



Environmental  
Protection Agency

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

Eval. 061

Enf. 037

February 18, 2011

RE: **DuPont Electronic Polymers**  
**OHD 004855292**  
**Permit number 05-57-0433**

*TSD file*

Mr. Aaron Smith  
1515 Nicholas Road  
Dayton, OH 45418

Dear Mr. Smith:

On January 25, 2011 I conducted an unannounced inspection of the DuPont Electronic Polymers (DEP) facility. The purpose of my inspection was to determine your 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) and to determine your compliance with DuPont's Ohio Hazardous Waste Installation and Operation permit number 05-57-0433 as renewed on April 21, 2004.

The inspection consisted of an introductory meeting during which we discussed DEP's production processes and waste streams. We also discussed pollution prevention opportunities. We then inspected the plant including Building 25, tank T-66, tank T 10000-01, the permitted greater than 90 day storage area, the former Albemarle building, and the storage area for universal waste located on the second floor of the main office building. After the physical inspection, we returned to your office to review manifests and the contingency plan. The employee who manages your electronic records which document employee training was not at work, so we reviewed and discussed your training records by phone at a later time. Compliance with the Ohio Hazardous Waste rules and the conditions of DuPont's permit addressing groundwater and financial requirements were not assessed during this inspection.

Based on this inspection, Ohio EPA has determined that DuPont has violated the following state hazardous waste regulation and condition of its Ohio Hazardous Waste Installation and Operation permit. All violations of DuPont's permit are also violations of ORC 3734.11(B) which states that "no person who holds a permit or license issued under this chapter shall violate any terms and conditions of the permit". Also be aware that a violation of any permit condition is also a violation of permit conditions A.1 (Effect of Permit) and condition A.5 (Duty to Comply).

- 1) OAC 3745-54-54 requires that the generator must review and amend the contingency plan in response to rule changes, facility equipment and personnel changes or failure of the plan. Module B.17 of your permit also requires you to amend the contingency plan when the list of emergency coordinators changes.

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The backup emergency coordinator was transferred to a different facility in 2010. The contingency plan was not subsequently revised with the name of the new backup coordinator.

To return to compliance, prepare a change page with the name and contact information of your new backup. Make a list of the locations of all copies of the contingency plan including copies both inside your facility and copies in the possession of emergency responders. Deliver the change pages to the emergency responders and change out the pages of all internal copies of the contingency plan. Please e-mail me a .pdf file of the change pages and the list of locations where the contingency plan is maintained within 30 days of your receipt of this letter.

Enclosed you will find a copies of the inspection checklists and a process description summary form.

Please feel free to call me at (937) 285-6090 if you have any questions or if I can assist you in any way.

Sincerely,



Tom Ontko  
Hazardous Waste Inspector  
Southwest District Office

TO/rb

enclosures: DuPont TSD checklist  
Process description summary  
Universal waste checklist  
LQG checklist  
Tank checklist

cc: DHWM Data Entry/Facility File

**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.

**LQG TANK SYSTEM REQUIREMENTS (OAC rule 3745-52-34(A) and OAC rules 3745-66-90 through 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	<input type="checkbox"/>
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**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	<input type="checkbox"/>
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	<input type="checkbox"/>
c.	If a leak or spill has occurred in the tank system, has the o/o complied with OAC 3745-66-94(C)	N/A	<input type="checkbox"/>

**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	<input type="checkbox"/>
b.	Above ground portion of tank each operating day? [3745-66-95(A)(2)]	Yes	<input type="checkbox"/>
c.	Data from leak detection equipment each operating day? [3745-66-95(A)(3)]	Yes	<input type="checkbox"/>
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	<input type="checkbox"/>

*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)]	N/A	<input type="checkbox"/>
5.	Where applicable, all sources of impressed current at least bi-monthly? [3745-66-95(B)(2)]	N/A	<input type="checkbox"/>

**TANK SYSTEM CLOSURE REQUIREMENTS**

6.	If the generator has closed a <90 day tank, was closure completed in accordance with OAC 3745-66-97 (except for paragraph C)?	Yes	<input type="checkbox"/>
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**TANK SYSTEMS STORING IGNITABLE OR REACTIVE WASTES**

7.	For tanks used to treat or store ignitable or reactive wastes, has the o/o complied with one of the following: [3745-66-98(A)]		Yes	<input type="checkbox"/>
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	No	<input type="checkbox"/>	
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	<input type="checkbox"/>	
c.	The tank is used solely for emergencies? [3745-66-98(A)]	No	<input type="checkbox"/>	
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	<input type="checkbox"/>
9.	Has the o/o placed incompatible wastes or materials into the same tank		No	<input type="checkbox"/>

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	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)]		
a.	If so, have the requirements of 3745-65-17(B) been met? [3745-66-99(A) and/or (B)]	N/A	<input type="checkbox"/>
<b>TANK SYSTEM – WASTE ANALYSIS REQUIREMENTS</b>			
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]	N/A	<input type="checkbox"/>
a.	Conducted waste analysis and trial treatment or storage tests? [3745-66-100(A)]; OR	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)]	N/A	
<b>TANK SYSTEMS REQUIREMENTS</b>			
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	<input type="checkbox"/>
<b>As part of the 2010 inspection I reviewed "Tank BST-1000-1 mechanical integrity certification report" prepared by Process Plus of Cincinnati dated February 12, 2009. The report left one outstanding item (installation of a 3-inch vacuum relief valve). DuPont provided by e-mail an 'equipment master report' that documents the installation and maintenance interval for this valve. The written assessment was deemed adequate during that inspection and the tank certs were not revisited this time.</b>			
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	<input type="checkbox"/>
b.	Consideration of the design standards of the system? [3745-66-92(A)]	Yes	<input type="checkbox"/>
c.	Consideration of the hazardous characteristics of the waste(s)? [3745-66-92(A)]	Yes	<input type="checkbox"/>
d.	An evaluation by a corrosion expert (only if the external system/components are metal and in contact with soil or water)? [3745-66-92(A)]	Yes	<input type="checkbox"/>
e.	A determination of design and operational measures that will be needed to protect the tank system from potential damage (only for underground tank components)? [3745-66-92(A)]	Yes	<input type="checkbox"/>
f.	Design considerations to ensure that the tank foundations will maintain the load of a full tank? [3745-66-92(A)]	Yes	<input type="checkbox"/>
g.	Design considerations for anchoring the unit to prevent floatation (only for tanks situated in a seismic fault zone or saturated zone)? [3745-66-92(A)]	N/A	<input type="checkbox"/>
h.	Design considerations to ensure that the tank system will withstand the effects of frost heave(only for underground tank systems)? [3745-66-92(A)]	N/A	<input type="checkbox"/>
<b>NOTE: CO-DHWM Engineering staff are available to assist you with evaluation of the written assessment.</b>			
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	<input type="checkbox"/>
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	<input type="checkbox"/>
b.	Statement that deficiencies were corrected before the tank system was covered or put into use? [3745-66-92(B)]	N/A	<input type="checkbox"/>

	c.	Proper backfilling? [3745-66-92(C)]	Yes
	d.	Tightness test; if the tank system was found not to be tight, does the statement indicate that proper repairs were made? [3745-66-92(D)]	N/A
	e.	Proper support and protection of ancillary equipment? [3745-66-92(E)]	Yes
	f.	Supervision of the installation of field fabricated corrosion protection? [3745-66-92(F)]	N/A
<b>SECONDARY CONTAINMENT</b>			
14.	Has secondary containment been provided?		Yes
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:		
	a.	An <b>External Liner</b> ? [3745-66-93(E)(1)] If so,	
	i.	Is liner designed or operated to contain 100% of the capacity of the largest tank?	Yes
	ii.	Is liner designed and operated to prevent run-on and infiltration or the collection system has <u>excess</u> capacity to contain run-on and infiltration from a 25-year, 24-hour storm?	Yes
	iii.	Is liner free of cracks and gaps?	Yes
	iv.	Does liner completely surround the tank and cover all earth likely to be contacted by waste during a release?	Yes
	v.	Are chemically resistant water stops in place at all points? (concrete liners only)	Yes
	vi.	Is there a compatible interior coating or lining to prevent migration of waste into the concrete? (concrete liners only)	Yes
	b.	<b>Vault System</b> ? [3745-66-93(E)(2)] If so,	No
	i.	Is vault system designed to contain 100% of the capacity in the largest tank?	N/A
	ii.	Is liner designed and operated to prevent run-on and infiltration or the collection system has <u>excess</u> capacity to contain run-on and infiltration from a 25-year, 24-hour storm?	N/A
	iii.	Are chemically resistant water stops in place at all points?	N/A
	iv.	Is there a compatible interior coating to prevent migration into the concrete?	N/A
	v.	For <b>ignitable or reactive waste</b> : Is the vault system provided with means to prevent (or alternatively "protect against") the formation or ignition of vapors?	N/A
	vi.	Is vault system provided with an exterior moisture barrier?	N/A
	c.	<b>Double-Walled Tank</b> ? [3745-66-93(E)(3)] If so,	
	i.	Is double-walled tank designed as an integral structure to contain any release from the inner tank?	N/A
	ii.	If <b>metal</b> , are the primary tank interior and outer shell exterior surfaces protected from corrosion?	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?	N/A
	d.	<b>An Equivalent Device</b> ? As described in 3745-66-93(D)(4) which has been approved by the director? [3745-66-93(D&E)]	N/A
<b>SECONDARY CONTAINMENT DESIGN/OPERATION/INSTALLATION</b>			
16.	Has each secondary containment system been designed, installed and		Yes

