



State of Ohio Environmental Protection Agency

Northeast District Office

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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

July 29, 2008

Dino Dotsikas, President
American Metal Coatings
1088 Ivanhoe Road
Cleveland, OH 44110

**RE: AMERICAN METAL COATINGS, OH0000147868, CUYAHOGA COUNTY
RCRA/LQG, COMPLIANCE EVALUATION INSPECTION, PARTIAL RETURN TO
COMPLIANCE**

Dear Mr. Dotsikas:

Thank you for your June 12, 2008 response to Ohio EPA's April 2, 2008 Partial Return to Compliance (PRTC) letter. American Metal Coatings (AMC) submitted information and documentation including:

- A copy of the sign in sheets from the hazardous waste contingency plan training performed on June 7, 2008.
- Documentation demonstrating that copies of the facility contingency plan have been sent to the emergency authorities expected to respond in the event of an emergency.

My review of the submitted documentation reveals that AMC has adequately abated the following hazardous waste violations cited in Ohio EPA's July 9, 2007 NOV letter:

OAC 3745-65-52 (D and (E) Content of contingency plan

AMC remains in violation of the following hazardous waste violation:

1. **Ohio Revised Code (ORC) § 3734.02 (E) and (F) storage of hazardous waste without a facility installation and operation permit:**

By letter dated November 29, 2007, Ohio EPA received information and documentation indicating that AMC has characterized and shipped offsite at least sixty-one (61) containers of waste through Enviroserve. AMC also stated that any remaining hazardous waste on site is being managed properly and is being treated through the on-site facility WWTU.

No further action is required at this time.

AMERICAN METAL COATINGS
JULY 29, 2008
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Since AMC violated ORC §3734.02(E) and (F), AMC is subject to all applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its right to have AMC begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

Failure to list specific deficiencies in this communication does not relieve AMC from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve AMC from liability for any past or present violations of the state's hazardous waste laws.

Should you have any questions, please feel free to call me at (330) 963-1181.

Sincerely,

A handwritten signature in black ink, appearing to read "Suzanne Prusnek". The signature is fluid and cursive, with a large initial "S".

Suzanne Prusnek
Environmental Specialist
Division of Hazardous Waste Management

SP:ddw

ec: Frank Popotnik, DHWM, NEDO, OEPA
Harry Sarvis, DHWM, CO, OEPA
cc: Natalie Oryshkewych, DHWM, NEDO, OEPA

**LA QG QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS DESCRIPTION SUMMARY**

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.
 SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.

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

NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

GENERAL REQUIREMENTS

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

8. Does the generator accumulate hazardous waste? Yes No N/A
 NOTE: If the LQG does not accumulate or treat hazardous waste, it is not subject to 52-34 standards. All other requirements still apply, e.g., annual reports, manifest, marking, record keeping, LDR, etc.

9. Has the generator accumulated hazardous waste on-site in excess of 90 days without a permit or an extension from the director ORC §3734.02 (E) & (F)? Yes No N/A

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

- | | | | | | | |
|---|-----|--------------------------|----|--------------------------|-----|-------------------------------------|
| 10. Does the generator treat hazardous waste in a: [ORC 3734.02(E)&(F)] | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| a. Container that meets 3745-66-70 to 3745-66-77? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C)? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| c. Drip pads that meet 3745-69-40 to 3745-69-45? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| d. Containment building that meets 3745-256-100 to 3745-256-102? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |

NOTE: Complete appropriate checklist for each unit.

