



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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www.epa.state.oh.us

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

February 24, 2009

Bill Gallagher
General Manager
1028 East 134th Street
Cleveland, OH 44110

**RE: BARKER PRODUCTS, INC., OHD 070 763 339, CUYAHOGA COUNTY
RCRA/LQG, COMPLIANCE EVALUATION INSPECTION, NOTICE OF VIOLATION**

Dear Mr. Gallagher:

On January 27, 2009, Ohio EPA's DHWM conducted a compliance evaluation inspection of the Barker Products Co. (Barker) located at 1028 East 134th Street, in Cleveland, Ohio. Barker is an electroplating operation and qualifies as a Large Quantity Generator (LQG) of hazardous waste. Hazardous waste streams generated at the facility include an electroplating waste water treatment sludge (F006), and a waste water treatment sludge characteristically hazardous for cadmium and chromium (D006, D007) from zinc plating on carbon steel.

The purpose of this inspection was to determine Barker's compliance with Ohio's hazardous waste laws and regulations as found under the Ohio Revised Code and Ohio Administrative Code ("ORC" and "OAC" respectively). Barker was represented by you and Elba Wade while Ohio EPA was represented by Karen Nesbit and me. Ohio EPA's inspection included an inspection of the Barker facility and a review of written documentation. Based on this inspection, Ohio EPA has determined that Barker has violated the following state hazardous waste regulations:

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

At the time of this inspection, Ohio EPA observed several open containers of hazardous waste, including:

- A. One open, unlabeled 275 gallon tote containing cadmium waste being accumulated to treat in the facility on-site waste water treatment unit (WWTU). The tote also contained some scrap equipment, gloves and other debris. Barker was cautioned that the scrap and debris would need to be removed, properly characterized and managed prior to treating the waste through the on-site WWTU.

To demonstrate abatement of this violation, see Violation #4.

- B. One open, unlabeled 275 gallon tote containing hexavalent chromate waste being accumulated for chrome reduction prior to treating through the facility on-site WWTU.

To demonstrate abatement of this violation, see Violation #4

- C. One open, unlabeled poly container of clean out waste from two old zinc WWTU tanks which had been taken out of service. Analytical data (TCLP) supplied by Baker demonstrated the waste to be characteristically hazardous for cadmium (D006).

Upon being informed of the violation, Barker immediately instructed an employee to cover, label and date the container of waste. Ohio EPA therefore considers this violation abated at the time of the inspection. No further action is required at this time.

- D. One open, unlabeled blue poly fifty-five gallon drum containing sludge cleaned out from the clarifier of the zinc plating WWTU.

By e-mail dated January 29, 2009, Ohio EPA received documentation demonstrating the contents of the container of clarifier clean out waste had been treated through the on-site WWTU. Ohio EPA therefore considers this violation abated at the time of the inspection. No further action is required at this time.

- E. The zinc plating line filter cake roll-off box was uncovered at the time of this inspection.

Upon being informed of the violation, Barker immediately instructed an employee to cover the roll-off box. Ohio EPA therefore considers this violation abated at the time of the inspection. No further action is required at this time.

2. **OAC Rule 3745-52-34(A)(3) Labeling:** *A generator may, for ninety days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without an Ohio hazardous waste permit, provided that, while being accumulated and/or treated on-site, each container and tank is labeled or marked clearly with the words "Hazardous Waste".*

At the time of this inspection, Ohio EPA observed several unlabeled containers of hazardous waste, including:

- A. One open, unlabeled 275 gallon tote containing cadmium waste being accumulated to treat in the facility on-site WWTU. The tote also contained some scrap equipment, gloves and other debris. Barker was cautioned that the scrap and debris would need to be removed, properly characterized and managed prior to treating the waste through the on-site WWTU.

To demonstrate abatement of this violation, see Violation #4.

- B. One open, unlabeled 275 gallon tote containing hexavalent chromate waste being accumulated for chrome reduction prior to treating through the facility on-site WWTU.

To demonstrate abatement of this violation, see Violation #4.

- C. One open, unlabeled poly container of clean out waste from two old zinc WWTU tanks which had been taken out of service. Analytical data (TCLP) supplied by Baker demonstrated the waste to be characteristically hazardous for cadmium (D006).

