

# THE ENVIRONMENTAL SELF-AUDIT FOR SMALL BUSINESSES

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A QUICK AND EASY GUIDE  
TO ENVIRONMENTAL COMPLIANCE

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Prepared for Small Businesses in New York State  
by  
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Pollution Prevention Unit



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## HOW TO USE THIS BOOK

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The environmental self-audit in this book should be useful anytime in the business life cycle while the business is in the planning stages, during regular business operations, and before an expansion, operating change or purchase of a new business.

If all diagnostic questions are answered “yes” or “not applicable,” contact state and local government agencies to confirm that the business is in compliance with all pertinent environmental regulations, and to determine when current environmental permits should be renewed.

If the response to some or all of the diagnostic questions in the self-audit is “no” or “cannot determine,” it indicates that your business may need to conduct a more thorough evaluation of your environmental compliance. Use the results of the self-audit to create a working list of the areas that need to be evaluated. You may need to contact an environmental firm, consulting engineer or an environmental attorney to obtain expert assistance in making necessary operating changes or completing permit applications. State and local government agencies may be contacted to explain the permitting process and to answer specific questions.

**A series of shortcuts is offered below for the reader who wishes to glance quickly through the text.**

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## **EXAMPLES OF SMALL BUSINESSES THAT MAY NEED ENVIRONMENTAL PERMITS**

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- appliance repair shops
- automobile repair shops
- asphalt manufacturers
- assembly shops
- auto body shops
- bakeries
- building cleaning and maintenance firms
- car washes
- chemical manufacturers
- construction firms
- dentists
- distilleries
- doctors' offices
- dry cleaners
- educational and vocational shops
- equipment repair firms
- farms
- fuel oil distributors
- foundries
- funeral services
- furniture manufacturing and repair
- gasoline service stations
- graphic arts
- house or architectural structure painters
- garages
- interior decorators
- laboratories
- laundromats
- leather manufacturers
- lumber mills
- metallurgical industries
- metal treatment plating operations
- photo processing
- plastics manufacturing
- print shops
- refrigeration/air conditioning service
- restaurants
- small engine repair shops
- solvent metal cleaners
- textiles manufacturing
- trucking companies
- veterinary facilities
- vineyards
- wood working and refinishing firms

## INTRODUCTION

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Many small companies find it difficult to keep abreast of changes in environmental regulations and permitting procedures. However, staying current is important because a company that ignores these regulations may be polluting the air, land and water, and may also face significant administrative, civil and/or criminal penalties involving both personal and corporate liability.

This guide is intended to help small businesses in New York State comply with local, state and federal environmental regulations. Included is information for the company that is about to begin operations, for the business that has never examined its environmental impact before, and for the firm that is about to move, expand or embark on a new business venture. This guide may also be used to help any business that is trying to comply with environmental regulations.

For small businesses with limited resources, the self-audit in this guide should serve as a preliminary self-diagnostic tool to identify areas of possible environmental compliance problems in the general regulatory categories of air, water, land use, petroleum and chemical storage tanks, solid waste and hazardous materials.

Though not comprehensive, the environmental self-audit can prove worthwhile as a preventive strategy in much the same way that an internal financial audit can help companies avoid violations of local, state and federal tax laws. It can help companies in identifying and obtaining needed environmental permits. It can also help companies that do not need permits to change operating procedures to prevent damage to the environment and to comply with pollution prevention laws.

Businesses that practice pollution prevention can benefit the environment by producing less waste and reducing the transfer

of waste from one environmental media to another. Furthermore, business competitiveness can be improved through greater efficiency, wiser energy use, increased product quality and enhanced public image. However, often the greatest incentive to practicing pollution prevention is the company's financial bottom line.

The self-audit is designed for non-expert business persons who need to evaluate whether their small businesses are ready to contact a local, state or federal environmental regulatory agency or other compliance assistance provider.

Some small businesses may need to obtain comprehensive lists of relevant regulations and permits, scientific evaluation and documentation of environmental violations as well as a fully implemented program of operational changes before permit applications may be successfully filed. For these companies, the results of the self-audit may indicate that the services of a consulting engineer or attorney are needed. Technical assistance may be available from certain universities and agencies. The assistance of an attorney would also prove helpful for the small business that determines it may have committed violations of environmental regulations.

Under the Clean Air Act, three New York State agencies participate in a program entitled "Small Business Stationary Source Technical and Environmental Compliance Assistance Program" which can provide free assistance to small businesses in understanding their obligations and achieving compliance with air emission regulations. The Empire State Development's Division for Small Business acts as the ombudsman and provides general information on State and Federal regulations, sets up workshops and handles complaints. The Environmental Facilities Corporation provides free technical

assistance to small business under its Small Business Assistance Program. The Department of Environmental Conservation's Division of Air Resources provides regulatory oversight.

Don't be discouraged by the sometimes difficult process of identifying and addressing environmental compliance problems. Over the long haul, the measurable benefits of conducting and responding to regular environmental self-audits may include reductions in environmental hazards, exposure to enforcement, fines, insurance rates, waste handling costs and accident statistics. Benefits also may include an improved compliance record, improved worker health and a better work environment.

Intangible benefits may include better relations with regulatory agencies, improved employee morale, favorable publicity and a stronger corporate reputation for integrity.

The often complex environmental regulations, permit requirements and penalties for violations have been omitted from this guide. Additional information may be obtained by contacting environmental agencies and assistance organizations listed herein "A Resource Guide", many of which will also provide referrals to environmental engineering firms, consultants and attorneys.

The guide provides extremely useful information, but there is no guarantee, expressed or implied, that the information provided will satisfy all possible conditions and requirements for businesses to comply

successfully with all state and federal environmental regulations. Because the identifying numbers and names of relevant environmental permits may change from year to year, this information is also omitted from this guide.

*Remember, regulations are continually updated.* When in doubt on whether a permit is required, or whether some new requirements have gone into effect consult with your New York State Department of Environmental Conservation regional office, or consult agencies in "A Resource Guide" for more information

*This publication is the result of the collaborative efforts of New York State economic development agencies, universities and environmental regulators, each of which recognized a need to assist small businesses with their environmental concerns.*

*The New York State Department of Environmental Conservation and the Empire State Development's Division for Small Business provided the staff, resources and technical assistance required for the development and publication of this guide as a statewide resource. Organizations that contributed ideas and resources to the Environmental Self Audit for Small Business include: the New York State Environmental Facilities Corporation, the Chautauqua County Industrial Development Agency, the State University of New York College at Fredonia Center for Business and Industry and the State University College at Buffalo Center for Environmental Research and Education.*

## THE ENVIRONMENTAL SELF AUDIT FOR SMALL BUSINESSES

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Consider the following checklist as a guide for a diagnostic tour of a small business. Companies are advised to regularly conduct routine self-audits to evaluate compliance and determine what changes need to be made including new permits that are needed or when old permits should be renewed or revised.

A firm that responds to the questions in this checklist should consider this self-auditing process as preparation for evaluating compliance with local, state and federal environmental regulatory guidelines. Review each chapter with a group of people who are most familiar with business operations, such as the company owner, operations manager, construction engineers, shipping, inventory, and purchasing managers and supervisory staff. Their responses to the self audit questions should indicate whether potential hazards or polluting activities are occurring that require permits and/or operational changes.

The environmental self-audit is only one in a series of steps that a small business should take to determine its regulatory compliance and identify suitable methods of waste reduction. The audit checklist would be

most effective when used with related tools, such as workshops and publications targeted to this topic. Unless a company has engineering and legal experts on staff who are familiar with local, state and federal environmental regulations, outside expertise will often be needed in the areas of regulatory requirements, relevant environmental control technologies, manufacturing operations and processes, legal considerations, management systems, scientific disciplines needed to identify potential hazards and environmental management practices at peer companies and facilities.

Pragmatic, progressive companies will use the audit process to achieve two goals: to evaluate current business practices and to create management control systems, procedures and record keeping practices adequate to assure future compliance with environmental regulations.

Remember that for many types of business activities, permits are necessary before the business opens, for the ongoing operation of the business, to expand a facility, in the event of a name change and upon the purchase of a fully permitted business.

