



June 6, 2024

Transmitted by email: bigkillwill@yahoo.com; dreyerbrown22@hotmail.com

Willy Brown
Brown's Mountain Salvage
3631 South End Road
New Meadows, ID 83654

Subject: May 13, 2024, Hazardous Waste Compliance Assistance Visit Letter, Brown's Mountain Salvage, State ID No. IDSTATE01064

Willy Brown,

On May 13, 2024, the Idaho Department of Environmental Quality (DEQ) conducted a Compliance Assistance Visit (CAV) at the Brown's Mountain Salvage located at 3631 South End Road in New Meadows, Idaho. The purpose of the inspection was to assess Brown Mountain Salvage's compliance with the Hazardous Waste Management Act (HWMA) and the Rules and Standards for Hazardous Waste. The Preliminary Inspection Findings Form and photographic documentation are enclosed.

At the time of the inspection, three (3) apparent violations of the HWMA and Rules and Standards for Hazardous Waste were identified at Brown's Mountain:

Violation No. 1: Failure to count monthly hazardous waste generation to determine generator category

Legal Provisions Violated: IDAPA 58.01.05.006, Rules and Standards for Hazardous Waste [40 CFR 262.13(a)(1-3)]

IDAPA 58.01.05.006 incorporates by reference 40 CFR 262.139(a)(1-3), which states in relevant part:

"A generator must determine its generator category. A generator's category is based on the amount of hazardous waste generated each month and may change from month to month. This section sets forth procedures to determine whether a generator is a very small quantity generator, a small quantity generator, or a large quantity generator for a particular month, as defined in §260.10 of this chapter.

(a) Generators of either acute hazardous waste or non-acute hazardous waste. A generator who either generates acute hazardous waste or non-acute hazardous waste in a calendar month shall determine its generator category for that month by doing the following:

(1) Counting the total amount of hazardous waste generated in the calendar month;

- (2) Subtracting from the total any amounts of waste exempt from counting as described in paragraphs (c) and (d) of this section; and
- (3) Determining the resulting generator category for the hazardous waste generated using Table 1 of this section.

Table 1 to §262.13—Generator Categories Based on Quantity of Waste Generated in a Calendar Month

Quantity of acute hazardous waste generated in a calendar month	Quantity of non-acute hazardous waste generated in a calendar month	Quantity of residues from a cleanup of acute hazardous waste generated in a calendar month	Generator category
> 1 kg	Any amount	Any amount	Large quantity generator
Any amount	≥ 1,000 kg	Any amount	Large quantity generator
Any amount	Any amount	> 100 kg	Large quantity generator
≤ 1 kg	> 100 kg and < 1,000 kg	≤ 100 kg	Small quantity generator
≤ 1 kg	≤ 100 kg	≤ 100 kg	Very small quantity generator

At the time of the inspection, Brown’s Mountain Salvage, a generator of hazardous waste, failed to count monthly hazardous waste generation to determine their generator category.

Violation No. 2: Failure to conduct hazardous waste determinations

Legal Provisions Violated: IDAPA 58.01.05.006, Rules and Standards for Hazardous Waste [40 CFR 262.11]

IDAPA 58.01.05.006 incorporates by reference 40 CFR 262.11, which states in relevant part:

“A person who generates a solid waste, as defined in 40 CFR 261.2, must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulation....”

At the time of the inspection, Brown’s Mountain Salvage, a generator of hazardous waste, failed to conduct hazardous waste determinations on two 5-gallon metal containers of waste with unknown contents in the tank storage shed (Photo 1).

Violation No. 3: Failure to comply with used oil container marking/labeling requirements

Legal Provisions Violated: IDAPA 58.01.05.015, Rules and Standards for Hazardous Waste [40 CFR 279.22(c)(1)]

IDAPA 58.01.05.015 incorporates by reference 40 CFR 279.22(c)(1), which states in relevant part:

“Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words “Used Oil.”

At the time of the inspection, Brown’s Mountain Salvage, a generator of used oil, failed to label one 5-gallon bucket of used oil at the hazardous waste shipping container, one 1-gallon container of used oil at the hazardous waste shipping container, and one 2-quart container of used oil at the hazardous waste shipping container with the words “Used Oil” (Photo 2).