	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)]	
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 <input type="checkbox"/>
b.	Placed on a foundation or base capable of providing support? [3745-66-93(C)(2)]	Yes <input type="checkbox"/>
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 <input type="checkbox"/>
d.	Sloped or designed to drain and remove liquid resulting from leaks, spills or precipitation? [3745-66-93(C)(4)]	Yes <input type="checkbox"/>
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 <input type="checkbox"/>
<b>ANCILLARY EQUIPMENT REQUIREMENTS</b>		
18.	Is ancillary equipment provided with secondary containment (such as double-walled piping, jacketing or a trench)?	No
	<b>If not</b> , 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
b.	Welded flanges, welded joints and/or welded connections that is inspected daily?	Yes
c.	Sealless or magnetic coupling pumps and/or sealless valves?	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?	N/A
<b>TANK SYSTEMS FOUND TO BE LEAKING OR UNFIT FOR USE</b>		
19.	Has there been a leak or spill from any tank system or has any tank system been found unfit for use? <b>If so</b> , did the o/o:	No
a.	Immediately cease flow of material into tank and investigate the cause of the release? [3745-66-96(A)]	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)]	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)]	N/A
d.	For a visible release to the environment, immediately conduct a visual inspection of the release? [3745-66-96(C)]	N/A
e.	For a visible release to the environment, prevent further migration of the leak or spill to soils or surface waters? [3745-66-96(C)]	N/A
f.	For a visible release to the environment, properly dispose of any visibly contaminated soil or surface water? [3745-66-96(C)]	N/A
g.	Report any release to the environment to the director within 24 hours unless it was less than one pound and was cleaned up immediately? [3745-66-96(D)(1)]	N/A
h.	For a release to the environment, submit a written report of the incident to the director within 30 days of the release? [3745-66-96(D)(3)]	N/A
i.	Remediate the spill and repair the unit prior to returning it to service? [3745-66-96(E)(2)]	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)]	N/A
20.		In the event that the repairs to the tank system were major (e.g., 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 handling hazardous waste? [3745-66-96(F)]	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)]	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)]	N/A
23.		Does the o/o have a tank system <b>with a variance from secondary containment</b> from which a release has occurred but <u>has not</u> migrated beyond the zone of engineering control? <b>If so,</b>	No
	a.	Has the o/o complied with 3745-66-96(A) through (F) and decontaminated soils? [3745-66-93(G)(3)]	N/A
	b.	If soils cannot be decontaminated/removed, has the o/o complied with 3745-66-97(B)? [3745-66-93(G)(3)]	N/A
24.		Does the o/o have a tank system <b>with a variance from secondary containment</b> from which a release occurred and <u>has</u> migrated from the zone of engineering control? <b>If so,</b>	No
	a.	Has the o/o complied with 3745-66-96(A) through (D), prevented migration, and decontaminated soil? [3745-66-93(G)(4)]	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)]	N/A

**DuPont Electronic Polymers manages hazardous waste under the generator standards in two tanks- Tank 66 and Tank T-1000-1. DuPont does not have tank storage as part of the permit.**



**SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS**

**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)]	No
2.	Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in OAC rule 3745-273-17 or managing specific wastes as provided in OAC rule 3745-273-13? [3745-273-11(B)]	No

**WASTE MANAGEMENT AND LABELING/MARKING**

**UNIVERSAL WASTE BATTERIES**

3.	Are batteries that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)]	N/A
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)]	N/A
5.	Are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)]	N/A
6.	If the electrolyte is removed or other wastes generated, has it been determined whether the electrolyte or other wastes exhibit a characteristic of hazardous waste? [3745-273-13(A)(3)]	N/A
	a. If the electrolyte or other waste is characteristic, is it managed in compliance with OAC Chapters 3745-50 through 3745-69? [3745-273-13(A)(3)(a)]	N/A
	b. If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-13(A)(3)(b)]	N/A
7.	Are the batteries or containers of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)"? [3745-273-14(A)]	N/A

**UNIVERSAL WASTE PESTICIDES**

8.	Does the SQUWH prevent releases to the environment by managing pesticides in containers that are closed, structurally sound, compatible with the pesticides, and lack evidence of leakage, spillage, or damage? [3745-273-13(B)(1)]	N/A
9.	If the original pesticide container is in poor condition, was it over-packed into an acceptable container? [3745-273-13(B)(2)]	N/A
10.	If the pesticide is stored in a tank, are the requirements of rules 3745-66-90 through 3745-66-101, except for paragraph (C) of 3745-66-97, of the OAC met? (Use tank checklist) [3745-273-13(B)(3)]	N/A
11.	If pesticides are stored in a transport vehicle, is it closed, structurally sound, compatible with the pesticide(s), and does it lack evidence of leakage, spillage, or damage that could cause leakage? [3745-273-13(B)(4)]	N/A
12.	Are recalled universal waste pesticides that are in containers, tanks, or transport vehicles labeled with the label that was on or accompanied the product as sold or distributed and labeled with the words "Universal Waste Pesticides" or "Waste Pesticides?" [3745-273-14(B)(1)&(2)]	N/A
13.	Are unused pesticide products that are in containers, tanks, or transport vehicles labeled with either the label that was on the product when purchased (if still legible), the appropriate DOT label, or the designated label prescribed by the pesticide collection program and labeled with the words "Universal Waste Pesticides" or "Waste Pesticides?" [3745-273-14(C)(1)&(2)]	N/A

**UNIVERSAL WASTE THERMOSTATS**

14.	Have thermostats that show evidence of leakage, spillage or damage that could cause leaks been contained in a container that is closed, structurally	N/A
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	sound, compatible with contents of the thermostats and lacks evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(C)(1)]		
15.	If the mercury-containing ampules are removed, does the SQUWH: [3745-273-13(C)(2)]	N/A	
	a. Remove the ampules in a manner to prevent breakage and is the removal done over or in a containment device? [3745-273-13(C)(2)(a)&(b)]		
	b. Have a clean-up system readily available to transfer spilled mercury to another container that meets the requirements of OAC rule 3745-52-34 and is the spilled mercury transferred immediately? [3745-273-13(C)(2)(c)&(d)]		
	c. Ensure that the area where ampules are removed is well ventilated and monitored in compliance with applicable OSHA exposure levels for mercury? [3745-273-13(C)(2)(e)]		
	d. Ensure that employees are thoroughly familiar with the proper waste handling and emergency procedures? [3745-273-13(C)(2)(f)]		
	e. Ensure that removed ampules are stored in closed, non-leaking containers that are in good condition? [3745-273-13(C)(2)(g)]		
	f. Pack removed ampules in containers with packing material to prevent breakage during storage, handling and transportation? [3745-273-13(C)(2)(h)]		
16.	When removing mercury containing ampules from thermostats if there are mercury or clean-up residues resulting from spills or leaks, and/or other waste generated (e.g., remaining thermostat units), has it been determined whether those exhibit a characteristic of hazardous waste identified in OAC rules 3745-51-20 to 3745-51-24? [3745-273-13(C)(3)(a)]	N/A	<input type="checkbox"/>
	a. If the residues, and/or wastes are characteristic, are they managed in compliance with Chapters 3745-50 through 3745-69, 3745-205, 3745-256, 3745-266, and 3745-270 of the Administrative Code? (The handler is considered the generator of the mercury, residues, and/or other waste and is subject to OAC Chapter 3745-52) [3745-273-13(C)(3)(b)]	N/A	<input type="checkbox"/>
17.	Are thermostats or containers of thermostats labeled either "Universal Waste-Mercury Thermostat(s)" or "Waste Mercury Thermostat(s)" or "Used Mercury Thermostat(s)"? [3745-273-14(D)]	Yes	<input type="checkbox"/>
<b>UNIVERSAL WASTE LAMPS</b>			
18.	Does the SQUWH contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and 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	<input type="checkbox"/>
19.	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)]	N/A	<input type="checkbox"/>
<b>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 rule 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility using a hazardous waste manifest.</b>			
20.	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	<input type="checkbox"/>
<b>ACCUMULATION TIME</b>			
21.	Is the waste accumulated for less than one year? [3745-273-15(A)]	Yes	

