



State of Ohio Environmental Protection Agency

Northeast District Office

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

November 3, 2008

RE: BEAZER EAST, INC.
OHD 004 198 784
MAHONING COUNTY
NOTICE OF VIOLATION

Mr. Mitch Brouman, Environmental Manager
Beazer East, Inc.
One Oxford Center, Suite 3000
Pittsburgh, PA 15219

Dear Mr. Brouman:

On October 16, 2008, Ohio EPA conducted a compliance evaluation inspection of the Beazer East, Inc. Youngstown, Ohio facility to determine compliance with Ohio's hazardous waste laws and regulations as found under the Ohio Revised Code and the Ohio Administrative Code.

Beazer East, Inc. was represented by Mr. Mark Lahr of Key Environmental, Inc. The Ohio EPA was represented by me and Kevin Palombo (DDAGW). Ohio EPA's inspection included an inspection of the Beazer East, Inc. site and a review of written documentation.

Based on this inspection, Ohio EPA has determined that Beazer East, Inc. has violated the following state hazardous waste regulations:

VIOLATIONS

1. **Contingency Plan OAC 3745-65-52(c):** The owner/operator must have a written contingency plan with the current list of names and the home and business addresses and telephone numbers of the emergency coordinators. Mr. Bob O'Malley appeared on the list but is not a current emergency coordinator.

To demonstrate compliance, Beazer East, Inc. will submit an updated version of the emergency coordinator list and insure Ohio EPA that reference to Mr. O'Malley has been removed from other instances in the contingency plan.

2. **Contingency Plan OAC 3745-65-53(A)(B):** Copies of the contingency plan and all revisions to the plan shall be submitted to all local police departments, fire departments, hospitals, Ohio EPA and local emergency response teams that may be requested to provide emergency services. You failed to provide current contingency plan documentation to local emergency providers.

To demonstrate compliance, Beazer East, Inc. will submit the updated emergency coordinator list addendum to Bruce Miller, Division of Emergency Remedial Response (DERR), in this office and to the local emergency providers identified in your plan.

BEAZER EAST, INC.
NOVEMBER 3, 2008
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3. **Amendment of Contingency Plan OAC 3745-65-54(D):** The contingency plan must be reviewed, and immediately amended if the list of emergency coordinators changes. Mr. Bob O'Malley appears on the list. The primary emergency coordinator, Michael Relich did not appear to match information in the text of the contingency plan or plan information listed elsewhere.

To demonstrate compliance, Beazer East, Inc. will submit an updated version of the emergency coordinator list and insure Ohio EPA that other coordinator references have been updated within the contingency plan to minimize confusion in the event of an emergency.

Enclosed is a copy of the checklist completed for this inspection. Should you have any questions, please feel free to call me at (330) 963-1146. Please provide the requested information and your response to the recommendations within 30 days of receipt of this letter.

Sincerely,



Ron Shadrach
District Representative
Division of Hazardous Waste Management

RS:ddw

Enclosure

ec: Frank Popotnik, DHWM, NEDO, OEPA
Kevin Palombo, DDAGW, NEDO, OEPA
cc: Mark Lahr, Key Environmental (with enclosure)

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.

OHIO PART A PERMITTED FACILITY RCRA INSPECTION CHECKLIST

PERMIT STATUS

GENERAL REQUIREMENTS

1.	Has the owner / operator (o/o) submitted a Part A application to Ohio EPA in accordance with OAC 3745-50-40?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	When was the owner / operator's Part A submitted:	
2.	Is the o/o operating in compliance with the terms and conditions of its HWFB permit, if applicable? <i>Facility in progress of full closure.</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	If not, has a modification been submitted in accordance with OAC 3745-50-51?	
	If yes, what date was it submitted?	
3.	Has the owner / operator submitted a Part B?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

PERMIT BY RULE REQUIREMENTS

4.	Has there been a rule or statute <u>change</u> which has caused the o/o to become subject to Ohio's hazardous waste facility permitting requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	If so, please describe the rule change below	
b.	What was the effective date of the rule or statute change in Ohio?	
c.	Did the o/o submit a Part A to the Director in accordance with the requirements of OAC rule 3745-50-40(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: In accordance with OAC 3745-50-40(C), o/o are required to submit the Part A within 30 days after the date they first become subject to Ohio's TSD facility standards.

d.	Did the o/o notify Ohio EPA or US EPA of its hazardous waste activity? [3745-50-40(C) (1) (a)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
i.	What was the date of notification?	

