007 file

OhioEPA

State of Ohio Environmental Protection Agency

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March 20, 2007

TSS Aviation, Inc.
Mr. Tim Wilkerson
Director of EHS
1201 Hillsmith Drive
Cincinnati, Ohio 45215

Re: Compliance Inspection - Notice of Violation
TSS Aviation, Inc.
Large Quantity Generator - US EPA ID# OHD004236170

Dear Mr. Wilkerson:

On February 27, 2007, Paul Pardi and I inspected the TSS Aviation facility located at 11550 Mosteller Road in Cincinnati, Ohio to determine TSS Aviation's compliance with Ohio's Hazardous Waste Laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). Subsequent to the inspection, you've provided additional information to us via emails and telephone conversations.

This TSS Aviation facility has been in operation since approximately the end of 2006. This letter will explain the violations we found and what you need to do to correct them. I will return in approximately 30 days from the date of this letter to re-inspect the facility to ensure the violations have been corrected.

Tank Violations

TSS Aviation is in violation of the following hazardous waste tank rules for the tank system utilized to store the hazardous waste Clean Out Water. The tank volume is approximately 2500 gallons and has been in use since moving to this location last year. The hazardous waste stored in the tank is characterized as D002 and D007. The definition of a tank and tank system can been found in OAC 3745-50-10(A)(114) and (115). During the inspection TSS Aviation was not able to produce evidence of the following. If you are able to obtain any of these items, please forward them for our review.

1. **OAC 3745-66-92(A) Design Assessment of Tank Systems and Components**
Owners or operators of new tank systems or components must ensure that the foundation, structural support, seams, connections, and pressure controls (if applicable) are adequately designed and that the tank system has sufficient structural strength, compatibility with the waste(s) to be stored or treated, and corrosion protection so that it will not collapse, rupture, or fail. The owner or operator must obtain a written assessment reviewed and certified by an independent, qualified, registered professional engineer in accordance with paragraph (D) of Rule 3745-50-42 of the Administrative

Code attesting that the system has sufficient structural integrity and is acceptable for the storing and treating of hazardous waste. This assessment must include, at a minimum, the requirements outlined in the rule. During the inspection, TSS Aviation was not able to produce this assessment and is therefore in violation of this rule.

2. **OAC 3745-66-92(B) Installation Assessment of Tank Systems**
The owner or operator of a new tank system must ensure that proper handling procedures are adhered to in order to prevent damage to the system during installation. Prior to covering, enclosing, or placing a new tank system or component in use, an independent, qualified installation inspector or an independent, qualified, registered professional engineer, either of whom is trained and experienced in the proper installation of tank systems, must inspect the system or component for the requirements outlined in the rule. During the inspection, TSS Aviation was not able to produce this inspection report and is therefore in violation of this rule.

3. **OAC 3745-66-92(D) Testing Prior to Use**
All new tanks and ancillary equipment must be tested for tightness prior to being covered, enclosed or placed in use. If a tank system is found not to be tight, all repairs necessary to remedy the leak(s) in the system must be performed prior to the tank system being covered, enclosed, or placed in use. During the inspection, TSS Aviation was not able to produce this report and is therefore in violation of this rule.

4. **OAC 3745-66-92(G) Written Statements**
The owner or operator must obtain and keep on file at the facility written statements by those persons required to certify the design of the tank system and supervise the installation of the tank system in accordance with the requirements of this rule. During the inspection, TSS Aviation was not able to produce this statement and is therefore in violation of this rule.

5. **OAC 3745-66-93(C)(3) Leak Detection**
The owner or operator must provide a leak detection system for the tank system that is designed and operated so that it will detect the failure of either the primary and secondary containment structure or any release of hazardous waste or accumulated liquid in the secondary containment system. TSS Aviation does not appear to have an appropriate leak detection system that fulfills this requirement and is therefore in violation of this rule.

6. **OAC 3745-66-93(E)(1) Secondary Containment**
The secondary containment of the tank must be designed or operated to contain one hundred per cent of the capacity of the largest tank within its boundary. TSS Aviation does not appear to have adequate secondary. The room itself may be used as secondary containment but TSS Aviation must determine that it is of adequate size and ensure that it will contain one hundred per cent of the capacity of the largest tank. TSS Aviation is therefore in violation of this rule.

7. **OAC 3745-66-93(F) Ancillary Equipment**
Ancillary equipment must be provided with full secondary containment. TSS Aviation does not appear to meet this requirement, and is therefore in violation of this rule.

8. **OAC 3745-66-94(B) Spill Prevention**
The owner or operator shall use appropriate controls and practices to prevent spills and overflows from tank or secondary containment systems. TSS Aviation does not appear to meet this requirement, and is therefore in violation of this rule.

9. **OAC 3745-66-95(A), (B), and (C) Inspections and Documentation**
The owner or operator shall inspect daily inspections of the tank system and ancillary equipment and document these inspections. TSS Aviation was not able to produce this documentation during the inspection, and is therefore in violation of this rule.

10. **OAC 3745-52-34(A)(3) Labeling of Tank**
A generator who accumulates a hazardous waste, must label or clearly mark, each tank with the words "Hazardous Waste." During the inspection, the hazardous waste tank was not labeled properly, therefore TSS Aviation in violation of this rule.

In order to correct these tank violations, TSS Aviation must immediately comply with all applicable rules or stop using the tank system. Upon receipt of this letter you must determine and provide a compliance schedule for fulfilling these tank requirements. Enclosed is the completed Ohio EPA Tank Checklist for inspections. In subsequent communications, you mentioned that you are working with your hazardous waste disposal company to re-characterize this waste, in which case it may be non-hazardous. Please keep us informed of this progress.