## SELF AUDIT CHECKLIST

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### AIR

Review each question carefully and check the appropriate box. Any "no" or "cannot determine" answers are indicators that a potential problem exists and should be investigated further.

Take notes on the questions that received a "no" or a "cannot determine" response and use this self-audit information to create a working list of environmental compliance issues that may require further investigation. Whenever possible, add to this list your best estimate of the quantity,

concentration and name of the material involved.

In some instances, a "no" response may indicate operational changes or permits are necessary. However, this will not be true in every case. Further information from regulatory agencies, environmental engineers or attorneys may be needed to make this determination, as many regulatory issues are linked to the quantities of materials used or discarded in the air, land or water.

*Air emission is the release of any dust, fume, gas, mist, odor, smoke or vapor, or any combination of them, to the outside atmosphere.*

*PLEASE NOTE: 6 NYCRR Part 201, Permits and Registrations, underwent a significant revision in 1996 and numerous small sources are now able to obtain a simplified Registration form or are no longer required to obtain a permit. However, other emission control and record keeping requirements may still apply even if your business is exempt from permitting.*

	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
(1) If the company has air emissions, has the firm investigated whether it complies with state and federal requirements for these air emissions?	"	"	"	"
(2) If the company's activities result in air emissions, have these been identified, measured and documented?	"	"	"	"
(3) Does the company have an up-to-date site plan or blueprint showing all existing sources of air pollution?	"	"	"	"
(4) Has the company evaluated the need for a facility Registration or Permit under 6 NYCRR Part 201?	"	"	"	"



	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
(5) If the company installed a new boiler after June 9, 1989 with a heat input of 10 million BTU per hour or greater, was a DEC permit obtained and was EPA notified of the installation?	"	"	"	"
(6) Does the company keep yearly records of all raw materials consumed in the manufacture of its products and does the firm use these raw material records to calculate annual emissions and confirm that any emission limits are not exceeded?	"	"	"	"
(7) If the company burns any waste as fuel at its facility, has it determined whether a facility Registration or Permit under 6 NYCRR Part 201 is required to operate a stationary combustion unit?	"	"	"	"
(8) If the company plans to construct a facility that is not specifically exempted from 6 NYCRR Part 201, has the firm obtained state approval to construct and operate the facility?	"	"	"	"
(9) Does the company periodically monitor whether its facilities remain in compliance with the conditions and compliance certifications or the permit?	"	"	"	"
(10) If a company with a currently registered or permitted facility plans to make a modification, has the company determined whether this change will subject the facility to additional or new legal (including notifications) requirements?	"	"	"	"
(11) If there is an upset of any kind with the plant's air pollution equipment, are the appropriate government agencies required to be notified? If so, have they been?	"	"	"	"

	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
(12) Has the company controlled all sources of potential neighborhood nuisances, such as dust from unpaved roads, conveyors or uncovered storage piles, or excessive noise from heavy equipment and trucks?	"	"	"	"
(13) If the company has ever received complaints from neighbors regarding odors or paint particulate fallout from spraying operation, has the company eliminated or controlled these emissions and have the complaints stopped?	"	"	"	"
(14) If the company is a dry cleaner and uses perchloroethylene solvent, is the facility in compliance with the requirements of 6 NYCRR Part 232?	"	"	"	"
(15) If the company's activities result in noise pollution, has the firm investigated whether the volume, frequency and duration of excessive noise is in accordance with restrictions in municipal codes?	"	"	"	"
(16) If gas or diesel-powered motor vehicles are used in the day-to-day operation of the business, is maintenance conducted on a regular basis to meet regular inspection standards?	"	"	"	"
(17) If stationary engines are used at the business, have emissions levels been tested and has any needed permit or Registration been obtained?	"	"	"	"
(18) For graphic arts companies, has compliance with 6 NYCRR Part 234 and the EPA National Emission Standards for Hazardous Air Pollutants (NESHAP) been evaluated?	"	"	"	"
(19) For funeral homes and veterinary facilities which operate crematories, has compliance with requirements of 6 NYCRR Subpart 219-4 been evaluated?	"	"	"	"

	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
(20) For mineral products industries, has compliance with the EPA New Source Performance Standards (NSPS) for Hot Mix Asphalt (Subpart I) and Nonmetallic Mineral Processing (Subpart OOO) been evaluated?	"	"	"	"
(21) For industries which operate solvent degreasers, has compliance with 6 NYCRR Part 226 and the EPA National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart T been evaluated?	"	"	"	"
(22) For industries which use surface coatings to produce products such as metal or wood furniture, has compliance with 6 NYCRR Part 228 and the EPA National Emission Standards for Hazardous Air Pollutants (NESHAP) been evaluated?	"	"	"	"
(23) If your business has a gasoline dispensing site, does it comply with the vapor recovery requirements of 6 NYCRR Part 230?	"	"	"	"

# SELF AUDIT CHECKLIST

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## WATER

Review each question carefully and check the appropriate box. Any "no" or "cannot determine" answers are indicators that a potential problem exists and should be investigated further.

Take notes on the questions that received a "no" or a "cannot determine" response and use this self-audit information to create a working list of environmental compliance issues that may require further investigation. Whenever possible, add to this list your best estimate of

the quantity, concentration and name of the material involved.

In some instances, a "no" response may indicate operational changes or permits are necessary. However, this will not be true in every case. Further information from regulatory agencies, environmental engineers or attorneys may be needed to make this determination, as many regulatory issues are linked to the quantities of materials used or discarded in the air, land or water.

*Wastewater discharge is the release of sewage, industrial wastewater, stormwater or other pollutants to surface or groundwater.*

	Yes	No	Not Applicable	Cannot Determine
(1) If the company is located in the counties of Kings (Brooklyn), Nassau, Queens or Suffolk and if it has the capacity to withdraw water from underground sources in excess of 45 gallons per minute, does the company have a Long Island Well permit?	"	"	"	"
(2) Has the company investigated whether it complies with local, state and federal regulations for all wastewater discharges?	"	"	"	"
(3) If the company's activities result in wastewater discharges, have these been identified, measured and documented?	"	"	"	"
(4) Does the company have an up-to-date site plan or blueprint showing all existing sources of water discharges?	"	"	"	"
(5) If the company discharges wastewater into a municipal treatment system, is it in compliance with all municipal and federal pre-treatment requirements?	"	"	"	"

	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
(6) If the company discharges its wastewater into rivers, streams or lakes, or onto the ground, does it have a SPDES permit for doing so?	"	"	"	"
(7) If the company is discharging wastewater from floor drains (including sanitary sewage, industrial waste, wash water, stormwater, etc.) onto the ground, into streams, ponds, rivers, or into the groundwater, has it obtained a SPDES permit?	"	"	"	"
(8) If the company disposes of wastewaters into ground water, or subsurface waters, does it have a SPDES permit for doing so?	"	"	"	"
(9) If the business has wastewater discharges and was recently purchased, have SPDES permits been transferred to the new owner for these activities?	"	"	"	"
(10) If water is currently used as a cleaning or cooling agent, is the water disposed of properly, in accordance with state regulations?	"	"	"	"
(11) Are all of the company's state SPDES permits to discharge wastewater up-to-date?	"	"	"	"
(12) If the company has up-to-date SPDES permits to discharge wastewater, does it continuously monitor whether its facilities remain in compliance with the conditions on these permits?	"	"	"	"
(13) Does the company regularly observe the discharges from its discharge points to determine whether these are producing excessive pollution?	"	"	"	"
(14) If the company plans to modify a facility that discharges wastewater, has the firm obtained state approval for this modification?	"	"	"	"

	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
(15) Does the company keep yearly records of all raw materials consumed in the manufacture of its products, and does the firm also compare these raw material records to the volume and types of materials in its wastewater?	"	"	"	"
(16) If there is an upset of any kind with the plant's water pollution equipment, are the appropriate government agencies always notified?	"	"	"	"
(17) If the company has an industrial activity which is exposed to storm water, does the company have a permit to discharge this storm water?	"	"	"	"
(18) If the company's facility is located in a coastal erosion hazard area and is conducting any type of regulated activity, was a permit or variance obtained?	"	"	"	"
(19) If the business is involved in marine aquaculture activities or the importation, introduction or transplanting of marine animals or plants, does it have a permit?	"	"	"	"
(20) If the company constructed any structures or authorized any development in a 100-year flood plain, was the design of the structures, or the use of the land or hydraulic impact of the development consistent with local government flood plain development standards, and did the company obtain a local permit? (Note: Local government and New York State Department of Environmental Conservation regional offices, and the U.S. Army Corps of Engineers have flood plain maps and other information available from which a company may determine if it is located in a 100-year flood plain.)	"	"	"	"

	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
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(21 If the company is located in the Susquehanna River Drainage Basin and it withdraws water from either a surface or ground-water source in excess of a 30-day average of 100,000 gallons per day, or if it consumes (e.g. evaporates, incorporates into a product) in excess of a 30-day average of 20,000 gallons per day, has the company contacted the Susquehanna River Basin Commission for an approval? *(See SRBC website [www.srbc.net](http://www.srbc.net) for more details)*

	"	"	"	"
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# SELF AUDIT CHECKLIST

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## LAND USE

Review each question carefully and check the appropriate box. Any "no" or "cannot determine" answers are indicators that a potential problem exists and should be investigated further.