OAC 3745-65-ET SEQ. GENERAL FACILITY STANDARDS

IDENTIFICATION NUMBER (OAC 3745-65-11)

1.	Has the facility o/o received an identification number from Ohio EPA (or US EPA) as required by OAC 3745-65-11?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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ANNUAL REPORT REQUIREMENT (OAC 3745-65-75)

2.	Has the o/o submitted an annual Treatment-Storage-Disposal report to the Director of Ohio EPA by March 1 st of each calendar year? [OAC 3745-65-75]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> <i>No waste generated.</i>
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WASTE ANALYSIS / WASTE ANALYSIS PLAN (OAC 3745-65-13)

3.	Does the o/o have a detailed chemical and physical analysis of the waste material containing all of the information which must be known to properly treat, store or dispose of the waste as required by OAC 3745-65-13 (A) (1)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> <i>No waste generated.</i>
4.	Is the waste analysis repeated when a process or operation generating hazardous waste changes? [3745-65-13 (A) (3) (a)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
5.	For off-site facilities; Is the waste analysis repeated when results of inspections under 3745-65-13 (A) (4) reveal hazardous waste received at the facility does not match the waste designated on the accompanying manifest? [3745-65-13 (A) (3) (b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
6.	Does o/o have a written waste analysis plan which includes the following information [3745-65-13 (B) (1) through (6)]:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	The parameters for which each hazardous waste will be analyzed and rationale for the selection of these parameters? [3745-65-13 (B) (1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> <i>No waste generated.</i>
b.	The test methods to be used? [3745-65-13 (B) (2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	The sampling method which will be used, either one of the sampling methods described in Appendix I of 3745-51-20 or an equivalent	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

		method as defined in OAC 3745-50-10? [3745-65-13 (B) (3) (a) (b)]	
	d.	The frequency with which the initial analysis of the waste will be reviewed / repeated to ensure that the analysis is accurate and up-to-date? [3745-65-13 (B) (4)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	e.	FOR OFF-SITE FACILITIES: The waste analysis that hazardous waste generators have agreed to supply? [3745-65-13(B) (5)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	f.	FOR OFF-SITE FACILITIES: The sampling methods and procedures which will be used to inspect and, if necessary, analyze each movement of hazardous waste received at the facility to ensure that it matches the identification of the waste on the manifest [3745-65-13 (C)]?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	g.	FOR FACILITIES OPERATING SURFACE IMPOUNDMENTS EXEMPT FROM LAND DISPOSAL RESTRICTIONS UNDER 3745-270-04 (A):	
		Does the waste analysis plan include procedures and schedules for:	
	i.	The sampling of impoundment contents? [3745-65-13 (B) (7)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	ii.	The analysis of test data? [3745-65-13 (B) (7)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iii.	The annual removal of residues which are not delisted or which exhibit the characteristic of a hazardous waste and either do not meet treatment standards (3745-270-40 to 270-49) or where no treatment standards have been established? [3745-65-13 (B) (7)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	h.	Where applicable: The methods which will be used to meet the additional waste analysis requirements of rules 3745-270-07, 3745-67-25, 3745-67-52, 3745-67-73, 3745-68-14, 3745-68-14, 3745-68-75 and 3745-69-02 of the OAC? [3745-65-13 (B) (6)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
WASTE ANALYSIS PLAN - LDR REQUIREMENTS			
<i>NOTE: The following requirements identified in Question # 7 apply to both on-site and off-site TSD facilities.</i>			
7.	In accordance with OAC rule 3745-65-13 (B) (6), does the facility's waste analysis plan include analytical procedures necessary to ensure compliance with the land disposal restriction requirements of Chapter 3745-270, including:		<i>No waste generated.</i>
	a.	Procedures for conducting the TCLP for wastes which have a CCWE treatment standard?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	Procedures for conducting a total constituent analysis for wastes which have a CCWE treatment standard?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
OPERATING RECORD REQUIREMENTS (OAC 3745-65-73)			
8.	Does the o/o maintain a written operating record at the facility as required by 3745-65-73 which contains the following information:		
	a.	Description and quantity of each hazardous waste treated, stored or disposed of within the facility and the date and method pertinent to such treatment, storage or disposal? [3745-65-73 (B) (1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	As required by the Appendix to 3745-65-73, does the information specified in Question 1a include:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	i.	Common name, EPA hazardous waste identification number and physical state (solid, liquid, gas) of the waste?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	ii.	The estimated (or actual) weight, volume or density of the waste?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iii.	A description of the method(s) used to treat, store or dispose of the waste using the EPA handling codes listed in Table 2 of OAC 3745-65-73?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c.	The present physical location of each hazardous waste within the facility and cross references to specific manifest document	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