	a.	If not, is 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)]	N/A	<input type="checkbox"/>
<b>NOTE: Accumulation is defined as date generated or date received from another handler.</b>				
22.		Is the handler able to demonstrate the length of time the universal waste has been accumulated? [3745-273-15(C)] If yes, describe below:	Yes	<input type="checkbox"/>
<b>EMPLOYEE TRAINING</b>				
23.		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	<input type="checkbox"/>
<b>RESPONSE TO RELEASES</b>				
24.		Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]	N/A	<input type="checkbox"/>
25.		Is the material released characterized? [3745-273-17(B)]	N/A	<input type="checkbox"/>
26.		If the material released is a hazardous waste, was 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 OAC Chapter 3745-52) [3745-273-17(B)]	N/A	<input type="checkbox"/>
<b>OFF-SITE SHIPMENTS</b>				
<b>NOTE: If a SQUWH self-transport waste, then the handler must comply with the Universal Waste transporter requirements.</b>				
27.		Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]	Yes	<input type="checkbox"/>
28.		Is the handler aware of DOT requirements for packaging and shipping? If no, make aware of 49 CFR 171-180.	Yes	<input type="checkbox"/>
29.		Prior to shipping universal waste off-site, does the originating handler ensure that the receiver agrees to receive the shipment? [3745-273-18(D)]	Yes	<input type="checkbox"/>
30.		Has the originating handler ever had an off-site shipment rejected by another handler or destination facility?	No	<input type="checkbox"/>
	a.	If yes, did the originating handler receive the waste back or agree to where the shipment was sent? [3745-273-18(E)(2)]	N/A	<input type="checkbox"/>
31.		If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss and do <u>one</u> of the following:	N/A	<input type="checkbox"/>
	a.	Send the waste back to the originating handler or send the shipment to a destination facility (If both the originating and receiving handler agree)? [3745-273-18(F)(2)]	N/A	<input type="checkbox"/>
32.		If the handler received a shipment of hazardous waste that was not a universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)]	N/A	<input type="checkbox"/>
<b>EXPORTS</b>				
33.		Is waste being sent to a foreign destination? If so:	No	<input type="checkbox"/>
	a.	Does the small quantity handler comply with primary exporter requirements in OAC rules 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)]	N/A	<input type="checkbox"/>
	b.	Is waste exported only upon consent of the receiving country and in conformance with the U.S. EPA "Acknowledgment of Consent" as defined in OAC rules 3745-52-50 to 3745-52-57? [3745-273-20(B)]	N/A	<input type="checkbox"/>
	c.	Is a copy of the U.S. EPA "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)]	N/A	<input type="checkbox"/>

**DuPont manages universal waste batteries, lamps, and mercury containing devices upstairs in Building 25, the office building.**



## PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

**Facility Name:** DuPont Electronic Polymers    **Facility Type:** TSD, LQG    **EPA ID#:** OHD 004855292

### Description of Waste

### On-Site Management

### Off-Site Management

Process/Activity Generating Waste (e.g. lab bath, machining, baghouse, painting, etc)	Waste Generated (e.g. sludge, spent solvent, etc)	EPA Waste Code	QTY Generated per Month	Type of Accumulation/Storage (e.g. container, tank, etc)	Type of On-Site Treatment (recycle, wwt, etc)	Waste Location (Include map if possible)	Name, state, and type of activity occurring at the facility.	P2 Activities
1 polymer production processes	spent solvent	D001 F003	production is way down from historic	tank T-66	none		Ross, incineration	DEP is seeking additional opportunities for off-site solvent
2 filtrate water from polymer production	water with higher levels of pyridine	D001 D038 F003	waste streams	tank T-10000-1		T-10000-1	Ross, incineration	
3 rinse water from process which occurs after the filtrate step above	water with lower levels of pyridine	D038		tank T-10000		T-10000-1	Perma-fix WWT	
4 lab and production processes	waste plastic bags from raw materials, absorbents, PPE, misc solid scraps	F003		drums		permitted storage area	Ross incineration	Potential for plastic bags to be recycled
5 production of agricultural product	acetone/water mixture	D001		blue poly drums		permitted storage area		waste stream has been decreasing over last several years

### Remarks-General Information

**General Process information:**

DuPont operates a permitted drum storage area. Hazardous wastes are also managed in tanks under the generator standards and in drums under the SAA rules. Tank T-10000-1 was put into service for the pyridine/water waste stream after the 2009 inspection. The first time this tank was evaluated for compliance with the tank

standards was during the 2010 inspection.

DuPont manages waste in blue poly drums under the SAA rules in Buildings 20 and 31. (Building 31 was previously rented/leased to a different corporate entity and was previously referred to as the Albemarle Building) All drums were appropriately labeled and were properly closed.

The following is a partial list of drums managed under the SAA rules:

Building 20, first floor

PPE, wipes, solid waste

2H API waste

T-67 wastes

McGill oven knockout pot waste

Building 20, second floor, contract prep room

sample flush

glycol flush

In 2011, we inspected Building 20 starting at the top floor and working our way downstairs, reversing the order in which we conducted the inspection in 2010.

Two satellite drums are managed in Building 31.

An SAA drum is used outside of the containment berm around the spill containment dike around tank T-10000-1. The drum is used to store liquids which drain from hoses used to fill/empty tanker trucks.

The greatest volume of waste managed is aqueous rinseate/filtrate solutions contaminated with residual solvents. These wastes are managed as D001 for lo-flash as well as the D-code for the appropriate trace solvents. When filled, the blue poly drums are palletized four at a time and moved by a fork truck to the permitted storage area. When enough drums have been accumulated, the liquid is pumped from the drums directly into a tanker truck. The tanker load is manifested as hazardous waste and the blue poly drums are reused.

DuPont manages various types of more concentrated solvent wastes in Tank T-66. Tank T-10000-1 is used for the aqueous pyridine waste which is deemed to be too odiferous to manage in drums. Liquid wastes are conveyed to the tanks by plumbing. Generally, larger volume aqueous wastes are managed in T-66 and wastes from the smaller reactors are managed in drums.

DuPont also manages wastes under the low volume exemption under TSCA. Basically, DuPont can obtain a TSCA exemption from rigorous toxicity testing by manufacturing less than 10,000 kg/yr and assuring that all discharges in waste water are less than 1 ppb. DuPont has chosen the route of incinerating these aqueous streams to comply with the TSCA exemption.

#### Regulatory/Enforcement History:

In 2010 DuPont was cited for a universal waste violation and for failing to submit a waste minimization report.

For the March 24, 2009 DuPont was cited for violation of OAC 3745-66-93(C)(4) (failure to pump accumulated precipitation from secondary containment area for tank T-66) and OAC 3745-273-13(D)(1) (improper container management of universal waste lamps).

No violations were cited in 2008 but for the first time DuPont was told to manage waste in fract tanks under the tank management standards and not the container standards.

In 2007, DPEP was cited for violations of; OAC 3745-54-16(C) (permit condition B.6) for missing annual training requirements for one employee; OAC 3745-270-50(A)(2)(a) (permit condition B.40) for failing to label one drum with the accumulation start date; and OAC 3745-95(A)(1)-(4) for failing to perform daily inspections of tank T-66 over Independence Day weekend

**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: safety shoes, safety glasses, flame-retardant cover-alls ( supplied by facility)

**GENERAL REQUIREMENTS**

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes
2.	Are records of waste determination being kept for at least 3 years? [3745-52-40(C)]	Yes
3.	Has the generator obtained a U.S. EPA identification number? [3745-52-12]	Yes
4.	Were annual reports filed with Ohio EPA on or before March 1 <sup>st</sup> ? [3745-52-41(A)]	Yes
5.	Are annual reports kept on file for at least 3 years? [3745-52-40(B)]	Yes
6.	Has the generator transported or caused to be transported hazardous waste to <b>other</b> than a facility authorized to manage the hazardous waste? [ORC 3734.02(F)]	No
7.	Has the generator disposed of hazardous waste <b>on-site without a permit</b> or at another facility <b>other</b> than a facility authorized to dispose of the hazardous waste? [ORC 3734.02(E) & (F)]	No
8.	Does the generator accumulate hazardous waste?	Yes

**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)?	No
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**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?	No
b.	Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C)? Tank checklist attached for Tank-66. Fractionating tanks discussed in letter for 2008 inspection have been cleaned and returned to vendor.	No
c.	Drip pads that meet 3745-69-40 to 3745-69-45?	No
d.	Containment building that meets 3745-256-100 to 3745-256-102?	No

**DuPont does not perform generator treatment.**

11.	Does the generator export hazardous waste? If so:	No
a.	Has the generator notified U.S. EPA of export activity? [3745-52-53(A)]	N/A
b.	Has the generator complied with special manifest requirements? [3745-52-54]	N/A
c.	For manifests that have not been returned to the generator: has an exception report been filed? [3745-52-55]	N/A
d.	Has an annual report been submitted to U.S. EPA? [3745-52-56]	N/A
e.	Are export related documents being maintained on-site? [3745-52-57(A)]	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
13.	Have items (1) through (20) of each manifest been completed? [3745-52-20(A)]	Yes

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	<input type="checkbox"/>
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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)]	N/A	<input type="checkbox"/>
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16.	Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1) & (2)]	Yes	<input type="checkbox"/>
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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)]	N/A	<input type="checkbox"/>
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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)]	N/A	<input type="checkbox"/>
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19.	Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40]	Yes	<input type="checkbox"/>
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I reviewed manifests dating back to the previous inspection one year ago.