Take notes on the questions that received a "no" or a "cannot determine" response and use this self-audit information to create a working list of environmental compliance issues that may require further investigation. Whenever possible, add to this list your best estimate of

the quantity, concentration and name of the material involved.

In some instances, a "no" response may indicate operational changes or permits are necessary. However, this will not be true in every case. Further information from regulatory agencies, environmental engineers or attorneys may be needed to make this determination, as many regulatory issues are linked to the quantities of materials used or discarded in the air, land or water.

	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
(1) Has the company investigated whether it complies with all local, state and federal regulations on land use?	"	"	"	"
(2) Has the business site been evaluated to determine whether it includes a marsh or wetland area (as defined by the New York State Department of Environmental Conservation or the U.S. Army Corps of Engineers)?	"	"	"	"
(3) If the company has begun or is about to undertake any of the following activities in a freshwater or tidal wetlands area, has it obtained permits for:				
– construction of buildings or accessory structures, roadways, septic systems, bulkheads, shoreline stabilization structures, dikes or dams?	"	"	"	"
– placement of fill, excavation or grading?				
– modification, expansion or extensive restoration of existing structure?				
– drainage, except for agriculture?				
– application of pesticides?				



	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
(4) If the company plans to disturb a river, stream or lake through building or repairing a dam, dredging, or stabilizing a bank, has it obtained a permit or 401 certification for this activity?	"	"	"	"
(5) If the company's facility is located in a coastal erosion hazard area and is conducting any type of regulated activity, was a permit or variance obtained?	"	"	"	"
(6) If the company plans to perform any development activities on the land or modify any uses of the land in any designated wild, scenic, and recreational river system area, has it obtained a permit for this activity?	"	"	"	"
(7) If there are known historic and archaeological sites on the site, have steps been taken to protect and preserve these sites?	"	"	"	"
(8) If the company started any fires on forest lands (public or private) as a vegetative management tool, has it obtained authorization from the New York State Department of Environmental Conservation?	"	"	"	"
(9) If the company used any state lands, has it obtained a permit?	"	"	"	"
(10) If the company is located in the Adirondack or Catskill Parks, has it obtained a permit for any sign that it has erected?	"	"	"	"
(11) Have all necessary soil and site inspections been conducted?	"	"	"	"

	Yes	No	Not Applicable	Cannot Determine
(12) What is known about prior use of the site:				
– were raw materials stored, shipped or processed on the site?				
– were electrical transformers, asbestos sources, fuel storage areas and waste disposal areas on the site?	"	"	"	"
– are there any process pits, ponds or lagoons on site?				
<i>A map should be prepared for your records/files if any of the above activities occurred on the business site.</i>				
(13) If the company is mining sand, gravel or other mineral materials on the business site in excess of 1000 tons in twelve successive months, does it: have a permit for this activity, maintain required financial security and are all regulatory fees paid?	"	"	"	"
(14) If the company is closing a sand, gravel, or other mineral mine, has a reclamation plan been developed and approved under the permit?	"	"	"	"
(15) If the company explores for, develops or produces natural gas, oil or salt solution wells or stores natural gas or liquefied petroleum gas underground in natural geologic cavities (not tanks), are the wells and/or natural geologic cavities registered with the New York State Department of Environmental Conservation and has the company submitted an annual well report for each well?	"	"	"	"
(16) If the company drilled any new natural gas, oil, salt solution or storage wells or stratigraphic, geothermal or brine disposal wells deeper than 500 feet, was a separate permit obtained to drill each new well?	"	"	"	"

	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
(17) If the company has any abandoned natural gas, oil, salt solution or storage wells or stratigraphic, geothermal or brine disposal wells deeper than 500 feet on its property, have all the abandoned wells been registered with the New York State Department of Environmental Conservation and have all the abandoned wells been plugged?	"	"	"	"

# SELF AUDIT CHECKLIST

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## PETROLEUM AND CHEMICAL STORAGE TANKS

The following questions pertain to the NYS Petroleum Bulk Storage Regulations (6 NYCRR Parts 612-614) and the NYS Chemical Bulk Storage Regulations (6 NYCRR Parts 595-599). Review each question carefully and check the appropriate box. Any "no" or "cannot determine" answers are indicators that a potential problem exists and should be investigated further.

Take notes on the questions that received a "no" or a "cannot determine" response and use this self-audit information to create a working list of environmental compliance issues that may

require further investigation. Whenever possible, add to this list your best estimate of the quantity, concentration and name of the material involved.

In some instances, a "no" response may indicate operational changes or permits are necessary. However, this will not be true in every case. Further information from regulatory agencies, environmental engineers or attorneys may be needed to make this determination, as many regulatory issues are linked to the quantities of materials used or discarded in the air, land or water.

	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
(1) Are all tanks on-site appropriately registered with the NYS Department of Environmental Conservation?	"	"	"	"
(2) Have all tanks that are no longer in use been properly closed and de-listed from the registration?	"	"	"	"
(3) For chemical tanks, has a Spill Prevention Report been developed and signed by management within the last 12 months?	"	"	"	"
(4) Were all petroleum tanks that were installed after December 1986, or all chemical tanks that were installed after February 1995, installed according to NYS bulk storage standards?	"	"	"	"
(5) Does the company have a spill prevention, control and counter measures plan?	"	"	"	"

	Yes	No	Not Applicable	Cannot Determine
(6) Are hotline phone numbers posted so that petroleum and chemical spills can be promptly reported, as required by law?	"	"	"	"
(7) Have all spills been properly reported to both the NYS Spill Hotline (1-800-457-7362) and the National Response Center (1-800-424-8802)?	"	"	"	"
<b><i>The following questions apply to underground storage tanks (USTs) only.</i></b>				
(8) Is leak monitoring being performed?	"	"	"	"
(9) For tank and/or piping systems which are equipped with cathodic protection, is cathodic protection being monitored?	"	"	"	"
(10) Are inventory records being maintained and properly reconciled?	"	"	"	"
(11) Is tightness testing being conducted as required?	"	"	"	"
(12) For chemical tanks, have UST systems been properly upgraded?	"	"	"	"
<b><i>The following questions apply to aboveground storage tanks (ASTs) only.</i></b>				
(13) Are monthly inspections being conducted and are records of those inspections being maintained?	"	"	"	"
(14) Are 5-year inspections (for chemical tanks) or 10-year inspections (for petroleum tanks) being conducted?	"	"	"	"
(15) Is secondary containment in place and being maintained, as appropriate?	"	"	"	"
(16) Are required valves in place and operational?	"	"	"	"

# SELF-AUDIT CHECKLIST

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## SOLID WASTE

Review each question carefully and check the appropriate box. Any "no" or "cannot determine" answers are indicators that a potential problem exists and should be investigated further.

Take notes on the questions that received a "no" or a "cannot determine" response and use this self-audit information to create a working list of environmental compliance issues that may require further investigation. Whenever possible, add to this list your best estimate of the quantity, concentration and name

of the material involved.

In some instances, a "no" response may indicate operational changes or permits are necessary. However, this will not be true in every case. Further information from regulatory agencies, environmental engineers or attorneys may be needed to make this determination, as many regulatory issues and exemptions are linked to the quantities of solid waste processed, or disposed, the origin of the waste, the duration of the activity or the type of business.