	numbers?	
d.	Records of incidents which required implementation of the contingency plan?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
e.	Records of any waste analyses and trial tests required to be performed?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
f.	Records of the inspections required by the general inspection requirements under 3745-65-15?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
g.	Records of any monitoring, or analytical data required under other sub-parts as referenced by 3745-65-73 (B) (6)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
h.	FOR DISPOSAL FACILITIES , location and quantity of each hazardous waste recorded on a facility map and cross-references to manifest document numbers? [3745-65-73 (B) (2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
i.	Records of closure cost estimates and post-closure (DISPOSAL ONLY) cost estimates required by OAC 3745-66?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> <i>Evaluated by CO financial assurance.</i>
9.	Does the operating record include documentation required to be maintained under the land disposal restriction requirements of Chapter 3745-270? [3745-65-73 (b) (9) through (14)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
NOTE: The following record-keeping requirements are applicable only to off-site TSDS.		
10.	Are manifests received by the facility signed and dated? [3745-65-71 (A) (1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
11.	Is one copy given to the transporter, one copy sent to the generator within 30 days and one copy kept for at least 3 years? [3745-65-71 (A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	If shipping papers are used in lieu of manifests (bulk shipments, etc.), are the same requirements met [3745-65-71 (B)] ?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Are any significant discrepancies in the manifest, as defined in 3745-65-72 (A) noted in writing on the manifest document?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
12.	Have any manifest discrepancies been reconciled within 15 days as required by 3745-65-72 (B) or has the o/o submitted the required information to the Director?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
13.	If the facility has accepted any unmanifested hazardous wastes from off-site sources for treatment, storage, or disposal, has an unmanifested waste report containing all the information required by 3745-65-76 (A) been submitted to the Director within 15 days?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
GENERAL INSPECTION REQUIREMENTS (OAC 3745-65-15)		
14.	Does the o/o inspect the facility on a weekly basis for malfunctions, deterioration, operator errors and discharges which may cause a release of hazardous waste or hazardous waste constituents or may pose a threat to human health? [3745-65-15 (A) (1) (2)] If so,	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Are the inspections recorded in an inspection log or summary as required by 3745-65-15 (D) ? [3745-65-15 (A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Do records contain date and time of inspection, name of inspector, notation of observations made and date and nature of any repairs or remedial actions as required by 3745-65-15 (D)? [3745-65-15 (A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Are inspection records maintained at the facility for at least (3) years as required by 3745-65-15 (D)? [3745-65-15 (A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
15.	Has the o/o developed a written inspection schedule for inspecting; monitoring equipment, safety equipment, emergency equipment, security devices and operating and structural equipment (e.g. dikes, sumps)? [3745-65-15 (B)] If so:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the schedule kept at the facility? [3745-65-15 (B) (2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Does the schedule identify the types of problems which are to be looked for during the inspection? [3745-65-15 (B) (3)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