Additional Violations

11. **OAC Rule 3745-52-34(C) Satellite Accumulation – Labeling Requirement**
Satellite Accumulation containers must be marked with the words "Hazardous Waste" or with other words that identify the contents of the containers. During the inspection, we observed the 55 gallon drum used as a satellite accumulation drum at the paint booth, which was labeled only with "hazardous wa." This violation was corrected at the time of the inspection and is therefore **Returned to Compliance**.

As discussed, Hazardous Waste shipping labels can be used for the satellite drums. The date would be filled in on these labels immediately once 55 gallons is accumulated. *Guidance Enclosed: Satellite Accumulation Under Ohio Hazardous Waste Rules, July 2004.*

12. **OAC Rule 3745-52-34(A)(3) - Labeling of Drums in the 90 Day Storage Area**
A generator who, for ninety days or less, accumulates a hazardous waste, must label or clearly mark, each container with the words "Hazardous Waste." (Note: this is a different requirement from the Satellite Accumulation rules, which states that a satellite accumulation container can be labeled with "Hazardous Waste" or words identifying the contents).

During the inspection, we observed four 55 gallon drums in the 90 day hazardous waste storage cage. Three of the four drums were not properly labeled with the words hazardous waste. These included the hazardous waste spent acetone, hazardous waste lab pack, and the hazardous waste alodine. The hazardous waste paint drum was properly labeled.

In order to correct this violation, these three 55 gallon drums in the 90 day storage area must be labeled with the words "Hazardous Waste.

13. **OAC Rule 3745-52-34(A)(2) – Dating of Drums in the 90 Day Storage Area**
A generator who, for ninety days or less, accumulates a hazardous waste, must place the date upon the container when each period of accumulation begins and is clearly marked and visible.

During the inspection, none of the four hazardous waste drums in the 90 day storage cage were dated with the accumulation started date. (As discussed, a satellite accumulation drum does not require dating until the start date begins, which is at the moment the 55 gallon limit is reached).

In order to correct this violation, the four 55 gallon drums in the 90 day storage area must be dated with each accumulate start date.

14. **OAC Rule 3745-66-73 - Open Containers**
A container holding hazardous waste shall always be closed during storage, except when it is necessary to add or remove waste. During the inspection, the hazardous waste paint drum had a funnel loosely placed in the bunghole and the funnel was uncovered. Hazardous waste containers must be kept closed, except when adding or removing waste.

This violation was corrected at the time of the inspection and is therefore **Returned to Compliance**. *Guidance Enclosed: Closed Containers, June 2004*

15. **OAC Rule 3745-66-74 - Inspections and Inspection Log**
The owner or operator must inspect areas where hazardous waste containers are stored, at least weekly, looking for leaks and deterioration caused by corrosion or other factors. The owner or operator must record inspections in an inspection log or summary. At the time of the inspection, no weekly inspections were being conducted and no records of completed inspection logs existed. In order to abate this violation, TSS Aviation must begin weekly inspections immediately, and record the inspections in a log. I have reviewed the Weekly Inspection Checklist you provided and it does appear to meet the requirements. As a reminder, the term weekly as it applies to these inspections means every 7 calendar days. When I return for to re-inspect the facility in approximately 30 days, I will review the completed logs.

Contingency Plan (OAC Rules 3745-65-50 through 56)

Large Quantity Generators must have and maintain a Contingency Plan, as required by OAC 3745-65-50 through 56. This plan must contain at least the elements set forth in the OAC. I have reviewed the Hazard Communication information and Emergency Action Plan that you provided. The following items are missing from the current plan:

16. **OAC 3745-65-52 (C):** The contingency plan must describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and Ohio EPA and local emergency response teams to coordinate emergency services.

17. **OAC 3745-65-52 (E):** The contingency plan must include a complete list of all emergency equipment at the facility [such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment]. This list must be kept up to date. In addition, the contingency plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities. Some of the information is provided in the Spill Equipment section on page 2; however, this information needs more detail to adhere to the requirement.

In order to abate these violations, TSS Aviation will need to review the plan against the rule and make the necessary changes. Refer to these particular sections in the Contingency Plan Guidance that we provided. I will review the updated plan during my return inspection.

Guidance Enclosed: Contingency Plan Implementation and Incident Reporting Under Ohio Hazardous Waste Rules, June 2002
Example Emergency Equipment Inspection Log, January 2005

Additional

Area of Concern - Small Containers in the 90 Day Storage Area

During the inspection, the shelving in the 90 Day Storage Area contained assorted smaller size containers of various contents. These containers were being staged for disposal. Please note that TSS Aviation must determine whether or not each individual container is hazardous at the moment it becomes a waste and manage each one accordingly. We are requesting that you develop a formal procedure for addressing these waste containers including; ensuring that these chemicals are characterized in a timely manner, and for those that are determined to be hazardous waste, outline the procedures to be followed so that storage requirements are met as soon as this determination is made. Formalize and submit these procedures within 21 days so that I can review them prior to my re-inspection of the facility.

Compliance Assistance and Pollution Prevention (OCAPP)

The Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP) is a one-stop location for answers and information about environmental regulations, compliance

concerns, and pollution prevention for all businesses. During the inspection we discussed the role of OCAPP. Their office provides services to businesses such as on-site compliance and pollution prevention assessments and may be able to provide more information on reducing costs. For additional information their website can be viewed at www.epa.state.oh.us/ocapp/ocapp.html.

You mentioned hiring a new EHS Coordinator. We encourage TSS Aviation management to work with and support this position. I will enclose additional guidance documents with the copy of this letter that TSS Aviation's new EHS Coordinator can use.

I will return to your facility for a Return to Compliance Inspection in approximately 30 days of the date of this letter.

Many hazardous waste generator requirements can be found in the guidance documents with this letter. Enclosed you will find a copy of the checklists that we completed for the inspection. You can find copies of the rules and other information on the division's web page at http://www.epa.state.oh.us/dhwm. If you have any questions, please call me at (937) 285-6594.

