Rev. 12-17) Previous editions are obsolete

GENERATOR'S INITIAL COPY

Land Disposal Notification & Disposal

WRR Document: 19292969

Company Name: Nox-Crete Inc

Manifest Tracking Number: 013920827FLE

WASTE TYPE

A. This shipment contains waste(s) restricted from land disposal under 40 CFR Part 268.
RESTRICTED WASTE REQUIRING TREATMENT
This shipment contains restricted wastes that must be treated to comply with the applicable treatment standards and/or prohibitions prior to land disposal.

B. RESTRICTED WASTE SUBJECT TO VARIANCE
Waste Code(s)
This shipment contains a restricted waste subject to a nationwide variance that expires on

C. RESTRICTED WASTE THAT CAN BE LANDFILLED WITHOUT FURTHER TREATMENT 268.7(2)
Waste Code(s)
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Waste code(s)
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Waste Code(s)
" I certify under penalty of law that the waste has been treated in accordance with the requirement of 40 CFR 268.42. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment".

F. LAB PACK CERTIFICATIONS
Waste Code(s)
Include Lab Pack Addendum.

LINE	PROFILE	DESCRIPTION	WASTE TYPE (see above)		WASTE CODE		SUB CATEGORY
9b 1.	91020019	Clean-up solvent	A	NWW	F003		
9b 1.	91020019	Clean-up solvent	A	NWW	D001	>10%TOC	
9b 2.	2004100231	WASTE SCRAPINGS FROM OUT	A	NWW	F003		
9b 3.	2004050142	WASTE SILCOSEAL 2000F	A	NWW	F003		
9b 3.	2004050142	WASTE SILCOSEAL 2000F	A	NWW	D001	>10%TOC	
9b 4.	2010110100	WASTE #6 & 7-WATER BASED A	A	NWW	NREG		

SIGNATURE [signature] DATE SIGNED 10-3-19