



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

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

February 19, 2009

**RE: Avery Dennison Bldg. 19
Specialty Tape Division
OHR 000003954, Lake County
RCRA Small Quantity Generator (SQG) CEI
Notice of Violation (NOV)**

David Barrett
EHS Manager
Avery Dennison
250 Chester Street Bldg. 5
Painesville, OH 44077

Dear Mr. Barrett:

On February 10, 2009, this writer, representing Ohio EPA, Division of Hazardous Waste Management (DHWM), visited Avery Dennison Bldg. 19 (Avery) located at 7070 Spinach Drive, Mentor, Ohio. The purpose of the visit was to conduct a hazardous waste compliance evaluation inspection (CEI) to determine the facility's compliance with Ohio's hazardous waste laws and rules as adopted under the Ohio Revised Code (ORC) Chapter 3734 and Chapter 3745 of the Ohio Administrative Code (OAC). The CEI included a discussion of facility operations, a review of records, a pollution prevention discussion, and a visual inspection of the facility operations and hazardous waste management areas. You, Daniel Jones, Mark Pohovey, Arvind Balakrishnan, Shawn Evangelista and Carlene Persic represented Avery.

The following represents Ohio EPA's findings:

Avery is a manufacturer of specialty engineered film and self adhesive products. At this location Avery is primarily engaged in the manufacture of specialty tapes for the industrial, consumer, medical and HVAC/R market places. They operate a single production line that runs under sterile conditions. Production began in June 2008. Avery notified as a Large Quantity Generator (LQG) of hazardous waste based upon full production levels. Currently, Avery has not reached full production and is not generating as much waste as anticipated. As production increases, waste generation may increase to the point that you become a LQG.

Although Avery notified as a LQG for this location, Avery was inspected for the requirements of a Small Quantity Generator (SQG) of hazardous waste. Enclosed is a copy of Ohio EPA's SQG inspection checklist which includes a General Remarks summary for Avery's processes and waste management activities. Also, enclosed is a checklist for the Land Disposal Restriction (LDR) Requirements. At this location Ohio EPA was informed that Avery does not generate used oil or Universal Waste (spent fluorescent lamps/batteries) at this time.

Also, included is the RCRA Subtitle C Site Identification/Verification Form which includes owner/operation information and other waste management information occurring at this

David Barrett
Avery Dennison
February 19, 2009
Page 2

location. If you find any incorrect information on the form, please contact me. Otherwise, a signature on the form is not required.

Based on this inspection Ohio EPA found the following violations:

Avery was found in violation of Ohio Administrative Code (OAC) 3745-52-34 (D) (5) (b), for failure to post by the telephone, emergency contact information and the location of emergency equipment.

During the inspection, Avery returned to compliance for this violation when the facility representative posted the required information next to the nearest phone to the <180 day hazardous waste accumulation area.

Avery was found in violation of OAC 3745-65-33 for failure to record in a log the inspections of emergency equipment at this location.

Corrective Measures: Avery is to provide to Ohio EPA documentation showing that the inspections of emergency equipment are being recorded in a log or summary. To resolve this violation Avery shall provide this information to Ohio EPA within thirty (30) days of the date of this letter.

Please provide the above requested information to my attention at Ohio EPA, Division of Hazardous Waste Management, 2110 East Aurora Rd., Twinsburg, OH 44087. Also, an e-mail message with the attached information can be forwarded to my attention at: kris.coder@epa.state.oh.us.

Thank you for your cooperation in this matter. If you have any questions about this letter, please call me at (330) 963-1266.