Sincerely,

Thomas E. Koch
Division of Hazardous Waste Management

cc: Dinah Crawford, SWDO-DHWM/SWDO, File

checklists:
Hazardous Waste Tank Checklist
Large Quantity Generator Checklist
Universal Waste Handler
Land Disposal Restriction Checklist

Enclosures:
Satellite Accumulation Under Ohio Hazardous Waste Rules
Closed Containers
Contingency Plan Implementation and Incident Reporting
Example Emergency Equipment Inspection Log
Managing your Hazardous Waste
Ohio EPA Resource Guide
Universal Waste Guidance
OAC 3745-65-16, Hazardous Waste Personnel Training
Generator Requirement Summary Table
Generator Record Keeping Requirements Table

TEK/rlf

NOTICE:

Ohio EPA's failure to list specific deficiencies or 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

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.
SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.
LQG: ≥1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.
NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.
Safety Equipment Used:

GENERAL REQUIREMENTS

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes	☑	No	☐	N/A ☐
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 1st? [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 ☐

NOTE: If the LQG does not accumulate or treat hazardous waste, it is not subject to 52-34 standards. All other requirements still apply, e.g., annual reports, manifest, marking, record keeping, LDR, etc.

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 ☐

NOTE: If F006 waste is generated and accumulated for > 90 days and is recycled see 3745-52-34(G) & (H).

10. Does the generator treat hazardous waste in a: [ORC 3734.02(E)&(F)]

a.	Container that meets 3745-66-70 to 3745-66-77?	Yes	☐	No	☑	N/A ☐
b.	Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C)?	Yes	☐	No	☑	N/A ☐
c.	Drip pads that meet 3745-69-40 to 3745-69-45?	Yes	☐	No	☑	N/A ☐
d.	Containment building that meets 3745-256-100 to 3745-256-102?	Yes	☐	No	☑	N/A ☐

NOTE: Complete appropriate checklist for each unit.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

11.	Does the generator export hazardous waste? If so:	Yes	☐	No	☑	N/A ☐
a.	Has the generator notified U.S. EPA of export activity? [3745-52-53(A)]	Yes	☐	No	☐	N/A ☐
b.	Has the generator complied with special manifest requirements? [3745-52-54]	Yes	☐	No	☑	N/A ☐
c.	For manifests that have not been returned to the generator: has an exception report been filed? [3745-52-55]	Yes	☐	No	☑	N/A ☐
d.	Has an annual report been submitted to U.S. EPA? [3745-52-56]	Yes	☐	No	☑	N/A ☐
e.	Are export related documents being maintained on-site? [3745-52-57(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 ☐

NOTE: U.S. EPA Form 8700-22(A) (the continuation form) may be needed in addition to Form 8700-22. In these situations items (21) through (35) must also be completed. [3745-52-20(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 ☐

NOTE: The generator may designate on the manifest one alternate facility to handle the waste in the event of an emergency which prevents the delivery of waste to the primary designated facility. [3745-52-20(C)].

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 ☐

NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have a program in place to reduce the volume and toxicity waste they generate.

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 ☐

NOTE: Waste generated at one location and transported along a publicly accessible road for temporary consolidated storage or treatment on a contiguous property also owned by the same person is not considered "on-site" and manifesting and transporter requirements must be met. To transport "along" a public right-of-way the destination facility has to act as a transfer facility or have a permit because this is considered to be "off-site." For additional information see the definition of "on-site" in OAC rule 3745-50-10.

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)] — 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)] — Yes ☑ No ☐ N/A ☐
24. Does the generator provide annual refresher training to employees? [3745-65-16(C)] — 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 ☐

NOTE: The following section can be used by the inspector to document that all personnel who are involved with hazardous waste management have been trained. The employees who need training (written and/or on-the -job) may include the following: environmental coordinators, drum handlers, emergency coordinators, personnel who conduct hazardous waste inspections, emergency response teams, personnel who prepare manifest, etc.

Job Performed	Name of Employee	Date Trained

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)] — 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 ☐

See Violation Letter for missing components.

e. An evacuation plan for facility personnel where there is possibility that evacuation may be necessary? [3745-65-52(F)] Yes ☑ No ☐ N/A ☐

NOTE: If the facility already has a "Spill Prevention, Control and Counter measures Plan" under CFR Part 112 or 40 CFR Part 1510, or some other emergency plan, the facility can amend that plan to Incorporate hazardous waste management provisions that are sufficient to comply with OAC requirements. [3745-65-52(B)]

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] 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 ☐

NOTE: The emergency coordinator shall be throughly familiar with: (a) all aspects of the facility's contingency plan: (b) all operations and activities at the facility; (c) the location and characteristics of waste handled; (d) the location of all records within the facility; (e) facility layout; and (f) shall have the authority to commit the resources needed to implement provisions of the contingency plan.

EMERGENCY PROCEDURES

32. Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents since the last inspection? If so: Yes ☐ No ☑ N/A ☐
    a. Was the contingency plan implemented? [3745-65-51(B)] Yes ☐ No ☐ N/A ☑
    b. Did the facility follow the emergency procedures in 3745-65-56(A) through (H)? Yes ☐ No ☐ N/A ☑
    c. Did the facility submit a report to the Director within 15 days of the incident as required by 3745-65-56(J)? Yes ☐ No ☐ N/A ☑

NOTE: 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 ☐

NOTE: Verify that the equipment is listed in the contingency plan.

35. Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33] 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 (ex.phone, hand held two-way radio) capable of summoning external emergency assistance? (Unless not required under 3745-65-32) [3745-65-34(B)] 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, has 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)] Yes ☐ No ☑ N/A ☐ Returned to Compliance during Inspection.