**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	<input type="checkbox"/>
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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	<input type="checkbox"/>
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22.	Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)]	Yes	<input type="checkbox"/>
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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	<input type="checkbox"/>
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24.	Does the generator provide annual refresher training to employees? [3745-65-16(C)]	Yes	<input type="checkbox"/>
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25.	Does the generator keep records and documentation of:		
a.	Job titles? [3745-65-16D(1)]	Yes	<input type="checkbox"/>
b.	Job descriptions? [3745-65-16D(2)]	Yes	<input type="checkbox"/>
c.	Type and amount of training given to each person? [3745-65-16D(3)]	Yes	<input type="checkbox"/>
d.	Completed training or job experience required? [3745-65-16D(4)]	Yes	<input type="checkbox"/>

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	<input type="checkbox"/>
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Aaron provided as an e-mail attachment on 1/26/2011 an xls spreadsheet with employee names, training dates and the date by which the next year refresher training is due.

Job Performed	Name of Employee	Date Trained

**CONTINGENCY PLAN**

27.	Does the owner/operator have a contingency plan to minimize hazards to	Yes	<input type="checkbox"/>
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	human health or the environment from fires, explosions or any unplanned release of hazardous waste? [3745-65-51(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
b.	Arrangements with emergency authorities? [3745-65-52(C)]	Yes
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)]	No
d.	A list of all emergency equipment, including: location, a physical description and brief outline of capabilities? [3745-65-52(E)]	Yes
e.	An evacuation plan for facility personnel where there is possibility that evacuation may be necessary? [3745-65-52(F)]	Yes

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
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]	N/A
31.	Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55]	Yes

**The employee who served as the backup emergency coordinator was transferred to a different DuPont facility and the contingency plan was not updated. See violation cited in letter.**

**EMERGENCY PROCEDURES**

32.	Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents since the last inspection? If so:	No
a.	Was the contingency plan implemented? [3745-65-51(B)]	N/A
b.	Did the facility follow the emergency procedures in 3745-65-56(A) through (H)?	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)?	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
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
b.	Emergency communication device? [3745-65-32(B)]	Yes
c.	Portable fire control, spill control and decon equipment? [3745-65-32(C)]	Yes
d.	Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)]	Yes

35.	Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33]	Yes
36.	Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33]	Yes
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
38.	If there is only one employee on the premises, is there immediate access to a device (eg., phone, hand held two-way radio) capable of summoning external emergency assistance (unless not required under 3745-65-32)? [3745-65-34(B)]	N/A

	34(B)]	
39.	Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35]	Yes
40.	Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)]	Yes
41.	Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)]	Yes

**SATELLITE ACCUMULATION AREA REQUIREMENTS**

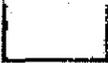
42.	Does the generator ensure that satellite accumulation area(s):	
	a. Are at or near a point of generation? [3745-52-34(C)(1)]	Yes
	b. Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)]	Yes
	c. Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)]	Yes
	d. Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)]	N/A
	e. Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)]	Yes
	f. Containers are marked with words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)]	Yes
43.	Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so:	No
	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)]	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)]	N/A

**NOTE: DuPont manages wastes under the SAA rules in Plant 20, Plant 31 and the tank farms.**

**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)]	Yes
45.	Is the accumulation date on each container? [3745-52-34(A)(2)]	Yes
46.	Are hazardous wastes stored in containers which are:	Yes
	a. Closed (except when adding/removing wastes)? [3745-66-73(A)]	Yes
	b. In good condition? [3745-66-71]	Yes
	c. Compatible with wastes stored in them? [3745-66-72]	Yes
	d. Handled in a manner which prevents rupture/leakage? [3745-66-73(B)]	Yes

**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	
	a. Are inspections recorded in a log or summary? [3745-66-74]	Yes	
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	
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	
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)]	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	

**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	<input type="checkbox"/>
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**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	<input type="checkbox"/>
54.	Does each container <110 gallons have a completed hazardous waste label? [3745-52-32(B)]	Yes	<input type="checkbox"/>
55.	Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33]	Yes	<input type="checkbox"/>

**Remark: Items 44 and the following items refer to containers managed in the permitted storage area. DuPont does not manage containers of hazardous waste in a < 90 day storage area.**



**LQG TANK SYSTEM REQUIREMENTS (OAC rule 3745-52-34(A) and OAC rules 3745-66-90 through 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	<input type="checkbox"/>
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**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	<input type="checkbox"/>
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	<input type="checkbox"/>
c.	If a leak or spill has occurred in the tank system, has the o/o complied with OAC 3745-66-94(C)	N/A	<input type="checkbox"/>

**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	<input type="checkbox"/>
b.	Above ground portion of tank each operating day? [3745-66-95(A)(2)]	Yes	<input type="checkbox"/>
c.	Data from leak detection equipment each operating day? [3745-66-95(A)(3)]	Yes	<input type="checkbox"/>
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	<input type="checkbox"/>

*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)]	N/A	<input type="checkbox"/>
5.	Where applicable, all sources of impressed current at least bi-monthly? [3745-66-95(B)(2)]	N/A	<input type="checkbox"/>

**TANK SYSTEM CLOSURE REQUIREMENTS**

6.	If the generator has closed a <90 day tank, was closure completed in accordance with OAC 3745-66-97 (except for paragraph C)?	Yes	<input type="checkbox"/>
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**TANK SYSTEMS STORING IGNITABLE OR REACTIVE WASTES**

7.	For tanks used to treat or store ignitable or reactive wastes, has the o/o complied with one of the following: [3745-66-98(A)]	Yes	<input type="checkbox"/>
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	No	<input type="checkbox"/>
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	<input type="checkbox"/>
c.	The tank is used solely for emergencies? [3745-66-98(A)]	No	<input type="checkbox"/>
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	<input type="checkbox"/>
9.	Has the o/o placed incompatible wastes or materials into the same tank	No	<input type="checkbox"/>

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	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)]		
a.	If so, have the requirements of 3745-65-17(B) been met? [3745-66-99(A) and/or (B)]	N/A	<input type="checkbox"/>
<b>TANK SYSTEM – WASTE ANALYSIS REQUIREMENTS</b>			
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]	N/A	<input type="checkbox"/>
a.	Conducted waste analysis and trial treatment or storage tests? [3745-66-100(A)]; OR	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)]	N/A	
<b>TANK SYSTEMS REQUIREMENTS</b>			
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	<input type="checkbox"/>
<b>As part of the 2010 inspection I reviewed "Tank BST-1000-1 mechanical integrity certification report" prepared by Process Plus of Cincinnati dated February 12, 2009. The report left one outstanding item (installation of a 3-inch vacuum relief valve). DuPont provided by e-mail an 'equipment master report' that documents the installation and maintenance interval for this valve. The written assessment was deemed adequate during that inspection and the tank certs were not revisited this time.</b>			
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	<input type="checkbox"/>
b.	Consideration of the design standards of the system? [3745-66-92(A)]	Yes	<input type="checkbox"/>
c.	Consideration of the hazardous characteristics of the waste(s)? [3745-66-92(A)]	Yes	<input type="checkbox"/>
d.	An evaluation by a corrosion expert (only if the external system/components are metal and in contact with soil or water)? [3745-66-92(A)]	Yes	<input type="checkbox"/>
e.	A determination of design and operational measures that will be needed to protect the tank system from potential damage (only for underground tank components)? [3745-66-92(A)]	Yes	<input type="checkbox"/>
f.	Design considerations to ensure that the tank foundations will maintain the load of a full tank? [3745-66-92(A)]	Yes	<input type="checkbox"/>
g.	Design considerations for anchoring the unit to prevent floatation (only for tanks situated in a seismic fault zone or saturated zone)? [3745-66-92(A)]	N/A	<input type="checkbox"/>
h.	Design considerations to ensure that the tank system will withstand the effects of frost heave(only for underground tank systems)? [3745-66-92(A)]	N/A	<input type="checkbox"/>
<b>NOTE: CO-DHWM Engineering staff are available to assist you with evaluation of the written assessment.</b>			
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	<input type="checkbox"/>
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	<input type="checkbox"/>
b.	Statement that deficiencies were corrected before the tank system was covered or put into use? [3745-66-92(B)]	N/A	<input type="checkbox"/>

c.	Proper backfilling? [3745-66-92(C)]	Yes
d.	Tightness test; if the tank system was found not to be tight, does the statement indicate that proper repairs were made? [3745-66-92(D)]	N/A
e.	Proper support and protection of ancillary equipment? [3745-66-92(E)]	Yes
f.	Supervision of the installation of field fabricated corrosion protection? [3745-66-92(F)]	N/A

**SECONDARY CONTAINMENT**

14.	Has secondary containment been provided?	Yes
-----	--	-----

*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:		
a.	<b>An External Liner?</b> [3745-66-93(E)(1)] If so,		
i.	Is liner designed or operated to contain 100% of the capacity of the largest tank?	Yes	
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	
iii.	Is liner free of cracks and gaps?	Yes	
iv.	Does liner completely surround the tank and cover all earth likely to be contacted by waste during a release?	Yes	
v.	Are chemically resistant water stops in place at all points? (concrete liners only)	Yes	
vi.	Is there a compatible interior coating or lining to prevent migration of waste into the concrete? (concrete liners only)	Yes	
b.	<b>Vault System?</b> [3745-66-93(E)(2)] If so,		No
i.	Is vault system designed to contain 100% of the capacity in the largest tank?	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?	N/A	
iii.	Are chemically resistant water stops in place at all points?	N/A	
iv.	Is there a compatible interior coating to prevent migration into the concrete?	N/A	
v.	For ignitable or reactive waste: Is the vault system provided with means to prevent (or alternatively "protect against") the formation or ignition of vapors?	N/A	
vi.	Is vault system provided with an exterior moisture barrier?	N/A	
c.	<b>Double-Walled Tank?</b> [3745-66-93(E)(3)] If so,		
i.	Is double-walled tank designed as an integral structure to contain any release from the inner tank?	N/A	
ii.	If metal, are the primary tank interior and outer shell exterior surfaces protected from corrosion?	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?	N/A	
d.	<b>An Equivalent Device?</b> As described in 3745-66-93(D)(4) which has been approved by the director? [3745-66-93(D&E)]	N/A	

