



State of Ohio Environmental Protection Agency

003 SR
File

Southwest District

401 East Fifth Street
Dayton, Ohio 45402-2911

TELE: (937)285-6357 FAX: (937)285-6249
www.epa.state.oh.us

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

May 7, 2007

Mr. Robert E. Linkman
Senior Logistics Manager
Distribution Technologies, Inc.
5560 Brentlinger Drive
Dayton, OH 45414

**Re: Distribution Technologies Inc.; Hazardous Waste; Montgomery County;
OHD077758936, SQG**

Dear Mr. Linkman:

On April 26, 2007 Ohio EPA conducted a compliance evaluation of Distribution Technologies, Inc. (DistTech) to determine your compliance with Ohio's hazardous waste laws and regulations as found under the Ohio Revised Code (ORC) and the Ohio Administrative Code (OAC). You represented DistTech and Paul Pardi and I represented Ohio EPA. Ohio EPA's inspection included an inspection of facility operations and a review of written documentation and records. This letter will explain the violations we found, what you need to do to correct the violations, other general concerns we have and what you need to do to respond to our general concerns.

Notice of Violation

We found DistTech in violation of the following Ohio hazardous waste laws:

- (1) ***OAC 3745-52-11, Hazardous waste determination:*** Any person who generates a waste must evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51.

DistTech generates used oil and spent solvent from maintenance operations. The solvent used in the parts washer is a mineral spirit with a flash point of 105°F when virgin. The used oil is accumulated in a tote located behind the building. The spent solvent from the parts washer is mixed with the used oil in this tote. The resultant mixture is sent off-site as used oil. DistTech has failed to determine if the spent solvent/used oil mixture is a hazardous waste.

- To abate the above violation, DistTech must immediately evaluate the used oil/solvent mixture to determine if it is a listed or characteristic hazardous

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waste as required by OAC 3745-52-11, and OAC 3745-279-10(B). Once DistTech has made this determination, you must send me the related documentation. If you determine that the waste mixture is a hazardous waste you must manage it in accordance with Ohio's hazardous waste laws. If you determine that the waste mixture is not a hazardous waste, you may manage it as used oil.

- (2) **OAC 3745-52-42(B), Exception report:** A small quantity generator of hazardous waste who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within sixty days of the date the waste was accepted by the initial transporter must submit a legible copy of the manifest, with some indication that the generator has not received confirmation of delivery, to the Ohio EPA.

On October 12, 2006 DistTech shipped ten drums of hazardous waste to Spring Grove Resource Recovery on manifest #000621465FLE. During the inspection, DistTech did not have a copy of the manifest with the handwritten signature of the designated facility. Additionally DistTech failed to notify Ohio EPA that it had not received delivery confirmation.

→ DistTech should contact Spring Grove Resource Recovery in an effort to determine the status of this shipment. To abate this violation, DistTech then must notify Ohio EPA as required by the rule.

- (3) **OAC 3745-52-34(D)(5)(b), Accumulation time of hazardous waste:** A small quantity generator of hazardous waste must post the following information next to the telephone: the name and telephone number of the emergency coordinator; the location of fire extinguishers, spill control material and fire alarms; and the telephone number of the fire department.

DistTech failed to post all the required information next to the telephone. The location of fire extinguishers, spill control material and fire alarms was absent from the information posted near the telephone located adjacent to the wash bays.

→ To abate this violation DistTech must post the required information next to the telephone located in the room adjacent to the wash bays. Please submit documentation indicating that this violation has been abated.

- (4) **OAC 3745-65-33, Testing and maintenance of equipment:** All facility communications or alarm systems, fire protection equipment, spill control

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equipment, and decontamination equipment must be tested and maintained as necessary to assure its proper operation in time of emergency. The owner or operator must record the inspections in a log or summary.

During the inspection, we noted that the fire extinguishers and fire suppression systems are routinely inspected. However, there were no inspection records for the spill control and other emergency equipment. Additionally you stated that DistTech has not formally inspected the spill control kits.