The following recommendations are offered by DEQ as compliance assistance:

Recommendation No. 1: Containerize leaky or damaged lead-acid batteries in compatible container

At the time of the inspection, Brown’s Mountain Salvage was storing damaged lead-acid batteries on the floor of the hazardous waste shipping container (Photo 3). While the shipping container can be considered a container, damaged lead-acid batteries should be stored in a container that is compatible with acid. Failure to store the damaged lead-acid batteries in a compatible container may cause a release by corroding the shipping container floor and impacting underlying soils. As discussed during the May 13, 2024 inspection, DEQ recommends storing any leaky or damaged lead-acid batteries in the large black plastic container already in use within the hazardous waste shipping container on site.

Recommendation No. 2 Make plans for storage and disposal of future hazardous wastes

At the time of the inspection, Willy Brown (Manager of Brown’s Mountain Salvage), discussed future plans to crush vehicles on site. DEQ recommends making plans for the accumulation, storage, and disposal of wastes that may be generated during the process. Wastes may include coolant, used oil, transmission fluid, used batteries, mercury-containing switches, fuel, wastewater, and used lamps. DEQ recommends contacting the local solid waste disposal facility and/or a hazardous waste disposal service to inquire about disposal options.

DEQ has chosen to handle enforcement related to this inspection under the Compliance Assistance Visit (CAV) program. Under the CAV program, DEQ waives enforcement actions and penalties for businesses that make good faith efforts to correct apparent violations. However, this letter does not relieve Brown’s Mountain from compliance with the HWMA and the Idaho Rules and Standards for Hazardous Waste in the future.

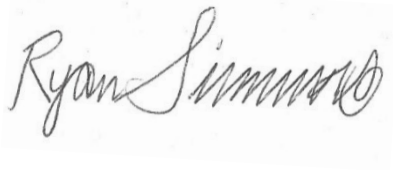
Requested Action

To fully resolve the apparent violations, DEQ requests a written response within fifteen (15) days of receipt of this letter. The response should address the apparent violations listed above and the actions which have been taken, or will be taken, to return to compliance and to ensure future compliance with the requirements of the Idaho Rules and Standards for Hazardous Waste.

Inquires or correspondence concerning this CAV Letter should be directed to Ryan Simmons at (208) 373-0589, ryan.simmons@deq.idaho.gov, or

Idaho Department of Environmental Quality
Attn: Ryan Simmons
1445 N. Orchard St.
Boise, Idaho 83706

Sincerely,

A handwritten signature in black ink that reads "Ryan Simmons". The signature is written in a cursive style and is centered within a light gray rectangular box.

Ryan Simmons
Hazardous Waste Compliance Officer, DEQ

ec: Rebecca Blankenau, DEQ-BRO
 Beth Bahem, DEQ-BRO
 Kimberly Diep, DEQ-BRO
 Ben Jarvis, DEQ-SO
 Jeremiah Thomas, DEQ-SO
 EDMS # 2024BCP1021