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

Sincerely,



Kris L. Coder
Environmental Specialist
Division of Hazardous Waste Management

KLC:cl
Enclosure

ec: Nyall McKenna, NEDO, DHWM
Harry Sarvis, CO, DHWM

Ohio Environmental Protection Agency
**RCRA SUBTITLE C SITE
IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to kristina.durnell@epa.state.oh.us
or mail it to Kristina Durnell, Central Office

Site EPA ID No.	EPA ID Number: OHR000003954									
Site Name	Name: Avery Dennison Bldg 19 Specialty Tape					Website: (Optional)				
Site Location Information	Street Address: 7070 Spinach Dr									
	City, Town, or Village: Mentor					State: OH				
	County Name: Lake					Zip Code: 44060				
Site Land Type (check only one)	Private <input checked="" type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>		
NAICS code(s) www.census.gov/epcd/www/naics.html	322221									
Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Mark			MI:	Last Name: Pohovey					
	Phone Number: 440-358-3139				Phone Number Extension:					
	E-Mail Address: mark.pohovey@averydennison.com									
	Fax Number: 440-358-3481				Fax Number Extension:					
	Street or P.O. Box: 250 Chester Street Bldg 5									
	City, Town or Village: Painesville					State: OH			Country: USA	Zip Code: 44077
	Legal Owner and Operator of the Site List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner: Avery Dennison Corporation				Date Became Owner (mm/dd/yyyy): 01/01/2006				
Owner Type:		Private <input checked="" type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>	
Street or P.O. Box: 150 N Orange Grove Blvd										
City, Town or Village: Pasadena				Owner Phone #: 626-398-2000						
State: CA				Country: USA		Zip Code: 91103				
Name of Site's Operator: Avery Dennison Corporation STD				Date Became Operator (mm/dd/yyyy): 01/01/2006						
Owner Type:		Private <input checked="" type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>	
Street or P.O. Box: 250 Chester Street Bldg 5										
City, Town or Village: Painesville				Operator Phone #:						
State: OH				Country:		Zip Code: 44077				
Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No									
Type of Generator										
<input type="checkbox"/> Not Regulated				<input type="checkbox"/> Conditionally Exempt Small Quantity Generator						
<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11				<input type="checkbox"/> United States Importer of Hazardous Waste						
<input type="checkbox"/> Large Quantity Generator (LQG)				<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator						
<input checked="" type="checkbox"/> Small Quantity Generator (SQG)										
Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)										
<input type="checkbox"/> Recycler of Hazardous Waste				<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace						
<input type="checkbox"/> Underground Injection Control Facility				<input type="checkbox"/> Small Quantity On-Site Burner Exemption						
<input type="checkbox"/> Hazardous Waste Transporter				<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption						
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste										

Universal Waste Activities (Indicate types of universal waste generated and/or accumulated (check all boxes that apply))	
<input type="checkbox"/> Small Quantity Handler of Universal Waste	<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)
<input type="checkbox"/> Destination Facility for Universal Waste	

(Check all boxes below that apply for each of the three types of facilities above)	Used Oil Activities (Indicate Type(s) of Activity(ies))	
Managed	<input type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner
Batteries <input type="checkbox"/>	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
Pesticides <input type="checkbox"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner
Mercury containing equipment <input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor	
Lamps <input type="checkbox"/>	<input type="checkbox"/> Used Oil Re-refiner	

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

D001	D035	F003	F005		
------	------	------	------	--	--

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

Announced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:	David Barrett, EHS Manager and Daniel Jones, Environmental Compliance Engineer. Other representatives were Mark Pohovey; Arvind Balakrishnan; Shawn Evangelista, "Pool Team Member"; and Carlene Persic, Shipping Department.
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Other Comments: Were inspected for the SQG requirements; as production increases they may become a LQG.	
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Kris Coder	na	2/10/2009 9:30 a.m.

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

Signature of Owner, Operator, or an Authorized Representative	Name and Title (Print)	Date (mm/dd/yyyy)

**SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET
Avery Dennison Bldg. 19
Inspected by Kris Coder, Ohio EPA, DHWM**

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

Safety Equipment Used: steel toed boots and safety glasses; sterile line in production area requires additional protective items to maintain sterility; no phones, badges or watches within the production area.