*Solid waste is any material that is discarded as spent or useless by its owner.*

	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
(1) Is the company recycling the materials that are required to be recycled in the community?	"	"	"	"
(2) If the business stores or disposes waste fuel or manufacturing waste products on site, do local and state environmental regulatory agencies approve of the methods used?	"	"	"	"
(3) If the company stores more than 1,000 or more waste tires, does the company have a permit to operate a waste tire storage facility?	"	"	"	"
(4) If the company has any active or inactive landfills on its property, (including construction and demolition debris (C&D) landfills, but excluding sites located outside of Long Island where only uncontaminated concrete, asphalt pavement, brick, soil and rock are placed) does the company have a permit for each landfill?	"	"	"	"

	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
(5) If the company is not a farm and disposes any company generated solid waste other than yard waste on site, has it obtained a permit?	"	"	"	"
(6) If the company treats, incinerates, stores, processes, composts or disposes any solid waste that was generated off site, has it obtained a permit or registration?	"	"	"	"
(7) If the company generates used oil, are they in compliance with the used oil management standards?	"	"	"	"
(8) If the company receives used oil, or acts as a used oil transfer, storage or processing facility has it obtained a permit?	"	"	"	"
(9) If the company sends the used oil directly to a burner, or first claims that the used oil is on-specification, has the company complied with the used oil marketing regulations, and ensured that the burner is authorized to accept their used oil?	"	"	"	"
(10) If the company contracts with a waste transporter to transport regulated solid or hazardous waste, does the transporter have a 6 NYCRR Part 364 Waste Transporter Permit?	"	"	"	"
(11) If the company contracts with a waste transporter for the disposal of its used oil, does the transporter have a USEPA identification number and a DEC waste transporter permit to transport used oil?	"	"	"	"
(12) If the company labels any products it produces as "recycled", "recyclable", or "reusable" are they authorized under the recycling emblem regulations (6 NYCRR Part 368)?	"	"	"	"

	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
(13) If the company sells lead-acid batteries as a retailer are they charging a \$5 return incentive fee to be refunded with the return of an old lead-acid battery and are they accepting used lead-acid batteries at no charge?	"	"	"	"



# SELF AUDIT CHECKLIST

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## HAZARDOUS MATERIALS - AN OVERVIEW

Review each question carefully and check the appropriate box. Any "no" or "cannot determine" answers are indicators that a potential problem exists and should be investigated further.

Take notes on the questions that received a "no" or a "cannot determine" response and use this self-audit information to create a working list of environmental compliance issues that may require further investigation. Whenever possible, add to this list your best estimate of

the quantity, concentration and name of the material involved.

In some instances, a no response may indicate operational changes or permits are necessary. However, this will not be true in every case. Further information from regulatory agencies, environmental engineers or attorneys may be needed to make this determination, as many regulatory issues are linked to the quantities of materials used or discarded in the air, land or water.

*Hazardous materials are materials or chemicals that are reactive, corrosive, ignitable or toxic.*

*Reactive means the material undergoes violent chemical reaction with water. Reactive materials include those that can generate toxic gases or fumes.*

*Corrosive means the material dissolves metals and other materials, or burns the skin. Corrosive materials include rust or paint removers, acid or alkaline cleaning fluids, and battery acid or material having a pH of 2.0 or lower, or 12.5 or higher is corrosive.*

*Ignitable means the material catches fire easily. Ignitable materials include many organic solvents, some paint wastes and strong oxidizing agents. A liquid is ignitable if it has a flash point of less than 60 degrees Centigrade (140 degrees Fahrenheit).*

*Toxic means that the materials, chemicals or fumes maybe noxious, poisonous, venomous, virulent or pestilent. Toxic substances also may have high concentrations of heavy metals such as mercury, cadmium, lead or certain pesticides that could contaminate surface or groundwater.*

	Yes	No	Not Applicable	Cannot Determine
(I) Has the company investigated whether it complies with all local, state and federal regulations on hazardous material storage, handling and disposal activities?	"	"	"	"

	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
(2) If the company uses, manufactures or stores chemicals at its site, is it in compliance with the federal mandate (under the SARA Title III Community-Right-to-Know law) to file inventory forms and chemical release information with a local emergency planning committee?	"	"	"	"
(3) Has the company determined whether or not the business property is listed or is a candidate for listing in the New York State Registry of Inactive Hazardous Waste Disposal Sites?	"	"	"	"
(4) Has the company notified the State of any proposed major change of use of a hazardous waste site?	"	"	"	"
(5) Is local fire protection adequate and equipped to provide protection in the event of an accident or problem involving hazardous or toxic materials?	"	"	"	"
(6) If local fire protection is not adequate in the event of an accident or problem involving hazardous or toxic materials, is a private fire brigade prepared to respond?	"	"	"	"
(7) Has the company determined whether it has hazardous wastes on site (as defined by certain characteristics or by specific listing in 6 NYCRR, Part 371)?	"	"	"	"
(8) Has the closest Fire Department been informed of the location and quantities of hazardous materials on site that have the potential to cause fire, explosions, releases of toxic gases or obnoxious odors?	"	"	"	"
(9) For companies that use, store or manufacture hazardous or toxic waste products or wastes, has an employee been designated and trained as a chemical emergency coordinator?	"	"	"	"

	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
(10) If the company stores hazardous materials on site, are emergency telephone numbers posted along with Information about the location of emergency equipment?	"	"	"	"
(11) If the business generates more than 100 kilograms of hazardous waste in a month or stores more than 1000 kilograms of waste, has it obtained an EPA identification number?	"	"	"	"
(12) Business that generates 25 tons or more per year of hazardous waste must determine if a Hazardous Waste Reduction Plan (HWRP) needs to be submitted to DEC for review and acceptance. The HWRP must be submitted by July 1 of the year following the calendar year in which the 25 tons was generated. Was a HWRP required and submitted? Were updates submitted by July 1 of each succeeding year?	"	"	"	"
(13) Generators that manifest hazardous waste that are not subject to HWRP requirements must have a program in place to reduce the volume or quantity and toxicity of such waste to the degree determined by the generator to be economically practicable. If a program was required, has it been put in place?	"	"	"	"

## HAZARDOUS RAW MATERIALS

*A raw material is a crude or processed material that can be converted by manufacture, processing, or combination into a new and useful product.*

	Yes	No	Not Applicable	Cannot Determine
(1) Are the chemical names and inventory quantities of the raw materials stored and used on-site readily available along with Material Safety Data Sheets?	"	"	"	"
(2) Is information about the physical state or material properties (solid, liquid, gas) of all federally regulated hazardous substances used as raw materials stored and used on site continuously updated and readily available?	"	"	"	"
(3) Is information about the storage methods on site for all federally regulated hazardous substances used as raw materials continuously updated and readily available?	"	"	"	"
(4) Are hazardous materials ordered on an as needed basis to avoid stockpiling of hazardous materials?	"	"	"	"
(5) Are all hazardous or toxic raw materials clearly labeled, easily identifiable and regularly inspected for container leaks, corrosion, rupture or other failures?	"	"	"	"
(6) Are materials stored so that they do not react with one another or with containers?	"	"	"	"
(7) Are hazardous or toxic compounds that would react or dissolve in water segregated so that if a sprinkler system is activated they do not become a water pollution or other problem?	"	"	"	"
(8) If company employees apply any type of pesticide, including bacteriocides, insecticides, herbicides, biocides, fungicides, or other similar products, are the employees properly certified?	"	"	"	"

	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
(9) Are company employees who apply pesticides properly trained and equipped with relevant safety information and personal protective equipment?	"	"	"	"
(10) Are pesticides always used according to label directions, properly stored, handled and disposed?	"	"	"	"
(11) When filling equipment containing pesticides from any water source, is an effective anti-siphon device used to prevent backflow?	"	"	"	"
(12) If the company sells restricted-use pesticides, are proper registrations, permits and certifications obtained and guidelines followed?	"	"	"	"
(13) Does the storage of hazardous raw materials comply with the National Fire Protection and the New York State fire codes?	"	"	"	"
(14) If the company uses radioactive materials does its use, storage, mixing and/or transport methods comply with state and federal regulations?	"	"	"	"
(15) If the company generates regulated medical waste does its storage, treatment, transport and/or disposal methods comply with state and federal regulations?	"	"	"	"
(16) Are volatile compounds stored to minimize evaporation dangers?	"	"	"	"
(17) Are the chances for spills, leaks and other accidents minimized during the handling of raw materials by use of conveyor belts, forklifts or specially-designated and trained personnel who move these materials?	"	"	"	"