Upon being informed of the violation, Barker immediately instructed an employee to cover, label and date the container of waste. Ohio EPA therefore considers this violation abated at the time of the inspection. No further action is required at this time.

- D. One open, unlabeled blue poly fifty-five gallon drum containing sludge cleaned out from the clarifier of the zinc plating WWTU.

By e-mail dated January 29, 2009, Ohio EPA received documentation demonstrating the contents of the container of clarifier clean out waste had been treated through the on-site WWTU. Ohio EPA therefore considers this violation abated at the time of the inspection. No further action is required at this time.

3. **OAC Rule 3745-52-34(A)(2) Accumulation Date:** *A generator may, for ninety days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without an Ohio hazardous waste permit, provided that the date upon which each period of accumulation and/or treatment begins is clearly marked and visible for inspection on each container.*

At the time of this inspection, Ohio EPA observed several containers of hazardous waste which had not been labeled with an accumulation date, including:

- A. One open, unlabeled 275 gallon tote containing cadmium waste being accumulated to treat in the facility on-site WWTU had not been labeled with an accumulation date. The tote also contained some scrap equipment, gloves and other debris. Barker was cautioned that the scrap and debris would need to be removed, properly characterized and managed prior to treating the waste through the on-site WWTU.

To demonstrate abatement of this violation, see Violation #4.

- B. One open, unlabeled 275 gallon tote containing hexavalent chromate waste being accumulated for chrome reduction prior to treating through the facility on-site WWTU.

To demonstrate abatement of this violation, see Violation #4.

- C. One open, unlabeled poly container of clean out waste from two old zinc WWTU tanks which had been taken out of service. Analytical data (TCLP) supplied by Baker demonstrated the waste to be characteristically hazardous for cadmium (D006).

Upon being informed of the violation, Barker immediately instructed an employee to cover, label and date the container of waste. Ohio EPA therefore considers this violation abated at the time of the inspection. No further action is required at this time.

- D. One open, unlabeled blue poly fifty-five gallon drum containing sludge cleaned out from the clarifier of the zinc plating WWTU.

By e-mail dated January 29, 2009, Ohio EPA received documentation demonstrating the contents of the container of clarifier clean out waste had been treated through the on-site WWTU. Ohio EPA therefore considers this violation abated at the time of the inspection. No further action is required at this time.

4. **OAC Rule 3745-66-71 Condition of containers:** *If a container holding hazardous waste is not in good condition, or if it begins to leak, the owner or operator must transfer the hazardous waste from such container to a container that is in good condition or manage the waste in another manner that complies with the requirements of Chapters 3745-65 to 3745-69 and 3745-256 of the Administrative Code.*

Barker accumulates hazardous waste to be treated through the facility on-site WWTU, in containers. At the time of this inspection, Ohio EPA observed most of the containers were unable to be closed because the top of the drum or tote had been modified or cut off. Containers modified in this fashion are not considered in good condition as they cannot be managed in accordance with OAC 3745-66-73.

To demonstrate abatement of Violations #1, #2, #3 and #4, Barker must submit to this office documentation in the form of a photograph demonstrating that containers being used to accumulate hazardous waste are in good condition, closed, labeled with an accumulation date and the words "Hazardous Waste".

5. **OAC Rule 3745-65-32(A) Required equipment:** *All facilities shall be equipped with the following, unless none of the hazards posed by waste handled at the facility could require a particular kind of equipment specified below:*

(A) An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel;

At the time of this inspection, Barker did not have an internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel.

To demonstrate abatement of this violation, Barker must install an internal communications or alarm system as described above and submit to this office documentation in the form of a photograph and brief description, demonstrating that this has been done. Ohio EPA reminds Barker that implementation of the internal communication device or alarm system must be included in the facility contingency plan and personnel training program

6. **OAC Rule 3745-65-33 Testing and maintenance of equipment:** *All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, must be tested and maintained as necessary to assure its proper operation in time of emergency. The owner or operator must record the inspections in a log or summary.*

At the time of this inspection, Barker was not performing the required inspections of the emergency equipment associated with the less than ninety day accumulation areas (both roll-off boxes and any other area where hazardous waste is accumulated in containers prior to treating through the on-site WWTU). Ohio EPA reminds Barker that this emergency equipment includes the cell phone that is used by the WWTU operator as an emergency communication device.