General Remarks: Avery Dennison Bldg. 19, Specialty Tapes U.S., was inspected by Ohio EPA, DHWM, on February 10, 2009. The facility representatives were David Barrett, EHS Manager and Daniel Jones, Environmental Compliance Engineer. Other representatives were Mark Pohovey; Arvind Balakrishnan; Shawn Evangelista, "Pool Team Member"; and Carlene Persic, Shipping Department. Based upon information provided during the inspection Building 19 was inspected for the Small Quantity Hazardous Waste Generator requirements. Production at this facility began in June 2008. The facility filed as a Large Quantity Generator (LQG) of hazardous waste based upon full production levels. Currently, they have not reached full production and are not generating as much waste as anticipated. As production increases, waste generation may increase to the point that they are a LQG. This facility manufactures specialty tapes for the industrial, consumer, medical and HVAC/R marketplaces. They operate a single production line that runs under sterile conditions. Wastes generated from this operation accumulate in at least two satellite hw locations. Two other satellite locations were noted located in the Tote Storage Room. One satellite was for hw liquids and the other was for hw solids. The facility has one, inside hw accumulation area. Ohio EPA noted 12 hw drums in this location. The oldest accumulation date was noted as 12/01/2008. As a SQG this accumulation area operates under the <180 day requirements, although the facility appears to ship wastes more frequently. Spill control and other emergency equipment were noted to be readily available. The other portions of this facility operate as warehouse storage and shipping. Ohio EPA saw hw manifests in the shipping department. Rinco, AR receives their hw shipments. Ohio EPA received a copy of the Rinco Waste Shipment Summary, January 2008 through December 2008 for Building 19. Building 19's wastes consists of waste adhesive silicone/solvent (D001, D035, F003, F005) (Toluene/Heptane); solvent contaminated solid waste (D001, D035, F003, F005) (Toluene/Heptane); non-hazardous water based ink; and non RCRA, non regulated material, StonKleen AF2A. Ohio EPA did not note any UW (spent batteries or lamps) or used oil at this location.

GENERAL REQUIREMENTS

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
2.	Has the generator obtained a U.S. EPA I.D. number? [3745-52-12]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
3.	Has the generator transported or caused to be transported hazardous waste to other than a facility authorized to manage the hazardous waste? [ORC 3734.02 (F)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
4.	Has the generator disposed of hazardous waste on-site without a permit or at another facility other than a facility authorized to dispose of hazardous waste? [ORC 3734.02 (E) & (F)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
5.	Does the generator accumulate hazardous waste?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

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

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

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

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

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

8.	Does the generator treat hazardous waste in a:					
	a.	Container that meets 3745-66-70 to 3745-66-77?	Yes	<input type="checkbox"/>	No	x N/A x
	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 x
	c.	Drip pads that meet 3745-69-40 to 3745-69-45?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/> N/A x
	d.	Containment building that meets 3745-256-100 to 3745-256-102?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/> N/A x

NOTE: Complete appropriate checklist for each unit.

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

MANIFEST REQUIREMENTS

9.	Are all hazardous wastes either reclaimed under a contractual agreement as defined in OAC rule 3745-52-20(E), or shipped off-site accompanied by a manifest (U.S. EPA Form 8700-22)? [3745-52-20(A)]		Yes	x	No	<input type="checkbox"/> N/A <input type="checkbox"/>
10.	Are wastes reclaimed under a contractual agreement? If so: [3745-52-0(E)]		Yes	<input type="checkbox"/>	No	x N/A <input type="checkbox"/>
	a.	Does the contractual agreement specify the type of waste and frequency of shipment?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/> N/A x
	b.	Is the transport vehicle owned and operated by the reclaimer?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/> N/A x
	c.	Is a copy of the reclamation agreement kept on-site for at least three years after termination/expiration of the agreement?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/> N/A x