## HAZARDOUS PRODUCTS

*A product is something produced by a manufacturing process, either by physical labor and/or intellectual effort.*

	Yes	No	Not Applicable	Cannot Determine
(1) If chemical products are produced at the facility, are these stored, inspected and transported in accordance with environmental and workplace regulations?	"	"	"	"
(2) Are the chemical names, inventory levels and Material Safety Data Sheets for these products readily available and continuously updated?	"	"	"	"
(3) Are all hazardous or toxic products clearly labeled and easily identifiable?	"	"	"	"
(4) Are hazardous products stored so that they will not react with one another or with containers?	"	"	"	"
(5) If toxic or hazardous wastes are produced by the firm, are these stored so that if a sprinkler system is activated, they will not become a water pollution problem?	"	"	"	"
(6) Are hazardous products stored in compliance with National Fire Protection Association and New York State Fire Codes?	"	"	"	"
(7) Are volatile compounds produced stored to minimize evaporation dangers?	"	"	"	"
(8) Are the chances for spills, leaks and other accidents minimized during the handling of products made by the firm through the use of conveyor belts, forklifts or specially designated and trained personnel who move these materials?	"	"	"	"

## HAZARDOUS WASTES

*A waste is damaged, defective, or superfluous material produced as an unwanted by-product of a manufacturing process, chemical laboratory, or nuclear reactor. A material is not a waste until it is determined that it is no longer needed.*

	Yes	No	Not Applicable	Cannot Determine
(1) Has proper disposal been arranged for any state and federally regulated hazardous wastes resulting from business operations?	"	"	"	"
(2) Are hazardous wastes stored in accordance with state and federal regulations?	"	"	"	"
(3) If hazardous wastes are generated, are they free of contamination from radioactive materials/wastes which would make them a mixed waste?	"	"	"	"
(4) Is care taken to properly segregate incompatible wastes and materials?	"	"	"	"
(5) Is care taken to segregate hazardous wastes from non-hazardous wastes?	"	"	"	"
(6) Is housekeeping in the waste storage area adequate?	"	"	"	"
(7) Does storage of used oil from vehicles, machinery, etc. conform with environmental regulations?	"	"	"	"
(8) Have measures been taken to prevent mixing of solvents or PCBs with used oil?	"	"	"	"
(9) Does storage of any other fuel product wastes (such as ash) conform with environmental regulations?	"	"	"	"
(10) Does the company have clearly defined procedures for preventing waste fuel spills and leaks?	"	"	"	"
(11) Are all wastes properly dated and labeled?	"	"	"	"

	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b>	<b>Cannot Determine</b>
(12) Are volatile wastes properly stored?	"	"	"	"
(13) If the business is a medical, veterinary, dental, laboratory or mortuary facility, is it in compliance with requirements for regulated medical waste tracking, disposal, registration and identification?	"	"	"	"
(14) If the business generates regulated medical wastes, are they free of contamination from radioactive materials?	"	"	"	"
(15) If the business consists of metallurgical, chemical processing, printing, construction related and other related activities, does it comply with laws governing handling and disposal procedures for the waste resulting from:				
- combustion of fuel, oil, coal, waste oil?				
- production of coke, iron, steel, ferroalloys?				
- chemical processing?				
- fabrication of polyester resin plastics products?	"	"	"	"
- surface coating of plastic parts?				
- smelting or secondary production of aluminum, copper, lead, zinc?				
- incineration of refuse, automobile bodies, or sewage sludge?				
- dry cleaning?				
- storage of organic liquids?				
- solvent degreasing, waste solvent reclamation?				
- graphic arts?				
- commercial solvent and paint use?				
- textile fabric printing?				



	Yes	No	Not Applicable	Cannot Determine
(16) If the business is involved in any of the following activities, is it in compliance with approved waste storage and disposal procedures for the waste resulting from:	"	"	"	"
– chemical wood pulping				
– manufacturing of pulpboard, plywood veneer				
– incineration of woodworking waste				
(17) If the company contracts with a waste transporter for the disposal of its hazardous wastes or low-level radioactive waste, does the transporter have a U.S. Environmental Protection Agency identification number and a New York State Department of Environmental Conservation waste transporter permit?	"	"	"	"
(18) Does the company's waste transporter have certification to transport the specific types of wastes and quantities of waste produced by the firm?	"	"	"	"
(19) If the company disposes of its hazardous wastes at a waste Treatment, Storage and Disposal Facility (TSD), does the TSD have U.S. Environmental Protection Agency and New York State Department of Environmental Conservation identification numbers, and is the TSD authorized to accept the type of wastes the company produces?	"	"	"	"
(20) If hazardous wastes are shipped to a TSD, does the business retain copies of shipping manifests for a minimum of three years?	"	"	"	"

	Yes	No	Not Applicable	Cannot Determine
(21) If wastes such as metal wastes, cyanide containing wastes and other hazardous wastes are disposed of in a landfill, are these wastes properly treated prior to land disposal and is proper notification given to the landfill facility?	"	"	"	"
(22) If wastes described in question 19 are landfilled, does the company maintain records for at least five years of the following documents submitted to the TSD: waste analysis records, notifications to TSD facilities and certification statements?	"	"	"	"
(23) If the company ships hazardous wastes to a TSD for reclamation, does it retain copies of shipping manifests for a minimum of three years?	"	"	"	"
(24) Does the company have any reason to believe that hazardous waste is disposed of on site?	"	"	"	"
(25) Has the company performed operation, maintenance and monitoring activities at a remediated hazardous waste site and evaluated the remedy's performance and effectiveness?	"	"	"	"
(26) If your company generates any specially-regulated hazardous wastes, do you properly dispose of: <ul style="list-style-type: none"> <li>- spent lead-acid batteries</li> <li>- "Universal Wastes," including other hazardous batteries, suspended, cancelled or unwanted pesticides, thermostats, or lamps (particularly fluorescent light bulbs)</li> <li>- wastes that are recycled to recover precious metals (i.e., gold, silver, platinum, etc.)?</li> </ul>	"	"	"	"

# **THE NEW YORK STATE SEQR PROCESS**

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While references to most specific regulations affecting small business are omitted from this book, small businesses do need to understand the State Environmental Quality Review (SEQR) process.

## **PURPOSE**

The New York State Environmental Quality Review Act requires that state and local agencies evaluate a projects environmental impacts before providing funding, or issuing a permit, license or other discretionary approval authorizing the action. Conducting a systematic environmental review during the project planning stage can avoid or reduce environmental impacts.

## **WHEN IS A SEQR REVIEW NEEDED?**

Any company about to undertake construction, initiate a new operation, or expand or alter an existing operation, may need to participate in an environmental review under SEQR. Environmental review is required when a business applies for a discretionary approval from any state or municipal agency for an activity that may impact the environment. Many types of state and municipal approvals are discretionary. Examples of discretionary approvals would include zoning approvals or variances, subdivision approval, site plan approval and environmental permits from DEC. An environmental review is also required when a company is seeking funding from a state or municipal agency.

It is recommended that a company meet with the relevant state or local agency to inform the agency about the proposed project prior to the submission of any applications. The agency can then inform the company about the likely environmental review procedures and the expected time frames for review and final decision. Pre-application meetings can clarify application procedures and help prevent unnecessary delay.

## **WHAT THE ENVIRONMENTAL REVIEW INVOLVES**

The environmental review begins with the preparation of an environmental assessment to determine the impact that the new or expanded operation may have on the environment. Following analysis by agency staff, a determination is made regarding the projects potential for environmental impact. For projects that have little or no environmental impact, the review ends with the filing of a determination of no significant impact (Negative Declaration). Most projects result in the issuance of a negative declaration. However, for projects that may significantly impact the environment a Positive Declaration is issued and the preparation of an environmental impact statement is necessary. For a particularly controversial or environmentally significant project, a public hearing may also be necessary.

