



State of Ohio Environmental Protection Agency

Northeast District Office

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

April 3, 2007

RE: EMERALD PERFORMANCE MATERIALS  
LARGE QUANTITY GENERATOR  
OHD 000 817 361  
SUMMIT COUNTY  
NOV

Mr. William Ramus  
Emerald Performance Materials  
240 W. Emerling Avenue  
Akron, OH 44301

Dear Mr. Ramus:

On March 20, 2007, Frank Zingales and I, representing the Ohio Environmental Protection Agency (Ohio EPA), Division of Hazardous Waste Management, conducted a compliance evaluation inspection (CEI) at Emerald Performance Materials' (Emerald) facility located at 240 W. Emerling Avenue, Akron, Ohio. We inspected Emerald to determine its compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC), and the rules promulgated thereunder in Chapter 3745 of the Ohio Administrative Code (OAC).

The inspection included a review of the facility's operations, as well as the management of wastes. Emerald was inspected for the requirements of a large quantity generator (LQG) of hazardous waste.

Ohio EPA identified the following violations of Ohio's hazardous waste laws. In order to correct these violations, Emerald must do the following and send me the required information **within 30 days** of the date of this letter:

1. Waste Evaluation, OAC rule 3745-52-11:  
Any person who generates a waste, as defined in OAC rule 3745-51-02, must determine if that waste is a hazardous waste.

The facility failed to evaluate the contents of two drums (55-gallon and 30-gallon) at the used oil storage area. A third unlabeled drum was identified during the inspection as non-hazardous RC68. All three drums were staged along with used oil drums, but did not have labeling information.

**In order to abate this violation, the facility must submit waste evaluation documentation for the three drums and indicate how they will be managed.**

2. Personnel Training, OAC rule 3745-65-16 (D)(1-3):

The owner or operator must maintain the following documents and records at the facility: (1) job title for each position at the facility related to hazardous waste management, and the name of each employee filling each job; (2) a written job description for each position at the facility, including 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.

The facility failed to maintain these documents and records at the facility.

**In order to abate this violation, the facility must develop the documents required by this rule and submit a copy to my attention.**

3. Contingency Plan, OAC rule 3745-65-52 (D):

The plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator, 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.

The facility failed to designate primary and alternate emergency coordinators on the list of key personnel found in the contingency plan. In addition, the list of emergency coordinators must be updated.

**In order to abate this violation, the facility must submit an updated emergency coordinator listing.**

4. Required Equipment, OAC rule 3745-65-32(C):

All facilities shall be equipped with portable fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment.

The facility spill control equipment located at the hazardous waste tank storage area was missing spill control equipment (i.e. equipment present did not match contingency plan).

**In order to abate this violation, the facility must verify in writing that the spill control equipment identified in the contingency plan is present at the hazardous waste tank system area.**

5. Testing and Maintenance of Equipment, OAC rule 3745-65-33:

All facility communication or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment must be tested and maintained as necessary to assure its proper operation in time of emergency. The owner/operator must record the inspections in a log or summary.

The facility failed to conduct and record emergency equipment inspections at the hazardous waste tank storage area.

**In order to abate this violation, the facility must submit a written inspection schedule (i.e. that outlines the frequency for inspecting and testing emergency equipment) and a copy of a completed inspection log for review.**

6. Tank Systems, OAC rule 3745-66-95 (A)(1) and (4):

The owner or operator must inspect, where present, at least each operating day: overfill/spill control equipment (e.g. waste-feed cut-off systems, bypass systems, and drainage systems) to ensure that it is in good working order; and secondary containment structures for releases of hazardous waste.

The facility failed to conduct daily inspections of overfill/spill control equipment and the secondary containment structure. A release of waste was noted inside the secondary containment at the tanker truck hose coupling.