	c.	Does the schedule include inspection of areas subject to spills (i.e. loading and unloading areas) daily when in use and according to other applicable regulations when not in use? [3745-65-16 (B) (4)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: See Preparedness and Prevention checklist for additional testing/record keeping requirements applicable to emergency equipment.</i>			
SECURITY REQUIREMENTS (OAC 3745-65-14)			
16.		Would physical contact with the waste structures or equipment injure unknowing/unauthorized person or livestock entering the facility? [3745-65-14 (A) (1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	a.	Would physical contact with the waste structures or equipment injure unknowing/unauthorized person or livestock entering the facility? [3745-65-14 (A) (1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	Would disturbance of the waste cause a violation of the hazardous waste regulations? [3745-65-14 (A) (2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
IF BOTH 1A AND 1B ARE NO, MARK QUESTIONS 2 AND 3 NOT APPLICABLE.			
17.		Does the facility have -	
	a.	A 24-hour surveillance system, or;	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b.	An artificial or natural barrier and a means to control entry at all times? [3745-65-14 (B) (2) (a) (b)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
18.		Does the facility have a sign "Danger-Unauthorized Personnel Keep Out", at each entrance to the active portion of the facility and at other locations as necessary? [3745-65-14 (C)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
PERSONNEL TRAINING (OAC 3745-65-16)			
19.		Does the generator keep records required by 3745-65-16(D) including:	
	a.	Job titles, as they relate to hazardous waste management, and the name of each employee filling each job?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b.	Job descriptions, including requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	c.	Type and amount of both introductory and continuing training to be given to each person filling a position?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	d.	Documentation that personnel have completed the training or job experience required under 3745-65-16 (A)(B) & (C)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: If the facility's business practices precludes written job titles / descriptions, they should be able to identify, by name, all personnel who are involved with hazardous waste management, and the training / experience that they receive initially and annually. Item 9 on the next page can be used to document that all necessary employees have been trained.</i>			
20.		Does the generator have a training program which teaches facility personnel hazardous waste management procedures (including, but not limited to, contingency plan implementation) relevant to their positions? [3745-65-16(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
21.		Does the personnel training program include instruction in the following areas to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with: [3745-65-16(A)(3)]	
	a.	Emergency procedures?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b.	Emergency equipment?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	c.	Emergency systems?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
22.		Does emergency training described in 3(a), (b) and (c) above include, where applicable: [3745-65-16(A)(3)(a-f)]	
	a.	Procedures for using, inspecting, repairing and replacing emergency	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

	and monitoring equipment?	
b.	Key parameters for automatic waste feed cut-off systems?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Communication or alarm system?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Response procedures for fire / explosions?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
e.	Response to groundwater contamination incidents?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
f.	Shutdown procedures?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
23.	Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
24.	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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
25.	Does the generator provide annual refresher training to employees? [3745-65-16(C)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
26.	Are training records for current personnel kept until closure of the facility? [3745-65-16(E)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
27.	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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
28.	Optional: 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 manifests, etc.	
JOB PERFORMED		
NAME OF EMPLOYEE		
DATE(S) TRAINED		
CONTINGENCY PLAN (OAC 3745-65-50 through 3745-65-56)		
29.	Does the generator have a contingency plan which describes the following: [3745-65-52(A) through (F)]	
a.	Actions to be taken in response to fires, explosions or any unplanned release of hazardous waste?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Arrangements / agreements with emergency authorities? [3745-65-37]	Yes <input checked="" type="checkbox"/> No <input 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?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
d.	A list of all emergency equipment, including: location, physical description and brief outline of capabilities?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
e.	An evacuation plan for facility personnel where there is a possibility that evacuation may be necessary?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
NOTE: If the facility already has a "Spill Prevention, Control and Countermeasures Plan" under 40 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)]		
30.	Is the plan designed to minimize hazards to human health or the environment from 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"/>