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 ☑

NOTE: The satellite accumulation area is limited to 55 gallons of hazardous waste accumulated from a distinct point of generation in the process under the control of the operator of the process generating the waste (less then 1 quart for acute hazardous waste). There could be individual waste streams accumulated in an area from different points of generation.

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)] See Violation Letter. Yes ☑ No ☑ N/A ☐

45. Is the accumulation date on each container? [3745-52-34(A)(2)] See Notice of Violation Letter 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] Returned to Compliance 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 ☐

NOTE: Record location on process summary sheets, photograph the area, and record on facility map.

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 ☑

NOTE: OAC 3745-65-17(B) requires that the generator treat, store, or dispose of ignitable or reactive waste, and the mixture or commingling of incompatible wastes, or incompatible wastes and materials so that it does not create undesirable conditions or threaten human health or the environment.

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 ☑

NOTE: Please provide a description of the unit and documentation provided by the generator for the file to demonstrate that closure was completed in accordance with the closure performance standards. If the generator has closed a <90 day tank, closure must also be completed in accordance with OAC 3745-66-97 (except for paragraph C of this rule). [3745-52-34]

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 ☐

TANK SYSTEM REQUIREMENTS (OAC rule 3745-52-34(A) and OAC rules 3745-66-100)

(Please refer to the rules before or while completing this checklist.)

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 o/o follow the general operating requirements below:
   a. Does the o/o 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. Does the o/o 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)] Yes ☐ No ☑ N/A ☐
   c. If a leak or spill has occurred in the tank system, has the o/o complied with 3745-66-96?[3745-66-94(C)] 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 the following:
   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)] 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)] 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 <90 day tank, closure must also be completed in accordance with OAC 3745-66-97 (except for paragraph C of this rule). Yes ☐ No ☐ N/A ☑

TANK SYSTEMS STORING IGNITABLE OR REACTIVE WASTES

7. For tanks used or treat or store ignitable or reactive wastes, has the o/o complied with **one of the following**: [3745-66-98(A)] Yes ☐ No ☐ N/A ☑
   a. Is the waste treated immediately after placement in the tank so that the resultant mixture is no longer ignitable or reactive and the o/o has conducted such activities in compliance with 3745-66-17(B)?[3745-66-98(A); **OR** Yes ☐ No ☐ N/A ☐
   b. Is the waste stored or treated to protect it from materials or conditions which may cause ignition or reaction?[3745-66-98(A)]; **OR** Yes ☐ No ☐ N/A ☐
   c. The tank is used solely for emergencies?[3745-66-98(A)] Yes ☐ No ☐ N/A ☐
8. If ignitable or reactive waste is stored or treated, are protective distances maintained between waste management areas and any public streets, alleys or adjoining property lines as required by the NFPA Flammable and Combustible Liquids Code (1996)? [3745-66-98(B)] Yes ☐ No ☐ N/A ☐
9. Has the o/o placed incompatible wastes or materials into the same tank system, or into a tank system that has not been decontaminated and which previously held an incompatible waste or material?[3745-66-99(A) and/or (B)] Yes ☐ No ☐ N/A ☐
   a. ***If so,*** have the requirements of 3745-65-17(B) been met?[3745-66-99(A) and/or (B)] Yes ☐ No ☐ N/A ☐

TANK SYSTEM – WASTE ANALYSIS REQUIREMENTS

10. In addition to conducting the waste analysis required by 3745-65-13, when the tank system is used to store or treat a waste which is substantially different or uses a substantially different process than previously used, has the o/o done one of the following:[3745-66-100] Yes ☐ No ☐ N/A ☑
    a. Conducted waste analysis and trial treatment or storage tests?[3745-66-100(A)]; **OR** Yes ☐ No ☐ N/A ☐
    b. Obtained written documentation on similar waste under similar operating conditions to show that the proposed storage/treatment will meet the requirements of OAC 3745-66-94? [3745-66-100(B)] Yes ☐ No ☐ N/A ☐

TANK SYSTEMS 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 ☐

NOTE: You should review the file to see if the written assessment has been previously reviewed and what the results were.

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 *(if the external system/components are metal)*?[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 (*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 (*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(for underground tank systems)?[3745-66-92(A)] Yes ☐ No ☑ N/A ☐

NOTE: CO-DHWM Engineering staff are available to assist you with evaluation of the written assessment.

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)] Yes ☐ No ☑ N/A ☐

Do the written statements address all of the following:

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 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 ☐

NOTE: All tank systems must have secondary containment at this point, except for tank systems that store/treat materials that become hazardous waste after January 12, 1987, must have secondary containment required within the time intervals in [3745-66-92(A)(1)] to (A)(4). The date the material became a hazardous waste must be used in place of January 12, 1987.[3745-66-92(A)(5)]

15. Is secondary containment one of the following: Yes ☐ No ☐ N/A ☐

a. An **External Liner**? [3745-66-93(E)(1)] If so, Yes ☐ No ☑ N/A ☐
   i. Is liner designed or operated to contain 100% of the capacity of the largest tank? Yes ☐ No ☐ N/A ☑
   ii. Is liner designed and operated to prevent run-on and 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 liner free of cracks and gaps? Yes ☐ No ☐ N/A ☑
   iv. Does 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)* Yes ☐ No ☐ N/A ☑

b. **Vault System?** [3745-66-93(E)(2)] If so, Yes ☑ No ☐ N/A ☐
   i. Is vault system designed to contain 100% of the capacity in the largest tank? Yes ☐ No ☑ N/A ☐
   ii. Is liner designed and operated to prevent run-on and 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. Are chemically resistant water stops in place at all points? Yes ☐ No ☑ N/A ☐
   iv. Is there a compatible interior coating to prevent migration into the concrete? Yes ☐ No ☑ N/A ☐

v. For **ignitable or reactive waste**: Is the vault system provided with means to prevent against the formation or ignition of vapors? Yes ☐ No ☐ N/A ☑

vi. Is vault system provided with an exterior moisture barrier? Yes ☐ No ☐ N/A ☐

c. **Double-Walled Tank?** [3745-66-93(E)(3)] If so, Yes ☐ No ☑ N/A ☐

i. Is double-walled tank designed as an integral structure to contain any release from the inner tank? Yes ☐ No ☐ N/A ☑

ii. **If metal**, are the primary tank interior and outer shell exterior surfaces protected from corrosion? Yes ☐ No ☐ N/A ☑

iii. Is double-walled tank provided with a continuous leak detection system able to detect a release within 24 hours or at the earliest practicable time? 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 ☐