→ DistTech must develop and maintain a schedule which outlines the frequency of the required testing and maintenance of all emergency equipment. Additionally, DistTech must immediately begin testing and maintaining all emergency equipment, and maintain a record of these tests (inspections). Please submit the schedule referenced above along with current inspection records indicating all emergency equipment has been tested and maintained.

- (5) **OAC 3745-52-34(D)(4), Accumulation time of hazardous waste:** A small quantity generator of hazardous waste must comply with the requirements of OAC 3745-52-34(A)(2). This requirement requires each container of hazardous waste be marked with its accumulation start date.

Within the DistTech hazardous waste storage area, four 55-gallon containers of hazardous waste were being accumulated. Three of the four containers were not marked with their accumulation start date.

→ To abate this violation DistTech must immediately mark each container of hazardous waste with its accumulation start date. Please submit documentation which demonstrates that this violation has been abated.

- (6) **OAC 3745-52-34(D)(4), Accumulation time of hazardous waste:** A small quantity generator of hazardous waste must comply with the requirements of OAC 3745-52-34(A)(3). This requirement requires each container of hazardous waste be labeled or marked with the words "Hazardous Waste".

Within the DistTech hazardous waste storage area, four 55-gallon containers of hazardous waste were being accumulated. One of the four containers was not labeled or marked with the words "Hazardous Waste".

→ To abate this violation DistTech must immediately label or mark each container of hazardous waste with the words "Hazardous Waste". Please submit documentation which demonstrates that this violation has been abated.

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- (7) **OAC 3745-66-73(A), Management of containers:** A container of hazardous waste shall always be closed during storage, except when it is necessary to add or remove waste.

Within the DistTech hazardous waste storage area, four 55-gallon containers of hazardous waste were being accumulated. Three of the four containers of hazardous waste were open. Either the lid or funnel was not secured to the drum or the top was not placed on and secured to the drum.

→ DistTech must immediately close all containers of hazardous waste. Please submit documentation that this violation has been abated. To assist you in determining if a container is considered open, I have enclosed a guidance document on the subject.

- (8) **OAC 3745-66-74, Inspections:** The owner or operator must inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors. The owner or operator must record inspections in an inspection log or summary.

You reported that DistTech has not been conducting weekly inspections of the hazardous waste container storage area.

→ DistTech must immediately begin conducting weekly inspections, looking for leaks and for deterioration caused by corrosion or other factors, of the container storage area, and maintain a record of these inspections. During the inspection I left with you an example weekly inspection log. Please feel free to use this log and modify it as necessary for your situation. To demonstrate abatement of this violation, please submit at least two weeks worth of container inspection records. I would like to remind you that Ohio EPA defines weekly, as it relates to container inspections, as occurring at least once every seven days.

Please submit documentation demonstrating that all violations cited above have been abated, e.g. cover letter, copies of relevant letters and procedures, photographs, manifests, notices, inspection logs, etc., to me at the Southwest District Office within 30 days of your receipt of this letter.

General Concerns

The following hazardous waste management issues were also discussed during the inspection:

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- A. You indicated that DistTech generates used fluorescent lamps. As we discussed during the inspection, due to somewhat recent changes in the universal waste rules, fluorescent lamps may now be managed as a universal waste. To assist you with these rules, I have enclosed an Ohio EPA guidance document on the management of fluorescent lamps. Please review this document on lamp management at your convenience.

The Division of Hazardous Waste Management has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign-up for this free service. You can find more information on the web at www.epa.state.oh.us/dhwm/listserv. You can also find copies of the rules, compliance checklists, and other information on the division's web page at www.epa.state.oh.us/dhwm.

Again, please submit the documentation requested above, demonstrating that all violations cited in this letter have been abated, to me at the Southwest District Office within 30 days of your receipt of this letter. Enclosed you will find copies of the checklists completed during the inspection. If you should have any questions, please feel free to call me at (937) 285-6081.