**SECONDARY CONTAINMENT DESIGN/OPERATION/INSTALLATION**

16.	Has each secondary containment system been designed, installed and	Yes
-----	--	-----

	operated to prevent <u>any</u> migration of wastes or liquid to the soil, groundwater, or surface water and is it capable of <u>detecting</u> and <u>collecting</u> releases and accumulated liquids? [3745-66-93(B)(1) and (2)]	
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 <input type="checkbox"/>
b.	Placed on a foundation or base capable of providing support? [3745-66-93(C)(2)]	Yes <input type="checkbox"/>
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 <input type="checkbox"/>
d.	Sloped or designed to drain and remove liquid resulting from leaks, spills or precipitation? [3745-66-93(C)(4)]	Yes <input type="checkbox"/>
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 <input type="checkbox"/>
<b>ANCILLARY EQUIPMENT REQUIREMENTS</b>		
18.	Is ancillary equipment provided with secondary containment (such as double-walled piping, jacketing or a trench)?	No
	<b>If not</b> , 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
b.	Welded flanges, welded joints and/or welded connections that is inspected daily?	Yes
c.	Sealless or magnetic coupling pumps and/or sealless valves?	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?	N/A
<b>TANK SYSTEMS FOUND TO BE LEAKING OR UNFIT FOR USE</b>		
19.	Has there been a leak or spill from any tank system or has any tank system been found unfit for use? <b>If so</b> , did the o/o:	No
a.	Immediately cease flow of material into tank and investigate the cause of the release? [3745-66-96(A)]	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)]	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)]	N/A
d.	For a visible release to the environment, immediately conduct a visual inspection of the release? [3745-66-96(C)]	N/A
e.	For a visible release to the environment, prevent further migration of the leak or spill to soils or surface waters? [3745-66-96(C)]	N/A
f.	For a visible release to the environment, properly dispose of any visibly contaminated soil or surface water? [3745-66-96(C)]	N/A
g.	Report any release to the environment to the director within 24 hours unless it was less than one pound and was cleaned up immediately? [3745-66-96(D)(1)]	N/A
h.	For a release to the environment, submit a written report of the incident to the director within 30 days of the release? [3745-66-96(D)(3)]	N/A
i.	Remediate the spill and repair the unit prior to returning it to service? [3745-66-96(E)(2)]	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)]	N/A
20.		In the event that the repairs to the tank system were major (e.g., 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 handling hazardous waste? [3745-66-96(F)]	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)]	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)]	N/A
23.		Does the o/o have a tank system <b>with a variance from secondary containment</b> from which a release has occurred but <u>has not</u> migrated beyond the zone of engineering control? <b>If so,</b>	No
	a.	Has the o/o complied with 3745-66-96(A) through (F) and decontaminated soils? [3745-66-93(G)(3)]	N/A
	b.	If soils cannot be decontaminated/removed, has the o/o complied with 3745-66-97(B)? [3745-66-93(G)(3)]	N/A
24.		Does the o/o have a tank system <b>with a variance from secondary containment</b> from which a release occurred and <u>has</u> migrated from the zone of engineering control? <b>If so,</b>	No
	a.	Has the o/o complied with 3745-66-96(A) through (D), prevented migration, and decontaminated soil? [3745-66-93(G)(4)]	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)]	N/A

**DuPont Electronic Polymers manages hazardous waste under the generator standards in two tanks- Tank 66 and Tank T-1000-1. DuPont does not have tank storage as part of the permit.**



**OHIO PART B PERMITTED FACILITY  
RCRA INSPECTION CHECKLIST**

Facility: DuPont Electronic Polymers L.P. Ohio Permit: 05-57-0433  
 Address: 1515 Nicholas Road U.S. EPA ID: OHD 004855292  
Dayton, Ohio 45418 Phone: 937-262-6242

County: Montgomery

Inspection Date: 1/25/2011 Time: 2:45pm

Was advance notice of the inspection given? No  
 If so, how far in advance? \_\_\_\_\_

	<u>Name</u>	<u>Agency/Title</u>	<u>Phone</u>
Inspector:	<u>Tom Ontko</u>	<u>Ohio EPA/inspector</u>	<u>937-285-6090</u>
Facility Reps:	<u>Aaron Smith</u>	<u>DPEP/ SHEA Manager</u>	<u>937-262-6242</u>

Is facility operating as a generator?  Yes  No

If so, complete the applicable sections of the Generator Requirements checklist for wastes being managed under generator status.

**PERMIT STATUS**

Original Permit Issued: May 8, 1992  
 Permit Issued: April 21, 2004 LDR Checklist Attached:  Yes  No  
 Permit Effective Date: April 21, 2004 Used Oil Checklist Attached:  Yes  No  
 Permit Expiration Date: April 21, 2014 Generator Checklist Attached:  Yes  No  
 Permit Renewal Dates: February 27, 1998 & April 21, 2004  
 Permit Modification Dates: 8/20/04, 9/23/04, 8/23/06, 9/14/06, 11/17/08,

**AUTHORIZED ACTIVITIES**

<b>STORAGE</b>		<b>TREATMENT</b>		<b>DISPOSAL</b>	
<input checked="" type="checkbox"/>	Containers		Tanks		Injection Well
	Tanks		Incinerator		Landfill
	Waste Pile		Thermal Treatment		Land Application
	Surface Impoundment		Post-Closure		Surface Impoundment

Post-Closure Care      Corrective Action

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**GENERAL PERMIT COMPLIANCE AND ACTIVITIES**

- |    |  |     |
|----|--|-----|
| 1. | Has the expiration date of the permit passed? If so:   | No  |
|    | Is the permittee continuing any activity regulated by the permit after the expiration date of the permit?  |     |
|    | Has the facility submitted an application for a permit renewal to the director no later than 180 days prior to the expiration date of the permit? [Condition A.6.]   | NA  |
| 2. | Has the permittee submitted the annual permit fee, (payable to Treasurer, State of Ohio,) to Ohio EPA on or before the anniversary of the date of issuance during the term of the permit? [Condition A.26] | Yes |
| 3. | Is the permittee conducting any hazardous waste management activities (not otherwise exempt by law) which are not authorized by the permit? [Conditions A.1(b) and A.5]                                    | No  |
| 4. | Have any provisions of the permit been identified as invalid? [Condition a.4]  | No  |
| 5. | Has the facility identified any instances of noncompliance with the permit, ORC chapter 3734, or the rules adopted thereunder, which may endanger human health or the environment? If so:                  | No  |
|    | Did the facility immediately report the following to Ohio EPA's Emergency Response Unit? [Condition A.20]  | NA  |
|    | Information concerning a release of any hazardous waste that may cause an endangerment to public drinking water supplies; and  | NA  |
|    | Information concerning a release of hazardous waste, fire or explosion at the facility which could threaten human health or the environment outside the facility including a description of:               | NA  |
|    | Name, address and telephone number of the owner/operator?  | NA  |
|    | Name, address and telephone number of the facility?  | NA  |
|    | Name and quantity of material(s) involved?   | NA  |
|    | The extent of injuries, if any?  | NA  |
|    | An assessment of the actual or potential hazard to the environmental and human health outside the facility?  | NA  |
|    | Estimated quantity and disposition of recovered material that resulted from the incident?  | NA  |
| 6. | Did the permittee provide a written report to Ohio EPA's Emergency   | NA  |

Response Unit and DHWM within five days of becoming aware of the circumstances reported in Question No. 5? If so, did the report contain: [Condition A.21]

A description of the noncompliance and its cause (including exact dates and times)? NA

Whether the noncompliance has been corrected and if not, the anticipated time noncompliance is expected to continue? And NA

Steps taken or planned to minimize the impact on the environment and to reduce, eliminate and prevent recurrence of the noncompliance? NA

**NOTE:** The permittee need not comply with the five day written report requirement if the Director, upon good cause shown by the permittee, waives that requirement and the permittee submits a written report within 15 days of the time the permittee became aware of the circumstances. [Condition A.21].