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)] Yes ☐ No ☑ N/A ☐

b. Placed on a foundation or base capable of providing support?[3745-66-93(C)(2)] 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)] Yes ☐ No ☑ N/A ☐

d. Sloped or designed to drain and remove liquid resulting from leaks, spills or precipitation?[3745-66-93(C)(4)] 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)? Yes ☐ No ☑ N/A ☐

***If not**, is the ancillary equipment one of the following*: [3745-66-93(F)]

a. Above ground piping (exclusive of flanges, joints, valves and connections) that is inspected daily? Yes ☐ No ☑ N/A ☐

b. Welded flanges, welded joints and/or welded connections that is inspected daily? Yes ☐ No ☑ N/A ☐

c. Sealless or magnetic coupling pumps and/or sealless valves? Yes ☐ No ☑ N/A ☐

d. Pressurized above ground piping systems with automatic shut-off devices (e.g., 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? ***If so***, did the o/o: Yes ☐ No ☐ N/A ☑

NOTE: If the tank is found to be unfit for use, inspector should explain why.

a. Immediately cease flow of material into tank and investigate the cause of the release?[3745-66-96(A)] Yes ☐ No ☐ N/A ☑

b. Remove waste from tank system to prevent further release within 24 hours of detection or earliest practicable time?[3745-66-96(B)(1)] Yes ☐ No ☐ N/A ☑

c. Remove all material released into secondary containment system within 24 hours or as timely as possible to prevent harm to human health and the environment?[3745-66-96(B)(2)] Yes ☐ No ☐ N/A ☑

d. Immediately conduct a visual inspection of the release?[3745-66-96(C)] Yes ☐ No ☐ N/A ☑

e. Prevent further migration of the leak or spill to soils or surface waters?[3745-66-96(C)] Yes ☐ No ☐ N/A ☑

f. Properly dispose of any visibly contaminated soil or surface water? [3745-66-96(C)] Yes ☐ No ☐ N/A ☑

g. Report the release to the director within 24 hours unless it was less than one pound and was cleaned up immediately? [3745-66-96(D)(1)] Yes ☐ No ☐ N/A ☑

h. Submit a written report of the incident to the director within 30 days of the release? [3745-66-96(D)(3)] Yes ☐ No ☐ N/A ☑

i. Remediate the spill and repair the unit prior to returning it to service? [3745-66-96(E)(2)] Yes ☐ No ☐ N/A ☑

j. For a release from a tank system without secondary containment, did the o/o provide secondary containment meeting the requirements of 3745-66-93 for the unit prior to putting it back into service? [3745-66-96(E)(4)] Yes ☐ No ☐ N/A ☑

NOTE: The requirements noted in 20.j. do not apply if the release was from an above ground component of the tank which can be inspected visually after being put back into service.

20. In the event that the repairs to the tank system were major (replacement of liner, repair of ruptured primary or secondary containment structure), did the o/o obtain a certification from an independent, registered P.E. attesting that the repaired unit is capable of handing hazardous waste? [3745-66-96(F)] Yes ☐ No ☐ N/A ☑

21. Was a copy of the certification submitted to the director within seven days after returning the system to use? [3745-66-96(F)] Yes ☐ No ☐ N/A ☑

22. If the o/o was unable to repair and return the unit to service as described in 20.a through 20.e, was the tank system closed in accordance with 3745-66-97? [3745-66-96(E)(1)] Yes ☐ No ☐ N/A ☑

23. Does the o/o have a tank system **with a variance from secondary containment** from which a release has occurred but <u>has not</u> migrated beyond the zone of engineering control? Yes ☐ No ☐ N/A ☑

If so,

a. Has the o/o complied with 3745-66-96(A) through (F) and decontaminated soils? [3745-66-93(G)(3)] Yes ☐ No ☐ N/A ☑

b. If soils cannot be decontaminated/removed, has the o/o complied with 3745-66-97(B)? [3745-66-93(G)(3)] Yes ☐ No ☐ N/A ☑

24. Does the o/o have a tank system **with a variance from secondary containment** from which a release occurred and <u>has</u> migrated from the zone of engineering control? Yes ☐ No ☐ N/A ☑

If so,

a. Has the o/o complied with 3745-66-96(A) through (D), prevented migration, and decontaminated soil? [3745-66-93(G)(4)] Yes ☐ No ☐ N/A ☑

b. If soils cannot be decontaminated/removed, or if the groundwater has been contaminated, has the o/o complied with 3745-66-97(B)? [3745-66-93(G)(4)] Yes ☐ No ☐ N/A ☑

SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS - BATTERIES AND LAMPS

Large Quantity Universal Waste Handler (LQUWH) = 5,000 Kg or more
Small Quantity Universal Waste Handler (SQUWH) = 5,000 Kg or less

PROHIBITIONS

1. Did the SQUWH dispose of universal waste? [3745-273-11(A)] — Yes ☐ No ✓ N/A ___ RMK#___

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 ___ RMK#___

WASTE MANAGEMENT & LABELING/MARKING

UNIVERSAL WASTE BATTERIES

3. Are battery(ies) that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)] — Yes ___ No ☐ N/A ✓ RMK#___

4. If batteries are contained, are the containers closed and structurally sound, compatible with the contents of the battery and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(A)(1)] — Yes ___ No ☐ N/A ✓ RMK#___