Sincerely,



Steven Roth, P.E.
Environmental Specialist
Division of Hazardous Waste Management

cc: Dinah Crawford, SWDO-DHWM/SWDO File, w/encl.

Enclosure

SR/plh

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.



E-mail this completed form to tammy.mcconnell@epa.state.oh.us or mail it to Tammy McConnell, Central Office	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM		For Ohio EPA use only																		
2. Site EPA ID No.	EPA ID Number: OHD 077 758 936																				
3. Site Name	Name: Distribution Technologies Inc.	Website (optional):	www.disttech.com																		
4. Site Location Information	Street Address: 5560 Brentlinger Road																				
	City, Town, or Village: Dayton	State: OH																			
	County Name: Montgomery	Zip Code: 45414																			
5. Site Land Type (check only one)	<table border="1" style="width: 100%; text-align: center;"> <tr> <td>Private</td> <td>County</td> <td>District</td> <td>Federal</td> <td>Indian</td> <td>Municipal</td> <td>State</td> <td>Other</td> </tr> <tr> <td><input type="checkbox"/></td> </tr> </table>			Private	County	District	Federal	Indian	Municipal	State	Other	<input type="checkbox"/>									
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>														
6. NAICS code(s) www.census.gov/epcd/www/naics.html	A.		B.																		
	C.		D.																		
	7. Facility Representative:		First Name: Robert	MI: E	Last Name: Linkman																
	Phone Number: 937-236-8270		Phone Number Extension:																		
E-Mail Address: rlinkman@disttech.com		Fax Number Extension:																			
Fax Number: 937-236-0822		Fax Number Extension:																			
Street or P.O. Box:																					
City, Town or Village:																					
State:		Country:		Zip Code:																	
8. Legal Owner and Operator of the Site List Additional Owners and/or Operators in the Comment Section or on another copy of this form page.	A. Name of Site's Legal Owner:		Date Became Owner (mm/dd/yyyy):																		
	Owner Type: Mark with an X		<table border="1" style="width: 100%; text-align: center;"> <tr> <td>Private</td> <td>County</td> <td>District</td> <td>Federal</td> <td>Indian</td> <td>Municipal</td> <td>State</td> <td>Other</td> </tr> <tr> <td><input type="checkbox"/></td> </tr> </table>			Private	County	District	Federal	Indian	Municipal	State	Other	<input type="checkbox"/>							
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	Street or P.O. Box:																				
	City, Town, or Village:		Owner Phone #:																		
	State:		Country:		Zip Code:																
	B. Name of Site's Operator:		Date Became Operator (mm/dd/yyyy):																		
	Operator Type: Mark with an X		<table border="1" style="width: 100%; text-align: center;"> <tr> <td>Private</td> <td>County</td> <td>District</td> <td>Federal</td> <td>Indian</td> <td>Municipal</td> <td>State</td> <td>Other</td> </tr> <tr> <td><input type="checkbox"/></td> </tr> </table>			Private	County	District	Federal	Indian	Municipal	State	Other	<input type="checkbox"/>							
	Private	County	District	Federal	Indian	Municipal	State	Other													
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	Street or P.O. Box:																				
City, Town, or Village:		Operator Phone #:																			
State:		Country:		Zip Code:																	
9. Violations Cited?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No																		
10. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes.)																					
<input type="checkbox"/> Not Regulated																					

10. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes.)

A. Hazardous Waste Activities

(choose only one of the following categories)

- UNKNOWN: Cited for violation of 3745-52-11
- a. Large Quantity Generator (LQG):
- b. Small Quantity Generator (SQG)
- c. Conditionally Exempt Small Quantity Generator
- d. United States Importer of Hazardous Waste
- e. Mixed Waste (hazardous and radioactive) Generator

- 3. Treater, Storer or Disposer of Hazardous Waste
- 4. Recycler of Hazardous Waste
- 5. Exempt Boiler and/or Industrial Furnace
 - a. Small Quantity On-site Burner Exemption
 - b. Smelting, Melting, Refining Furnace Exemption
- 6. Underground Injection Control Facility
- 7. Hazardous Waste Transporter

B. Universal Waste Activities

C. Used Oil Activities

- 1. Small Quantity Handler of Universal Waste
(Indicate types of universal waste generated and/or accumulated (check all boxes that apply):
- 2. Large Quantity Handler of Universal Waste
(accumulates 5,000 kg or more).
- 3. Destination Facility for Universal Waste
(Check all boxes below that apply for each of the three types of facilities above.)