To demonstrate compliance, Barker must inspect the emergency equipment to assure that it is present and functioning, record these inspections in a log and submit two consecutive weeks of completed inspections to this office. Ohio EPA provided Barker with an example inspection log sheet at the time of this inspection and an electronic version via e-mail subsequent to this inspection.

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

Barker accumulates hazardous waste on site in containers (totes and drums) for treatment through the on-site WWTU and in roll-off boxes to be shipped off site for disposal. Barker has not been performing the required weekly inspections of the hazardous waste accumulation areas and documenting them in a log or summary.

To demonstrate abatement of this violation, Barker must begin performing the weekly inspections of the hazardous waste accumulation areas immediately and log the inspections in an inspection log or summary. Barker must submit to this office, copies of two consecutive weeks of completed inspection log sheets for all hazardous waste accumulation areas on site (both roll-off boxes and any other area where hazardous waste is accumulated in containers prior to treating through the on-site WWTU). Ohio EPA provided Barker with example inspection log sheets at the time of this inspection and an electronic version was e-mailed to the facility subsequent to the inspection.

8. **OAC Rule 3745-65-54 Amendment of contingency plan:** *The contingency plan must be reviewed, and immediately amended, if necessary, whenever:*
- (A) Applicable rules are revised;*
 - (B) The contingency plan fails in an emergency;*
 - (C) The facility changes- in its design, construction, operation, maintenance, or other circumstances in a way that materially increases the potential for fires, explosions, or releases of hazardous waste or hazardous waste constituents, or changes the response necessary in an emergency;*
 - (D) The list of emergency coordinators changes; or*
 - (E) The list of emergency equipment changes; or.*

Barker has not updated the facility contingency plan to reflect changes in the emergency coordinators or emergency equipment descriptions and locations generated at the facility.

To demonstrate abatement of this violation, see Violation #9.

9. **OAC Rule 3745-65-52 (D)(E) Content of contingency plan:**
- (D) The plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator (see rule 3745-65-55 of the Administrative Code), and this list must be kept up to date. Where more than one person is listed, one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates.*
 - (E) The contingency plan must include a list of all emergency equipment at the facility [such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment] where this equipment is required. This list must be kept up to date. In addition, the contingency plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities.*

At the time of this inspection, Barker's contingency plan had not been updated to include a current list of names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator. Furthermore, the contingency plan did not include an updated list of all emergency equipment associated with the management of hazardous waste, the location of the equipment, a physical description and a brief outline of the capabilities.

To demonstrate abatement of this violation, Barker will update the hazardous waste contingency plan to include the complete names, addresses and phone numbers (home and office) of all employees qualified to act as emergency coordinators. Barker must also include a list of the emergency equipment, the location of the equipment, a physical description and a brief outline of the capabilities of the equipment in the facility contingency plan.

Barker will submit a copy of the updated contingency plan to this office for review. Barker must also send a copy of the updated contingency plan to all local police departments, fire departments, hospitals, and local emergency response teams that may be requested to provide emergency services. Barker must document that this has been done and submit said documentation to this office. An example contingency plan was emailed to you in MS Word format subsequent to this inspection.

10. **OAC 3745-65-16 Personnel training:**

- (A) *(1) Facility personnel shall successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements chapters 3745-65 to 3745-69 and 3745-248 of the Administrative Code. The owner or operator shall ensure that this program includes all the elements described in the document required under paragraph (D)(3) of this rule.*
- (B) *Facility personnel shall successfully complete the program required in paragraph (A) of this rule within six months after the date of their employment or assignment to a facility, or to a new position at a facility. Employees hired after the effective date of this rule January 7, 1983, shall not work in unsupervised positions until they have completed the training requirements of paragraph (A) of this rule.*
- (C) *Facility personnel shall take part in an annual review of the initial training required in paragraph (A) of this rule.*
- (D) *The owner or operator shall maintain the following documents and records at the facility:*
 - (1) *The job title for each position at the facility **related to hazardous waste management**, and the name of the employee filling each job;*
 - (2) *A written job description for each position listed under paragraph (D)(1) of this rule. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but shall **include the requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position;***
 - (3) *A written description of **the type and amount of both introductory and continuing training that will be given to each person filling a position listed** under paragraph (D)(1) of this rule; and*
 - (4) *Records that document that the training or job experience required under paragraphs (A), (B), and (C) of this rule has been given to, and completed by, facility personnel.*