## **WHEN THE ENVIRONMENTAL REVIEW CONCLUDES**

Obtaining government approvals, including any environmental review takes between two and six months. In many instances, approval is needed from more than one agency or local board. Submitting concurrent applications for all necessary approvals to each agency or board with approval authority over the action will streamline the overall review and save time.

In some situations, such as where an environmental impact statement has been required, the review process may take longer. As part of the environmental review agencies may require project modifications that would avoid or reduce environmental impacts. The SEQR review must be completed before the issuance or denial of discretionary approvals or funding.

Note: The SEQR process is governed by the SEQRA Law, Article 8 of the New York State Conservation Law, and Volume 6 of the New York Codes, Rules and Regulations, Part 617. Additional information regarding the SEQR process can be obtained from the DEC or the local government of the area in which the business is located.

## **REFERRALS TO LOCAL ENVIRONMENTAL TESTING SPECIALISTS**

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If the services of a consulting engineer or analytical laboratory is needed, contact county and state environmental regulatory agencies for referrals. They should have lists of consulting firms that have done environmental work in this area. The New York State Department of Environmental Conservation requires the use of a licensed professional engineer or corporation for the evaluation and cleanup of hazardous waste disposal sites as well as for some other environmental projects.

Nearly all environmental sampling methods must be accepted and approved before contracting for analytical work. Each agency involved may have a different set of criteria that must be met. Before hiring a consultant or laboratory, the following actions are recommended:

- Check at least three references where similar work was done.
- Check to see if regulatory agencies were satisfied with methods and procedures used.
- Determine what registrations, certificates or licenses are required by the regulatory agencies involved and verify that the firm has obtained these.

## **CHEMICAL AND PETROLEUM SPILLS**

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In the event of an emergency spill, companies are required by law to notify local public safety agencies to protect the public from fires and explosions, direct traffic away from spill areas and, if necessary, evacuate residents.

The responsible party is required by law to report the spill to the New York State Department of Environmental Conservation (DEC) spill hotline number (1-800-462-6553)\* and to all appropriate local and federal authorities. The DEC's trained emergency spill staff is on duty 24 hours a day, and will go to the scene to assess the danger to the environment and public health, ensure the spill is effectively controlled and identify the responsible party.

Spiller liability is legally enforceable. The DEC can require the responsible party to clean up the spilled materials. If a DEC standby contractor performs the remedial work, DEC may legally recover costs, and also impose fines and penalties on responsible parties.

*\* from within New York State and (518) 457-7362 from outside New York State.*

## **GLOSSARY TERMS AND LAWS**

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The following terms are commonly used by local, state and federal regulatory agencies when referring to laws and regulations. Most are not included in the text of this self-audit document, but are provided here for future referral.

**ACM** Asbestos Containing Material.

**AHERA** Asbestos Hazardous Emergency Response Act.

**AIR CONTAMINANTS** Regulatory definition includes dust, fumes, gas, mist, odor, smoke, vapor, pollen and noise.

**ARCHITECTURAL STRUCTURES** Stationary objects and structures (inside & outside) such as: buildings, mobile homes, lean-tos, bridges, piers, foundations & footings, towers, light poles, swimming pools, walkways,, shelters, green houses, pavements, curbs, roofs, pipes, fences, signs, playground equipment, etc.

**AST** Above Ground Storage Tank.

**COASTAL EROSION HAZARD AREAS** Coastal erosion hazard areas are coastal shorelines containing natural protective landforms such as beaches, dunes, bluffs, and nearshore areas, where loss or alteration of the natural protective landform would subject other lands to the forces of coastal flooding and erosion or coastal shorelines that are receding at an average rate of one foot or more per year. (Note: Coastal erosion hazard areas could be located on the shores of the Atlantic Ocean, Long Island Sound, Hudson River Estuary, New York Harbor, Lake Erie, Lake Ontario, and their interconnecting and outlet rivers.)

**CAA (Federal)** Clean Air Act.

**CERCLA (Federal)** Comprehensive Environmental Response, Compensation and Liability Act of 1980. The Act provides authority and funding for the cleanup of past hazardous waste activities.

**CFR** Code of Federal Regulations.

**CONSTRUCTION & DEMOLITION DEBRIS** Construction and demolition (C&D) debris is uncontaminated solid waste resulting from the construction, remodeling, repair and demolition of utilities, structures and roads; and uncontaminated solid waste resulting from land clearing. C&D debris does not include (even if from construction, remodeling, repair, or demolition of structures, roads or land clearing): anything containing any type of hazardous substances or chemicals; any putrescible or biodegradable material, tires, household appliances or furniture, flammable or explosive substances, or debris resulting from any processing, pulverizing, or shredding technique.

**CWA (Federal)** Clean Water Act.

**DEC** Department of Environmental Conservation (NYS) (sometimes referred to as "ENCON").

**DEE** Division of Environmental Enforcement - oversees DEC compliance programs.

**DISCHARGE** The addition of pollutants into the environment.

**DISPOSAL FACILITY** Facility at which solid waste and/or hazardous waste, is treated, recycled, incinerated or buried.

**DOT (Federal)** Department of Transportation. Regulates over-the-road transportation of all materials, including solid and hazardous waste.

**ECL** New York State Environmental Conservation Law.

**ECOs** Environmental Conservation Officers of the NYS DEC (usually in uniform).

**EFC (NYS)** Environmental Facilities Corporation.

**EMISSIONS** The exit of pollutants into the outside air.

**EMISSION SOURCE** Any apparatus capable of causing any emission of pollutant into the air.

**EPA (Federal)** Environmental Protection Agency.

**EPA ID No.** Number issued by the EPA or the NYS DEC to generators, transporters and TSD facilities to assist in the tracking of hazardous waste from cradle to grave.

**ESD** Empire State Development.

**FIFRA** Federal Insecticide, Fungicide, and Rodenticide Act.

**FOREST LAND** Forest land means land carrying forest growth or, if totally lacking it, bearing evidence of former forest growth and not now in other use . It includes not only lands that may be covered with tree growth, but also lands best adapted to forests.

**401 CERTIFICATION** State approval which must be issued by DEC before certain Federal discharge permits (primarily Section 404 discharge of dredged or fill materials permits administered by the U.S. Army Corps of Engineers) can be issued by the Federal Government.

**GENERATOR** Any person or business that produces a hazardous waste usually from some sort of industrial process.

**GROUNDWATER** Any water found beneath the earth's surface.

**HAZARDOUS SUBSTANCE** Everything defined as such by DEC regulation (6 NYCRR Part 597) that determines levels of ignitability, corrosivity, reactivity and toxicity at which a substance is considered hazardous.

**HAZARDOUS WASTE** Waste posing health threats because they are characteristically corrosive, ignitable, reactive or toxic or contained on list (6 NYCRR Part 371) of sources which generate such waste.

**LANDFILL** A disposal facility or part of one at which solid waste, or its residue after treatment, is intentionally placed in or on land, and at which solid waste will remain after closure and which is not a land spreading activity, a surface impoundment, or an injection well.

**LEACHATE** Liquid that results from water collecting contaminants as it trickles through wastes as in a landfill.

**MANIFEST** Document which is required to accompany a hazardous waste or a low-level radioactive waste from cradle (generator) to transporter to grave (disposal facility).

**MINERALS** Any naturally formed inorganic, solid material (including sand, gravel and shale) located on or below the surface of the earth, including peat and topsoil. A mineral is any solid material or substance of commercial value found in or on the earth. Overburden is considered a mineral whenever it is removed from the affected land for sale, exchange or use in the regular operation of a business.

**MINING** Mining means the extraction of overburden and minerals from the earth; the preparation and processing of minerals, including washing, cleaning, crushing, stockpiling, etc. Mining does not include the excavation, removal and disposition of minerals from construction projects, exclusive of the creation of water bodies, or excavations in aid of agricultural activities.

**MSDS** Material Safety Data Sheet-distributed by the manufacturer of the chemical and contains information about safe and proper use and exposure to hazardous chemicals-must be available to employees for inspection (Right-to-Know Act).