**Idaho Department of Environmental Quality
 Hazardous Waste Inspection
 Preliminary Inspection Findings Form (PIF)**

Facility Name: Brown's Mountain <i>Salvage</i>	
EPA/State ID No: IDSTATE01064 OR <input type="checkbox"/> Non-Notifier (NN)	Start Date: 5/13/2024
Attach company representative business card	Facility Type and Activities <input type="checkbox"/> Non-Generator <input checked="" type="checkbox"/> VSQG <input type="checkbox"/> SQG <input type="checkbox"/> LQG <input type="checkbox"/> Permitted HW Facility (TSDF) <input type="checkbox"/> HW Transporter or Transfer Facility <input type="checkbox"/> Health Care Facility under Subpart P <input type="checkbox"/> Academic Lab under Subpart K
	Inspection Type <input type="checkbox"/> CEI <input checked="" type="checkbox"/> CAV <input type="checkbox"/> FCI <input type="checkbox"/> O&M/OAM <input type="checkbox"/> Other:
Mailing Address Same as Physical? <input type="checkbox"/> Y <input type="checkbox"/> N	
Street/PO: P.O. Box 97 Town/City: New Meadows State: Idaho Zip Code: 83654	Physical Location Street: 3631 South End Road Town/City: New Meadows State: Idaho Zip Code: 83654
Phone: 208 849-1702 Other Phone: () -	County: Adams DEQ Region: BRO
Facility Representative Name: Willy Brown Title: Manager Email: bigkillwill@yahoo.com	Inspector(s) Lead: Ryan Simmons Other(s): Kimberly Diep, Rebecca Blankenau, Beth Bahem, Ben Jarvis
Facility's Main Function: Salvage Yard <i>dreyerbrown22@hotmail.com - Donna Brown</i>	
Checklists Used	
<input checked="" type="checkbox"/> VSQG <input checked="" type="checkbox"/> Used Oil <input checked="" type="checkbox"/> Universal Waste <input type="checkbox"/> Subpart AA <input type="checkbox"/> SQG <input type="checkbox"/> Wood Treatment/Drip Pad <input type="checkbox"/> Waste Piles <input type="checkbox"/> Subpart BB <input type="checkbox"/> LQG <input type="checkbox"/> Tanks (SQG or LQG) <input type="checkbox"/> Site-Specific Checklist <input type="checkbox"/> Subpart CC	

Preliminary Inspection Findings Form

Facility Name:	Brown's Mountain		
EPA/State ID No:	IDSTATE01064	OR <input type="checkbox"/> Non-Notifier (NN)	Start Date: 5/13/2024

Waste Stream List

Waste Stream ID	Location	Treatment or Disposal Path	Amount in Storage (units)
1. Leaking/broken Lead-acid batteries	Haz waste Shipping Container	Disposal	
2. used oil	Haz Waste Shipping Container	Recycling	
3.			
4.			
5.			
6.			
7.			
8.			

Preliminary Inspection Findings Form

Facility Name:	Brown's Mountain		
EPA/State ID No:	IDSTATE01064	OR <input type="checkbox"/> Non-Notifier (NN)	Start Date: 5/13/2024

Photographs

Photograph(s) taken: Y N

Description of photograph and location	
1.	smaller used oil containers w/o labels
2.	unknown flammable liquid
3.	lead-acid batteries - broken
4.	e-waste
5.	
6.	
7.	
8.	
9.	
10.	

Samples

Sample(s) taken: Y N If yes, use additional form to document sampling in accordance with QAPP.

Preliminary Inspection Findings Form

Facility Name:	Brown's Mountain		
EPA/State ID No:	IDSTATE01064	OR <input type="checkbox"/> Non-Notifier (NN)	Start Date: 5/13/2024

Document Review

Documents Reviewed at the Facility

1.	<i>none</i>
2.	
3.	
4.	
5.	
6.	
7.	
8.	

Documents Requested for Review

Due Date

(Please provide by this date)

1.	<i>none</i>	
2.		
3.		
4.		

Preliminary Inspection Findings Form

Facility Name:	Brown's Mountain		
EPA/State ID No:	IDSTATE01064	OR <input type="checkbox"/> Non-Notifier (NN)	Start Date: 5/13/2024

Comments

Indicate associated page and item, if appropriate.

1. none
2.
3.
4.
5.
6.
7.
8.

Preliminary Inspection Findings Form

Facility Name:	Brown's Mountain		
EPA/State ID No:	IDSTATE01064	OR <input type="checkbox"/> Non-Notifier (NN)	Start Date: 5/13/2024

Preliminary Inspection Findings

Apparent Violations Noted at the Time of the Inspection

Check if continuation sheet used (enter Facility Name, EPA ID No. and Start Date at top of page).

1. waste determinations - metal containers in "tank" storage
2. Monthly counting
3. ~~unlabeled containers~~ ^{RS} No requirement for VSQG
4. unlabeled used oil containers
5. ~~EPA ID Number~~ ^{RS} No requirement for VSQG
- 6.
- 7.
- 8.