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

11.	Have items 1 through 20 of each manifest been completed?[3745-52-20(A)]		Yes	x	No	<input type="checkbox"/> N/A <input type="checkbox"/>
-----	---	--	-----	---	----	---

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

12.	Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)]		Yes	x	No	<input type="checkbox"/> N/A <input type="checkbox"/>
-----	--	--	-----	---	----	---

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

13.	If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternative TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)]		Yes	<input type="checkbox"/>	No	<input type="checkbox"/> N/A x
14.	Have the manifests been signed by the generator and initial transporter? [3745-52-23 (A) (1) and (2)]		Yes	x	No	<input type="checkbox"/> N/A <input type="checkbox"/>

NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have made a good faith effort to minimize their waste generation.

15.	If the generator did not receive a return copy of each completed manifest within 60 days of being accepted by the transporter did the generator submit to Ohio EPA, a copy of the manifest with some indication that the generator has not received confirmation of delivery? [3745-52-42(B)]		Yes	x	No	<input type="checkbox"/> N/A <input type="checkbox"/>
16.	Are signed copies of all manifests being retained for at least three years? [3745-52-40]		Yes	x	No	<input type="checkbox"/> N/A <input type="checkbox"/>

NOTE: Waste generated at one location and transported along a publicly accessible road for temporary consolidated storage or treatment on a contiguous property also owned by the same person is not considered "on-site" and

manifesting and transporter requirements must be met. To transport "along" a public right-of-way the destination facility has to act as a transfer facility or have a permit because this is considered to be "off-site." For additional information see the definition of "on-site" in OAC rule 3745-50-10.

PREPAREDNESS AND PREVENTION

17.	Is an emergency coordinator available at all times (on-site or on-call)? [3745-52-34(D)(5)(a)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
18.	Has the following been posted by the telephone: [3745-52-34(D)(5)(b)]	Remarks: During the inspection this violation was corrected when the facility representative posted the required information next to the phone near the 180 day HW accumulation area.
	a. Name and telephone number of emergency coordinator?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	b. Location of fire and spill control equipment, and, if present, fire alarm(s)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	c. Telephone number of local fire department?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
19.	Are employees familiar with waste handling and emergency procedures? [3745-52-34(D)(5)(c)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
20.	Has the facility properly responded to all fires and spills? [3745-52-34(D)(5)(d)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
21.	Is the facility operated to minimize the possibility of fire, explosion, or any unplanned sudden or nonsudden release of hazardous waste? [3745-65-31]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
22.	Does the generator have the following equipment at the facility if it is required due to actual hazards associated with the waste:	
	a. Internal Alarm system? [3745-65-32(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b. Emergency communication device? [3745-65-32(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	c. Portable fire control, spill control and decon equipment? [3745-65-32(C)]?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	d. Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
23.	Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	a. Are inspections recorded in a log or summary? [3745-65-33] Remarks: During the inspection Ohio EPA reviewed the Daily Log presented by Shawn Evangelista. Remarks were made that emergency equipment is inspected daily but there was no clear indication within the Log that these inspections are being recorded in the Log by the "Pool Team".	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
24.	Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under OAC 3745-65-32)? [3745-65-34(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
25.	If there is only one employee on the premises is there immediate access to a device (ex. phone, hand-held two-way radio) capable of summoning external emergency assistance (unless not required under OAC 3745-65-32)? [3745-65-34(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
26.	Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
27.	Has the generator attempted to familiarize emergency authorities with possible hazards and facility layout? [3745-65-37(A)]	Yes <input checked="" type="checkbox"/>

