






COMPLIANCE ASSESSMENT WORKBOOK

502-782-6189 

eec.ky.gov/ECAP 

envhelp@ky.gov 

Introduction

Thank you for your desire to protect and improve Kentucky's environment!

The [Environmental Compliance Assistance Program](#) has prepared this tool to help organizations routinely assess their environmental compliance needs. Being proactive and ensuring that the facility is meeting its environmental responsibilities will enhance the facility's reputation, instill a sense of pride among its employees, and can serve as a tool to maximize financial profits--a win for everyone in the Commonwealth.

The Facility Environmental Compliance Evaluation will help your organization determine if it is adequately meeting its environmental responsibilities. Does the facility possess the necessary permits? Is waste properly stored and managed? Are your discharges meeting their permit limits? These are a few of the important questions that should be routinely asked to ensure that your organization stays in compliance with Kentucky's environmental standards.

Keep in mind that this booklet is only a tool and is designed to help an organization begin to ask routine questions that will help improve performance. Because it is limited in its scope, this workbook will not verify compliance in all areas of Kentucky's environmental requirements and should not be construed as a comprehensive inventory.

Environmental Compliance Assistance Program staff can be reached by calling 502-782-6189, or emailing envhelp@ky.gov. If you need assistance or have questions about any of the information provided in this workbook or any other environmental requirements that may apply to your organization. Staff are available to help you understand and address your environmental responsibilities. There is no charge for this service. We look forward to working with you!

Using This Document

The remainder of this document serves as a checklist. Although many of the questions provided in these checklists lend to a yes or no answer, the user should also be prepared to ask questions such as “why?,” “who?,” or, “when?” as each item is addressed. Being able to answer these questions will often lead an assessor to potential solutions when areas of deficiency are found.

When completing the checklists contained in this document, the user should apply the following key to record any observations. Items identified as “yes” will typically indicate that the organization has satisfactorily achieved the item and no further action is necessary. Questions answered with “partially,” “no,” or, “unsure” may indicate that the organization needs to correct a problem or needs to conduct further evaluation.

Yes	The organization has fully addressed the item.
Partially	The organization has addressed or marginally addressed the item, but still has some discrepancies that could be corrected with minimal organizational, operational, or technical change and within a reasonable time line.
No	The organization has not addressed or adequately addressed the item.
Unsure	The organization is unable to determine if this item has been adequately addressed.
N/A	The question does not apply to the organization.

Perhaps the most important part of the assessment process is conducted after the evaluation is completed. Follow-up and corrective actions are critical if the organization wishes to improve its performance and minimize its environmental impact. The Environmental Compliance Assistance Program is available to assist organizations in completing their assessment and identifying the appropriate corrective actions that address areas of deficiency. Program staff can be reached by calling 502-782-6189 or by emailing envhelp@ky.gov.

Facility Environmental Compliance Evaluation

A Facility Environmental Compliance Evaluation is one type of evaluation that can help an organization appraise its environmental performance and compliance with its environmental responsibilities. Conducting routine facility evaluations is a critical part of identifying potential areas of noncompliance, along with verifying the implementation of corrective actions taken to correct past problems, reducing an organization’s environmental liability, and maximizing the organization’s success.

This section provides basic questions that are applicable to most facilities. The questions highlight many of the areas of concern that are frequently identified during Department for Environmental Protection inspections and allow the user to identify areas where improvement or additional evaluation is necessary. There may be other requirements that apply to a facility that are not contained in this document. If there is a question that does not apply to the organization, simply skip it and move on to the next question. This section is organized as follows:

- Air Quality Requirements
- Waste Management Requirements
- Water Quality Requirements
- Emergency Planning
- Other Operating Practices for Successful Compliance

Air Quality Requirements

	YES	PARTIALLY	NO	UNSURE	N/A
1) Has the facility obtained a permit from the Division of Air Quality and is the facility aware of the permit’s terms and conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Has the facility completed an inventory of its actual and potential air emission points?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Has the facility determined if one or more chemicals listed on the EPA’s inventory of 187 hazardous air pollutants are used in any of its processes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4) Does the facility prepare and submit its Semi-Annual Monitoring reports to the Division for Air Quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5) Does the facility prepare and submit an Annual Compliance Certification to the Division for Air Quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6) Does the facility appropriately maintain records related to its air emissions and operations as required by its permit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<u>Air Quality Requirements continued</u>	YES	PARTIALLY	NO	UNSURE	N/A
7) Does the facility have established procedures to ensure proper notification for air-related events, including excursions, startups, shutdowns, and malfunctions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8) Does the facility notify the Division for Air Quality whenever new emission points are added or substantial changes to the facility's process occur?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9) Does the facility take steps to minimize emissions, including its fugitive emissions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10) Does the facility implement practices to avoid odor problems off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11) Does the facility comply with Kentucky's open burning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12) Does the facility comply with the 112(r) requirements for hazardous-chemical emergency prevention and preparedness?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Waste Management Requirements