**In order to abate this violation, the facility must inspect the overfill/spill control equipment and submit five consecutive days of completed daily inspection logs. In addition, please submit a photograph demonstrating the waste spillage and debris in the secondary containment was removed and identify how the collected waste will be managed.**

7. Tank System Design and Installation, OAC rule 3745-66-92(A):

Owners or operators of new tank systems or components must ensure that the foundations, structural support, seams, connections, and pressure controls are adequately designed and that the tank system has sufficient structural strength, waste compatibility, and corrosion protection so that it will not collapse, rupture, or fail.

The facility failed to demonstrate that the two hazardous waste tanks meet the requirement of this rule:

- The concrete foundation beneath the North Tank (TK-3H) was cracked and in poor condition. In addition, a May 2, 2003 tank inspection report noted: the tank is in poor condition externally, insulation is in need of repair, corrosion issues, and closure bolts of insufficient length.
- The support beams for the South Tank (TK-7H) were corroded and in poor condition. In addition, a February 5, 2004 tank inspection report noted: the tank is questionable for continued service, corrosion has formed under the insulation, and the paint is failing.

In addition, it does not appear that repairs were made to the tanks after the 2003 and 2004 tank inspections.

**In order to abate this violation, the facility must immediately make necessary repairs to the two hazardous waste storage tanks. Once the repairs are performed, the facility must obtain and submit a written assessment reviewed and certified by an independent, qualified, registered professional engineer in accordance with OAC rule 3745-66-92(A). The assessment must include all information found in OAC rule 3745-66-92.**

8. Tank System Secondary Containment, OAC rule 3745-66-93(E)(1)(c),(d),and (f): Hazardous waste tank secondary containment systems must be: (c) free of cracks or gaps; (d) designed and installed to completely surround the tank and to cover all surrounding earth likely to come into contact with the waste if released from the tanks (i.e. capable of preventing lateral as well as vertical migration of the waste); and (f) provided with an impermeable interior coating or lining that will prevent migration or waste into the concrete.

The secondary containment system for the two hazardous waste tank was in poor condition. The secondary containment coating appears to have worn away (i.e. bare concrete) in areas and cracks were also noted. In addition, the secondary containment does not appear capable of preventing lateral migration of waste if released from the tanks.

**In order to abate this violation, the facility must immediately make necessary repairs to the hazardous waste tank secondary containment system and submit documentation (written and photographs) that verifies compliance with OAC rule 3745-66-93(B), (C), and (E)(1). The secondary containment must be certified by an independent, qualified, registered professional engineer in accordance with OAC rule 3745-66-92(A).**

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9. Used Oil Releases, OAC 3745-279-22(D):

Upon detection of a release of used oil to the environment, a generator must perform the following cleanup steps: (1) stop the release; (2) contain the released used oil; (3) clean up and manage properly the released used oil and other materials; and (4) if necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

A 55-gallon drum of used oil at the used oil storage area was leaking around the top bung and down the side of the container during the inspection. The released used oil on the drum was cleaned up during the inspection.

**In order to abate this violation, the facility must verify in writing that all used oil that was released was properly cleaned up and managed, and indicate how this will be prevented in the future.**

Concerns:

10. The facility was accumulating universal waste lamps and batteries at the site. The universal waste lamps are approaching the one year accumulation period as specified in OAC rule 3745-273-15(A). Please submit documentation to Ohio EPA demonstrating the lamps have been sent off-site.
11. Please provide a narrative of the events in 2006 that lead to the four hazardous waste shipments of "waste recovered butadiene" to Clean Harbors in Texas. In addition, please provide copies of each signed hazardous waste manifest and accompanying land disposal restriction documentation.
12. Hazardous waste manifest #36W43 dated June 6, 2006 indicated the shipment was rejected by Systech Corporation and sent to Ross Incineration for disposal. No documentation of the shipment of this waste to Ross Incineration was located during the file review. Please provide a copy of this documentation.
13. The facility generates a waste stream with Aniline. The waste stream is either disposed as a hazardous waste (0 to 10 percent Aniline, PE51) or non-hazardous (0 to 3 percent Aniline, NZ70). Please explain how the waste evaluation for the aniline waste streams was determined.
14. Please submit waste evaluation information for the following waste streams that were designated as non-hazardous waste:
  - NZ53, RLP dry scrap;
  - NZ49, lab waste;

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- 01-6223, resin D fume condensation;
- RS36, stalite; and
- Rubber coagulant waste from Latex.

Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) provides free compliance and pollution prevention assistance on environmental issues related to air, land and water. Should your facility be interested in receiving a free pollution prevention assessment in the future, please feel free to contact me or OCAPP. OCAPP may be contacted at: 800-329-7518 or <http://www.epa.state.oh.us/opp/ocapp.html>. The facility should research having the spent rags generated through general maintenance activities laundered for re-use by a commercial laundering service.

The Division of Hazardous Waste Management has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link <http://www.epa.state.oh.us/dhwm/listserv.html>. Please feel free to share this information with your colleagues.

Enclosed you will find a copy of the checklists that we completed during the inspection. Should you have any question, please feel free to call me at (330) 963-1278. You can find copies of the rules and other information on the DHWM's web page at <http://www.epa.state.oh.us/dhwm>.

Sincerely,



Wade Balser  
District Representative  
Division of Hazardous Waste Management

WB:ddw

Enclosure

ec: Natalie Oryshkewych, DHWM, NEDO  
Harry Sarvis, DHWM, CO

**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.

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

CESQG: ≤ 100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.

SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.

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

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

Safety Equipment Used:

**GENERAL REQUIREMENTS**

- |   |     |                                     |    |                                     |     |                          |
|---|-----|-------------------------------------|----|-------------------------------------|-----|--------------------------|
| 1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11]  | Yes | <input type="checkbox"/>            | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| 2. Are records of waste determination being kept for at least 3 years?[3745-52-40(C)]   | Yes | <input 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 <sup>st</sup> ? [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 <b>other</b> 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 <b>on-site without a permit</b> or at another facility <b>other</b> than a facility authorized to dispose of the hazardous waste? [ORC 3734.02(E) & (F)] | 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"/> |
|---|-----|--------------------------|----|-------------------------------------|-----|--------------------------|

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

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

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

- |  |     |                                     |    |                          |     |                          |
|--|-----|-------------------------------------|----|--------------------------|-----|--------------------------|
| 14. Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)] | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
|--|-----|-------------------------------------|----|--------------------------|-----|--------------------------|

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

- |   |     |                                     |    |                          |     |                          |
|---|-----|-------------------------------------|----|--------------------------|-----|--------------------------|
| 15. If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternate TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)] | Yes | <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"/> |

*See concern 11/12*

NOTE: Remind the generator that the certification statement they signed indicates: 1, they have properly prepared the shipment for transportation and 2) they have a program in place to reduce the volume and toxicity waste they generate.

17. If the generator did not receive a return copy of each completed manifest within 35 days of the waste being accepted by the transporter did the generator contact the transporter and/or TSD facility to check on the status of the waste? [3745-52-42(A)(1)] Yes  No  N/A  *see Concern 12*
18. If the generator has not received the manifest within 45 days, did the generator file an exception report with Ohio EPA? [3745-52-42(A)(2)] Yes  No  N/A
19. Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40] Yes  No  N/A

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

**PERSONNEL TRAINING**

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

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

Job Performed	Name of Employee	Date Trained

**CONTINGENCY PLAN**

27. Does the owner/operator have a contingency plan to minimize hazards to human health or the environment from fires, explosions or any unplanned release of hazardous waste? [3745-65-51(A)] Yes  No  N/A
28. Does the plan describe the following:
- a. Actions to be taken in response to fires, explosions or any unplanned release of hazardous waste [3745-65-52(A)]? Yes  No  N/A
  - b. Arrangements with emergency authorities [3745-65-52(C)]. Yes  No  N/A
  - c. A current list of names, addresses and telephone numbers (office and home) of all persons qualified to act as emergency coordinator? [3745-65-52(D)] Yes  No  N/A
  - d. A list of all emergency equipment, including: location, a physical description and brief outline of capabilities? [3745-65-52(E)] Yes  No  N/A