7. Has the permittee identified other instances of noncompliance not provided for in Condition A.22, if so: NA

Did the permittee report these instances to Ohio EPA, DHWM? NA

Do the reports provided contain the information set forth in Condition A.20? [Condition A.20] NA

Has the permittee taken all steps necessary to minimize releases to the environment or prevent any adverse impact on human health or the environment? [Condition A.8] NA

**NOTE:** Such notification does not waive the permittee's duty to comply with the permit. [Condition A.17]

9. Has the permittee become aware that it failed to submit any relevant facts in the permit or issuance proceedings or that it submitted incorrect or incomplete information in permit issuance proceedings or other submissions to Ohio EPA or the Hazardous Waste Facility Board (HWFB)? If so: No

Has the permittee properly submitted such facts or corrected information to the appropriate entity? [Condition A.24] NA

#### PERMIT MODIFICATION, REVISION, REVOCATION

10. Has the permittee filed a request for a permit modification, revision or revocation since permit issuance? [Condition A.2.] Yes

11. Has the permit been transferred to a new owner/operator? If so: No

Has the transfer been conducted in accordance with ORC Chapter 3734, and the rules adopted thereunder which includes the permittee notifying the NA

new owner in writing of the requirements of ORC Chapter 3734 and the rules adopted thereunder and the applicable Ohio hazardous waste rules before transferring ownership? [Condition A.18]

- 12. Has the permittee submitted reports in any compliance schedule of the permit to Ohio EPA no later than 14 days following each scheduled date, unless otherwise specified? [Condition A.19] NA
- 13. Has the permittee furnished relevant information which Ohio EPA has requested to determine whether cause exists for modifying, revising, revoking or suspending the permit, to determine compliance with the permit? Yes
- 14. Has the facility furnished Ohio EPA, upon request, with copies of records required to be kept by the permit? [Condition A.10] Yes
- 15. Is the permittee maintaining records of all data used to complete the application any amendments, revisions or modifications to the application? [Condition A.14(c)] Yes
- 16. Is the permittee retaining a complete copy of the approved application on-site? [Condition A.14(c)] Yes
- 17. Is the permittee planning any physical alterations or additions to any permitted portions of the facility? If so: No  
 Has the permittee given notice to the Director of such alterations/additions? [Condition A.15] NA

**SITE ENTRY – AVAILABILITY OF RECORDS**

- 18. As specified in Condition A.11, has the permittee allowed the Director or an authorized representative, upon proper identification to:
  - Enter at reasonable times upon the premises where a regulated activity is located or where records are kept under the conditions of the permit? Yes
  - Have access to and copy, at reasonable times, any records required to be kept under the conditions of the permit? Yes
  - Inspect, at any time, facilities, equipment (including control and monitoring equipment), practices or other operations regulated under the conditions of the permit? Yes
  - Sample, document, photograph or monitor, at reasonable times, any substances or parameter at the location of the facility to assure compliance with the permit or as otherwise authorized by ORC Chapter 3734. and the rules adopted thereunder? Yes

## RECORDKEEPING/OPERATING REQUIREMENTS OPERATING RECORD

### Documents to Be Maintained At Facility

In accordance with OAC rules 3745-54-73 and 3745-54-74 and Condition B.22 of the permit, does the permittee maintain an Operating Record which contains the following information:

- a. A description of the quantity of each hazardous waste and the method(s) and date(s) of its treatment or storage? Yes
  - b. The location of each hazardous waste and quantity at each location including cross-reference to specific manifest numbers? Yes
  - c. Records and results of required waste analysis? Yes
  - d. Summary reports and details of all incidents that required implementation of the contingency plan? Yes
  - e. Records and results of required inspections? Yes
  - f. Documents required to be maintained by LDR requirements of OAC Chapter 3745-270? Yes
  - g. Monitoring, testing, or analytical data, and corrective action where required, from groundwater monitoring and required monitoring of surface impoundments, landfills, waste piles and land treatment units? [3745-54-73(B)(6)] Yes
2. In accordance with Condition A.28 of the permit, is the permittee maintaining the following documents at the facility:
- a. Waste analysis plan in accordance with OAC rule 3745-54-13? Yes
  - b. Contingency plan in accordance with OAC rule 3745-54-53? Yes
  - c. Closure plan in accordance with OAC rule 3745-55-12? Yes
  - d. Cost estimate for facility closure in accordance with OAC rule 3745-55-42? (Estimate only - adequacy will be evaluated by CO financial assurance personnel) [Condition B.36] Yes
  - e. Personnel training plan and records required by OAC rule 3745-54-16? [Condition B.6] Yes
  - f. Inspection schedules developed in accordance with OAC rules 3745-54-15, 3745-55-74 and 3745-55-95? [Condition B.5] Yes
  - g. Operating record in accordance with OAC rule 3745-54-73? Yes

[Condition B.22]

- h. Post-closure plan, as required by OAC rule 3745-55-18(A)? Yes  
 [Condition A.28(a)(viii)]
- i. Annually-adjusted cost estimate for facility closure and post-closure, Yes  
 as required by OAC rules 3745-55-42 and 3745-55-44? [Condition  
 .28(a)(ix)]

**REMARKS**

- 3. Is the permittee maintaining copies of all inspection logs at the facility for at least three years from the date of inspection? [ Condition A.15 ] Yes
- 4. Have any of the documents in Question No. 2 been revised? [Condition A.15] if so: No
  - Has the permittee submitted the revisions to Ohio EPA in accordance with OAC rule 3745-50-51? NA
  - Have all requirements of OAC rule 3745-50-51 been met, including, where required, Ohio EPA approval? NA

**ANNUAL REPORT REQUIREMENT**

- 5. Is the permittee complying with annual report requirements set forth in OAC rule 3745-54-75 and the additional report requirements set forth in OAC rule 3745-54-77? [Condition B.25] Yes

**SAMPLING/MONITORING RECORDKEEPING REQUIREMENTS**

- 6. In compliance with Condition A.12 of the permit, do the permittee's records of monitoring information specify the:
  - Date(s), exact place(s), time(s) and method(s) of sampling or measurement? Yes
  - Individual(s) who performed the analyses? Yes
  - Date(s) analyses were performed? Yes
  - Individual(s) who performed the analyses? Yes
  - Analytical technique(s) or method(s) used? Yes
  - Results of such analyses? Yes

**REMARKS**

Remark-Inspection records were maintained as required. I reviewed

records back as far as the previous inspection conducted in January 2010.

Have the methods used to obtain a representative sample of the waste to be analyzed included the appropriate SW-846 method or an equivalent method specified in the approved waste analysis plan? [Condition A.12] Yes

In accordance with Condition A.14 of the permit, is the permittee retaining records of monitoring information as required by the permit for at least three years from the date of sampling, including:

All calibration and maintenance records. Yes

Has Ohio EPA requested submittal of any reports or other information from the permittee? If so: No

Have the submittals been signed and certified according to OAC rule 3745-50-42? [Condition A.13] NA

#### **WASTE MINIMIZATION REQUIREMENTS**

1. Does the permittee certify at least once every year that a program is in place to reduce the volume and toxicity of hazardous waste generated in accordance with Condition A.29(a) and OAC rule 3745-54-73? Yes
2. Did the permittee submit the waste minimization report to Ohio EPA, Office of Pollution Prevention and Southwest District Office within 180 days of journalization of this permit? and updates biennially thereafter? [Condition A.29(b))] Yes
3. Has the permittee reduced the amount of waste (hazardous waste, solid waste, air emission, waste water discharges, etc.) this year generated at their facility by implementing pollution prevention/waste minimization? If so, what amount of waste has the permittee reduced this year? NA
4. Has the permittee's company saved much money this year by implementing pollution prevention (reducing raw material usage, disposal fees, energy savings, etc.)? NA

If so, how much money has the permittee's company saved this year?

**Remark- Waste volumes are reduced because of the slower economy and on-going P2 efforts.**

**DuPont was cited for failing to submit the biennial waste minimization report in 2010. The next biennial report must be submitted to Ohio EPA prior to April 26, 2012.**

**WASTE ACCEPTANCE AND GENERATION**

- 1. Is the permittee storing any containers of hazardous waste received from any off-site source that permittee is not permitted to store? [Condition A.1.] No
- 2. Has the permittee arranged to receive hazardous waste from a foreign or off-site source that the permittee is not permitted to store? [Condition A.1.] No

**OFF-SITE SHIPMENTS/MANIFEST REQUIREMENTS**

- 1. Is the permittee complying with the following manifest requirements set forth in OAC Chapter 3745-52 and OAC rules 3745-54-70, 3745-54-71, 3745-54-72 and 3745-54-76: [Condition B.24]
  - a. All hazardous wastes shipped off-site have been accompanied by a completed manifest, U.S. EPA Form 8700-22 and, if necessary, U.S. EPA Form 8700-22A in compliance with OAC rule 3745-52-20(A)? Yes
  - b. The manifest form used contains all information required by OAC rule 3745-52-20 and the minimum number of copies required by OAC rule 3745-52-22? Yes
  - c. The permittee has designated at least one permitted disposal facility and has/will designate an alternate facility or instructions to return waste in compliance with OAC rule 3745-52-20(B)(c)(D)? Yes
  - d. Prepared manifests have been signed by the permittee and initial transporter in compliance with OAC rule 3745-52-23? Yes
- 2. As a permittee that generates hazardous waste, are signed copies of all hazardous waste manifests and any documentation required for exception reports retained for at least three years at the facility as required by OAC rules 3745-52-40 and 3745-54-71(A)(5)? Yes
- 3. Does the permittee use only properly registered transporters when removing hazardous wastes? [Condition A.16] Yes