<u>Hazardous Waste</u>	YES	PARTIALLY	NO	UNSURE	N/A
13) Is the facility registered as a hazardous waste generator and does the registration list the correct waste streams?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14) Has the facility performed a hazardous waste determination on all waste streams and have records been maintained that document the determination?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15) Are all personnel responsible for managing hazardous waste trained in hazardous waste handling and emergency response procedures?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16) Are all hazardous waste containers properly labeled, dated, closed, maintained in good condition, and inspected weekly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17) Are all hazardous wastes stored on-site for no longer than the maximum accumulation time frames?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18) Does the facility use a registered hazardous waste transporter to ship hazardous waste off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19) Are all hazardous waste shipments documented on a Uniform Hazardous Waste Manifest and Land Disposal Restrictions (LDR) form?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20) Are all hazardous wastes shipped off-site sent to a permitted hazardous waste facility?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21) Are all records pertaining to emergency preparedness, employee training, waste shipments, annual reports, and required facility inspections maintained at the facility?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22) Does the facility have a Resource Conservation Recovery Act (RCRA) permit or interim status for all on-site treatment, storage, or disposal units?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23) Is all universal waste (batteries, pesticides, aerosol cans, spent lamps, and thermostats) at your facility recycled?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If not, is it treated as hazardous waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24) Does your facility properly dispose of used oil and oil filters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25) Has the facility registered any used-oil handling activities taking place at the facility?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<u>Solid Waste Management</u>	YES	PARTIALLY	NO	UNSURE	N/A
26) Are all solid wastes shipped off-site for disposal sent to a properly permitted solid waste facility?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27) Does the facility routinely evaluate its solid waste streams to seek ways to recycle and recover materials from the waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28) Does the facility properly collect, document, and dispose of waste streams that have unique requirements, such as used oil, universal wastes, waste tires, or special wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
29) Does the facility maintain its waste disposal records?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<u>Underground Storage Tanks</u>	YES	PARTIALLY	NO	UNSURE	N/A
30) Are all regulated underground storage tanks at the facility registered with the Division of Waste Management and have all annual registration fees been paid?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
31) Are all underground storage tanks and their associated piping constructed of noncorrodible material or have corrosion protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
32) Does the facility perform an approved method of release detection on its tanks and piping?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
33) Does the facility have adequate overfill prevention equipment installed on its underground storage tanks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
34) Does the facility have adequate containment to prevent spills when the product delivery hose is attached and detached from the tank during delivery?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
35) Do underground storage tanks otherwise comply with 401 KAR Chapter 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
36) Have UST operators completed their Class A/B operator annual training requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
37) Is there documentation of the required annual and monthly walkthrough inspections?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Water Quality Requirements

<u>Wastewater Discharges</u>	YES	PARTIALLY	NO	UNSURE	N/A
38) If the facility discharges wastewater to the waters of the Commonwealth, does the facility have a Kentucky Pollutant Discharge Elimination System (KPDES) permit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
39) Are the facility's production, maintenance and environmental staff familiar with the requirements of the facility's KPDES permit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
40) Has the facility established quality control measures to ensure an accurate and timely submittal of Discharge Monitoring Reports (DMRs) to the Division of Water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
41) Does the facility operate and conduct maintenance in accordance with those items outlined in the Best Management Plan (BMP)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
42) If the facility treats sewage or mixes industrial wastewater with sewage, does the facility ensure the presence of a certified wastewater operator?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
43) Has the facility developed and implemented a best management plan that reduces the risk of pollution in it's stormwater discharges, and are those stormwater locations accurately represented in the facility map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<u>Storm Water Discharges and Spill Prevention</u>	YES	PARTIALLY	NO	UNSURE	N/A
44) Has the facility obtained a permit from the Division of Water for regulated storm water discharges?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
45) Has the facility developed and implemented a best management plan that reduces the risk of pollution in its storm water discharges?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
46) Does the facility routinely evaluate its storm water management controls to ensure that they are properly maintained?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
47) Does the facility routinely train its staff on their role in implementing the facility's best management practices and permit requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
48) Is each area used for loading, unloading, storing, or processing materials properly protected so that if an accidental spill occurs, it will not result in a discharge to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<u>Groundwater Protection Plans</u>	YES	PARTIALLY	NO	UNSURE	N/A
49) Has the facility prepared and implemented a groundwater protection plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<u>Floodplain Management</u>	YES	PARTIALLY	NO	UNSURE	N/A
50) Is the facility located in a floodplain?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
51) Has the facility been in contact with the local flood-plain coordinator regarding local and state permitting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<u>Wetlands</u>	YES	PARTIALLY	NO	UNSURE	N/A
52) Does the facility engage in any activities that impact wetlands or streams?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, have the proper permits been obtained?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<u>Water Withdrawal</u>	YES	PARTIALLY	NO	UNSURE	N/A
53) Does the facility have a permit for water withdrawals from surface or groundwater at 10,000 gallons per day or more?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Emergency Planning Requirements

