HAZARDOUS WASTE SECTION
QUALITY ASSURANCE/QUALITY CONTROL PROCEDURES FOR RCRAINFO COMPLIANCE, MONITORING AND ENFORCEMENT

Purpose

In order to ensure that data entered in the RCRAInfo database system is accurate, complete, and verifiable, the N.C. Hazardous Waste Section implemented a Quality Assurance/Quality Control Procedure (Procedure) to provide instructions to employees entering data into the RCRAInfo System. The data generated and received from the following sources are subject to this Procedure:

- Evaluations/Inspections from the Compliance Branch;
- Enforcement Actions from the Compliance Branch's Technical Resource Staff;
- Financial Record Reviews from the Compliance Branch's Financial Assurance Program.

The data is entered by the Financial and Information Management (FIM) Unit's Administrative Assistant (Administrative Assistant). The data is verified by the Compliance Branch staff and the Financial and FIM Unit as indicated in the following sections.

Verifying Evaluations/Inspections and Enforcement Actions/Notice of Violations

The Compliance Branch will verify Evaluations/Inspections data, Notice of Violations and Immediate Action Notice of Violations that are entered in RCRAInfo on a monthly basis. The process starts with an Inspection Report generated by the Environmental Senior Specialist (Specialist).

This report may be reviewed by the Regional Supervisor and the Compliance Branch Head if necessary.

Inspection Reports are sent to the Section Processing Assistant via interoffice mail and/or hand delivered within 25 days of the inspection date. A received date is stamped on each inspection report.

The Compliance Branch Field Supervisors (Supervisors) will ensure that the Significant Non-Compliance box ("SNY") is marked and "highlighted" on the data entry form for all Compliance Evaluation Inspections (CEIs) that will result in the issuance of a formal enforcement action (i.e., Compliance Orders and Immediate Action NOVs). Additionally, the Supervisors will ensure that the no longer a Significant Compliance box ("SNN") is marked and "highlighted" for all Compliance Schedule Evaluations (CSEs) associated with formal enforcement actions.

Once the FIM Unit Supervisor receives the inspection reports, the data is entered into an Inspection Tracking Worksheet by the FIM Unit Processing Assistant IV and is then submitted to the Administrative Assistant for data entry into RCRAInfo within 5 days of receipt.

The Specialist checks the data entry in RCRAInfo each month for a facility that was inspected the previous month. The data checked includes all evaluation types used by the Hazardous Waste Section.

The Specialist will go in RCRAInfo located at https://rcrainfo.epa.gov/rcrainfo[1] and follow the steps below:

1. Enter the EPA Id. No. or the facility name then click on the search link,
2. Click on handler name;
3. Select option #4 (Maintain/View Compliance, Monitoring and Enforcement Data;
4. Click Evaluations, Violations, Citations or Enforcement Actions.

This is the Evaluation List screen.

The Specialist verifies that the type of evaluation, date of evaluation, type of violations have been entered correctly. If an error is found, an email will be sent to the Compliance Branch's Regional Supervisor (Supervisor), the Supervisor will email the FIM Unit Supervisor and the Administrative Assistant with the correction.

The Administrative Assistant makes all corrections within 3 days of receipt of the email and will reply to the Specialist within 7 days and "cc" the FIM Unit Supervisor that the correction has been made. The FIM Unit will verify that the correction was made.

If additional corrections are required the steps as outlined above will be followed.

In lieu of the above, the Specialist may use the report feature of RCRAInfo for a complete list of all evaluations entered for a specific time period. To see a listing of evaluations in RCRAInfo, click on National and Implementer Reports, scroll down to Evaluations and click on Region 6's Evaluation by Responsible Person Report and follow the onscreen instructions to reveal all evaluations performed. The report feature may also be used for capturing enforcement actions and violations.

Verifying Enforcement Actions

Initial Penalty

The Order Writer completes a data entry form for each Compliance Order (Order) issued and emails it to the Administrative Assistant. The Section Processing Assistant emails staff when an Order has been placed on the employee side of the portal. The Administrative Assistant enters a 210 code in RCRAInfo for the initial order issued with the date of the action and the assessed penalty amount within 3 days of receipt. The RCRAInfo Notefield[2] will be used to add additional comments that are pertinent to the enforcement action. The Administrative Assistant will email the Order Writer that the data has been entered in RCRAInfo. The Order Writer will verify that the data was entered correctly within 7 days.