5. Does the SQUWH conduct any of the following activities:

   a. Sort batteries by type? — Yes___ No___ N/A ✓ RMK#___

   b. Mix battery types in one container? — Yes___ No___ N/A ✓ RMK#___

   c. Discharge batteries to remove the electric charge? — Yes___ No___ N/A ✓ RMK#___

   d. Regenerated used batteries? — Yes___ No___ N/A ✓ RMK#___

   e. Disassemble them into individual batteries or cells? — Yes___ No___ N/A ✓ RMK#___

   f. Remove batteries from consumer products? — Yes___ No___ N/A ✓ RMK#___

   g. Remove the electrolyte from the battery? — Yes___ No___ N/A ✓ RMK#___

   If so, are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)(2)] — Yes ☐ No___ N/A ✓ RMK#___

6. If the electrolyte is removed or other waste generated, has it been determined whether it is a hazardous waste? [3745-273-13(A)(3)] — Yes ___ No ❑ N/A ✓ RMK#___

   a. If the electrolyte or other waste is characteristic, is it managed in compliance with 3745-50 through 3745-69? [3745-273-13(A)(3)(a)] — Yes ___ No ❑ N/A ✓ RMK#___

   b. If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-13(A)(3)(b)] — Yes ___ No ❑ N/A ✓ RMK#___

7. Are the battery(ies) of container(s) of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)?" [3745-273-14(A)] — Yes ___ No ❑ N/A ✓ RMK#___

UNIVERSAL WASTE LAMPS

8. Does the SQGUHW 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)] — Yes ✓ No ❑ N/A ___ RMK#___

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)] — Yes ✓ No ❑ N/A ___ RMK#___

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)] — Yes ✓ No ❑ N/A ___ RMK#___

NOTE: **Treatment (such as crushing) by a UWH is prohibited under this rule unless the facility is permitted for such activities [3745-273-31(B)]**. A generator crushing lamps must manage lamps according to hazardous waste rules (OAC Chapter 3745-52). Lamp crushing is a form of

generator treatment (OAC 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility under a hazardous waste manifest.

ACCUMULATION TIME

11. Is the waste accumulated for less than one year? [3745-273-15(A)] If not: Yes ✓ No ___ N/A ___ RMK#___

    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 ___ RMK#___

NOTE: ***Accumulation is defined as date generated or date received from another handler.***

12. Is the length of time the universal waste is stored documented by **one** of the following: [3745-273-15(C)] Yes ___ ~~No ☐ N/A~~ ___ RMK#___

    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)] Yes ✓ No ___ N/A ___ RMK#___

    b. Marking or labeling individual item(s) of universal waste with the earliest date that it became a waste or was received? [3745-273-15(C)(2)] Yes ___ No ✓ N/A ___ RMK#___

    c. Maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received? [3745-273-15(C)(3)] Yes ___ No ✓ N/A ___ RMK#___

    d. Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers became a universal waste or was received? [3745-273-15(C)(4)] Yes ___ No ✓ N/A ___ RMK#___

    e. Placing the universal waste in a specific accumulation area and identifying the earliest start date or date received? [3745-273-15(C)(5)] Yes ___ No ✓ N/A ___ RMK#___

    f. Any other method, which clearly demonstrates, the length of time the universal waste has been accumulated from the date it became a waste or was received? [3745-273-15(C)(6)] Yes ___ No ✓ N/A ___ RMK#___

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]

Yes ✓ No ☐ N/A ___ RMK#___

RESPONSE TO RELEASES

14. Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]

Yes ✓ No ☐ N/A ___ RMK#___

15. Is the material released characterized? [3745-273-17(B)]

Yes ✓ No ☐ N/A ___ RMK#___

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 the generator of the waste and is subject to Chapter 3745-52) [3745-273-17 (B)]

Yes ✓ No ☐ N/A ___ RMK#___

OFF-SITE SHIPMENTS

NOTE: ***If a SQUWH self-transports waste, then they must comply with the Universal Waste transporter requirements.***

17. Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]

Yes ✓ No ☐ N/A ___ RMK#___

NOTE: ***SQUWHs are prohibited to send waste to any other facility.***

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 ___ RMK#___

19. Prior to shipping universal waste off-site, does the receiver agree to receive the shipment? [3745-273-18(D)]

Yes ✓ No ☐ N/A ___ RMK#___

20. If the universal waste shipped off-site is rejected by another handler or destination facility does the originating handler do <u>one of the following</u>:

a. Receive the waste back? [3745-273-18(E)(1)]

Yes___ No___ N/A ✓ RMK#___

b. Agree to where the shipment will be sent? [3745-273-18(E)(2)]

Yes___ No___ N/A ✓ RMK#___

21. If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss one of the following: Yes ___ No ☐ N/A ✓ RMK#___

a. Sending the waste back to the originating handler? [3745-273-18(F)(1)] Yes___ No___ N/A ✓ RMK#___

b. Sending the shipment to a destination facility? (If both the originating and receiving handler agree) [3745-273-18(F)(2)] Yes___ No___ N/A ✓ RMK#___

22. If the handler received a shipment of hazardous waste that was not universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)] Yes ___ No ☐ N/A ✓ RMK#___

23. If the handler received a shipment of nonhazardous, non-universal waste, was the waste managed in accordance with applicable law? [3745-273-18(H)] Yes ___ No ☐ N/A ✓ RMK#___

