



State of Ohio Environmental Protection Agency

## STREET ADDRESS:

## Central District Office

## MAILING ADDRESS:

Lazarus Government Center  
50 W. Town St., Suite 700  
Columbus, Ohio 43215

TELE: (614) 728-3778 FAX: (614) 728-3898  
www.epa.state.oh.us

P.O. Box 1049  
Columbus, OH 43216-1049

November 13, 2007

Re: **Momentive Performance Materials-  
Newark Quartz plant  
OHD075027508 Licking County  
LQG [NOV]**

Ms. Deborah Moad  
Momentive Performance Materials  
611 O'Neill Drive  
Hebron, OH 43025

Dear Ms. Moad:

Thank you and Bill Bradley for your time and assistance during my inspection visit to Momentive Performance Materials - Newark Quartz plant at 611 O'Neill Drive in Hebron on September 27, 2007, and for the additional information received by FAX on October 19, 2007. The purpose was to review your facility's generation and management of hazardous waste, universal waste lamps, and used oil. Ohio's laws under Chapter 3745 of the Ohio Administrative Code and Chapter 3734 of the Ohio Revised Code establish a system for safe and responsible management of this waste. This letter summarizes the inspection findings.

The following violations were noted:

1. **Hazardous Waste Evaluation, OAC rule 3745-52-11:** A person who generates a waste must determine if that waste is hazardous waste, using methods defined in this chapter.

Assorted small containers of old, unneeded or expired materials from an inventory sweep being held in a safety cage in the central hazardous waste accumulation area, had not been adequately evaluated:

- A 55-gallon fiber drum of strong acid, "Sybron Chemicals, IONAC C-249".
- A 5 gallon bucket with a smaller container inside it.
- Contents of Two 5-gallon buckets, a 5 - gallon carboy and a 5-gallon blue tote jug.
- Contents of 5 quart bottles and/or jars.

*In your fax dated October 19, 2007, you indicated the apparent contents of these containers, but did not indicate which of them you intended to manage as hazardous waste. The Ionac C-249 was said to be 'non-DOT regulated' but you did not indicate if its contents (a strong acid?) were hazardous for corrosivity. What type of chemical was the solution for heat transfer? What was the degreaser solution? What is Airo 525? Please provide a description of steps taken to assign proper hazardous waste codes along with the information (MSDS or test data) used to arrive at the conclusions, for these wastes. If the off-site shipment to a permitted facility was made by now as was scheduled, send a copy of the hazardous waste manifest and attached supporting information (LDR or labpack packing lists) to show the full correction of this violation.*

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korteski, Director

2. **Satellite Accumulation Area Requirements, OAC rule 3745-52-34(C)(1)(b):** Satellite Accumulation containers must be marked with the words "hazardous waste" or other words identifying the contents.

In the second floor mezzanine satellite accumulation area, a box of spent air filters containing barium, which are routinely managed as D005 hazardous waste, was unmarked. (A cardboard box of waste mercury was marked as "100% mercury" and lacked marking as waste but was on a shelf marked for hazardous waste).

- ☞ *The box of waste filters was marked as "Haz Waste" by Momentive personnel during my inspection visit. This violation is considered resolved. In the future, please ensure that containers in this area are marked as "waste (item name or description)" (e.g., "waste mercury"), or as "hazardous waste".*

3. **Emergency Coordinator, OAC rule 3745-65-52(D):** The contingency plan must include a current list of names, addresses and telephone numbers of all persons qualified to act as emergency coordinator. **And related OAC rule 3745-65-54:** The generator must revise the plan in response to personnel changes.

The emergency coordinator list was out-of-date and contained the name of a staff member who had recently left the company. Other named backup personnel were fulfilling this duty in the meantime. A new staff person who would function as the emergency coordinator was expected to be hired soon.

- ☞ *Bill Bradley faxed me a copy of the updated list on October 2, 2007. This violation is considered resolved. Please ensure that this is kept current as required, once the new staff person begins employment as well.*

4. **Tank secondary containment function, OAC rule 3745-66-93(B)(1) and (2):** Secondary containment systems must be designed, installed and operated to prevent any migration of wastes or liquid to the soil, ground water, surface water and be capable of detecting and collecting releases and accumulated liquids.

During the inspection, visible deterioration (flaking off) of the coating in the secondary containment dike wall and floor areas was observed in several locations. (This had apparently not been previously noted by the daily inspections being done by plant personnel.) The integrity and condition of the containment beneath the tank at this time was not able to be visually assessed or confirmed. The secondary containment around and beneath the tank was constructed of poured concrete, visible portions of which appeared to be in structurally good condition other than the surface protective coating problems. However, there was no gap between the tank bottom and the secondary containment surface to allow liquids that may be present in that area to be detected in a timely manner. Slightly elevating this tank may be appropriate in order to demonstrate ongoing compliance with the required containment functions.