Areas of Concern/Potential Violations Pending Further Review


Check if continuation sheet used (enter Facility Name, EPA ID No. and Start Date at top of page).

- 1.
- 2.
- 3.
- 4.

Preliminary Inspection Findings Form

Facility Name:	Brown's Mountain		
EPA/State ID No:	IDSTATE01064	OR <input type="checkbox"/> Non-Notifier (NN)	Start Date: 5/13/2024

Facility Receipt


	Enter inspector name and contact info	Date of Closing Conference: 5-13-2024
		Time Closing Conference Starts: 12:56 pm
		Time Closing Conference Ends: 1:05 pm

Information concerning the results of this inspection and your facility's compliance with the Resource Conservation Recovery Act and other applicable environmental laws will be made available to the public on the U.S. EPA's Enforcement and Compliance History Online (ECHO) Web site (<http://www.epa.gov/echo/>). We recommend you check your facility's information on this web site.

Inspector:

	5-13-2024
Signature	Date

Facility Representative:

Willy Brown	Manager
Print Name	Print Title
	5/13/24
Signature (Indicating Receipt)	Date

Your signature indicates that the contents of this form have been discussed with you following the inspection and does not imply agreement with the apparent violations noted.

- Next Steps:** Inspection reports are typically finalized within 45 days of the inspection. A copy will be provided to the facility. Outcomes after report completion are determined by DEQ's State Office. Potential outcomes include:
- If no apparent violations, there are no requested actions.
 - If apparent violations were few and minor, DEQ may send a Warning Letter (WL), an informal enforcement action. The WL will list apparent violations and request a response from the facility, usually within 15 days.
 - If apparent violations were numerous or serious, DEQ may send a Notice of Violation (NOV), a formal enforcement action. The NOV would include a monetary penalty and request a Compliance Conference between DEQ and the facility to agree to the terms of a Consent Order, a legally binding document.
 - If the facility and DEQ cannot reach agreement on a Consent Order, a civil complaint in court could be made.

This document is a Preliminary Inspection Findings Form. It does not constitute a final determination of compliance status with either the Idaho Environmental Protection and Health Act, Idaho Code §§ 39-101, et seq.; the Idaho Hazardous Waste Management Act, Idaho Code §§ 39-4401, et seq.; or any rules promulgated, permits issued, or consent or judicial order entered into pursuant to these acts. The Idaho Department of Environmental Quality reserves the right to supplement this document with additional compliance determinations, and amend, change, or otherwise modify any determination stated in this document. This document in no way restricts the State of Idaho or the Department of Environmental Quality from taking action available under law to address past, present, or future violations of the laws administered by the agency.

Preliminary Inspection Findings Form

Facility Name:	Brown's Mountain		
EPA/State ID No:	IDSTATE01064	OR <input type="checkbox"/> Non-Notifier (NN)	Start Date: 5/13/2024

Confidential Business Information

Is this applicable? Y N

During the course of the Department of Environmental Quality (DEQ) visit to your facility, it is possible that DEQ representatives observed or received information that is regarded by you as being entitled to confidential treatment. You may, if you desire, assert a business confidentiality claim applicable to documents that have been given to DEQ during the visit, or processes or other information observed by DEQ inspectors that might be recorded in field notes or on an inspection report generated by DEQ. Information in DEQ's possession covered by a confidentiality claim will be protected from public disclosure to the extent required by law. **If you do not assert a confidentiality claim or give us notice that the information is sensitive, the information may be made available to the public by DEQ without further notice to you.** The standards and procedures governing DEQ's handling of confidential business information is set forth in Idaho Code § 9-342A and the Idaho Administrative Procedures Act (IDAPA) 58.01.21.

As a responsible official of _____

I assert a confidentiality claim over the following documents or other information submitted or shown to DEQ representative(s):

Description of Confidential Information:

Facility Representative:

Print Name

Print Title

Signature

Date

Inspector:

Signature (Indicating Receipt)

Date



Used Oil Generator Checklist Idaho Department of Environmental Quality

This checklist is used to evaluate used oil generators (including used oil aggregation points and used oil collection facilities) under the requirements of IDAPA 58.01.05.015 [40 CFR § 279 Subparts C and D, Standards for Used Oil Generators]. Definitions are included at the end of this checklist. Highlighted "NO" checkboxes are noncompliant.