28.	Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
SATELLITE ACCUMULATION AREA REQUIREMENTS		
29.	Does the generator ensure that satellite accumulation area(s):	
a.	Are at or near a point of generation? [3745-52-34(C)(1)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
e.	Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
f.	Containers are marked with the words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
30.	Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Did the generator mark the container(s) holding the excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<p><i>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.</i></p>		
USE AND MANAGEMENT OF CONTAINERS		
31.	Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(D)(4)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
32.	Is the accumulation date on each container? [3745-52-34(D)(4)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
33.	Are hazardous wastes stored in containers which are:	
a.	Closed (except when adding/removing wastes)? [3745-66-73(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	In good condition? [3745-66-71]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Compatible with wastes stored in them? [3745-66-72]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Handled in a manner which prevents rupture/leakage? [3745-66-73(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<p><i>NOTE: Record location on process summary sheets and photograph the area.</i></p>		
34.	Is the container accumulation area(s) inspected at least weekly? [3745-66-74] Per ORC§1.44(A) "Week" means seven(7) consecutive days.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Are inspections recorded in a log or summary? [3745-66-74] Remarks: Ohio EPA reviewed the daily log as noted above. The log indicated that "Hazardous Waste" is being inspected on a daily basis by one of the "Pool Team".	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
35.	Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

GENERATOR LDR CHECKLIST
Avery Dennison Bldg 19
February 10, 2009
Kris Coder

GENERAL REQUIREMENTS

- | | | | | | | | |
|----|--|-----|----|--------------------------|--------------------------|-----|--------------------------|
| 1. | If LDRs do not apply, does the generator have a statement that lists how the HW was generated, why LDRs don't apply and where the HW went? [3745-270-07 (A)(7)] | Yes | No | <input type="checkbox"/> | N/A | x | |
| 2. | Did the generator determine if the HW/soil must be treated to meet the LDR treatment standard prior to disposal? Generator knowledge or testing may be used. [3745-270-07(A)(1)] | Yes | x | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |

NOTE: This is done by determining if the HW /soil contains levels of constituents greater than the levels given in its LDR treatment standard in 3745-270-40. However, if a specific treatment method is given in 3745-270-40 for the HW, no determination is required [3745-270-07 (A)(1)(b)]. If soil, generator can choose to have soil treated to LDR levels given in 3745-270-49 (alternative treatment levels for soils).

- | | | | | | | | |
|----|--|-----|---|----|--------------------------|-----|--------------------------|
| 3. | Does the generator have documentation of how he determined whether the HW/soil meets or does not meet the LDR treatment standard in 2, above? [3745-270-07(A)(6)(a) or 3745-270-07(A)(6)(b)] | Yes | x | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| 4. | Does the generator keep the documentation required in #2, above, on-site for at least three years from the last date the HW/soil was sent on-site/off-site for treatment/disposal? [3745-270-07(A)(8)] | Yes | x | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| 5. | Does the generator generate a listed HW that exhibits a characteristic? If yes, | Yes | x | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| | a. Did the generator determine if the listed HW exhibits a characteristic that is not treated under the LDR treatment standard for the listed HW? [3745-270-09(A)] | Yes | x | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |

FOR EXAMPLE: F006 that exhibits the characteristic for silver or K062 that is corrosive, D002. Review LDR treatment standard in 3745-270-40 to determine what constituents the listed HW is treated for.

- | | | | | | | |
|----|---|-----|----|--------------------------|-----|---|
| 6. | Did the generator determine if its characteristic HW contains underlying hazardous constituents that need to be treated? [3745-270-09(A)] | Yes | No | <input type="checkbox"/> | N/A | x |
|----|---|-----|----|--------------------------|-----|---|
- NOTE: This is done by evaluating which underlying hazardous constituents (UHC) are in the HW at levels above the universal treatment standards given in 3745-270-48. This requirement does not apply to high total organic carbon (i.e., contains >10% TOC) D001 wastes or listed HWs.*

NOTE: Written documentation of this determination is not required.

- | | | | | | | |
|----|--|-----|----|---|-----|---|
| 7. | Did the generator treat his HW /soil on-site to meet the LDR treatment standard? | Yes | No | x | N/A | x |
|----|--|-----|----|---|-----|---|

NOTE If a Yes@ see question #16.