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

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

MANIFEST REQUIREMENTS

12. Have all hazardous wastes shipped off-site been accompanied by a manifest? (U.S. EPA Form 8700-22) [3745-52-20(A)] Yes No N/A

13. Have items (1) through (20) of each manifest been completed? [3745-52-20(A)] Yes No N/A

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

14. Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)] Yes No N/A

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

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

16. Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1) & (2)] Yes No N/A

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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)] Yes No N/A
18. If the generator has not received the manifest within 45 days, did the generator file an exception report with Ohio EPA? [3745-52-42(A)(2)] Yes No N/A
19. Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40] Yes No N/A

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

PERSONNEL TRAINING

20. Does the generator have a training program which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to their positions? [3745-65-16(A)(2)] Yes No N/A
21. Does the personnel training program, at a minimum, include instructions to ensure that facility personnel are able to respond effectively to emergencies involving hazardous waste by familiarizing them with emergency procedures, emergency equipment and emergency systems (where applicable)? [3745-65-16(A)(3)(a-f)] Yes No N/A
22. Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)] Yes No N/A
23. Do new employees receive training within six months after the date of hire (or assignment to a new position)? [3745-65-16(B)] Yes No N/A
24. Does the generator provide annual refresher training to employees? [3745-65-16(C)] Yes No N/A
25. Does the generator keep records and documentation of:
- a. Job titles [3745-65-16D(1)]? Yes No N/A
 - b. Job descriptions [3745-65-16D(2)]? Yes No N/A
 - c. Type and amount of training given to each person [3745-65-16D(3)]? Yes No N/A
 - d. Completed training or job experience required [3745-65-16D(4)]? Yes No N/A
26. Are training records for current personnel kept until closure of the facility and are training records for former employees kept for at least three years from the date the employee last worked at the facility? [3745-65-16(E)] Yes No N/A

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

| Job Performed | Name of Employee | Date Trained |
|---------------|------------------|--------------|
| | | |
| | | |
| | | |

CONTINGENCY PLAN

27. Does the owner/operator have a contingency plan to minimize hazards to human health or the environment from fires, explosions or any unplanned release of hazardous waste? [3745-65-51(A)] *Not complete - needs updating* Yes No N/A
28. Does the plan describe the following:
- a. Actions to be taken in response to fires, explosions or any unplanned release of hazardous waste [3745-65-52(A)]? Yes No N/A
 - b. Arrangements with emergency authorities [3745-65-52(C)]. Yes No N/A
 - c. A current list of names, addresses and telephone numbers (office and home) of all persons qualified to act as emergency coordinator? [3745-65-52(D)] Yes No N/A
 - d. A list of all emergency equipment, including: location, a physical description and brief outline of capabilities? [3745-65-52(E)] Yes No N/A

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

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

29. Is a copy of the plan (plus revisions) kept on-site and been given to all emergency authorities that may be requested to provide emergency services? [3745-65-53 (A) & (B)] Yes No N/A

30. Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, or failure of the plan? [3745-65-54] Yes No N/A

31. Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55] Yes No N/A

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

EMERGENCY PROCEDURES

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

a. Was the contingency plan implemented? [3745-65-51(B)] Yes No N/A

b. Did the facility follow the emergency procedures in 3745-65-56(A) through (H)? Yes No N/A

c. Did the facility submit a report to the Director within 15 days of the incident as required by 3745-65-56(J)? Yes No N/A

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

PREPAREDNESS AND PREVENTION

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

34. Does the generator have the following equipment at the facility, if it is required due to actual hazards associated with the waste:

a. Internal communications or alarm system? [3745-65-32(A)] Yes No N/A

b. Emergency communication device? [3745-65-32(B)] *cell phones* Yes No N/A

c. Portable fire control, spill control and decon equipment? [3745-65-32(C)] Yes No N/A

d. Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)] Yes No N/A

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

35. Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33] Yes No N/A

36. Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33] Yes No N/A

37. Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under 3745-65-32)? [3745-65-34(A)] Yes No N/A

38. If there is only one employee on the premises, is there immediate access to a device (ex. phone, hand held two-way radio) capable of summoning external emergency assistance? (Unless not required under 3745-65-32) [3745-65-34(B)] Yes No N/A

39. Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] Yes No N/A

40. Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)] Yes No N/A

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

SATELLITE ACCUMULATION AREA REQUIREMENTS

42. Does the generator ensure that satellite accumulation area(s):

a. Are at or near a point of generation? [3745-52-34(C)(1)] Yes No N/A

b. Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)] Yes No N/A

c. Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)] Yes No N/A

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- d. Do not exceed one quart of acute, hazardous waste at any one time? [3745-52-34(C)(1)] Yes No N/A
- e. Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)] Yes No N/A
- f. Containers are marked with words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)] Yes No N/A
43. Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so: Yes No N/A
- a. Did the generator comply with 3745-52-34(A)(1)through(4) or other applicable generator requirements within three days? [3745-52-34(C)(2)] Yes No N/A
- b. Did the generator mark the container(s) holding excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)] Yes No N/A