Facility Name: <i>Brown's Mountain</i>	Date: <i>5-13-24</i>
EPA ID: <i>IDSTATE 01064</i>	
Inspector Name: <i>Ryan Simmons</i>	

Applicability	YES	NO
1. Applicability. Is the facility a used oil generator, collection center, or aggregation point? [279.20] If No, do not use this checklist.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Waste Mixing	YES	NO
2. Hazardous Waste Mixing. Does the facility mix hazardous waste with used oil? [279.21(a)] If No, skip to question 3.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2a. VSQGs. Is the facility a Very Small Quantity Generator (VSQG) that generates and mixes less than 1 kg (2.2 lbs) of acute hazardous waste or 100 kg (220 lbs) of nonacute hazardous waste with used oil per month? If Yes, skip to question 3. VSQGs can mix used oil with hazardous waste and still manage it as used oil.	<input type="checkbox"/>	<input type="checkbox"/>
2b. Characteristic Hazardous Waste Mixing. Does the facility mix used oil with characteristic hazardous waste? If No, skip to question 2c.	<input type="checkbox"/>	<input type="checkbox"/>
2b.i. Hazardous Waste Characteristic. Does the used oil mixture exhibit a hazardous characteristic? If Yes, the mixture must be managed as hazardous waste. If No, the mixture may be managed as used oil.	<input type="checkbox"/>	<input type="checkbox"/>
2c. Listed Hazardous Waste Mixing. Does the facility mix used oil with listed hazardous waste? [279.10(b)(1)(i)] If No, skip to question 3.	<input type="checkbox"/>	<input type="checkbox"/>
2c.i. ICR Waste. Is the used oil mixed only with ICR listed waste? If Yes, the mixture may be managed as used oil if it does not exhibit a hazardous characteristic.	<input type="checkbox"/>	<input type="checkbox"/>