- ☞ *Ensure that the tank meets these requirements. Assistance from an independent registered professional engineer to update this portion of the tank assessment (certified originally in January, 1992 by H. Robert Wismar, Jr. Registered Professional Engineer, of HWH Architects, Engineers and Planners, Inc. of Cleveland), should be obtained in order to adequately demonstrate compliance with this requirement as well as that cited under the related violation #5 below.*

5. **Tank Secondary Containment, OAC rule 3745-66-93(E)(1):** Secondary containment external liners must be free of cracks or gaps, with a compatible coating or lining to prevent migration of waste into the concrete.

The coating within the containment dike walls and floor was peeling and flaking off in several places. Ohio EPA DHWM records for your facility show the coating was first done on May 11, 1992, using Glidden "Glid-Guard Glid-Plate 5471 Gray", and that periodic maintenance of the coating has likely been needed before in the area.

- ☞ *Ensure that the coating within the diked area (including under the tank if coating in that area is not in sufficiently good condition at this time—see item 4 above) is repaired and maintained as needed in order to meet the applicable requirements of this rule.*

6. **Universal waste lamp packages or containers, OAC rule 3745-273-13(D)(1):** Waste lamps must be accumulated in containers or packages that are structurally sound, adequate to prevent breakage, and kept closed and free of evidence of leakage, spillage or damage that could cause leakage.

Two waste fluorescent lamp tubes on a shelf in the upstairs mezzanine area were not in a package, and one was broken open at the end. The end was taped to prevent sharp hazards but was not sealed.

- ☞ *This problem was corrected during the day of my visit and the lamps were placed into a closed container. This violation is considered resolved. Please ensure that the workers involved have sufficient proper training to properly manage this waste stream and to immediately deposit waste lamps into proper closed containers as they are generated.*

7. **Universal waste lamp container marking, OAC rule 3745-273-14(E):** Containers of universal waste lamp bulbs must be labeled with the words, "Universal Waste- Lamps", or "Waste lamps", or "Used Lamps". Satellite accumulation containers must be marked with the words "Hazardous Waste" or other words identifying the contents.

Containers in the main accumulation area were marked as "Waste Bulbs" instead of as "Universal waste - bulbs". The two lamp tubes on the shelf in the satellite area were not properly marked either. (In addition, the pre-printed labels in the main accumulation area had the wrong generator names on them: "Momentos Performance" and "GE Quartz".)

- ☞ *Provide suitable markings for all universal waste lamps in accumulation. Send photos and/or descriptions of actions taken to correct this problem.*

**Please submit documentation showing actions taken to abate the violations outlined above, to this office within 30 days of receipt of this letter.**

Also, we discussed and you indicated interest in, obtaining – for free -- a waste reduction technical assistance Pollution Prevention Assessment from Ohio EPA's Office of Compliance Assistance and Pollution Prevention. You may expect to be contacted by their staff on this matter soon. I particularly noted your desire for help pursuing options that may enable on-site pretreatment and discharge to the sanitary sewer of the waste hydrofluoric acid solution which appears to be hazardous mostly for its corrosivity. For more information, see <http://www.epa.state.oh.us/opp/ocapp.html>.

Ms. Deborah Moad  
Momentive Performance Materials  
Page 4

Enclosed are copies of checklists completed for this inspection. Our website, [www.epa.state.oh.us/dhwm](http://www.epa.state.oh.us/dhwm), provides links to copies of Ohio's hazardous waste rules. Should you have any questions, please feel free to call me at (614) 728-3885. I look forward to receiving your response soon regarding follow-up addressing the violations noted above.

Sincerely,



J. David Hohmann  
Environmental Specialist  
Division of Hazardous Waste Management  
Central District Office

Enclosure

c: Tammy McConnell  
CDO File

JDH/nsm Momentive NOV

*"Notice: Ohio EPA's failure to list specific deficiencies/violations in this letter does not relieve your company from having to comply with all applicable regulations."*

# LARGE QUANTITY GENERATOR REQUIREMENTS

## COMPLETE AND ATTACH A PROCESS DESCRIPTION SUMMARY

LQG:  $\geq 1,000$  Kg. (~300 gallons) of waste in a calendar month or  $\geq 1$  Kg. of acutely hazardous waste in a calendar month.