**REMARK**

- 4. Does the permittee give one copy of the manifest to the transporter, send one copy to the generator within 30 days, and keep one copy for at least three years? [3745-54-71(A)] Yes
- If shipping papers are used in lieu of manifests (bulk shipments, etc.), are the same requirements met? [3745-54-71(B)] Yes
- Are any significant discrepancies in the manifest, as defined in 3745-54- Yes

72(A) noted in writing on the manifest document?  
Have manifest discrepancies been reconciled within 15 days as required by 3745-54-72(B)? If not: Yes

Has the owner/operator submitted the required information to the director? NA

#### **WASTE ANALYSIS/WASTE ANALYSIS PLAN**

1. Does the permittee have a detailed chemical and physical analysis of waste streams which contains all information of the waste in accordance with OAC Chapters 3745-54 to 3745-57, 3745-218 and 3745-270 and the terms and conditions of the permit? [Condition B.3(a)] Yes
2. Does the permittee follow the procedures described in the WAP (Application Section 2)? [Condition B.3(b)] Yes
3. In accordance with OAC rule 3745-54-13(A)(3), does the permittee repeat the waste analysis when the process or operation generating the hazardous waste has changed, or at least annually? [Condition B.3] Yes
4. **Where applicable:** The methods which will be used to meet additional waste analysis requirements for specific waste management methods specified in rules 3745-54-17, 3745-57-14, 3745-57-41 and 3745-270-07 of the OAC? [3745-54-13(B)(6)] Yes
5. Does the permittee place the results of all waste analyses in the facility operating record in accordance with OAC rule 3745-54-73? Yes

#### **GENERAL INSPECTION REQUIREMENTS**

1. Is the permittee following the inspection procedures and schedules as set forth in the permit (Section 4 of the approved Part B permit application) and the requirements of OAC rules 3745-54-15(A), (c) and (D)? [Condition B.5] Yes
2. Is the permittee following the approved inspection schedule for inspecting: monitoring equipment, safety equipment, emergency equipment, security devices and operating and structural equipment as specified in OAC rule 3745-54-15(B)? Yes  
  
Is the schedule kept at the facility? [OAC rule 3745-54-15(B)(2)] Yes
3. Does the permittee remedy deterioration or any malfunctions discovered by an inspection as required by OAC rule 3745-54-15(c)? [Condition B.5] Yes
4. In accordance with OAC rule 3745-54-15(D) and Condition B.5 of the permit, do inspection records contain the following information:

- |    |   |     |
|----|---|-----|
| 5. | Date and time of inspection?                              | Yes |
|    | Name of inspector?  | Yes |
|    | Notation of observations made?                            | Yes |
|    | Date and nature of any repairs or other remedial actions? | Yes |

**SECURITY REQUIREMENTS**

- |    |   |     |
|----|---|-----|
| 1. | Is the permittee complying with the following security provisions of OAC rule 3745-54-14 and Condition B.4 of the permit: [Section 4 of the Part B permit application]                                      |     |
|    | a. Does the permittee have a 24-hour surveillance system which continuously monitors and controls entry onto the active portion of the facility, or;  | Yes |
|    | b. An artificial or natural barrier (in good repair) which completely surrounds the active portion of the facility, and;  | Yes |
|    | c. A means to control entry, at all times, through gates or other entrances, to the active portion of the facility?   | Yes |
| 2. | In accordance with OAC rule 3745-54-14(c)), does the permittee have signs reading Danger - Unauthorized Personnel Keep Out posted at entrances of the hazardous waste container storage building number 25. | Yes |

**FACILITY OPERATIONS**

- |    |   |     |
|----|---|-----|
| 3. | Is construction, maintenance and operation of the facility being conducted to minimize the possibility of a fire, explosion, or unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, ground or surface water? [OAC rule 3745-54-31; Condition B.1] | Yes |
| 4. | Does the permittee properly maintain and operate the facility to achieve compliance with the terms and conditions of the permit including: [Condition A.9]  |     |
|    | Effective management practices?   | Yes |
|    | Adequate funding?   | Yes |
|    | Adequate operator staffing and training?  | Yes |
|    | Adequate laboratory and process controls?   | Yes |

### PERSONNEL TRAINING

1. Is the permittee conducting personnel training in accordance with the conditions of the permit and with the following requirements of OAC rule 3745-54-16? [Condition B.6] Yes  
  
The facility provides personnel training which includes instruction in safe equipment operation and emergency procedures and implementation of the contingency plan? [OAC rule 3745-54-16(A)(B)(c)] Yes  
  
The facility provides personnel training to new employees within six months after their date of employment as required by OAC rule 3745-54-16(B)? Yes  
  
The facility provides an annual refresher training course as required by OAC rule 3745-54-16(c)? Yes
2. Is the permittee maintaining personnel training records as required by OAC rule 3745-54-16(D) and of the approved application, including: written job titles, job descriptions and documented employee training records? [Condition B.6] Yes

### REQUIRED EQUIPMENT

1. Has the permittee equipped the facility with the following emergency equipment as required by OAC rule 3745-54-32 and Condition B.9 of the permit:  
An internal communications or alarm system? Yes  
  
A device such as a telephone which is capable of summoning emergency assistance from local emergency authorities? Yes  
  
Portable fire extinguishers and/or fire control equipment, spill control and decontamination equipment? Yes  
  
Water in adequate volume and pressure to supply water hose streams, foam producing equipment, automatic sprinklers or water spray systems? Yes
2. Is the permittee inspecting, testing and maintaining the equipment specified in Question No. 1 to ensure its proper operating in accordance with OAC rule 3745-54-33 and Condition B.10 of the permit? Yes
3. Whenever hazardous waste is being managed at the facility, has the permittee provided all personnel involved in the operation with immediate access to an internal alarm or emergency communication device as required by OAC rule 3745-54-34 and Condition B.11 of the permit? Yes

### CONTINGENCY PLAN - EMERGENCY PROCEDURES

1. In compliance with Condition B.13 of the permit and OAC rule 3745-54-37(A) and (B), does the permittee:
  - Familiarize emergency response agencies with the layout of the facility, associated hazards, places where personnel will normally be working, entrances and possible evacuation routes? Yes
  - Inform such agencies of safety equipment, supplies, proper emergency safety procedures that are applicable to the facility? Yes
  - Familiarize the local hospital listed in the approved application with the properties of hazardous waste handled at the facility and the types of injuries or illness that could result from fires, explosions or releases at the facility? Yes
2. Has a state or local agency declined to enter into the arrangements set forth in OAC rule 3745-54-37(A)? If so: Yes
  - Has the permittee documented the refusal in the operating record as required by OAC rule 3745-54-37(B)? [Condition B.13(b)] Yes
3. Has the permittee, in accordance with OAC rule 3745-54-53 submitted a copy of the approved contingency plan (including amendments, revisions or changes) to all local authorities, agencies and response contractors designated in the approved contingency plan? [Condition B.18(b)] Yes
4. Has the permittee notified all parties identified in the contingency plan in writing of significant amendments, modifications, or revisions to the plan within fifteen days of the effective date of the change in the plan? [Condition B.18(b)] Yes
5. Has the permittee submitted a copy of the approved contingency plan and all revisions, amendments and modifications to the Ohio EPA, Division of Emergency and Remedial Response (DERR) in accordance with OAC rule 3745-54-53? [Condition B.18(c)] Yes
6. Is the permittee reviewing the approved contingency plan at least annually and amending the plan immediately if needed in compliance with OAC rule 3745-54-54? [Condition B.17] Yes

**NOTE:** Also see Question No. 4 of Recordkeeping Requirements to verify that any changes to the contingency plan were submitted in accordance with OAC rule 3745-50-51.

### EMERGENCY COORDINATOR

7. In accordance with OAC rule 3745-54-55 and Condition B.19 of the permit, is an emergency coordinator on premises or on call at all times? Yes
8. In accordance with OAC rule 3745-54-55 and Condition B.19 of the permit, is/are the emergency coordinator(s) at the facility familiar with the following:
- Contingency plan? Yes
- Facilities operations/activities? Yes
- Waste characterization and location? Yes
- Location of all records in the facility? Yes
- Facility layout? Yes
9. In accordance with OAC rule 3745-54-55, does/do the emergency coordinator(s) have the authority to commit the resources needed to carry out the contingency plan? [Condition B.19] Yes
10. Does the permittee have a contingency plan for the facility that: [Condition B.15]
- Describes the actions facility shall take to comply with OAC rules 3745-54-51 through 3745-54-56 in response to fires, explosions, or any unplanned sudden or nonsudden release of hazardous waste or hazardous waste constituents to air, soil or surface water at the facility? Yes
- Describes arrangements agreed to by local police, fire departments, hospitals, contractors and Ohio EPA and the local emergency response team to coordinate emergency services? Yes
- Includes an up-to-date list of names, addresses and phone numbers (office and home) for all persons qualified to act as emergency coordinator in the order that they will assume responsibility for coordination of emergency response? No
- Includes a list of all emergency equipment, including fire extinguishing systems, spill control equipment, communications and alarm systems and decontamination equipment? Yes