Waste Mixing (continued)	YES	NO
<p>2d. Halogen Concentrations. Does used oil exceed 1,000 ppm total halogens, indicating a presumption that it may have been mixed with hazardous waste?</p> <p>If No, skip to question 3. Transporters may test for halogen concentrations during pickup to evaluate if used oil has been mixed with hazardous waste.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>2d.i. Exempted Types of Used Oil. Is used oil that exceeds halogen concentrations from metal working and will be reclaimed via a tolling arrangement OR from refrigeration units that will be reclaimed for CFCs?</p> <p>If Yes, skip to question 3.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>2d.ii. Rebuttable Presumption. Does the facility use the rebuttable presumption to demonstrate that used oil has not been mixed with hazardous waste? [279.10(b)(1)(ii)]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Used Oil Storage	YES	NO
<p>3. Container and Tanks. Is used oil stored only in containers or tanks? [279.22(a)]</p> <p>Storage of used oil in lagoons, pits, and impoundments is prohibited.</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3a. Is used oil stored above ground in containers and tanks?</p> <p>If No, skip to question 4.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>3b. Condition. Are used oil containers and tanks in good condition and not leaking? [279.22(b)]</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3c. Labeling/Marking. Are used oil containers and tanks labeled/marked with the words "Used Oil"? [279.22(c)]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3d. Releases. Have releases of used oil to the environment occurred?</p> <p>If No, skip to question 3e</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>3d.i. Responses to Releases. Have used oil releases been stopped, cleaned up, cleanup material managed appropriately, and leaks repaired if necessary?</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3e. SPCC Plan. Does the facility have an above ground storage accumulation of used oil greater than 1,320 gallons?</p> <p>If Yes, the facility is required to have a Spill Prevention, Containment, and Countermeasures (SPCC) Plan. Refer the issue to EPA.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3f. USTs. Is used oil stored in an Underground Storage Tank (UST)?</p> <p>If No, skip to question 4.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3g. Fill Pipe Labeling. Are fill pipes labeled with the words "Used Oil"? [279.22(c)(2)]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3h. Releases. Has the UST leaked and released used oil to the subsurface?</p> <p>If Yes, the release may be subject to 40 CFR 280 Subpart F (Refer the issue to the Leaking Underground Storage Tank Program).</p>	<input type="checkbox"/>	<input type="checkbox"/>
Used Oil Burning	YES	NO
<p>4. Oil Burning. Does the facility burn used oil generated onsite or from do-it-yourselfers (DIYers)?</p> <p>If No, skip to question 5.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Used Oil Burning (continued)	YES	NO
<p>4a. Space Heater Exemption. Is used oil burned only in a space heater designed to have a maximum capacity of 0.5 million British thermal units (BTUs) per hour or less and vented to the outside air? [279.23(b)(c)]</p> <p>If Yes, skip to question 5. Used oil burned in a space heater that meets requirements is exempt from testing requirements.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>4b. Energy Recovery. Does the facility burn used oil for energy recovery in a unit that exceeds 0.5 million Btu?</p> <p>If Yes, complete the Used Oil Marketer Checklist. Used oil that does not meet the space heater exemption must be declared on-spec to be burned.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>4c. Used Oil from Separate Business. Does the facility burn used oil provided by a separate business?</p> <p>If No, skip to question 5.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>4c.i. On-Specification Used Oil. Has used oil from a separate business been determined to be on-specification? [279.11]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Off-Site Shipments	YES	NO
<p>5. Off-Site Shipments. Does the generator ship or transport used oil off-site?</p> <p>If No, skip to question 6.</p>	<input type="checkbox"/>	<input type="checkbox"/> <i>Not yet</i>
<p>5a. Used Oil Marketer. Does the facility give or sell their used oil to a used oil burner or claim that the used oil is on specification? [279.70]</p> <p>If Yes, complete the Used Oil Marketer Checklist. Used oil that is marketed is subject to Used Oil Marketer requirements.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>5b. Self-Transport. Does the generator self-transport used oil off-site?</p> <p>If No, skip to question 5c.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>5b.i. Transport Vehicle. Does the generator self-transport used oil using a vehicle owned by the facility? [279.24(a)(1)]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>5b.ii. Maximum Load Size. Does the generator self-transport no more than 55-gallons per load? [279.24(a)(2)]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>5b.iii. Aggregation Point/Collection Facility. Does the generator self-transport the used oil to an aggregation point owned/operated by the same generator or a registered collection facility? [279.24(a)(b)]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>5c. Tolling Agreement. Is used oil shipped under a Tolling Arrangement to be reclaimed and returned to the generator? [279.24(c)]</p> <p>If No, skip to question 5d.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>5c.i. Transport Vehicle. Is used oil shipped under a Tolling Agreement picked up and delivered by the used oil processor/re-refiner?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>5d. Transporter. Does the generator use an EPA approved transporter to ship used oil? [279.24]</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/> <i>Not yet</i>

Used Oil Collection Center	YES	NO
6. DIYer Collection Center. Is the facility a Household DIYer Used Oil Collection Center? If No, skip to question 7.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6a. Used Oil Source. Does the DIYer Used Oil Collection Center only take used oil from household DIYers? [279.30]	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Collection Center. Is the facility a Used Oil Collection Center? [279.31(b)(2)] If No, skip to question 8.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7a. Registration. Is the Used Oil Collection Center registered with the state to collect used oil from generators?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Used Oil Aggregation Point	YES	NO
8. Aggregation Point. Is the facility a Used Oil Aggregation Point? If No, you are done with this checklist.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8a. Used Oil Source. Does the Used Oil Aggregation Point only accept used oil from sites under the same owner/operator as the aggregation point or household DIYers?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Definitions

ICR listed waste: A waste that is determined to be a listed hazardous waste solely because it exhibits one or more characteristics of Ignitability, Corrosivity, or Reactivity. There are 29 ICR listed wastes (see 64 FR 63390 for ICR listed wastes).

Tolling arrangement: A contractual agreement to which used oil is reclaimed and returned to the generator by the processor for use as a lubricant, cutting oil, or coolant.