31.	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"/>
32.	Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, failure to the plan or as required by the Director? [3745-65-54]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
EMERGENCY COORDINATOR		
33.	Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55]	Yes <input checked="" type="checkbox"/> No <input 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.		
34.	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 type="checkbox"/> N/A <input checked="" type="checkbox"/>
	a. Was the contingency plan implemented? [3745-65-51(B)]	Yes <input type="checkbox"/> No <input 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 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 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.		
USE AND MANAGEMENT OF CONTAINERS (OAC 3745-66-70 TO 3745-66-77)		
35.	Are hazardous wastes stored in containers which are:	
	a. Closed? [3745-66-73(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. In good condition? [3745-66-71]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c. Compatible with wastes stored in them? [3745-66-72]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	Are containers stored closed except when it is necessary to add or remove wastes? [3745-66-73(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
36.	Are containers stored closed except when it is necessary to add or remove wastes? [3745-66-73(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
37.	Are hazardous waste containers stored, handled and opened in a manner which prevents container rupture or leakage?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
38.	Is the area where containers are stored inspected for evidence of leaks or corrosion at least weekly? [3745-66-74]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
39.	Is the facility recording inspections described in Question #4 in an inspection log or inspection summary?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
40.	Are ignitable and / or reactive hazardous waste(s) being managed at the facility? If so,	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	a. Are containers holding ignitable or reactive waste 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"/>
NOTE: OAC Rule 3745-66-76 as referenced in Question 6.a. does not apply to Small Quantity Generators (except for wastes accumulated in a satellite accumulation area). [See OAC Rules 3745-52-34(D) (2) and (C) (1) (a)]		
	b. Are containers holding hazardous wastes stored separately from other materials which may interact with the waste in a hazardous manner? [3745-66-77 (C)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
SPECIAL REQUIREMENTS FOR IGNITABLE / REACTIVE / INCOMPATIBLE WASTES (OAC 3745-65-17)		

41.	If ignitable, reactive or incompatible wastes are handled, does the facility meet the following requirements? [3745-65-17]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Wastes are protected from sources of ignition and / or reaction?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Physical separation of incompatible waste materials?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	"No Smoking" signs are placed near areas where ignitable or reactive wastes are handled?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Mixture or commingling of waste materials is done in a controlled, safe manner as prescribed by 3745-65-17(B)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
OAC 3745-66 CLOSURE AND POST CLOSURE		
42.	Is a written closure plan on file at the facility which contains the following elements: [3745-66-12]?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	A description of how each hazardous waste management unit will be closed in accordance with 3745-66-11?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	A description of how final closure will meet the requirements of 3745-66-11?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	An estimate of the maximum amount of hazardous waste ever in inventory?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	A description of steps taken to remove or decontaminate facility equipment containment systems, structures, soils, and all hazardous waste residues?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
e.	The year closure is expected to begin and a schedule for the various phases of closure?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
f.	A description of other activities necessary to ensure closure with the performance standards including ground water monitoring, leachate collection, and run-off control?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
43.	Has the closure plan (and post-closure plan, if applicable) been amended 60 days prior to any changes in facility design, processes, or closure dates or within 60 days after an unexpected event occurs which affects the closure plan? [3745-66-12(C)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
44.	Has the closure plan (and post - closure plan, if applicable for surface impoundment, waste pile, land treatment or landfill units been submitted to the Director 180 days prior to beginning the closure process? [3745-66-12(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
45.	Has the closure plan (and post - closure plan, if applicable, for any non land disposal unit(s) been submitted to the Director 45 days prior to beginning the closure process? [3745-66-12(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
46.	Within 90 days of receipt of the final volume of waste or Director's plan approval, if that is later, was all hazardous waste treated, removed or disposed in accordance with the approved plan? [3745-66-13(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
47.	Was the closure completed in accordance with the approved plan within 80 days after receipt of final volume of waste or approval of the plan, if that is later? [3745-66-13(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
48.	Did the owner / operator submit to the Director, within sixty (60) days after completion of closure, certification by both the owner / operator and an independent registered professional engineer that the facility has been closed in accordance with the approved closure plan? [3745-66-15]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
49.	Did the owner / operator submit to the local zoning authority and the Director a survey plat in accord - and with OAC 3745-66-16?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
50.	What permitted units at the facility have been closed in accordance with an approved closure plan?	
51.	If closure was partial, list the regulated units which remain in use at the facility:	
52.	If required, has the facility prepared a written post-closure plan? [3745-66-	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