- 1. Used Oil Generator
- 2. Used Oil Transporter Indicate Type(s) of Activity(ies)
 - Transporter
 - Transfer Facility
- 3. Used Oil Processor and/or Re-refiner
Indicate Type(s) of Activity(ies)
 - Processor
 - Re-refiner

	Generated	Accumulated
A. Batteries	<input type="checkbox"/>	<input type="checkbox"/>
B. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>
C. Thermostats	<input type="checkbox"/>	<input type="checkbox"/>
D. Lamps	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

- 4. Off-Specification Used Oil Burner
- 5. Used Oil Fuel Marketer -
Indicate Type(s) of Activity(ies)
 - a. Marketer Who Directs Shipment of Off-Specification Oil
 - b. Used Oil to Off-Specification Used Oil Burner

11. Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

12. Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.

N	Announced?	Additional Facility Representatives:
N	Tanks?	Other comments:
Y	Containers?	

13. Name of Inspector(s) Name of Inspector(s) Date of Inspection/ Time (mm-dd-yyyy) (HH:MM)

Steven Roth Paul Pardi 04/26/2007 9:30 AM - 12:15 PM

14. OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of owner, operator, or an authorized representative	Name and Title (Print)	Date (mm-dd-yyyy)

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Distribution Technologies, Inc. **Facility Type:** SQG **Date of Inspection:** 4/26/2007 **EPA ID#:** OHD 077 758 936

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, general maintenance, etc)	Waste Description (e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment (recycle, wwt, etc)	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1 Interior Tank Cleaning	Waste Polyester Resin - Flammable Liquids (D001)	Approx 55 gal/month	None	Spring Grove Resource Recovery Cincinnati, OH	None	None identified
2 Parts Cleaning	Spent Solvent (Mineral Spirits) (D001)	Approx 5 gal/month	Mixed with used oil	Universal Environmental Services LLC, KY & Howett Oil, OH	Off-site recycling	None identified
3 Vehicle Maintenance	Used Oil	Approx 250 gal/month	Mixed with spent solvent	Universal Environmental Services LLC, KY & Howett Oil, OH	Off-site recycling	None identified
4 Interior Tanker Cleaning	Corrosive Wastewater (Non-Haz)	Approx 70,000 gal/month	Elementary Neutralization	United Waste Water, OH	None	None identified
5 Building Maintenance	Used Lamps	Varies	None	TBD	None	None identified

REMARKS-GENERAL INFORMATION

General Process Information: Distribution Technologies operates a facility on Brentlinger Road in Dayton, Ohio. Operations at the facility include tanker trailer washing and truck and trailer maintenance.

Hazardous waste is generated during the tanker trailer washing operations, mostly from heels. Spent solvent and used oil are generated in the vehicle maintenance operations. Hazardous waste is accumulated in a less than 180 day storage area located within the wash bay. Used oil is accumulated in a tote behind the Maintenance Shop.

Regulatory/Enforcement History: This was the first RCRA inspection of this facility.

Additional P2 remarks and information: None.

Other: None.

**SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: ≤ 100 Kg. (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 | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| 2. Has the generator obtained a U.S. EPA I.D. number? [3745-52-12] | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| 3. 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 | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| 4. Has the generator disposed of hazardous waste on-site without a permit or at another facility other than a facility authorized to dispose of hazardous waste? [ORC 3734.02 (E) & (F)] | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| 5. Does the generator accumulate hazardous waste? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |

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

- | | | | | | | |
|---|-----|--------------------------|----|-------------------------------------|-----|--------------------------|
| 6. Has the generator accumulated hazardous wastes in excess of (180/270) days without a permit or an extension from the Director? [3745-52-34; ORC §3734-02(E)&(F)] | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
|---|-----|--------------------------|----|-------------------------------------|-----|--------------------------|

NOTE: SQG's shipping waste to a facility greater than 200 miles away can accumulate on-site for 270 days. [3745-52-34 (E)]

- | | | | | | | |
|--|-----|--------------------------|----|-------------------------------------|-----|--------------------------|
| 7. Is the generator accumulating more than 6,000 kg on site? [3745-52-34(D)] | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
|--|-----|--------------------------|----|-------------------------------------|-----|--------------------------|

NOTE: 6,000 kg = approximately 27, 55-gallon drums. If the facility is accumulating waste for greater than 180/270 days without an extension/permit or is accumulating greater than 6,000 kg on-site, it is classified as a storage facility and TSD standards apply. Complete applicable TSD checklists.

- | | | | | | | |
|---|-----|--------------------------|----|--------------------------|-----|-------------------------------------|
| 8. Does the generator treat hazardous waste in a: | | | | | | |
| a. Container that meets 3745-66-70 to 3745-66-77? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C)? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| c. Drip pads that meet 3745-69-40 to 3745-69-45? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| d. Containment building that meets 3745-256-100 to 3745-256-102? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |

NOTE: Complete appropriate checklist for each unit.

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

MANIFEST REQUIREMENTS

- | | | | | | | |
|---|-----|-------------------------------------|----|-------------------------------------|-----|-------------------------------------|
| 9. Are all hazardous wastes either reclaimed under a contractual agreement as defined in OAC rule 3745-52-20(E), or shipped off-site accompanied by a manifest (U.S. EPA Form 8700-22)? [3745-52-20(A)] | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| 10. Are wastes reclaimed under a contractual agreement? If so: [3745-52-20(E)] | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| a. Does the contractual agreement specify the type of waste and frequency of shipment? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |

- b. Is the transport vehicle owned and operated by the reclaimer? Yes No N/A
- c. Is a copy of the reclamation agreement kept on-site for at least three years after termination/expiration of the agreement? Yes No N/A

NOTE: If wastes are reclaimed under a contractual agreement and an answer to questions 10(a) through 10(c) is no, the generator is in violation of 3745-52-20 (A) (B) & (D), 3745-52-22 and 3745-52-23. Even if the waste is being reclaimed under agreement, LDRs still apply. Complete LDR checklist.

11. 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 complete. [3745-52-20 (A)]

12. 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 alternative 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)]

13. If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternative TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)] Yes No N/A

14. Have the manifests been signed by the generator and initial transporter? [3745-52-23 (A) (1) and (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 made a good faith effort to minimize their waste generation.

15. If the generator did not receive a return copy of each completed manifest within 60 days of being accepted by the transporter did the generator submit to Ohio EPA, a copy of the manifest with some indication that the generator has not received confirmation of delivery? 3745-52-42(B)] Yes No N/A

16. Are signed copies of all manifests 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.

PREPAREDNESS AND PREVENTION

17. Is an emergency coordinator available at all times (on-site or on-call)? [3745-52-34(D)(5)(a)] Yes No N/A

18. Has the following been posted by the telephone: [3745-52-34(D)(5)(b)]
- a. Name and telephone number of emergency coordinator? Yes No N/A
- b. Location of fire and spill control equipment, and, if present, fire alarm(s) Yes No N/A
- c. Telephone number of local fire department? Yes No N/A

19. Are employees familiar with waste handling and emergency procedures [3745-52-34(D)(5)(c)] Yes No N/A

20. Has the facility properly responded to all fires and spills? [3745-52-34(D)(5)(d)] Yes No N/A

21. Is the facility operated to minimize the possibility of fire, explosion, or any unplanned sudden or nonsudden release of hazardous waste? [3745-65-31] Yes No N/A