<u>Spill Prevention Control and Countermeasures (SPCC)</u>	YES	PARTIALLY	NO	UNSURE	N/A
54) Does the facility have an SPCC plan for aboveground storage of oil products exceeding 1,320 gallons?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Emergency Planning and Community Right to Know (EPCRA)</u>	YES	PARTIALLY	NO	UNSURE	N/A
55) Has the facility conducted an assessment to determine what EPCRA requirements apply?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
56) Does the facility have an emergency response plan in place for chemical emergencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
57) Does the facility know under what conditions to contact emergency response groups for a chemical spill/release?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
58) Does the facility file Tier Reports?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
59) Does the facility file Toxic Release Inventory Reports (TRI)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other Operating Practices for Successful Compliance

Irrespective of the governing program, there are key practices that can be followed to maximize a facility's compliance. Becoming familiar with these practices will assist everyone in the organization with carrying out their role in achieving and maintaining environmental compliance.

- ✓ Make sure that the proper approvals/permits/plans have been obtained for the facility. Read through all issued permits carefully to ensure all monitoring, recordkeeping, and reporting requirements as well as operating restrictions and emission limits are well understood and being followed. If you have questions about a permit condition ask your inspector or contact the issuing agency.
- ✓ Properly operate and maintain the facility.
- ✓ Good housekeeping should be directly and specifically linked to environmental protection and safety.
- ✓ Implement a change management system that allows the organization to evaluate how changes in its processes can impact the facility's compliance.
- ✓ Implement Best Management Practices and review/change them as conditions change.
- ✓ Cross-reference emergency plans, like security, spill, fire, earthquake, severe weather, safety, and business continuity plans, keeping them as simple as possible. Consider even making them one plan.
- ✓ Read them, train on them, use them as an aid for compliance, and revise them after use with lessons learned.
- ✓ Ensure that employees are properly trained and kept current in their environmental responsibilities.
- ✓ Report in accordance with regulatory requirements for air quality, water quality, and waste management.
- ✓ Provide the proper operator certification for the type of facility being operated.
- ✓ Maintain records in one place for quick accessibility.
- ✓ Be proactive instead of reactive.
- ✓ When questions arise, ask; don't assume or wait.

Corrective Actions

Use this page to document any areas of concern identified during the assessment process and the corrective actions being taken to address the problem. Areas of concern can include areas of noncompliance or issues that could result in future noncompliance. This table has been created to allow documentation of the area of concern, specify how the problem is going to be corrected, identify who will be responsible for correcting the problem, and recording the date when the problem is finally resolved.

Area of Concern	Corrective Action	Person Assigned	Completion Date

Other Resources for Compliance and Technical Assistance

Kentucky Division for Air Quality (Air Issues)	502-564-3999
.....	eec.ky.gov/air
Kentucky Division of Waste Management (Waste Issues).....	502-564-6716
.....	eec.ky.gov/waste
Kentucky Division of Water (Water Issues)	502-564-3410
.....	eec.ky.gov/water
Kentucky Pollution Prevention Center (Pollution Prevention)	502-852-0965
.....	kppc.org



The Environmental Compliance Assistance Program (ECAP) assists businesses, individuals and organizations in understanding and complying with permits and other environmental requirements. Contact us for any of your environmental compliance assistance needs.

Online: eec.ky.gov/ECAP

Phone: 502-782-6189

E-mail: envhelp@ky.gov

ECAP staff are available to provide on-site assistance and training.

Kentucky Energy and Environment Cabinet
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