Safety Equipment Used: *safety glasses, ear protection, steel toed boots.*

### GENERAL REQUIREMENTS

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11] Yes  No  N/A   
*An assortment of chemicals in small containers in the central accumulation area was awaiting evaluation. There were two 5-gallon buckets, a 5-gallon carboy, a 5-gallon blue tote jug, a 55-gallon fiber drum of strong acid "Ionac C-249" from Sybron Chemicals, and a 5-gallon bucket with a smaller container inside. They had been in accumulation for about a month, but lacked marking as "hazardous waste" and accumulation start dates.*
2. Are records of waste determination being kept for at least 3 years? [3745-52-40(C)] Yes  No  N/A
3. Has the generator obtained a U.S. EPA identification number? [3745-52-12] Yes  No  N/A
4. Were annual reports filed with Ohio EPA on or before March 1<sup>st</sup>? [3745-52-41(A)] Yes  No  N/A
5. Are annual reports kept on file for at least 3 years? [3745-52-40(B)] Yes  No  N/A
6. Has the generator transported or caused to be transported hazardous waste to **other** than a facility authorized to manage the hazardous waste? [ORC 3734.02(F)] Yes  No  N/A
7. Has the generator disposed of hazardous waste **on-site without a permit** or at another facility **other** than a facility authorized to dispose of the hazardous waste? [ORC 3734.02(E) & (F)] Yes  No  N/A
8. Does the generator accumulate hazardous waste? Yes  No  N/A
9. Has the generator accumulated hazardous waste on-site in excess of 90 days without a permit or an extension from the director? [ORC §3734.02 (E) & (F)] Yes  No  N/A
10. Does the generator treat hazardous waste in a: [ORC 3734.02(E)&(F)] *N/A No HW Treatment occurring on site*
11. Does the generator export hazardous waste? If so: [N/A] Yes  No  N/A

### MANIFEST REQUIREMENTS

12. Have all hazardous wastes shipped off-site been accompanied by a manifest? (U.S. EPA Form 8700-22) [3745-52-20(A)] Yes  No  N/A
13. Have items (1) through (20) of each manifest been completed? [3745-52-20(A)] Yes  No  N/A
14. Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)] Yes  No  N/A
15. If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternate TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)] Yes  No  N/A
16. Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1) & (2)] Yes  No  N/A
17. If the generator did not receive a return copy of each completed manifest within 35 days of the waste being accepted by the transporter did the generator contact the transporter and/or TSD facility to check on the status of the waste? [3745-52-42(A)(1)] Yes  No  N/A
18. If the generator has not received the manifest within 45 days, did the generator file an exception report with Ohio EPA? [3745-52-42(A)(2)] Yes  No  N/A
19. Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40] Yes  No  N/A

### PERSONNEL TRAINING

20. Does the generator have a training program which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to their positions? [3745-65-16(A)(2)] *Monthly modules of 1.5 hour safety training sessions are offered throughout the year and cover hazardous waste issues too.* Yes  No  N/A
21. Does the personnel training program, at a minimum, include instructions to ensure that facility personnel are able to respond effectively to emergencies involving hazardous waste by familiarizing them with emergency procedures, emergency equipment and emergency systems (where applicable)? [3745-65-16(A)(3)(a-f)] Yes  No  N/A
22. Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)] Yes  No  N/A
23. Do new employees receive training within six months after the date of hire (or assignment to a new position)? [3745-65-16(B)] *The first several days are mostly spent on training including one day on Environmental Health and Safety* Yes  No  N/A

24. Does the generator provide annual refresher training to employees? [3745-65-16(C)] *The last was May, 2007.* Yes  No  N/A
25. Does the generator keep records and documentation of:
- a. Job titles? [3745-65-16D(1)] Yes  No  N/A
  - b. Job descriptions? [3745-65-16D(2)] Yes  No  N/A
  - c. Type and amount of training given to each person? [3745-65-16D(3)] Yes  No  N/A
  - d. Completed training or job experience required? [3745-65-16D(4)] Yes  No  N/A
26. Are training records for current personnel kept until closure of the facility and are training records for former employees kept for at least three years from the date the employee last worked at the facility? [3745-65-16(E)] Yes  No  N/A

### CONTINGENCY PLAN

27. Does the owner/operator have a contingency plan to minimize hazards to human health or the environment from fires, explosions or any unplanned release of hazardous waste? [3745-65-51(A)] Yes  No  N/A
28. Does the plan describe the following:
- a. Actions to be taken in response to fires, explosions or any unplanned release of hazardous waste [3745-65-52(A)] Yes  No  N/A
  - b. Arrangements with emergency authorities [3745-65-52(C)]. Yes  No  N/A
  - c. A current list of names, addresses and telephone numbers (office and home) of all persons qualified to act as emergency coordinator [3745-65-52(D)] *Staff had changed in the past two months, and this will be updated in the next month as a new person is hired.* Yes  No  N/A
  - d. A list of all emergency equipment, including: location, a physical description and brief outline of capabilities [3745-65-52(E)] Yes  No  N/A
  - e. An evacuation plan for facility personnel where there is possibility that evacuation may be necessary? [3745-65-52(F)] Yes  No  N/A
29. Is a copy of the plan (plus revisions) kept on-site and been given to all emergency authorities that may be requested to provide emergency services? [3745-65-53 (A) & (B)] Yes  No  N/A
30. Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, or failure of the plan? [3745-65-54] *See question 28-c above* Yes  No  N/A
31. Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55] Yes  No  N/A