The Order Writer will go to RCRAInfo located at https://rcrainfo.epa.gov/rcrainfo[1] and follow the steps below:

1. Enter the EPA Id. No. or the facility name then click on the search link;
2. Click on handler name;
3. Select option #4 (Maintain/View Compliance, Monitoring and Enforcement Data;
4. Click Enforcement Actions;
5. Click on the 210;
6. Click Continue.

This is the Enforcement List screen.

[1] A user ID and password are required to assess RCRAInfo. The user ID may be obtained from the Administrative Assistant.
[2] Enter information about the initial enforcement case and/or changes to the initial enforcement case.

The Order Writer verifies that the evaluation start date is correct and will ensure that the enforcement date, the Proposed Penalty Amount, the violations associated with the enforcement action and the investigative and inspection costs are entered correctly.

When an error is noted the Order Writer will email the Administrative Assistant and "copy" the FIM Unit Supervisor with the correction.

When the Administrative Assistant emails the Order Writer and "copies" the FIM Unit Supervisor that the correction has been made the FIM Unit Supervisor will check that the information has been entered correctly within 3 days. Once the information has been verified the FIM Unit Supervisor will email the Order Writer and the Technical Resource Staff Coordinator (TRS Coordinator) that all changes have been made.

Note: The Administrative Assistant will link all enforcement actions to the violations by checking the link violation box. The Specialist will ensure that Immediate Action Notice of Violation (220) violation(s) is linked to the enforcement action and the Order Writer will ensure this is done for a formal enforcement action.

<u>Investigative and Inspection Costs</u>

The Order Writer will include the investigative and inspection costs on the data entry form. The Administrative Assistant enters a 214 code into RCRAInfo for investigative and inspections costs assessed to a facility that receives an initial penalty. The FIM Unit's Processing Assistant will notify the Administrative Assistant and the TRS Coordinator when payment is received.

The Order Writer will go to RCRAInfo located at https://rcrainfo.epa.gov/rcrainfo and verify the information by following the steps below:

1. Enter the EPA Id. No. or the facility name then click on the search link;
2. Click on handler name;
3. Select option #4 (Maintain/View Compliance, Monitoring and Enforcement Data);
4. Click Enforcement Actions;
5. Click on the 214;
6. Select Continue.

This is the Enforcement List screen.

<u>Informal Conference</u>

After an informal conference is held, the Order Writer will submit the meeting attendance sheet to the Administrative Assistant for entry into RCRAInfo. The Administrative Assistant will enter a 219 code into RCRAInfo within 5 days of receipt of the attendance sheet. The Administrative Assistant will email the Order Writer and "copy" the FIM Unit Supervisor and the TRS Coordinator when the 219 code has been entered and send the attendance sheet to the file room.
The Order Writer will go to RCRAInfo located at https://rcrainfo.epa.gov/rcrainfo and verify the information by following the steps on next page:

1. Enter the EPA Id. No. or the facility name then click on the search link;
2. Click on handler name;
3. Select option #4 (Maintain/View Compliance, Monitoring and Enforcement Data);
4. Click Enforcement Actions;
5. Click on the 219;
6. Select Continue.

This is the Enforcement List screen.

Final Penalty

If a facility pays the initial penalty without filing a petition for a contested case hearing the initial penalty becomes the final penalty. The Administrative Assistant enters a 310 code, the payment amount and the date paid along with a payment number of 1 in RCRAInfo and emails the Order Writer, and "copies" the FIM Unit Supervisor and the TRS Coordinator that the facility has paid the penalty. The RCRAInfo Note field [1] will be used to add additional comments that are pertinent to the enforcement action. The Order Writer completes a data entry form and submits it to the Administrative Assistant when a facility fails to file a petition for a contested case hearing within 30 days of receipt of the Order. At this point the initial penalty (210) becomes a final penalty (310). The Administrative Assistant will enter a 310 code in RCRAInfo for the Final Penalty with the date of the action and the penalty amount (this amount may be the initial penalty or the settled amount). When a facility signs a Settlement Agreement, the Section Processing Assistant will scan the document and place it on the employee side of the portal (an email will be sent to all parties of interest to notify that an agreement has been reached).

The Administrative Assistant will notify the Order Writer and the Assistant Attorney General by email when the penalty check is received for the settled case. The Administrative Assistant will follow the Division Cash Management Procedure for handling of all penalty payments. The verification that the 310 for the settled case has been entered in RCRAInfo by the Administrative Assistant will be done by the Order Writer within 7 days of receipt of the email from the Administrative Assistant.