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	If so, does the post-closure plan include:	
a.	A description of proposed ground water monitoring?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	A description of planned maintenance activities?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	The name, address and phone number of person / office to contact during the post closure period?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
53.	For disposal facilities; has the owner / operator submitted to local land authorities and the Director a survey plat within 60 days after certification of closure? [3745-66-19]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
54.	Has the owner of the property on which a disposal unit is located recorded on the deed that:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	The land has been used to manage hazardous waste and the type, quantity and location of waste?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Land use is restricted under closure and post - closure rules? [3745-66-19]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
OAC CHAPTER 3745-270 - LDR GENERAL REQUIREMENTS		
<i>NOTE: In order to determine compliance with all applicable LDR requirements the inspector may need to complete the separate LDR checklist.</i>		
CASE - BY - CASE EXTENSIONS		
55.	Has the entity received an extension for compliance with land disposal restrictions from US EPA pursuant to 40 CFR 268.5? If yes,	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	List the waste(s) affected:	
b.	Has the extension been recognized by the Director of Ohio EPA? [O.A.C. Rule 3745-270-05(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	When does the extension expire?	
<i>NOTE: A case-by-case extension can be granted for up to one year. The extension is renewable once (by US EPA) for additional year. Until receiving approval of the extension by US EPA and recognition of the extension by the Director of Ohio EPA, the entity must continue to manage the waste in accordance with all applicable LDR requirements.</i>		
VARIANCE FROM A TREATMENT STANDARD		
56.	Has the entity been granted a variance from treatment standard by US EPA pursuant to 40 CFR 268.44? If yes,	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	List the waste(s) affected:	
b.	Has the variance been recognized by the Director of Ohio EPA? [O.A.C. Rule 3745-270-44(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: Until the variance has been approved by US EPA and recognized by the Director of Ohio EPA, the entity must continue to manage the waste in compliance with the LDR requirements.</i>		
MIGRATION PETITION		
57.	Has the entity received a variance from US EPA to allow for continued land disposal of untreated LDR wastes based upon a demonstration that there will be no migration from the disposal unit pursuant to 40 CFR 268.6? If yes,	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	List the waste(s) affected:	
b.	Has the entity's "no migration" demonstration been recognized by the Director of Ohio EPA? [O.A.C. Rule 3745-270-06(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: Until the no migration petition has been approved by US EPA and recognized by the Director of Ohio EPA, the entity must continue to manage the waste in compliance with the LDR requirements.</i>		
58.	Does the permittee comply with all applicable regulations regarding land disposal prohibitions and restrictions as required by OAC Chapter 3745-270?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

59.	Does the permittee comply with the notification and certification requirements of OAC rule 3745-270-07(A)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
60.	Does the permittee comply with the requirements of OAC rule 3745-270-03 and does not in any way dilute a restricted waste or treatment residue as a substitute for adequate treatment?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
61.	Does the permittee retain supporting data used to determine if wastes managed at the facility are restricted from land disposal in the facility files as required by OAC rule 3745-270-07(A)(5)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Are copies of all notices, certifications, demonstrations, waste analysis and other documentation produced pursuant to OAC Chapter 3745-270 retained for a period of three years as required by OAC rule 3745-270-07(A)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
62.	Is the permittee in compliance with the requirements of OAC rule 3745-270-50 regarding the storage of wastes restricted or prohibited from land disposal under OAC rule 3745-270-50?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

COMMENTS - #29c, 31 and 32:

Need to update contingency plan with current emergency coordinator contact info. Bob O'Malley is no longer an emergency contact. Additional inter-related security protocols may subsequently need updated within the contingency plan. The emergency Notification List did not match contingency plan text for primary emergency coordinator, Michael Relich. Revise and update emergency notification list environmental contingency plan. Revise contact list and forward addendum to required emergency response providers.