### EMERGENCY PROCEDURES

32. Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents since the last inspection? If so: *N/A* Yes  No  N/A

*OAC 3745-65-51(b) requires that the contingency plan be implemented immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents, which could threaten human health and the environment.*

### PREPAREDNESS AND PREVENTION

33. Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31] Yes  No  N/A
34. Does the generator have the following equipment at the facility, if it is required due to actual hazards associated with the waste:
- a. Internal communications or alarm system? [3745-65-32(A)] Yes  No  N/A
  - b. Emergency communication device? [3745-65-32(B)] Yes  No  N/A
  - c. Portable fire control, spill control and decon equipment? [3745-65-32(C)] Yes  No  N/A
  - d. Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)] Yes  No  N/A
35. Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33] *Tank High Level Alarm is tested daily.* Yes  No  N/A
36. Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33] Yes  No  N/A
37. Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under 3745-65-32)? [3745-65-34(A)] Yes  No  N/A
38. If there is only one employee on the premises, is there immediate access to a device (e.g. phone, hand held two-way radio) capable of summoning external emergency assistance? (Unless not required under 3745-65-32) [3745-65-34(B)] *A phone is nearby.* Yes  No  N/A
39. Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] Yes  No  N/A
40. Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)] Yes  No  N/A

41. Where authorities have declined to enter into arrangements or agreements, is the generator documented such a refusal? [3745-65-37(B)] Yes  No  N/A

### SATELLITE ACCUMULATION AREA REQUIREMENTS

42. Does the generator ensure that satellite accumulation area(s):
- a. Are at or near a point of generation? [3745-52-34(C)(1)] Yes  No  N/A
  - b. Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)] Yes  No  N/A
  - c. Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)] Yes  No  N/A
  - d. Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)] Yes  No  N/A
  - e. Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)] Yes  No  N/A
  - f. Containers are marked with words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)] *One box of spent barium containing air filters was unmarked. It was corrected during the visit.* Yes  No  N/A
43. Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so: Yes  No  N/A
- a. Did the generator comply with 3745-52-34(A)(1)through(4) or other applicable generator requirements within three days? [3745-52-34(C)(2)] Yes  No  N/A
  - b. Did the generator mark the container(s) holding excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)] Yes  No  N/A

### USE AND MANAGEMENT OF CONTAINERS IN <90 DAY ACCUMULATION AREAS

44. Has the generator marked containers with the words "Hazardous Waste"? [3745-52-34(A)(3)] *Waste awaiting profiling for lab-packing was not marked [52-11 cited] Some of the materials were subsequently determined to be hazardous waste.* Yes  No  N/A
45. Is the accumulation date on each container? [3745-52-34(A)(2)] Yes  No  N/A
46. Are hazardous wastes stored in containers which are:
- a. Closed (except when adding/removing wastes)? [3745-66-73(A)] Yes  No  N/A
  - b. In good condition? [3745-66-71] Yes  No  N/A
  - c. Compatible with wastes stored in them? [3745-66-72] Yes  No  N/A
  - d. Handled in a manner which prevents rupture/leakage? [3745-66-73(B)] Yes  No  N/A
47. Is the container accumulation areas(s) inspected weekly? [3745-66-74] Per ORC§1.44(A) "Week" means 7 consecutive days. Yes  No  N/A
- a. Are inspections recorded in a log or summary? [3745-66-74] Yes  No  N/A
48. Are containers of ignitable or reactive wastes located at least 50 feet (15 meters) from the facility's property line? [3745-66-76] Yes  No  N/A
49. Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)] Yes  No  N/A
50. If the generator places incompatible wastes, or incompatible wastes and materials in the same container, is it done in accordance with 3745-65-17(B)? [3745-66-77(A)] Yes  No  N/A
51. If the generator places hazardous waste in an unwashed container that previously held an incompatible waste, is it done in accordance with 3745-65-17(B)? [3745-66-77(B)] Yes  No  N/A
52. If the generator has closed a <90 day accumulation area does the closure appear to have met the closure performance standard of 3745-66-11? [3745-52-34(A)(1)] Yes  No  N/A

### PRE-TRANSPORT REQUIREMENTS

53. Does the generator package/label its hazardous waste in accordance with the applicable DOT regulations? [3745-52-30, 3745-52-31 and 3745-52-32(A)] Yes  No  N/A
54. Does each container <110 gallons have a completed hazardous waste label? [3745-52-32(B)] Yes  No  N/A
55. Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33] Yes  No  N/A

## LDR CHECKLIST

### GENERAL REQUIREMENTS

1. Has the generator adequately evaluated all wastes to determine if they are restricted from land disposal? [3745-270-07(A)(1)] If so: Yes  No  N/A   
RMK# \_\_\_\_\_
- a. For determinations based solely on knowledge of the waste: Is supporting data retained on-site? [3745-270-07(A)(6)] Yes  No  N/A   
RMK# \_\_\_\_\_