Used oil container: A portable device which used oil is stored, transported, treated, disposed of, or otherwise handled.

Used oil: Any oil that has been refined from crude oil, or any synthetic oil, that has been used and as a result of such use is contaminated by physical or chemical impurities.

Used oil aggregation point: Any site or facility that accepts, aggregates, and/or stores used oil collected only from other used oil generation sites owned or operated by the owner or operator of the aggregation point, from which used oil is transported to the aggregation point in shipments of no more than 55 gallons.

Used oil collection center: Any site or facility that is registered/ licensed/permitted/recognized by a state/county/municipal government to manage used oil and accepts/aggregates and stores used oil collected from used oil generators regulated under subpart C of CFR 279 who bring used oil to the collection center in shipments of no more than 55 gallons under the provisions of 279.24.

Used oil generator: Any person, by site, whose act or process produces used oil or whose act first causes used oil to become subject to regulation.

Used oil tank: Any stationary device, designed to contain an accumulation of used oil which is constructed primarily of non-earthen materials, (e.g., wood, concrete, steel, plastic) which provides structural support.



Very Small Quantity Generator (VSQG) Checklist Idaho Department of Environmental Quality

This checklist is used to evaluate Very Small Quantity Generators (VSQGs) for compliance with Idaho Administrative Procedures Act 58.01.05.006, Standards Applicable to Generator of Hazardous Waste [40 CFR Part 262]. Definitions are included at the end of this checklist. Highlighted "NO" checkboxes are noncompliant.

Facility Name: <u>Brown Mountain Salvage Yard</u>	
EPA ID: <u>IDSTATE01064</u>	Date: <u>5/13/24</u>
Inspector: <u>Ryan Simmons</u>	