- | | | | | | | | |
|-----|--|-----|----|--------------------------|--------------------------|-----|---|
| 8. | Did the generator send a one-time LDR notification form to the TSD with the first shipment to that facility?[3745-270-07(A)(2)] | Yes | No | <input type="checkbox"/> | N/A | x | |
| 9. | Did the generator resubmit the LDR notification form to the TSD when the HW changed or the generator used a new TSD? [3745-270-07(A)(2)] | Yes | x | No | <input type="checkbox"/> | N/A | x |
| 10. | Does the generator have a copy of the LDR notification form on file?[3745-270-07(A)(2)] | Yes | x | No | <input type="checkbox"/> | N/A | x |
| | a. Is the form kept on file for three years after last HW shipped? [3745-270-07(A)(8)] | Yes | x | No | <input type="checkbox"/> | N/A | x |

NOTIFICATION FORM

- | | | | | | | | |
|-----|--|-----|---|----|--------------------------|-----|--------------------------|
| 11. | Does the LDR Notification form contain the following information: | | | | | | |
| | a. Manifest number of the first waste shipment to the TSD?[3745-270-07(A)(2)] | Yes | x | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| | b. Applicable waste codes (includes characteristic codes for a listed HW if applicable)? [3745-270-07(A)(2)] | Yes | x | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| | c. A statement that conveys that the HW is subject to LDRs and must | Yes | x | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |

		be treated to meet LDR treatment requirements? [3745-270-07(A)(2)]			
	d.	A designation whether the HW is a wastewater or non-wastewater? [3745-270-07(A)(2)].	Yes	<input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A <input type="checkbox"/>
NOTE: A wastewater contains <1% by wt. total suspended solids(TSS) and <1% by wt. TOC. If you doubt the HW is a wastewater or non-wastewater, the HW can be tested using for example, Standard Methods (SM) 160.2 for TSS, SW-846 method 9060a for TOC.					
	e.	Designation of the waste subcategory when applicable? [3745-270-07(A)(2)]	Yes	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
NOTE: Subcategories are found on the LDR treatment standards table under the applicable waste code. Not all HWs have subcategories					
	f.	A listing of the underlying hazardous constituents for which a characteristic waste must be treated? [3745-270-07(A)(2)]	Yes	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
NOTE: Not required if the waste is high TOC D001 or the TSD tests its treatment residues for all underlying hazardous constituents.					
	g.	If the HW is F001-F005 or F039, did the generator note on the LDR form what solvents or constituents, respectively, the waste contains and must be treated for?[3745-270-07(A)(2)]	Yes	<input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A <input type="checkbox"/> F039, only.
NOTE: Not required if the TSD tests its treatment residues for all underlying hazardous constituents.					
PROHIBITED DILUTION					
12.		Is the HW treated by burning? If a No, go to #15.	Yes	<input type="checkbox"/>	No <input checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/>
13.		Is the HW a metal-bearing HW?	Yes	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
NOTE: Generally, metal-bearing HWs contain heavy metals above TCLP levels or were listed due to the presence of metals. A list of the restricted metal-bearing HWs are given in the Appendix to 3745-270-03.					
14.	a.	Metal-bearing HWs cannot be incinerated, combusted or, blended and burned for fuel unless <u>one</u> of the following conditions apply. [3745-270-03(c)]			
	i.	Contains > 1% TOC?	Yes	<input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	ii.	Contains organic constituents or cyanide at levels greater than the UST levels?	Yes	<input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iii.	Is made up of combustible material e.g., paper, wood, plastic?	Yes	<input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iv.	Has a reasonable heating value (e.g., > 5000 Btu)?	Yes	<input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	v.	Co-generated with a HW that must be combusted?	Yes	<input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	If all responses to 14 a.i. through 14 a.v. are a No, HW is being improperly treated by dilution, violation of 3745-270-03(C). Is HW being treated by dilution?	Yes	<input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.		Was the HW treated by wastewater treatment?	Yes	<input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	a.	Is a LDR treatment method, other than DEACT or a numerical value, specified for the waste? [3745-270-03(B) and 3745-270-40(A)(3)]	Yes	<input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
NOTE: If Yes, HW is improperly being treated by dilution.					
	b.	Does the waste carry the D001 code <u>and</u> contain ≥10% TOC?	Yes	<input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c.	Does the wastewater treatment process include a process to	Yes	<input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