- b. For determinations based upon analytical testing: Is waste analysis data retained on-site? [3745-270-07(A)(6)] Yes  No  N/A   
RMK# \_\_\_\_\_
2. Has the generator determined each EPA hazardous waste code applicable to the waste? [3745-270-07(A)(2) see Table 1] Yes  No  N/A   
RMK# \_\_\_\_\_
3. Has the generator determined the correct "treatability group(s)" (e.g., wastewater, non-wastewater, etc.)? [3745-270-07(A), Table 1] Yes  No  N/A   
RMK# \_\_\_\_\_
4. Does the generator generate a characteristic hazardous waste? If so: Yes  No  N/A  RMK# \_\_\_\_\_  
a. Have all underlying hazardous constituents (UHCs) been identified? [3745-270-09(A)] Yes  No   
N/A  RMK# \_\_\_\_\_
5. Does the generator generate listed waste(s) which also exhibit hazardous characteristics? [3745-270-09] If so: Yes  No  N/A   
RMK# \_\_\_\_\_  
a. Has the generator also identified the appropriate treatment standard(s) for the constituent(s) which cause the waste to exhibit a characteristic? [3745-270-09(A)] Yes  No  N/A   
RMK# \_\_\_\_\_
6. Has the generator correctly determined if restricted wastes meet or do not meet treatment standards? [3745-270-07(A)(1)] Yes  No   
N/A  RMK# \_\_\_\_\_
7. Does the owner/operator ensure that restricted wastes or treatment residues are not diluted as a method of achieving/circumventing LDR treatment standards? [3745-270-03] Yes  No   
N/A  RMK# \_\_\_\_\_
8. Is combustion of any of the wastes identified in the Appendix to Rule 3745-270-03 occurring without meeting one or more of the criteria under Rule 3745-270-03(C) upon generation or after treatment? [3745-270-03(C)] Yes  No   
N/A  RMK# \_\_\_\_\_
9. Has the generator added iron to lead-containing hazardous waste in order to achieve LDR treatment standards for lead? [3745-270-03(D)] Yes  No   
N/A  RMK# \_\_\_\_\_
10. Does the facility have a case-by-case extension to the effective date to land dispose of hazardous waste? [3745-270-05] If so: [N/A] Yes  No   
N/A  RMK# \_\_\_\_\_
11. Does the facility have an extension to allow for a restricted waste to be land disposed? [3745-270-06] If so: [N/A] Yes  No   
N/A  RMK# \_\_\_\_\_
12. Does the facility treat wastes that are otherwise prohibited from land disposal, in a surface impoundment? If so: [N/A] Yes  No   
N/A  RMK# \_\_\_\_\_

#### NOTIFICATION AND CERTIFICATION REQUIREMENTS

13. If a generator's waste or contaminated soil does not meet the treatment standards, does the generator have the paperwork required in Column A of Table 1 of 3745-270-07? [3745-270-07(A)(2)] Yes  No   
N/A  RMK# \_\_\_\_\_
14. If a generator's waste or contaminated soil meets the treatment standard at the original point of generation, does the generator have the paperwork required in Column B of Table 1 of 3745-270-07? [3745-270-07(A)(3)] Yes  No   
N/A  RMK# \_\_\_\_\_
15. If a generator's waste is exempt (under 3745-270-05, 3745-270-06, national capacity or case-by-case variance, etc.) does the generator have the paperwork required in Column C of Table 1 of 3745-270-07? [3745-270-07(A)(4)] Yes  No   
N/A  RMK# \_\_\_\_\_
16. If a generator manages a lab pack containing hazardous waste using the alternative treatment standard in 3745-270-42, does the generator have the paperwork required in Column D of Table 1 of 3745-270-07? [3745-270-07(A)(9)] Yes  No   
N/A  RMK# \_\_\_\_\_
17. Does the generator produce a waste that is hazardous waste from the point of generation, but subsequently excluded from regulation under OAC 3745-51-02 through 3745-51-06? [3745-270-07(A)(7)] If so: [N/A] Yes  No   
N/A  RMK# \_\_\_\_\_
18. Does the generator retain on-site a copy of all notices, certifications, demonstrations and waste analysis data for at least three years from the last shipment of waste sent off-site? [3745-270-07(A)(8)] Yes  No  N/A   
RMK# \_\_\_\_\_

GENERATORS TREATING HAZARDOUS WASTE [N/A]

HAZARDOUS DEBRIS [N/A]

TREATING FACILITIES WHICH TREAT WASTE TO MEET LDR STANDARDS [N/A]