Includes the location and a physical description of each item on the list referenced in Question No. 10(d), and a brief outline of its capabilities? Yes

Includes an evaluation plan for facility personnel describing signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes, in situations where the primary routes could be blocked by releases of hazardous waste? Yes

**IMPLEMENTATION OF CONTINGENCY PLAN**

11. Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents at the facility including spill or release of hazardous waste or hazardous waste constituents greater than or equal to 55 gallons; any spill or release of hazardous waste or hazardous waste constituents less than 55 gallons may result in a fire or explosion hazard as determined by the Emergency Coordinator; or any spill on-site that may potentially cause on or off-site soil and/or ground or surface water contamination; any spill or release of hazardous waste or hazardous waste constituents that is reported to the National Response Center or local (city or county) emergency response center because the spill exceeded the ARQ@ limits; any fire involving hazardous waste; any explosion involving hazardous waste; since the date of the last inspection? If so: No

Did the permittee immediately implement the approved contingency plan and follow the emergency procedures described in OAC rule 3745-54-56? [Conditions B.14 and B.20] NA

Did the permittee immediately notify Ohio EPA's emergency response team using the 24-hour toll free number (800)282-9378 providing the following information: [OAC rule 3745-54-56(D)(2)]

Name and telephone number of the reporter? NA

Name and address of the facility? NA

Time and type of incident? No

Name and quantity of materials involved? No

The extent of injuries? NA

The possible hazards to human health or the environment outside the facility? NA

Did the permittee collect and manage as hazardous waste all liquid or solid material resulting from fire, explosion, released material or emergency response materials until such time as the permittee can demonstrate to Ohio EPA that such waste are not hazardous wastes? [Condition B.16] NA

Within 15 days of the incident did the permittee submit to the director a written report of the incident? If so: NA

Did the report contain the elements set forth in OAC rule 3745-54-56(J)?  
[Condition B.23]

Did the permittee note in the operating record the time, date and details of any incident that required the implementation of the approved contingency plan as required by OAC rule 3745-54-56(J)? [Condition B.23] NA

### CLOSURE REQUIREMENTS

1. Does the permittee maintain the approved closure plan at the facility? Yes  
[Condition B.29]
2. Is the permittee keeping at the facility and submitting annually to Ohio EPA, the latest closure cost estimate as required by OAC 3745-55-42(D)[Condition B.36] Yes
3. Has the permittee amended the closure plan? If so: No
4. Has the plan been amended in accordance with OAC rules 3745-55-18(D)? NA  
[Condition B.28]

**NOTE:** Also see Recordkeeping Requirements (Question #4) in order to verify that any changes to the closure plan were submitted in accordance with OAC rule 3745-50-51.

4. Has the permittee closed the facility? If so, No

Did the permittee complete closure of the facility 180 days after receiving the final volume of hazardous waste, as required by Condition B.31 of the permit? NA

### REMARKS

Was closure conducted in accordance with the closure performance standard of OAC rule 3745-55-11? [Condition B.26] NA

Did the permittee carry out the approved closure plan as set found in Section 7 of the approved permit application? [Condition B.27] NA

After receiving the final volume of hazardous waste, did the permittee remove all hazardous waste and complete closure activities in accordance with the schedule specified in the approved closure plan and as required by OAC rule 3745-55-13? [Condition B.31] NA

Has the permittee decontaminated and/or disposed of all facility equipment, structures and soils as required by OAC rule 3745-55-14 and the approved NA

closure plan? [Condition B.32]

Has the permittee certified that the facility has been closed in accordance with the specifications in the approved closure plan as required by OAC rule 3745-55-15? [Condition B.33] NA

Has the permittee submitted a survey plat to the director and local zoning authority no later than the submission of certification of closure of each hazardous waste disposal unit? [Condition B.34] NA

1. Is the permittee storing in containers, only those wastes identified in Condition C.3? [Condition C.3] Yes
2. Does the permittee limit the total quantity of containerized waste to no more than 11,000 gallons of hazardous waste at any given time in the permitted containers area located in Building #25? [Condition C.1(a)] Yes

### STORAGE OF HAZARDOUS WASTE IN CONTAINERS

*NOTE: The requirements of Condition C do not apply to the permittee's activities as a generator accumulating hazardous waste for <90 days per OAC rule 3745-52-34(A). Please complete the applicable sections of the Generator Requirements checklist to document compliance with activities associated with <90 day accumulation of wastes.*

### REMARKS

#### CONDITION OF CONTAINERS

3. Are containers holding hazardous wastes in good condition as required by OAC 3745-55-71? [Condition C.4] If not: Yes  
  
Did the permittee transfer the hazardous waste from such a container to one that is in good condition or otherwise manage the waste in a manner that complies with the conditions of the permit? [Condition c.4] NA
4. Does the permittee ensure that all containers used at the facility are compatible with the hazardous waste to be stored in them as required by OAC rule 3745-55-72? [Condition c.5] Yes
5. Does the permittee ensure that all containers closed during storage except when it is necessary to add or remove waste as required by OAC rule 3745-55-73? [Condition C.6(a)] Yes
6. Does the permittee store all containerized hazardous waste on the container storage containment system as described in Condition C.7 of the permit? [Condition C.7] Yes

### INSPECTIONS

Is the permittee inspecting the container area weekly in accordance with OAC rule 3745-55-74 and the approved inspection schedule in Section 4 of the Part B permit application to detect leaking containers and deterioration of containers and the containment system? [Condition C.9] Yes

Does the permittee note the results of these inspections in the inspection log along with any remedial action taken as required by OAC 3745-54-15(D)? Yes

### REMARKS

#### CONTAINMENT SYSTEM

8. Does the permittee maintain the containment system as described in the approved permit application, Section 3, including: [Condition C.7] Yes

Sufficient capacity to hold 10% of the total volume of containers or the volume of the largest container, whichever is greater. Yes

A system which is free of gaps and sufficiently impervious to contain leaks and spills? Yes

9. Has the permittee had a spill or leak of wastes? If so: No

Was spilled or leaked waste removed in a timely manner? NA

#### AISLE SPACE

10. Is the permittee maintaining adequate aisle space to allow unobstructed movement of personnel and equipment in the event of an emergency as required by AC rule 3745-54 and Condition B.12 of the permit? Yes

11. Is the permittee in compliance with the requirements of OAC rules 3745-54-17 and 3745-55-76, the approved application and conditions of the permit? [Condition C.11(a)] Yes

12. Does the permittee store containers of ignitable or reactive wastes greater than 15 meters (50 feet) from the facility's property line? [Condition C.11(b)] Yes

13. Does the permittee take precautions to prevent accidental ignition or reaction of ignitable or reactive waste and follow the storage procedures specified in Section 4 of the permit application? [Condition C.11(c)] Yes

14. Does the permittee provide electrical grounding for all containers and tanks, and transport vehicles during all operations involving the handling of ignitable or reactive wastes? [Condition B.7(b)] Yes

15. Does the permittee provide and require the use of spark proof tools during all operations involving the handling of ignitable or reactive wastes? [Condition B.7(c)] Yes

16. Does the permittee prohibit smoking and open flames in each area where ignitable, reactive or incompatible hazardous wastes are managed and post appropriate sign? [Condition B.7(d)] Yes
17. Does the permittee prevent hazardous waste from being placed in an unwashed container that previously held an incompatible waste or material? [Condition C.12(c)] Yes

**LAND DISPOSAL RESTRICTION REQUIREMENTS**

*NOTE: In order to determine compliance with all applicable LDR requirements the inspector may need to complete the separate LDR checklist:*

1. Does the permittee comply with all applicable regulations regarding land disposal prohibitions and restrictions as required by OAC Chapter 3745-270? Yes
2. Does the permittee comply with the notification and certification requirements of OAC rule 3745-270-07(A)? Yes
3. Does the permittee comply with the requirements of OAC rule 3745-270-03 and does not in any way dilute a restricted waste or treatment residue as a substitute for adequate treatment? Yes
4. Does the permittee retain supporting data used to determine if wastes managed at the facility are restricted from land disposal in the facility files as required by OAC rule 3745-270-07(A)(5)? Yes  
Are copies of all notices, certifications, demonstrations, waste analysis and other documentation produced pursuant to OAC Chapter 3745-270 retained for a period of three years as required by OAC rule 3745-270-07(A)? Yes
5. Is the permittee in compliance with the requirements of OAC rule 3745-270-50 regarding the storage of wastes restricted or prohibited from land disposal under OAC rule 3745-270-50? Yes

**CORRECTIVE ACTION**

1. Has the permittee submitted the monthly progress report for all corrective action activities? (This report is due by the 15<sup>th</sup> of the month following the reporting period.) [Condition \_\_\_\_] NA
2. Has the permittee identified any new WMUs or releases at the facility? [Condition E.10]? If so: No  
  
Did the permittee follow the steps indicated in Conditions E.10(a) and (b) and E.11? NA

**Remarks**

Item #2 Ohio EPA sent out an invoice on 3/24/10 and payment was received on 5/5/10. The 2011 fee isn't due as of the date of this inspection package.

Item # 10 Emergency Coordinator DuPont's backup emergency coordintaor was transfered to a different facility and the contingency plan was not up-dated. See letter for details.