**NESHAPS** National Emissions Standards for Hazardous Air Pollutants.

**NPDES** National Pollution Discharge Elimination System - Federal permits for discharge into water.

**NYCRR** NY Codes, Rules and Regulations.

**NYSDEC** New York State Department of Environmental Conservation (DEC).

**100 YEAR FLOOD** Flood having a one percent chance of being equaled or exceeded in any given year.



**100 YEAR FLOOD PLAIN** Area of land that will be covered during a 100 year flood.

**OSHA** Occupational Safety and Health Administration - Division of the Department of Labor.  
This federal agency regulates work place safety through the establishment of threshold limits on exposure to designated hazardous chemicals including asbestos and carcinogens.

**PERMIT** Authorization or a license issued by DEC or EPA.

**PESTICIDE** Any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pest.

**PLACARD** Sign used on trucks carrying waste over state highways.

**POINT SOURCE** Any discernable, confined and discrete conveyance from which pollutants are discharged, such as a pipe, ditch or tunnel.

**PORTABLE OR MOVEABLE EQUIPMENT AND OBJECTS** Portable or moveable equipment and objects includes, but is not limited to, industrial, institutional and household appliances; motor vehicles; construction, military and farm equipment; furniture; shelving; cabinets; yard or landscaping equipment; toys; medical equipment; and anything that is or can be coated in a paint spray booth including glass, wood, metal,, plastic, fabrics, paper, etc.

**POTW** Publicly-Owned Treatment Works - wastewater treatment facility designed to treat waste waters from homes and industry, and owned by a municipality.

**RCRA** Resource Conservation Recovery Act - federal law which regulates solid and hazardous waste, its generation, transportation, treatment and storage.

**REGULATED ACTIVITY** (as pertaining to Coastal Erosion Hazard Areas) means construction or placement of a structure, or any action or use of land that materially alters the condition of land, including grading, excavating, dumping, mining, dredging, filling, or any disturbance of soil (excluding agriculture).

**REGULATED MEDICAL WASTE** Any medical waste that is a solid waste generated in the diagnosis, treatment (e.g. provision of medical services), or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals.

**REGULATED WASTE** Solid waste that is: raw sewage; septage; sludge from a sewage treatment plant; sludge from a water supply treatment plant; used oil; in industrial-commercial waste including hazardous waste; low-level radioactive waste; or waste tires.

**SARA** (Federal) Superfund Amendments and Reauthorization Act of 1986, amendments to CERCLA include Title III that establishes the Emergency Planning and Community Right-to-Know Act giving the public greater access to information concerning specific hazardous chemicals and establishing emergency response contacts and reporting requirements at state and local levels.

**SANITARY LANDFILL** Designed for disposal of non-hazardous waste.

**SANITARY SEWER** System of pipes which convey waste to a POTW where it is treated before being discharged into the waters of the state.

**SECURE LANDFILL** Landfill designed for disposal of hazardous waste.

**SERVICE ESTABLISHMENT** Any automobile service station, including gasoline and/or diesel fuel only outlets, or any other retail outlet or boat marina selling at least 500 gallons of lubricating oil annually and having an on-premises oil changing operation.

**SITE of GENERATION** Place where hazardous wastes are produced.

**SOLID WASTE** All materials or substances, that are discarded or rejected as being spent, useless, worthless, or in excess to the owners at the time of such discard or rejection.

**SPDES** State Pollutant Discharge Elimination System Permit system designed to regulate pollutant discharges into the waters of the state within certain specific limits.

**STATE SUPERFUND LAW** New York State Law dealing with disposal of hazardous wastes. Regulations are codified in 6 NYCRR Part 375.

**STORM SEWER** System of pipes for channeling of surface runoff (rain) into surface waters such as lakes, streams and ditches.

**SURFACE COATINGS** Include, but are not limited to: paint, asbestos, mastics, tars, pitch, waterproofing, varnish, wood preservatives, primers, sealers, graphic arts coatings, topcoats, shellac and lacquer, concrete curing compounds, stains, tile-like coatings, roof coatings, etc.

**TRANSFER FACILITY** Any transportation-related facility where solid and hazardous wastes are held during the normal course of transportation.

**TRANSPORTER** Person or business engaged in the off-site transportation of solid or hazardous waste.

**TSCA (Federal law)** Toxic Substances Control Act.

**TSD FACILITY** Treatment, Storage, Disposal Facility - site where hazardous wastes or substances are treated, stored or disposed.

**USED ENGINE LUBRICATING OIL** Petroleum-based or synthetic lubricating oil from internal combustion engines that through use has been contaminated by physical or chemical impurities.

**USED ENGINE LUBRICATING OIL RETENTION FACILITY** Used engine lubricating oil retention facility means any facility employed to store used lubricating oil by a service establishment or any other person, industrial operation, airport, trucking terminal, or State or local government facility that generates at least 500 gallons of used lubricating oil annually.

**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 STORAGE FACILITY** Any facility, other than used engine lubricating oil retention facilities located at the point of generation, that stores used oil, including, but not limited to storage facilities for used oil transfer stations or used oil processing facilities.

**UST** Underground storage tank.

**VOC** Volatile Organic Compound - class of chemicals that include solvents such as alcohol, petroleum-based mineral spirits, toluene, methyl ethyl ketones. VOC pollutants contribute to form atmospheric ozone (O<sub>3</sub>) a recognized air pollutant.

**WASTE FUEL** Any waste oil, fuel oil or mixture of these to be burned that contains between 25 and 250 parts per million (by weight) lead and does not contain chemical waste. Also any fuel to be burned that does not contain any chemical waste.

**WASTE OIL** (When concerned with burning as a fuel) Used engine lubricating oil and any other oil, including but not limited to: fuel, motor, gear, and cutting oils, transmission, hydraulic, and dielectric fluids, oil storage tank residues, animal and vegetable oils, that have been contaminated by physical or chemical impurities, through use or accident, and has not been subsequently re-refined.

**WASTE OIL** (When concerned with the treatment, storage and/or disposal as a solid waste) Engine lubricating oil and/or any other used oil, including but not limited to fuel, engine, gear and cutting oils, transmission, hydraulic and dielectric fluids, oil storage tank residue, animal and vegetable oil, that has not subsequently been re-refined.

**WASTEWATER** Spent or used water from homes, farms, communities or industry.

**WATER OF THE STATE** All surface and ground waters.

**WATER POLLUTION** Water Pollutants are not limited to chemicals, and may be considered to be everything discarded in water that is comprised of industrial, municipal and agricultural waste.

**WILD, SCENIC & RECREATIONAL RIVER SYSTEMS (WSRRS)** Presently located in the counties of Livingston, Rockland, Suffolk, Tompkins, Ulster and Wyoming and in the Adirondack Park.

## RESOURCE GUIDE

The following organizations provide technical assistance; publish information; conduct workshops and conferences; and provide telephone and on-site information on pollution prevention and better management of air, water, solid and hazardous waste issues.

### State and Local Assistance

#### **Erie County Office of Pollution Prevention**

Department of Environment and Planning  
95 Franklin Street, Room 1077  
Buffalo, NY 14202-3973  
Tel: (716) 858-7674

*Provides confidential assistance to businesses and the private sector in Erie County.*

#### **NYC Department of Environmental Protection**

Environmental Economic Development Assistance Unit  
59-17 Junction Boulevard  
Corona, NY 11368  
Tel: (718) 595-4436

*Provides assistance to small businesses in New York City.*

#### **The Center for Business and Industry**

SUNY at Fredonia, Lagrasso Hall  
Fredonia, NY 14063  
Tel: (716) 673-3177

*Provides assistance for businesses located in Chautauqua, Cattaraugus, and Allegany counties.*

#### **SUNY Buffalo**

Center for Integrated Waste Management  
Jarvis Hall, Room 207  
Buffalo, NY 14260-4400  
Tel: (716) 645-3446

*Provides research and development support to industries, businesses, and governmental agencies.*

#### **Broome County Division of Solid Waste Management**

Edwin Crawford County Office Building  
44 Hawley Street  
Binghamton, NY 13901  
Tel: (607) 778-2250

*Provides assistance to residents and businesses in Broome County.*

#### **NYS Environmental Facilities Corporation**

Small Business Assistance Program  
625 Broadway  
Albany, NY 12205  
Hotline: (800) 780-7227  
Tel: (518) 402-7462

*Provides confidential technical assistance to small businesses in New York State on issues regarding the Clean Air Act.*

#### **Clean Air Act Small Business Ombudsman**

Empire State Development  
Small Business Division  
633 3rd Avenue, 32nd Floor  
New York, NY 10017  
Tel: (800) STATENY or (800) 782-8369

*Provides confidential assistance to small businesses in New York State on issues regarding the Clean Air Act.*

Your town or county Department of Health, Public Works Office, or Environmental Management Council may also be able to provide you with information on local regulations and issues.