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

USE AND MANAGEMENT OF CONTAINERS IN <90 DAY ACCUMULATION AREAS

44. Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(A)(3)] Yes No N/A
45. Is the accumulation date on each container? [3745-52-34(A)(2)] Yes No N/A
46. Are hazardous wastes stored in containers which are:
- a. Closed (except when adding/removing wastes)? [3745-66-73(A)] Yes No N/A
- b. In good condition? [3745-66-71] Yes No N/A
- c. Compatible with wastes stored in them? [3745-66-72] Yes No N/A
- d. Handled in a manner which prevents rupture/leakage? [3745-66-73(B)] Yes No N/A

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

47. Is the container accumulation areas(s) inspected weekly? [3745-66-74] Per ORC§1.44(A) "Week" means 7 consecutive days. Yes No N/A
- a. Are inspections recorded in a log or summary? [3745-66-74] Yes No N/A
48. Are containers of ignitable or reactive wastes located at least 50 feet (15 meters) from the facility's property line? [3745-66-76] Yes No N/A
49. Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)] Yes No N/A
50. If the generator places incompatible wastes, or incompatible wastes and materials in the same container, is it done in accordance with 3745-65-17(B)? [3745-66-77(A)] Yes No N/A
51. If the generator places hazardous waste in an unwashed container that previously held an incompatible waste, is it done in accordance with 3745-65-17(B)? [3745-66-77(B)] Yes No N/A

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

52. If the generator has closed a <90 day accumulation area does the closure appear to have met the closure performance standard of 3745- 66-11? [3745-52-34(A)(1)] Yes No N/A

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

PRE-TRANSPORT REQUIREMENTS

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

USED OIL INSPECTION CHECKLIST (Short Version)

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

PROHIBITIONS

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

USED OIL GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [2745-279-21(A)] Yes ___ No N/A RMK# ___
5. Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)] Yes ___ No N/A RMK# ___
6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-22(A)] Yes No N/A ___ RMK# ___
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes No N/A ___ RMK# ___
8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)] Yes ___ No N/A ___ RMK# ___
9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
- a. Stopped the release? Yes ___ No N/A ___ RMK# ___

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

USED OIL COLLECTION CENTERS AND AGGREGATION POINTS

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

WASTE EVALUATION

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

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REMARKS

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

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

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

TANK SYSTEM – GENERAL OPERATING REQUIREMENTS

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

TANK SYSTEM – INSPECTION REQUIREMENTS

3. Has the o/o documented the inspections required in 3745-66-95, in the operating record, including inspection of the following:
- a. Spill control equipment each operating day? [3745-66-95(A)(1)] Yes No N/A
 - b. Above ground portion of tank each operating day?[3745-66-95(A)(2)] Yes No N/A
 - c. Data from leak detection equipment each operating day?[3745-66-95(A)(3)] Yes No N/A
 - d. Construction materials and area immediately surrounding the tanks for signs of erosion or release of hazardous waste each operating day?[3745-66-95(A)(4)] Yes No N/A

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

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

TANK SYSTEM CLOSURE REQUIREMENTS

6. If the generator has closed a <90 day tank, closure must also be completed in accordance with OAC 3745-66-97 (except for paragraph C of this rule). Yes No N/A