- (E) *Training records on current personnel shall be kept until closure of the facility. Training records on former employees shall be kept for at least three years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company.*

At the time of the January 27, 2009 inspection, Barker did not have a personnel training program which meets all the requirements of OAC 3745-65-16.

To demonstrate abatement of this violation, Barker must develop a personnel training program which meets the requirements of OAC rule 3745-65-16. **The personnel training program must be tailored to hazardous waste management at the Barker facility and specifically cover proper management of the hazardous wastes generated at that facility.** Incorporated into this program will be annual refreshers and a policy to train new employees within six months of their hiring date or transfer to a new position which manages hazardous waste. Barker will train its employees in this program and the updated contingency plan and submit to this office a summary of the training program, **the name and qualifications of the trainer**, a list of employees receiving the training and sign-in sheets demonstrating the training has been performed.

Furthermore, Barker will develop job titles and descriptions for all positions that manage hazardous waste which meet the requirements of OAC 3745-65-16(D). The facility must submit to this office:

- A list of employees which fill positions that manage hazardous waste.
- A list of job titles and descriptions for those positions involved in hazardous waste management.
- The job descriptions should make clear who has the duty to inspect hazardous waste containers and emergency equipment, to label, date and close hazardous waste containers, to sign manifests, to create annual reports and any other duties regarding the management of hazardous waste.

An electronic copy of Ohio EPA's example job titles and descriptions was e-mailed to you subsequent to this inspection.

Ohio EPA has the following concern which must be addressed:

1. At the time of this inspection Barker did not have a protocol for the proper management of spent fluorescent lamps. While Ohio EPA observed no spent lamps on site, the facility stated they currently disposed of spent lamps in the solid waste dumpster. Ohio EPA explained to the facility that Ohio considers spent fluorescent lamps a spent material subject to regulation and provided Barker with guidance regarding the management of spent fluorescent lamps under the Universal Waste rules. Please submit to this office a brief discussion regarding spent fluorescent lamps (including high pressure sodium and metal halide lamps) generated by the facility and how Barker plans to manage this waste stream in the future.

Enclosed you will find copies of the checklists completed at the time of the inspection. Please submit all of the requested documentation to my attention within thirty (30) days of receipt of this letter demonstrating that all issues have been addressed.

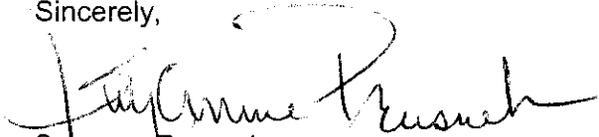
BARKER PRODUCTS, INC.
FEBRUARY 24, 2009
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The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (*i.e.* source reduction). For those wastes and pollutants that are generated, the second is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment and improve your public image by implementing pollution prevention programs. For more information about pollution prevention, including fact sheets or U.S. EPA's "Facility Pollution Prevention Guide" (EPA/600/R-92/088), please contact the Ohio EPA Pollution Prevention Section at (614) 644-3469.