General	YES	NO	NA
1. Waste Determinations. Does the facility conduct hazardous waste determinations on all solid waste generated to determine if the waste is hazardous or exempt? [262.11]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2. Universal Waste. Does the facility manage spent lamps, batteries, recalled pesticides, mercury-containing equipment, and aerosol cans as Universal Waste? [273] Hazardous waste managed as Universal Waste is not counted towards the generator's category.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. Waste Counting. Does the facility track monthly generation of hazardous waste to determine their generator category? [262.13]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. Monthly Waste Generation. Does the facility generate less than 220 lb (100 kg) of non-acute hazardous waste monthly and less than 2.2 lb (1 kg) of acute hazardous waste per month? [262.13(a)] If No, the generator is larger than a VSQG. Do not use this checklist.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Maximum On-site Waste Accumulation. Does the facility accumulate less than 2,200 lb (1,000 kg) of hazardous waste onsite at any time? [262.14(a)(4)] If No, the generator must manage waste under the conditions of 262.14(4).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Hazardous Waste Releases and Spills	YES	NO	NA
6. Spill and Releases. Have spills or release of hazardous waste occurred? If No, skip to question 7.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6a. Spill and Release Cleanup. Have spills or releases of hazardous waste been cleaned up promptly at the facility and properly managed? [Idaho Code §§ 39-4408 and 39-4409(1)]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Hazardous Waste Destination	YES	NO	NA
7. How is hazardous waste managed or disposed?			
<ul style="list-style-type: none"> • Sent to a state for federally regulated Municipal Landfill • Sent to a permitted/interim status Storage, Treatment, and Disposal Facility (TSDF) • Managed onsite in a neutralization/wastewater treatment/totally enclosed unit • Managed in onsite recycler or sent to an off-site recycler • Sent to a LQG under the same control as the facility 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	 TBD TBD
7a. Is hazardous waste managed or disposed by one or more of the methods described in question 7? [40 CFR 262.14(a)(5)]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TBD
Hazardous Waste Managed by a LQG Under Same Control as Facility	YES	NO	NA
8. Is hazardous waste sent to a LQG under the same control as the facility? [262.14(a)(5)(viii)(A)]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If No, skip to question 9.			
8a. Labeling. Are hazardous waste containers marked or labeled "Hazardous Waste" and an indication of the hazards of the contents? [262.14(a)(5)(viii)(B)]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Episodic Generation (Subpart L)	YES	NO	NA
9. Is the facility currently managing hazardous waste from an episodic event that exceeded VSQG waste quantities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If No, you are done with this checklist.			
10. Episodic Events per Calendar Year. Has the facility had no more than one episodic event for the calendar year (unless petitioned EPA and received approval)? [262.232(a)(1)]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. EPA ID Number. Did the facility obtain an EPA ID number? [262.232(a)(3)]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. Planned Episodic Event. Was the episodic event planned?	<input type="checkbox"/>	<input type="checkbox"/>	
If No, skip to question 13. Planned episodic events require 30-day notification.			
12a. Notification. Was DEQ notified at least 30 days prior to initiating the planned episodic event using EPA Form 8700-12? [262.232(a)(2)]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. Unplanned Episodic Event. Was the episodic event unplanned?	<input type="checkbox"/>	<input type="checkbox"/>	
Unplanned episodic events require 72-hr notification.			
13a. Notification. Was DEQ notified within 72 hours of the episodic event and EPA Form 8700-12 submitted? [262.232(a)(2)]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
14. Labeling. Are containers and tanks used for the episodic event marked or labeled with the words "Episodic Hazardous Waste", an indication of the hazards of the contents, and date the episodic event occurred? [262.232(a)(4)(i)]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Episodic Generation (continued)	YES	NO	NA
15. Tank Inventory Logs. If tanks are used to collect hazardous waste from the episodic event, does the facility use inventory logs to track the date of the episodic event, have procedures in place to prevent overflow, and inspect the tank daily? [262.232(a)(4)(ii)] Check NA if tanks are not used.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Container and Tank Condition. Are containers and tanks in good condition and compatible with the hazardous waste? [262.232(a)(4)(iii)]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
17. Manifests. Are hazardous waste manifests being used for shipment of hazardous wastes from an episodic event for disposal? [262.232(a)(5)]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
18. Episodic Accumulation Time. Have wastes been accumulated from the episodic event for a maximum of 60 days or less since the start of the event before shipment off-site to a designated facility? [262.232(a)(6)]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
19. Recordkeeping. Does the facility maintain the following records for three years from the end date of the episodic event? [262.232(a)(7)] <ul style="list-style-type: none"> • Beginning and end dates of the episodic event • A description of the episodic event; • A description of the types and quantities of hazardous wastes generated during the event • Description of how the hazardous waste was managed as well as the name of the RCRA-designated facility that received the hazardous waste • Name(s) of hazardous waste transporters • An approval letter from DEQ if the generator petitioned to conduct one additional episodic event per calendar year 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	

Note:

- VSQGs are not required to label or mark hazardous waste containers unless being sent to a LQG under the same control as the facility or from an episodic event.
- VSQGs are not required to have hazardous waste containers closed unless being sent to a LQG under the same control as the facility or the containers are from an episodic event.
- VSQGs are exempt from Land Disposal Restrictions and can send hazardous waste to a municipal landfill for disposal, unlike SQGs and LQGs.
- VSQGs are not required to obtain an EPA ID number or ship hazardous waste on a hazardous waste manifest unless transporting waste from an episodic event.

Definitions

Acute hazardous waste: A waste that poses significant threat to human health and is fatal to humans in low doses. Acute hazardous wastes can be found in 40 CFR 261.33.

Episodic event: An activity or activities, either planned or unplanned, that does not normally occur during generator operations, resulting in an increase in the generation of hazardous wastes that exceeds the calendar month quantity limits for the generator's usual category.

Hazardous waste determination: A procedure used to determine whether a waste is a hazardous waste using generator knowledge, information on the origin or process, or analysis.

Planned episodic event: An episodic event that the generator planned and prepared for, including regular maintenance, tank cleanouts, short-term projects, and removal of excess chemical inventory.

Unplanned episodic event: An episodic event that the generator did not plan or reasonably did not expect to occur, including production process upsets, product recalls, accidental spills, or "acts of nature," such as tornado, hurricane, or flood.