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
625 Broadway, Albany, NY 12233

**Pollution Prevention Unit**

Tel: (518) 402-9469

Small Quantity Generator P2 Hotline  
(800) 462-6553

*This technical assistance unit provides P2 information, develops industry sector manuals and other publications, offers workshops/training, holds annual pollution prevention conference, coordinates NYS Governor's P2 Awards, and prepares annual toxic release inventory (TRI) report.*

**Division of Air Resources**

Bureau of Stationary Sources

Tel: (518) 402-8403

*This bureau is responsible for source review, permitting, MACT, NESHAP implementation, and air toxics assessments.*

**Division of Water**

Bureau of Water Permits

Tel: (518) 402-8111

*This bureau manages the State Pollutant Discharge Elimination System (SPDES) permits, the SPDES program for storm water discharges, the water resources programs, and the municipal water supply permits.*

**Division of Solid & Hazardous Materials**

Bureau of Hazardous Waste Management

Tel: (518) 402-8612

*This bureau is responsible for making hazardous waste determinations, for reviewing hazardous waste reduction plans, hazardous waste permitting, and for hazardous waste compliance.*

Bureau of Waste Reduction & Recycling

Tel: (518) 402-8678

*This bureau is responsible for the waste tire program, the beneficial use program, the composting program, and other solid waste recycling and waste reduction issues.*

Waste Transporter Section

Tel: (518) 402-8705

*This office is responsible for issuing permits to waste haulers that transport solid and hazardous, industrial/commercial, sewage and septage waste.*

**Division of Environmental Remediation**

Bureau of Spill Prevention and Response

Tel: (518) 402-9543

*This office is responsible for the registration of tanks, presenting workshops and training, developing publications, and receiving spill notifications, and serves as an information clearinghouse for industries and the public.*

Spill Response Hotline

(800) 457-7362

*Call this hotline to report releases of petroleum products or hazardous substances to air, land or water in New York State. Regulations require reporting within two hours if certain conditions are not met. Also, the National Response Center should be notified at (800) 424-8802.*

Petroleum Bulk Storage Hotline

Hotline: (518) 402-9549

*Call this hotline for technical assistance on chemical and petroleum aboveground and underground storage tanks.*

## NYSDEC Regional Offices

### **REGION 1**

Nassau and Suffolk Counties  
Building 40 SUNY at Stony Brook  
Stony Brook, NY 11794  
Tel: (631) 444-0354

### **REGION 2**

Bronx, Kings, New York, Queens and  
Richmond Counties  
1 Hunters Point Plaza  
Long Island City, NY 11101  
Tel: (718) 482-4900

### **REGION 3**

Dutchess, Orange, Putnam, Rockland,  
Sullivan, Ulster and Westchester Counties  
21 South Putt Corners Road  
New Paltz, NY 12561-1696  
(845) 256-3000

### **REGION 4**

Albany, Columbia, Delaware, Greene,  
Montgomery, Otsego, Rensselaer,  
Schenectady and Schoharie Counties  
1150 North Westcott Road  
Schenectady, NY 12306-2014  
Tel: (518) 357-2234

### **REGION 5**

Clinton, Essex, Franklin, Fulton, Hamilton,  
Saratoga, Warren and Washington Counties  
Route 86  
Ray Brook, NY 12977  
Tel: (518) 897-1200

### **REGION 6**

Herkimer, Jefferson, Lewis, Oneida and St.  
Lawrence Counties  
317 Washington Street  
Watertown, NY 13601  
Tel: (315) 785-2238

### **REGION 7**

Broome, Cayuga, Chenango, Cortland,  
Madison, Onondaga, Oswego, Tioga and  
Tompkins Counties  
615 Erie Boulevard West  
Syracuse, NY 13204-2400  
Tel: (315) 426-7400

### **REGION 8**

Chemung, Genesee, Livingston, Monroe,  
Ontario, Orleans, Schuyler, Seneca,  
Steuben, Wayne and Yates Counties  
6274 East Avon-Lima Road  
Avon, NY 14414  
Tel: (585) 226-2466

### **REGION 9**

Allegany, Cattaraugus, Chautauqua, Erie,  
Niagara and Wyoming Counties  
270 Michigan Avenue  
Buffalo, NY 14203-2999  
Tel: (716) 851-7000

## Federal Assistance

### US Environmental Protection Agency

#### **EPA Headquarters**

Office of Compliance (2224A)

401 M St., SW

Washington, DC 20460

Tel: (202) 564-2280

Fax: (202) 564-0037

*Provides regulatory, technical, compliance and pollution prevention assistance.*

#### **Asbestos and Small Business**

##### **Ombudsman Hotline**

401 M Street SW

Washington, DC 20460

Tel: (800) 368-5888

*Helps private citizens, small businesses, and smaller communities with questions on all program aspects with EPA.*

#### **RCRA/Superfund/EPCRA Hotline**

401 M Street SW

Washington, D.C. 20460

Tel: (800) 424-9346

*Answers questions on matters related to solid waste, hazardous waste, or underground storage tanks. Can also be used to order EPA publications.*

#### **EPA Region II Office**

Compliance Assistance and Program

Support Branch

290 Broadway, 21st Floor

New York, NY 10007-1866

Tel: (212) 637-3268

*Provides compliance and pollution prevention assistance to EPA Region 2 area businesses.*

#### RCRA Compliance Branch

290 Broadway, 22nd Floor

New York, NY 10007-1866

Tel: (212) 637-4145

Fax: (212) 637-4949

*In addition to conducting RCRA inspections on small businesses, this office provides technical assistance on RCRA related issues.*

#### **Pollution Prevention Information Clearinghouse (PPIC)**

PPIC-EPA

401 M Street, SW (7409)

Washington, DC 20460

Tel: (202) 260-1023

Fax: (202) 260-9780

E-mail: [ppic@epamail.epa.gov](mailto:ppic@epamail.epa.gov)

*Provides a library and an electronic bulletin board dedicated to information on pollution prevention.*

#### **National Response Center**

Tel: (800) 424-8802

*To report oil and chemical spills to the federal government. This hotline is staffed by the U.S. Coast Guard.*

### US Department of Transportation

#### **Hazardous Materials Information Center**

Office of Hazardous Materials Standards

Research and Special Programs

Administration

400 7th Street, SW

Washington, DC 20590-0001

Tel: (800) 467-4922

*Provides technical assistance on matters related to DOT's hazardous materials transportation regulations.*



## Resources on the Internet

<b>Organization</b>	<b>Internet Address</b>
NYS Department of Environmental Conservation	<a href="http://www.dec.state.ny.us">http://www.dec.state.ny.us</a>
NYS Empire State Development Business Assistance Services	<a href="http://www.empire.state.ny.us">http://www.empire.state.ny.us</a>
NYS Environmental Facilities Corporation	<a href="http://www.nysefc.org">http://www.nysefc.org</a>
NYS Energy Research and Development Authority	<a href="http://www.nyserda.org">http://www.nyserda.org</a>
USEPA - Common Sense Initiative	<a href="http://www.epa.gov/commonsense">http://www.epa.gov/commonsense</a>
USEPA - Design for the Environment	<a href="http://earth2.epa.gov/dfore">http://earth2.epa.gov/dfore</a>
USEPA - Enviro\$en\$e	<a href="http://es.epa.gov">http://es.epa.gov</a>
USEPA - Small Business Assistance Program	<a href="http://www.epa.gov/smallbusiness">http://www.epa.gov/smallbusiness</a>
USEPA - Technology Transfer Network	<a href="http://www.epa.gov/ttn">http://www.epa.gov/ttn</a>
Tellus Institute	<a href="http://www.tellus.org">http://www.tellus.org</a>
Waste Reduction Resource Center	<a href="http://www.p2pays.org">http://www.p2pays.org</a>