Failure to list specific deficiencies in this communication does not relieve Barker from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve Barker 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,



Suzanne Prusnek
Environmental Specialist
Division of Hazardous Waste Management

SP:ddw

Enclosures

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

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. Site Name	EPA ID Number: OHD070763339 Name: Barker Products Company		Website: barkerplating.com (Optional)					
Site Location Information	Street Address: 1028 E. 134th Street City, Town, or Village: Cleveland County Name: Cuyahoga		State: OH Zip Code: 44110					
Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/w/naics.html	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"/>
Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Bill Phone Number: 2162337254 E-Mail Address: billgallagher@barkerplating.com Fax Number: Street or P.O. Box: City, Town or Village: State:		MI:	Last Name: Gallagher Phone Number Extension: Fax Number Extension: Zip Code:				
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: Benjamin E. Dagley Owner Type: Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Street or P.O. Box: 1028 E. 134th Street City, Town or Village: Cleveland State: OH		Date Became Owner (mm/dd/yyyy): 08/20/2006 Owner Phone #: Country: USA Zip Code: 44110 Date Became Operator (mm/dd/yyyy): 08/20/2006					
	Name of Site's Operator: Benjamin Dagley Operator Type: Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Street or P.O. Box: 1028 E. 134th Street City, Town or Village: Cleveland State: OH		Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> Operator Phone #: United States Zip Code: 44110					

VIOLATIONS CITED? Yes No

TYPE OF HANDLER- A MINIMUM OF ONE BOX MUST BE CHECKED

<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input checked="" type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> U.S. Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator
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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 MANAGED)

(CHECK ALL BOXES THAT APPLY)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Small Quantity Handler of Universal Waste | <input type="checkbox"/> Destination Facility for Universal Waste |
| <input type="checkbox"/> Large Quantity Handler of Universal Waste
(accumulates 5,000 kg. or more) | |

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES

- Batteries
- Pesticides
- Mercury containing equipment
- Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

- Used Oil Generator
- Used Oil Transporter
- Used Oil Transfer Facility
- Used Oil Processor
- Used Oil Re-refiner
- Off-Specification Used Oil Burner
- Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
- Used Oil Fuel Marketer to Off-Specification Used Oil Burner

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.

D006 D007 F006

COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.

Announced Yes No Additional Facility Representatives: **Elba Wade**
 Tanks Yes No Other Comments:
 Containers Yes No

Name of Inspector(s)
Suzanne Prusnek

Name of Inspector(s)
Karen Nesbit

Date of Inspection/Time
(mm/dd/yyyy) (hh:mm)
1/27/2009 08:50

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 for 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)

**LARGE QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS DESCRIPTION SUMMARY**

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

Safety Equipment Used:

GENERAL REQUIREMENTS

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input checked="" type="checkbox"/> No <input 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 checked="" type="checkbox"/> No <input 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 checked="" type="checkbox"/> No <input 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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input 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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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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?	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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
13.	Have items (1) through (20) of each manifest been completed? [3745-52-20(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>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)]</i>		
14.	Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>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)].</i>		
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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
16.	Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1) & (2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>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.</i>		
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
19.	Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>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.</i>		
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"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
24.	Does the generator provide annual refresher training to employees? [3745-65-16(C)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
25.	Does the generator keep records and documentation of:	
a.	Job titles? [3745-65-16D(1)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

b.	Job descriptions? [3745-65-16D(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Type and amount of training given to each person? [3745-65-16D(3)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
d.	Completed training or job experience required? [3745-65-16D(4)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <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"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

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

Job Performed	Name of Employee	Date Trained

CONTINGENCY PLAN

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

NOTE: If the facility already has a "Spill Prevention, Control and Countermeasures 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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
31.	Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55]	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Was the contingency plan implemented? [3745-65-51(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

b.	Did the facility follow the emergency procedures in 3745-65-56(A) through (H)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Did the facility submit a report to the Director within 15 days of the incident as required by 3745-65-56(J)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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 <input type="checkbox"/> No <input checked="" 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"/>

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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
36.	Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
39.	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"/>
40.	Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
41.	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

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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
f.	Containers are marked with words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

43.	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 type="checkbox"/> N/A <input checked="" 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 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"/>

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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
45.	Is the accumulation date on each container? [3745-52-34(A)(2)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
46.	Are hazardous wastes stored in containers which are:	
a.	Closed (except when adding/removing wastes)? [3745-66-73(A)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
b.	In good condition? [3745-66-71]	Yes <input type="checkbox"/> No <input checked="" 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"/>

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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Are inspections recorded in a log or summary? [3745-66-74]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

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"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
54.	Does each container <110 gallons have a completed hazardous waste label? [3745-52-32(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <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"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>