EXPORTS

24. Is waste being sent to a foreign destination? If so: Yes___ No___ N/A ✓ RMK#___

a. Does the small quantity handler comply with primary exporter requirements in OAC 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)] Yes ___ No ☐ N/A ✓ RMK#___

b. Is waste exported only upon consent of the receiving country and in conformance with U.S. EPA's "Acknowledgment of Consent" as defined in 3745-52-50 to -52-57? [3745-273-20(B)] Yes ___ No ☐ N/A ✓ RMK#___

c. Is a copy of U.S. EPA's "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)] Yes ___ No ☐ N/A ✓ RMK#___

REMARKS

LDR CHECKLIST

GENERAL LDR 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# ___

NOTE: ***If the waste is D001 non-wastewater treated by CMBST, RORGS, POLYM in Table 1 of Rule 3745-270-42 UHCs do not need to be identified.***

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# ___

NOTE: ***The generator is not required to identify the treatment standard for the characteristic if the listing covers the associated characteristic (e.g., a F019/D007 hazardous waste - F019 being listed due to chromium content and D007 being the characteristic waste code for chromium). [See OAC Rule 3745-270-09(B)]***

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# ___

NOTE: ***Wastes with EPA hazardous waste numbers K174 and K175 (chlorinated aliphatic wastes) have specific requirements in rule 3745-270-33. Waste with EPA hazardous waste numbers K176, K177 and K178 (inorganic chemical wastes) have specific requirements in rule 3745-270-36.***

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# ___

NOTE: ***A generator may dilute a waste (that is hazardous only because it exhibits a characteristic) in a treatment system that discharges to waters of the State pursuant to an NPDES permit (§402 of CWA), that treats waste in a CWA equivalent treatment system, or that treats waste for the purposes of pre-treatment requirements under §307 of CWA, unless a method other than DEACT is specified or the waste is a D003 reactive cyanide wastewater or non-wastewater.*****[3745-270-03(B)]***

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# ___

NOTE: ***In other words, is combustion a legitimate treatment method.***

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:

Y es ___ No ☑ N/A ___ RMK# ___

   a. The facility can dispose of hazardous waste in a on-site landfill or surface impoundment.[3745-270-05]

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:

Y es ___ No ☑ N/A ___ RMK# ___

   a. The facility can land dispose of the waste. [3745-270-06]

Yes ___ No ☐ N/A ___ RMK# ___

12. Does the facility treat wastes that are otherwise prohibited from land disposal, in a surface impoundment? Y es__No✓N/A__RMK# ___
If so:

a. Has the facility complied with 3745-270-04? Yes__No☐N/A✓RMK# ___

REMARKS

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 generators' 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 generators' 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: Y es__No__N/A✓RMK# ___

    a. Is a one-time notice placed in the facility's file stating such generation, subsequent exclusion or exemption, and disposition of the wastes? [3745-270-07(A)(7)] Yes__No☐N/A✓RMK# ___

NOTE: ***Examples include hazardous wastes discharged to a POTW or to a surface water under a NPDES permit.*****(See 270-07(A)(7))**

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# ___

REMARKS

GENERATORS TREATING HAZARDOUS WASTE

1. Is treatment of hazardous waste occurring to meet the treatment standards in 3745-270-40?

   Y es__No✓__N/A__RMK# ___

2. If so, does the generator have a waste analysis plan containing the following requirements? [3745-270-07(A)(5)]

   ~~Yes__No☐N/A__RMK#___~~

   a. A detailed chemical and physical analysis of a representative sample of the wastes being treated? [3745-270-07(A)(5)(a)]

      Yes__No☐N/A✓__RMK# ___

   b. All information necessary to treat the waste(s) in accordance with the requirements of 3745-270, including the selected frequency? [3745-270-07(A)(5)(a)]

      Yes__No☐N/A✓__RMK# ___

3. Is the WAP on-site in the facility's files and available to inspectors? [3745-270-07(A)(5)(b)]

   Yes✓__No☐N/A__RMK# ___

4. Has the generator followed their WAP [3745-270-07(A)(5)?

   Yes✓__No☐N/A__RMK# ___

5. Have the treated wastes met the applicable treatment standards in 3745-270-40?

   Yes__No☐N/A✓__RMK# ___

NOTE: ***If the waste is a characteristic waste, which has been treated to render it non hazardous and subsequently sent to a solid waste landfill, proceed to question 7 & 8.***

6. Has the generator sent a notification and certification with the initial shipment of waste?[3745-270-07(A)(5)(c)]

   Yes✓__No☐N/A__RMK# ___

7. Does each notification/certification form completed, contain the information found in Table 1 of 3745-270-07? [3745-270-07(A)(5)(c)]

   Yes✓__No☐N/A__RMK# ___

8. Has the generator, who is treating a characteristic waste, submitted a notification and certification to the director which contains the following:

   ~~Yes__No☐N/A__RMK#___~~

   a. Name and address of the facility receiving the waste? [3745-270-09(D)(1)(a)]

      Yes__No☐N/A✓__RMK# ___

   b. A description of the waste, including EPA hazardous waste codes and treatability group, and UHCs? [3745-270-09(D)(1)(b)]

      Yes__No☐N/A✓__RMK# ___

NOTE: ***If the waste will be treated and monitored for all UHCs then they do not need to be listed on the notice.***

9. Has the process/operation generating the waste or the solid waste landfill facility changed? If so: Y es__No_✓_N/A__RMK# ___

   a. Has the notification and certification been updated in the generators and treaters files? [3745-270-09(D)] Yes__No☐N/A_✓_RMK# ___

   b. Has the director been notified of such changes? [3745-270-09(D)] Yes__No☐N/A_✓_RMK# ___

NOTE: ***The director need only be notified on an annual basis but no later than December 31.***

10. Is the facility treating contaminated soil using the alternative treatment standards in 3745-270-49? If so: Y es__No__N/A_✓_RMK# ___

    a. Has the facility treated the contaminated soil to less than 10 times the Universal Treatment Standards or has a 90% reduction in the total constituent concentrations occurred? [3745-270-49 (C)] Yes__No☐N/A_✓_RMK# ___