TANK SYSTEMS STORING IGNITABLE OR REACTIVE WASTES

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

TANK SYSTEM – WASTE ANALYSIS REQUIREMENTS

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

TANK SYSTEMS REQUIREMENTS

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

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

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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"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| b. Consideration of the design standards of the system?[3745-66-92(A)] | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| c. Consideration of the hazardous characteristics of the waste(s)?[3745-66-92(A)] | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| d. An evaluation by a corrosion expert (if the external system/components are metal)?[3745-66-92(A)] | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| e. A determination of design and operational measures that will be needed to protect the tank system from potential damage (for underground tank components)?[3745-66-92(A)] | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <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"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| g. Design considerations for anchoring the unit to prevent floatation (for tanks situated in a seismic fault zone or saturated zone)?[3745-66-92(A)] | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| h. Design considerations to ensure that the tank system will withstand the effects of frost heave(for underground tank systems)?[3745-66-92(A)] | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |

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

13. Are there written statements by those persons who supervised installation or certified design of the new tank system, that the tank system was properly installed and designed and that required repairs were performed?[3745-66-92(G)]
- | | | | | | |
|-----|--------------------------|----|-------------------------------------|-----|--------------------------|
| Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <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"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| b. Statement that deficiencies were corrected before the tank system was covered or put into use?[3745-66-92(B)] | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| c. Proper backfilling?[3745-66-92(C)] | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| d. Tightness test; if the tank was found not to be tight, does the statement indicate that proper repairs were made?[3745-66-92(D)] | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| e. Proper support and protection of ancillary equipment?[3745-66-92(E)] | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| f. Supervision of the installation of field fabricated corrosion protection?[3745-66-92(F)] | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |

SECONDARY CONTAINMENT

14. Has secondary containment been provided? Yes No N/A

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

15. Is secondary containment one of the following:
- | | | | | | | |
|---|-----|--------------------------|----|-------------------------------------|-----|-------------------------------------|
| a. An External Liner? [3745-66-93(E)(1)] If so, | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| i. Is liner designed or operated to contain 100% of the capacity of the largest tank? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| 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 | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| iii. Is liner free of cracks and gaps? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| iv. Does liner completely surround the tank and cover all earth likely to be contacted by waste during a release? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| v. Are chemically resistant water stops in place at all points? (concrete liners only) | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| vi. Is there a compatible interior coating or lining to prevent migration of waste into the concrete? (concrete liners only) | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| b. Vault System? [3745-66-93(E)(2)] If so, | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| i. Is vault system designed to contain 100% of the capacity in the largest tank? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| 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 | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| iii. Are chemically resistant water stops in place at all points? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| iv. Is there a compatible interior coating to prevent migration into the concrete? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |

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- v. For **ignitable or reactive waste**: Is the vault system provided with means to prevent against the formation or ignition of vapors? Yes No N/A
- vi. Is vault system provided with an exterior moisture barrier? Yes No N/A
- c. **Double-Walled Tank?** [3745-66-93(E)(3)] If so, Yes No N/A
- i. Is double-walled tank designed as an integral structure to contain any release from the inner tank? Yes No N/A
- ii. **If metal**, are the primary tank interior and outer shell exterior surfaces protected from corrosion? Yes No N/A
- iii. Is double-walled tank provided with a continuous leak detection system able to detect a release within 24 hours or at the earliest practicable time? Yes No N/A
- d. **An Equivalent Device?** As described in 3745-66-93(D)(4) which has been approved by the director? [3745-66-93(D&E)] Yes No N/A

SECONDARY CONTAINMENT DESIGN/OPERATION/INSTALLATION

16. Has each secondary containment system been designed, installed and operated to prevent any migration of wastes or liquid to the soil, groundwater, or surface water and is it capable of detecting and collecting releases and accumulated liquids?[3745-66-93(B)(1) and (2)] Yes No N/A
17. Does the secondary containment system meet the following minimum requirements of [3745-66-93(C)]:
- a. Constructed or lined with compatible materials of sufficient strength to prevent failure?[3745-66-93(C)(2)] Yes No N/A
- b. Placed on a foundation or base capable of providing support?[3745-66-93(C)(2)] Yes No N/A
- c. Provided with a leak detection system designed/operated to detect failure to primary or secondary containment or any release of hazardous waste within 24 hours or at earliest practicable time?[3745-66-93(C)(3)] Yes No N/A
- d. Sloped or designed to drain and remove liquid resulting from leaks, spills or precipitation?[3745-66-93(C)(4)] Yes No N/A
- e. Any liquid which accumulates in the containment unit resulting from spills, leaks or precipitation removed within 24 hours or in a timely manner?[3745-66-93(C)(4)] Yes No N/A