# LQG TANK SYSTEM REQUIREMENTS (OAC rules 3745-52-34(A), & 3745-66-90 through 3745-66-100)

1. Is each tank clearly labeled/marked with the words "Hazardous Waste" [3745-52-34(A)(3)]? Yes  No  N/A

## TANK SYSTEM – GENERAL OPERATING REQUIREMENTS

2. Does the owner / operator follow the general operating requirements below:
- a. ... prevent placement of hazardous waste or treatment reagents in tank or secondary containment if such placement can cause the system to leak, rupture, corrode, or otherwise fail? [3745-66-94(A)] Yes  No  N/A
- b. ... use appropriate controls to prevent spills or overflows from the system (e.g., check valves, dry disconnect couplings, high level alarms, etc.)? [3745-66-94(B)] *The tank has a level monitor with alarm if it is too full.* Yes  No  N/A
- c. If a leak or spill has occurred in the tank system, has the owner / operator complied with 3745-66-96? [3745-66-94(C)] *No leaks or spills were on records reviewed.* Yes  No  N/A

## TANK SYSTEM – INSPECTION REQUIREMENTS

3. Has the o/o documented the inspections required in 3745-66-95, in the operating record, including inspection of:
- a. Spill control equipment each operating day? [3745-66-95(A)(1)] Yes  No  N/A
- b. Above ground portion of tank each operating day? [3745-66-95(A)(2)] Yes  No  N/A
- c. Data from leak detection equipment each operating day? [3745-66-95(A)(3)] Yes  No  N/A
- d. Construction materials and area immediately surrounding the tanks for signs of erosion or release of hazardous waste each operating day? [3745-66-95(A)(4)] *However, the inspections did not note the deteriorated coatings in the secondary containment of the tank.* Yes  No  N/A

NOTE: "Each operating day" is each day that the tank system is being used to manage (store or treat) hazardous waste.

4. Where applicable, the cathodic protection system to confirm proper operation within six months of initial installation and annually thereafter? [3745-66-95(B)(1)] *The tank and piping are made of nonmetallic materials (fiberglass and PVC).* Yes  No  N/A
5. Where applicable, all sources of impressed current at least bi-monthly? [3745-66-95(B)(2)] Yes  No  N/A

## TANK SYSTEM CLOSURE REQUIREMENTS

6. If the generator has closed a less-than-90 day tank, was closure completed in accordance with OAC 3745-66-97 (except for paragraph C)? Yes  No  N/A

## TANK SYSTEMS STORING IGNITABLE OR REACTIVE WASTES [N/A-- the waste stored is not ignitable/reactive.]

## TANK SYSTEM – WASTE ANALYSIS REQUIREMENTS [N/A – no process changes or different wastes have been handled in this tank since it was installed]

## TANK SYSTEM REQUIREMENTS

11. Is there a written assessment attesting that the design, installation and structural integrity of the system is adequate for the management of hazardous waste(s)? [3745-66-92(A)] Yes  No  N/A

COMMENTS: *The LQG accumulation tank at this facility was installed on about October 10, 1991, according to DHWM file records. Our files contain copies of original tank assessment certification reports by HWH Engineers (of Cleveland), dated January 23 and February 11, 1992 for this unit. These were reviewed by the DHWM inspector at the time of original receipt, and again by me in February, 2003 during the last Hazardous Waste compliance inspection. At those times they were considered adequate per requirements in Questions 12-13 below. In 2003, it was recommended that the storage tank engineering assessment/certification be updated, since the unit may have been moved or changed during containment area coating work (done on May 11, 1992 using Glidden "Glid-Guard Glid-Plate 5471 Gray"). DHWM file records and observations during this inspection show that periodic maintenance of the chemical resistant coating has been required elsewhere in the containment area. Based on this we consider it is highly likely that areas under the tank may need maintenance of this coating after 15 years. For this reason, a limited reassessment of this portion of the tank system containment is appropriate to be conducted at this time.*

12. Does the written assessment include the following: [3745-66-92(A)]
- a. Certification by an independent registered, professional engineer? [3745-66-92(A)] Yes  No  N/A
- b. Consideration of the design standards of the system? [3745-66-92(A)] Yes  No  N/A
- c. Consideration of the hazardous characteristics of the waste(s)? [3745-66-92(A)] Yes  No  N/A
- d. An evaluation by a corrosion expert (only if the external system/components are metal and in contact with soil or water)? [3745-66-92(A)] Yes  No  N/A
- e. A determination of design and operational measures that will be needed to protect the tank system from potential damage (only for underground tank components)? [3745-66-92(A)] Yes  No  N/A
- f. Design considerations to ensure that the tank foundations will maintain the load of a full tank? [3745-66-92(A)] Yes  No  N/A