22. Does the generator have the following equipment at the facility if it is required due to actual hazards associated with the waste:
- a. Internal 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
23. Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency?[3745-65-33] Yes No N/A
- a. Are inspections recorded in a log or summary? [3745-65-33]? Yes No N/A
24. Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under OAC 3745-65-32)? [3745-65-34(A)] Yes No N/A
25. 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
26. Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] Yes No N/A
27. Has the generator attempted to familiarize emergency authorities with possible hazards and facility layout? [3745-65-37(A)] Yes No N/A
28. 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

29. 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 the words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)] Yes No N/A
30. Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so:
- 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 the 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 than 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

- 31. Has the generator marked containers with the words "Hazardous Waste"[3745-52-34(D)(4)] Yes No N/A
- 32. Is the accumulation date on each container? [3745-52-34(D)(4)] Yes No N/A
- 33. 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

NOTE: Record location on process summary sheets and photograph the area.

- 34. Is the container accumulation area(s) inspected at least weekly? [3745-66-74] Per ORC§1.44(A) "Week" means seven(7) consecutive days. Yes No N/A
 - a. Are inspections recorded in a log or summary? [3745-66-74] Yes No N/A
- 35. 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
- 36. 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
- 37. 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.

PRE-TRANSPORT REQUIREMENTS

- 38. Does each 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
- 39. Does each container ≤ 100 gallons have a completed hazardous waste label? [3745-52-32(B)] Yes No N/A
- 40. 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 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: Yes 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: Yes 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?
If so:

Yes ___ No N/A ___ RMK# ___

a. Has the facility complied with 3745-270-04?

Yes ___ No N/A RMK# ___

REMARKS

None.

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:
Yes 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

None.

USED OIL INSPECTION CHECKLIST (Short version)

NOTE: *This checklist does not include requirements for used oil transporters and transfer facilities, processors and re-refiners, burners, and marketers.*

PROHIBITIONS

1. Is used oil being managed in a surface impoundment or waste pile? If so: Yes ___ No N/A ___ RMK# ___
Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-12(A)] Yes ___ No N/A RMK# ___
2. Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes No N/A ___ RMK# ___
3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)? Yes ___ No N/A RMK# ___

USED OIL GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [2745-279-21(A)] Yes ___ No N/A ___ RMK# 4
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 RMK# ___
6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-22(A)] Yes No N/A ___ RMK# ___
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 ___ RMK# ___
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 ___ RMK# ___
9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
- a. Stopped the release? Yes ___ No N/A RMK# ___
- b. Contained the release? Yes ___ No N/A RMK# ___

- c. Cleaned up and properly managed the used oil and other materials? Yes ___ No N/A RMK# ___
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes ___ No N/A RMK# ___
10. Does the generator burn used oil in used fired space heaters? [3745-279-23] If so: Yes ___ No N/A ___ RMK# ___
- a. Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators? Yes ___ No N/A RMK# ___
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes ___ No N/A RMK# ___
- c. Are the combustion gases from heater vented to the ambient air? Yes ___ No N/A RMK# ___
11. Does the generator have the used oil hauled only by transporters that have obtained U.S. EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24] Yes No N/A ___ RMK# ___

USED OIL COLLECTION CENTERS AND AGGREGATION POINTS

12. Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30] Yes ___ No N/A RMK# ___
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes ___ No N/A RMK# ___
14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32] Yes ___ No N/A RMK# ___

WASTE EVALUATION

15. Have all wastes generated at the facility been evaluated? [3745-52-11] Yes ___ No N/A ___ RMK# 4

REMARKS

RMK# 4) DistTech generates used oil and spent solvent from maintenance operations. The solvent used in the parts washer is a mineral spirit with a flash point of 105°F when virgin. The used oil is accumulated in a tote located behind the building. The spent solvent from the parts washer is mixed with the used oil in this tote. The resultant mixture is sent off-site as used oil. DistTech has failed to determine if the spent solvent/used oil mixture is a hazardous waste.