ANCILLARY EQUIPMENT REQUIREMENTS

18. Is ancillary equipment provided with secondary containment (such as double-walled piping, jacketing or a trench)? Yes No N/A
- If not, is the ancillary equipment one of the following:* [3745-66-93(F)]
- a. Above ground piping (exclusive of flanges, joints, valves and connections) that is inspected daily? Yes No N/A
- b. Welded flanges, welded joints and/or welded connections that is inspected daily? Yes No N/A
- c. Sealless or magnetic coupling pumps and/or sealless valves? Yes No N/A
- d. Pressurized above ground piping systems with automatic shut-off devices (e.g., excess flow check valves, flow metering shutdown and/or loss of pressure-actuated shut-off devices) that is inspected daily? Yes No N/A

TANK SYSTEMS FOUND TO BE LEAKING OR UNFIT FOR USE

19. Has there been a leak or spill from any tank system or has any tank system been found unfit for use? *If so*, did the o/o: Yes No N/A

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

- a. Immediately cease flow of material into tank and investigate the cause of the release?[3745-66-96(A)] Yes No N/A
- b. Remove waste from tank system to prevent further release within 24 hours of detection or earliest practicable time?[3745-66-96(B)(1)] Yes No N/A
- c. Remove all material released into secondary containment system within 24 hours or as timely as possible to prevent harm to human health and the environment?[3745-66-96(B)(2)] Yes No N/A
- d. Immediately conduct a visual inspection of the release?[3745-66-96(C)] Yes No N/A
- e. Prevent further migration of the leak or spill to soils or surface waters?[3745-66-96(C)] Yes No N/A
- f. Properly dispose of any visibly contaminated soil or surface water? [3745-66-96(C)] Yes No N/A
- g. Report the release to the director within 24 hours unless it was less than one pound and was cleaned up immediately? [3745-66-96(D)(1)] Yes No N/A
- h. Submit a written report of the incident to the director within 30 days of the release? [3745-66-96(D)(3)] Yes No N/A

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- i. Remediate the spill and repair the unit prior to returning it to service? [3745-66-96(E)(2)] Yes No N/A
- j. For a release from a tank system without secondary containment, did the o/o provide secondary containment meeting the requirements of 3745-66-93 for the unit prior to putting it back into service? [3745-66-96(E)(4)] Yes No N/A

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

20. In the event that the repairs to the tank system were major (replacement of liner, repair of ruptured primary or secondary containment structure), did the o/o obtain a certification from an independent, registered P.E. attesting that the repaired unit is capable of handling hazardous waste? [3745-66-96(F)] Yes No N/A
21. Was a copy of the certification submitted to the director within seven days after returning the system to use? [3745-66-96(F)] Yes No N/A
22. If the o/o was unable to repair and return the unit to service as described in 20.a through 20.e, was the tank system closed in accordance with 3745-66-97? [3745-66-96(E)(1)] Yes No N/A
23. Does the o/o have a tank system **with a variance from secondary containment** from which a release has occurred but has not migrated beyond the zone of engineering control? **If so,** Yes No N/A
- a. Has the o/o complied with 3745-66-96(A) through (F) and decontaminated soils? [3745-66-93(G)(3)] Yes No N/A
- b. If soils cannot be decontaminated/removed, has the o/o complied with 3745-66-97(B)? [3745-66-93(G)(3)] Yes No N/A
24. Does the o/o have a tank system **with a variance from secondary containment** from which a release occurred and has migrated from the zone of engineering control? **If so,** Yes No N/A
- a. Has the o/o complied with 3745-66-96(A) through (D), prevented migration, and decontaminated soil? [3745-66-93(G)(4)] Yes No N/A
- b. If soils cannot be decontaminated/removed, or if the groundwater has been contaminated, has the o/o complied with 3745-66-97(B)? [3745-66-93(G)(4)] Yes No N/A