- g. Design considerations for anchoring the unit to prevent floatation (only for tanks situated in a seismic fault zone or saturated zone)? [3745-66-92(A)] Yes  No  N/A
- h. Design considerations to ensure that the tank system will withstand the effects of frost heave (only for underground tank systems)? [3745-66-92(A)] Yes  No  N/A
13. Are there written statements by those persons who supervised installation or certified design of the new tank system, that the tank system was properly installed and designed and that required repairs were performed? [3745-66-92(G)] If so, do the written statements address:
- a. Inspection for damage and/or inadequate construction and installation was conducted? [3745-66-92(B)] Yes  No  N/A
- b. Statement that deficiencies were corrected before the tank system was covered or put into use? [3745-66-92(B)] Yes  No  N/A
- c. Proper backfilling? [3745-66-92(C)] Yes  No  N/A
- d. Tightness test; if the tank system was found not to be tight, does the statement indicate that proper repairs were made? [3745-66-92(D)] Yes  No  N/A
- e. Proper support and protection of ancillary equipment? [3745-66-92(E)] Yes  No  N/A
- f. Supervision of the installation of field fabricated corrosion protection? [3745-66-92(F)] Yes  No  N/A

## SECONDARY CONTAINMENT

14. Has secondary containment been provided? Yes  No  N/A
15. Is secondary containment one of the following:
- a. An **External Liner**? [3745-66-93(E)(1)] If so,
- i. Is the liner designed or operated to contain 100% of the capacity of the largest tank? Yes  No  N/A
- ii. Is the liner designed & operated to prevent run-on & infiltration or the collection system has excess capacity to contain run-on and infiltration from a 25-year, 24-hour storm? Yes  No  N/A
- iii. Is the liner free of cracks and gaps? *The coating was deteriorated and flaking off.* Yes  No  N/A
- iv. Does the liner completely surround the tank and cover all earth likely to be contacted by waste during a release? Yes  No  N/A
- v. Are chemically resistant water stops in place at all points? (*concrete liners only*) Yes  No  N/A
- vi. Is there a compatible interior coating or lining to prevent migration of waste into the concrete? (*concrete liners only*) *The coating was deteriorated and flaking off.* Yes  No  N/A
- b. **Vault System**? [3745-66-93(E)(2)] If so, [N/A] Yes  No  N/A
- c. **Double-Walled Tank**? [3745-66-93(E)(3)] If so, [N/A] Yes  No  N/A
- d. **An Equivalent Device**? As described in 3745-66-93(D)(4) which has been approved by the director? [3745-66-93(D&E)] Yes  No  N/A

## SECONDARY CONTAINMENT DESIGN/OPERATION/INSTALLATION

16. Has each secondary containment system been designed, installed and operated to prevent any migration of wastes or liquid to the soil, groundwater, or surface water and is it capable of detecting and collecting releases and accumulated liquids? [3745-66-93(B)(1) and (2)] Yes  No  N/A   
*There was visible deterioration (flaking off) of the coating in the secondary containment dike wall and floor areas.*
17. Does the secondary containment system meet the following minimum requirements of 3745-66-93(C):
- a. Constructed or lined with compatible materials of sufficient strength to prevent failure? [3745-66-93(C)(2)] *The structural support for the containment was provided by poured concrete floor and dike which appeared to be in good structural condition (aside from the surface protective coating which was flaking in some areas).* Yes  No  N/A
- b. Placed on a foundation or base capable of providing support? [3745-66-93(C)(2)] *The tank support was concrete.* Yes  No  N/A
- c. Provided with a leak detection system designed/operated to detect failure to primary or secondary containment or any release of hazardous waste within 24 hours or at earliest practicable time? [3745-66-93(C)(3)] *Visual inspections of the containment served this purpose.* Yes  No  N/A
- d. Sloped or designed to drain and remove liquid resulting from leaks, spills or precipitation? [3745-66-93(C)(4)] *The containment was sloped so any contents could be pumped out as needed..* Yes  No  N/A
- e. Any liquid which accumulates in the containment unit resulting from spills, leaks or precipitation removed within 24 hours or in a timely manner? [3745-66-93(C)(4)] Yes  No  N/A

## ANCILLARY EQUIPMENT REQUIREMENTS

18. Is ancillary equipment provided with secondary containment (such as double-walled piping, jacketing or a trench)? **If not**, is the ancillary equipment one of the following: [3745-66-93(F)] Yes  No  N/A
- a. Above ground piping (exclusive of flanges, joints, valves and connections) that is inspected daily? *The piping is double-wall PVC located above grade, and is visually inspected daily.* Yes  No  N/A
- b. Welded flanges, welded joints and/or welded connections that is inspected daily? Yes  No  N/A
- c. Seal-less or magnetic coupling pumps and/or seal-less valves? Yes  No  N/A

- d. Pressurized above ground piping systems with automatic shut-off devices, excess flow check valves, flow metering shutdown and/or loss of pressure-actuated shut-off devices) that is inspected daily? Yes  No  N/A

### TANK SYSTEMS FOUND TO BE LEAKING OR UNFIT FOR USE

19. Has there been a leak or spill from any tank system or has any tank system been found unfit for use? Yes  No  N/A

If so, [N/A questions 20-24] Although deterioration of secondary containment coating was noted, the tank system was not deemed "unfit for use" in the interim until the necessary repairs were made.

## SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS - BATTERIES AND LAMPS

*Small Quantity Handler (SQUWH) = 5,000 Kg or less*

### PROHIBITIONS

1. Did the SQUWH dispose of universal waste? [3745-273-11(A)] Yes  No  N/A  
2. Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in 3745-273-17 or managing specific wastes as provided in 3745-273-13? [3745-273-11(B)] Yes  No  N/A

### WASTE MANAGEMENT & LABELING/MARKING

UNIVERSAL WASTE BATTERIES [Questions # 3 - #7 = N/A]

#### UNIVERSAL WASTE LAMPS

8. Does the SQUWH contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and are compatible with contents of the lamps? Are containers or packages closed and do they lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(D)(1)] *Two waste lamps in the upstairs mezzanine satellite accumulation area were not in a package, and one was broken.* Yes  No  N/A  
9. Are lamps that show evidence of breakage, leakage or damage that could cause a release of mercury or hazardous constituents into the environment immediately cleaned up? Are they placed into a container that is closed, structurally sound, compatible with the contents of the lamps, and lack evidence of leakage spillage or damage that could cause leakage or releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)] *This was corrected during the visit and the lamps were placed into a closed container.* Yes  No  N/A  
10. Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)?" [3745-273-14(E)] *The wrong generator name was on the universal waste containers. "GE Quartz" was on one lamp container. Others were marked with a generator name of "Momentos". The lamp containers were marked as "Waste Bulbs", instead of as "Waste Lamps".* Yes  No  N/A

#### ACCUMULATION TIME

11. Is the waste accumulated for less than one year? [3745-273-15(A)] Yes  No  N/A  
If not: a. Was the waste accumulated over one year in order to facilitate proper recovery, treatment or disposal? (Burden of proof is on the handler to demonstrate) [3745-273-15(B)] Yes  No  N/A   
12. Is the length of time the universal waste is stored documented by one of the following: [3745-273-15(C)]  
a. Marking or labeling the container with the earliest date when the universal waste became a waste or was received? [3745-273-15(C)(1)] *[b-f = N/A]* Yes  No  N/A

#### EMPLOYEE TRAINING

13. Are employees who handle or have the responsibility for managing universal waste informed of waste handling/emergency procedures, relative to their responsibilities? [3745-273-16] *A refresher may be needed, since a broken tube was left out on a shelf, not in a container.* Yes  No  N/A

## RESPONSE TO RELEASES

14. Are releases of universal waste and other residues immediately contained? [3745-273-17(A)] *No evidence of "releases" (to outdoor environment). The single broken bulb was cleaned up.* Yes \_\_\_ No  N/A
15. Is the material released characterized? [3745-273-17(B)] Yes \_\_\_ No  N/A
16. If the material released is a hazardous waste, is it managed as required in OAC Chapters 3745-50 through 3745-69? (If the waste is hazardous, the handler is considered generator of the waste and is subject to Chapter 3745-52) [3745-273-17 (B)] Yes \_\_\_ No  N/A

## OFF-SITE SHIPMENTS

17. Are universal wastes sent to either: another handler, destination facility or foreign destination? [3745-273-18(A)] Yes  No  N/A
18. If the universal waste meets the definition of hazardous material under 49 CFR 171-180, are DOT requirements met with regard to package, labels, placards and shipping papers? [3745-273-18(C)] Yes  No  N/A
19. Prior to shipping universal waste off-site, does the receiver agree to receive the shipment? [3745-273-18(D)] Yes  No  N/A
20. If the universal waste shipped off-site is rejected by another handler or destination facility does the originating handler do one of the following: N/A

[Questions # 21- # 23 = N/A, no universal waste is accepted from off site.]

## EXPORTS

24. Is waste being sent to a foreign destination? If so: [Questions # a. - c. = N/A] Yes \_\_\_ No  N/A

## USED OIL INSPECTION CHECKLIST

### GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS

#### PROHIBITIONS

1. Does the generator manage used oil in a surface impoundment or waste pile? If yes: [N/A] Yes  No  N/A
2. Is used oil used as a dust suppressant? [3745-279-12(B)] Yes  No  N/A
3. Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)? *No used oil is burned at this facility.* Yes  No  N/A

#### GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil? If so, [N/A] Yes  No  N/A
5. Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)] Yes  No  N/A
6. Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)] Yes  No  N/A
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes  No  N/A
8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)] Yes  No  N/A
9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)] [N/A]

#### ON-SITE BURNING IN SPACE HEATER [N/A]

#### GENERATOR TRANSPORTATION [N/A]

#### COLLECTION CENTERS AND AGGREGATION POINTS [N/A-- not accepted from others]