The Order Writer will go to RCRAInfo located at https://rcrainfo.epa.gov/rcrainfo and follow the steps below:

1. Enter the EPA Id. No. or the facility name then click on the search link;
2. Click on handle name;
3. Select option #4 (Maintain/View Compliance, Monitoring and Enforcement Data;
4. Click Enforcement Actions;
5. Click on the 310;
6. Click Continue.

This is the Enforcement List screen.

[1] Enter information about the final enforcement case and/or changes to the final enforcement case i.e. if a facility becomes bankrupt and cannot continue payments or if the penalty is forgiven.

The Order Writer will ensure that enforcement action date and the final Monetary Penalty Amount is entered correctly.

When the Administrative Assistant emails the Order Writer and "copies" the FIM Unit Supervisor that the correction has been made the FIM Unit Supervisor will check that the information has been entered correctly within 3 days. Once the information has been verified the FIM Unit Supervisor will email the Order Writer and the TRS Coordinator that all changes have been made.

Revoked or Dismissed Initial Order

The Order Writer will complete a data entry form for each Compliance Order revoked or dismissed and will submit it to the Administrative Assistant. The Administrative Assistant will enter a 211 code in RCRAInfo when information is received from the Order Writer.

The Order Writer will go to RCRAInfo located at https://rcrainfo.epa.gov/rcrainfo and verify the information by following the steps below:

1. Enter the EPA Id. No. or the facility name then click on the search link;
2. Click on handle name;
3. Select option #4 (Maintain/View Compliance, Monitoring and Enforcement Data;
4. Click Enforcement Actions;
5. Click on the 211;
6. Click Continue.

This is the Enforcement List screen.

Verifying Financial Record Reviews (FRR) Evaluations

The Compliance Branch's Financial Assurance Program's Financial Analyst (Financial Analyst) is responsible for verifying Financial Record Reviews (FRR's) data that has been entered in RCRAInfo by the FIM Unit. FRR Evaluations (data) is found on the Hazardous Waste Compliance Data Entry Form. FRR Evaluations are generated as a result of record reviews conducted on TSD hazardous waste management facility financial files. Different types of FRR Evaluations may include but are not limited to: annual inspections of financial instruments, inflation updates, amendments and liability instruments. Enforcement actions may result in the issuance of Notice of Violations, Compliance Orders and Warning Letters. The Financial Analyst will ensure Notice of Violations and Warning Letters are verified in RCRA Info. A Compliance Order issued for a FRR will be verified by the Order Writer as previously detailed in the Verifying Enforcement Actions section of the Procedure.

The Compliance Branch's Financial Assurance Program's Financial Analyst (Financial Analyst) is responsible for verifying Financial Record Reviews (FRR's) data that has been entered in RCRAInfo by the FIM Unit. FRR Evaluations (data) is found on the Hazardous Waste Compliance Data Entry Form. FRR Evaluations are generated as a result of record reviews conducted on TSD hazardous waste management facility financial files. Different types of FRR Evaluations may include but are not limited to: annual inspections of financial instruments, inflation updates, amendments and liability instruments. Enforcement actions may result in the issuance of Notice of Violations, Compliance Orders and Warning Letters. The Financial Analyst will ensure Notice of Violations and Warning Letters are verified in RCRA

Info. A Compliance Order issued for a FRR will be verified by the Order Writer as previously detailed in the Verifying Enforcement Actions section of the

FRR Evaluations are submitted to the Administrative Assistant by the Compliance Branch Financial Assurance Program's Processing Assistant (Financial Assurance Program's Processing Assistant) on a weekly basis. The Financial Assurance Program's Processing Assistant is responsible for submitting all FRR Evaluations to the Administrative Assistant. Each FRR Evaluation received by the FIM Unit will include a Hazardous Waste File Room Document Transmittal Sheet for the corresponding FRR Evaluation (Data Entry Form). The date indicated on the transmittal sheet shall serve as the "received date" the information was given to the Administrative Assistant. The Data Entry Form will be entered in RCRAInfo by the Administrative Assistant within 5 days of receipt.

The Financial Analyst verifies that the type of evaluation, date of evaluation, type of violations have been entered correctly. If an error is found, an email will be sent to the Compliance Branch Head (Branch Head), the Branch Head will email the FIM Unit Supervisor and the FIM Unit Administrative Assistant with the correction.

The Administrative Assistant makes all corrections within 3 days of receipt of the email and will reply to the Financial Analyst within 7 days and "cc" the FIM Unit Supervisor that the correction has been made. The FIM Unit will verify that the correction was made.

If additional corrections are required the steps as outlined above will be followed.