	separate/recover the organic phase of the waste?				
NOTE: If the answers to b & c are Ayes@ and Ano@, respectively, waste is improperly being treated by dilution and generator is in violation of [3745-270-03(B) and 3745-270-40(A)(3)].					
NOTE: A list of separation/recovery processes are given in 3745-270-42 under RORG.					
GENERATOR TREATMENT					
16.	Does the generator treat to meet LDRs on-site [3745-270-40(A)]?		Yes	No	x N/A x
	Did the generator treat his hazardous waste/soil on-site in a tank, container, drip pad or containment building to meet the LDR treatment standard?		Yes	No	<input type="checkbox"/> N/A x
If AYes@...complete the rest of the checklist. If ANo@...stop...you are done.					
a.	Does the generator have a written waste analysis plan (WAP) that describes the procedures he will follow to treat the HW/soil to the LDR treatment standard? [3745-270-07(A)(5)]		Yes	No	<input type="checkbox"/> N/A x
b.	Did the generator use a detailed chemical and physical analysis of the HW/soil in order to develop the WAP? [3745-270-07(A)(5)(a)]		Yes	No	<input type="checkbox"/> N/A x
NOTE: This is a laboratory analysis but it does not have to be kept by the generator.					
c.	Does the WAP contain all information necessary to treat the HW/soil to the LDR treatment standard? [3745-270-07(A)(5)(a)]		Yes	No	<input type="checkbox"/> N/A x
d.	Does the WAP include the testing frequency of the treated HW/soil to demonstrate that the LDR treatment standard is being met? [3745-270-07(A)(5)(a)]		Yes	No	<input type="checkbox"/> N/A x
e.	Does the generator keep the WAP on-site? [3745-270-07(A)(5)(b)]		Yes	No	<input type="checkbox"/> N/A x
f.	Is the WAP available for the inspector=s review during the inspection? [3745-270-07(A)(5)(b)]		Yes	No	<input type="checkbox"/> N/A x
NOTIFICATION FORM					
17.	a.	Contains all information in #11 a-g above and	Yes	No	<input type="checkbox"/> N/A x
	b.	If the treated HW/soil is listed.....notification contains the following certification statement: A I certify under penalty of law that I personally have examined and am familiar with the waste, through analysis and testing or trough knowledge of the waste, to support this certification that the waste complies with the treatment stands specified in rule 3745-270-40 to 3745-270-49 of the Administrative Code. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment. @	Yes	No	<input type="checkbox"/> N/A x
	c.	If the treated HW/soil no longer exhibits a characteristic and is no longer a HW, did the generator:			
	i.	Send a one-time notification to the director?[3745-270- 09 (D)]	Yes	No	<input type="checkbox"/> N/A x
	ii.	Maintain a copy of the notice onsite?[3745-270-09(D)]	Yes	No	<input type="checkbox"/> N/A x
	iii.	Include in the notification: [3745-270-09(D)(1)(a)]			
	1.	Name & address of receiving landfill?	Yes	No	<input type="checkbox"/> N/A x
	2.	Description of HW when generated?	Yes	No	<input type="checkbox"/> N/A x

		3.	HW code when generated?	Yes	No	<input type="checkbox"/>	N/A	x
		4.	Treatability group when generated?	Yes	No	<input type="checkbox"/>	N/A	x
		5.	Underlying hazardous constituents present when generated?	Yes	No	<input type="checkbox"/>	N/A	x
		iv.	Contain the right certification statement as required by 3745-70-07(b)(4)?	Yes	No	<input type="checkbox"/>	N/A	x