11. Does each notification/certification form completed, contain the information found in Table1? [3745-270-07(A)(3)] Yes__No☐N/A_✓_RMK# ___

NOTE: ***If the waste will be treated and monitored for all constituents, there is no need to put them all on the LDR notice.***

REMARKS

HAZARDOUS DEBRIS

1. Does the material in question meet the definition of hazardous debris as defined in rule 3745-270-02(A)(3)? Y es__No__N/A✓__RMK# ___

2. Is the hazardous debris being treated to the waste specific treatment standard in 3745-270-40 to 3745-270-49? (If yes, use the generator checklist.) Y es__No__N/A✓__RMK# ___

3. Is the hazardous debris being treated by the alternative treatment standards in 3745-270-45? If so: Y es__No__N/A✓__RMK# ___

   a. Has the debris or mixtures of debris been treated for each contaminant subject to treatment (toxicity, listed waste and cyanide reactive debris) using one or more of the treatment technologies found in Table 1 in 3745-270-45? [3745-270-45(A)] Yes__No☐N/A✓__RMK# ___

NOTE: ***If immobilization has been used in a treatment train, it must be the last treatment technology used.***

4. Was the hazardous debris a listed waste treated by an immobilization technology in Table 1? [3745-270-45(A)(1)] If so: Y es__No__N/A✓__RMK# ___

   a. Was immobilization the last treatment technology used? [3745-270-45(A)(3)] Yes__No☐N/A✓__RMK# ___

5. Is the waste a PCB waste under 40 CFR Part 761? If so: Y es__No__N/A✓__RMK# ___

   a. Has the waste been treated to the most stringent standard in 40 CFR 761 or 3745-270-45? [3745-270-45(A)(5)] Yes__No☐N/A✓__RMK# ___

6. Has the residue from the treatment of hazardous debris been disposed of in accordance with 3745-270-40 to 3745-270-49? [3745-270-45(D)] Yes__No☐N/A✓__RMK# ___

7. Does the owner/operator of a treatment facility that claims the debris is excluded from regulation as a hazardous waste under 3745-51-03(F)(1) maintain the following information? Y es__No__N/A✓__RMK# ___

   a. Records of all inspections, evaluations, and analyses of treated debris? [3745-270-07(D)(3)(a)] Yes__No☐N/A✓__RMK# ___

   b. Records of key operating parameters of the treatment unit? [3745-270-07(D)(3)(b)] Yes__No☐N/A✓__RMK# ___

   c. A certification statement for each shipment of treated debris? (See 270-07(D)(3)(c) for exact wording) [3745-270-07(D)(3)(c)] Yes__No☐N/A✓__RMK# ___

8. Does the notifications and certifications of an owner/operator who first claims the debris is excluded under 3745-51-03(F)(1) have the following information? [3745-270-07(D)(3)]

Y es__No__N/A✓RMK# ___

   a. Name and address of licensed solid waste landfill receiving the treated debris? [3745-270-07(D)(1)(a)]

Yes__No☐N/A✓RMK# ___

   b. Description of hazardous debris as initially generated with applicable waste codes? [3745-270-07(D)(1)(b)]

Yes__No☐N/A✓RMK# ___

   c. Technology used from Table 1? [3745-270-07(D)(1)(c)]

Yes__No☐N/A✓RMK# ___

9. Has the above notification been sent to the director? [3745-270-07(D)(1)]

Y es__No__N/A✓RMK# ___

REMARKS

TREATING FACILITIES WHICH TREAT WASTE TO MEET LDR STANDARDS

1. Does the treating facility test waste according to their waste analysis plan as required in 3745-54-13 or 3745-65-13?[3745-270-07(B)] Yes__No☐N/A✓RMK# ___

2. Has a one-time notification been sent with the initial shipment of waste or contaminated soil to the land disposal facility? [3745-270-07(B)(3)] Yes__No☐N/A✓RMK# ___

Note: ***No further notification is necessary until such time that the waste changes or the receiving facility changes.***

3. Does the one-time notification and certification contain the information listed in Table 2 of 3745-270-07?[3745-270-07(B)(3)] Yes__No☐N/A✓RMK# ___

4. Are wastes or treatment residues being sent to another TSD to be further managed? **If so:**

   a. Has the facility complied with the generator notification/certification requirements? [Table 1, 3745-270-07(B)(5)]

5. Are recyclable materials used in a manner constituting disposal and subsequently subject to 3745-266-20? If so:

   a. Has the treatment facility (recycler) sent a notification (found at 3745-270-07(B)(4)], excluding the manifest number, with each shipment of waste? [3745-270-07(B)(6)] Yes__No☐N/A✓RMK# ___

   b. Has the treatment facility (recycler) sent a certification found in 3745-270-07(B)(4)[3745-270-07(B)(6)] Yes__No☐N/A✓RMK# ___

   c. Has a copy of the notification and certification been sent to the director? [3745-270-07(B))(6)] Yes__No☐N/A✓RMK# ___

6. Does the recycling facility maintain records of the name and location of each entity receiving the hazardous waste-derived products? [3745-270-07(B)(6)] Yes__No☐N/A✓RMK# ___

7. Does the owner or operator of any land disposal facility disposing of waste subject to regulation under 3745-270 have:

   a. Copies of all notices and certifications required in 3745-270? Yes__No☐N/A✓RMK# ___

   b. Test results indicating all waste, extracts of waste or treatment residue are in compliance with 3745-270-40 to 3745-270-49? Yes__No☐N/A✓RMK# ___

c. The testing frequency specified in the facility's WAP and have they followed the protocol?

Yes___No☐N/A✓RMK# ___

REMARKS