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

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

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

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

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

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

### EMERGENCY PROCEDURES

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

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

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

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

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

### PREPAREDNESS AND PREVENTION

33. Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31] Yes  No  N/A  **③ Tank Concerns**

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

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

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

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

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

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

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

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

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

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

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

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

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

### SATELLITE ACCUMULATION AREA REQUIREMENTS

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

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

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

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

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

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

**USE AND MANAGEMENT OF CONTAINERS IN <90 DAY ACCUMULATION AREAS**

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

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

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

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

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

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

**PRE-TRANSPORT REQUIREMENTS**

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

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

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

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

**TANK SYSTEM – GENERAL OPERATING REQUIREMENTS**

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

**TANK SYSTEM – INSPECTION REQUIREMENTS**

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

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

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

**TANK SYSTEM CLOSURE REQUIREMENTS**

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

**TANK SYSTEMS STORING IGNITABLE OR REACTIVE WASTES**

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

**TANK SYSTEM – WASTE ANALYSIS REQUIREMENTS**

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

**TANK SYSTEMS REQUIREMENTS**

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

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

12. Does the written assessment include the following:[3745-66-92(A)]
- a. Certification by an independent registered, professional engineer?[3745-66-92(A)] Yes  No  N/A
  - b. Consideration of the design standards of the system?[3745-66-92(A)] Yes  No  N/A
  - c. Consideration of the hazardous characteristics of the waste(s)?[3745-66-92(A)] Yes  No  N/A
  - d. An evaluation by a corrosion expert (if the external system/components are metal)?[3745-66-92(A)] Yes  No  N/A
  - e. A determination of design and operational measures that will be needed to protect the tank system from potential damage (for underground tank components)?[3745-66-92(A)] Yes  No  N/A
  - f. Design considerations to ensure that the tank foundations will maintain the load of a full tank?[3745-66-92(A)] Yes  No  N/A  *Appeared to be damaged (Foundation/Support)*
  - g. Design considerations for anchoring the unit to prevent floatation (for tanks situated in a seismic fault zone or saturated zone)?[3745-66-92(A)] Yes  No  N/A
  - h. Design considerations to ensure that the tank system will withstand the effects of frost heave(for underground tank systems)?[3745-66-92(A)] Yes  No  N/A

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

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

## SECONDARY CONTAINMENT

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

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

15. Is secondary containment one of the following:
- a. An **External Liner**? [3745-66-93(E)(1)] If so,
    - i. Is liner designed or operated to contain 100% of the capacity of the largest tank? Yes  No  N/A
    - ii. Is liner designed and operated to prevent run-on and infiltration or the collection system has excess capacity to contain run-on and infiltration from a 25-year, 24-hour storm? Yes  No  N/A
    - iii. Is liner free of cracks and gaps? Yes  No  N/A
    - iv. Does liner completely surround the tank and cover all earth likely to be contacted by waste during a release? Yes  No  N/A
    - v. Are chemically resistant water stops in place at all points? (concrete liners only) Yes  No  N/A
    - vi. Is there a compatible interior coating or lining to prevent migration of waste into the concrete? (concrete liners only) Yes  No  N/A
  - b. **Vault System**? [3745-66-93(E)(2)] If so,
    - i. Is vault system designed to contain 100% of the capacity in the largest tank? Yes  No  N/A
    - ii. Is liner designed and operated to prevent run-on and infiltration or the collection system has excess capacity to contain run-on and infiltration from a 25-year, 24-hour storm? Yes  No  N/A
    - iii. Are chemically resistant water stops in place at all points? Yes  No  N/A

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

**SECONDARY CONTAINMENT DESIGN/OPERATION/INSTALLATION**

- 16. Has each secondary containment system been designed, installed and operated to prevent any migration of wastes or liquid to the soil, groundwater, or surface water and is it capable of detecting and collecting releases and accumulated liquids?[3745-66-93(B)(1) and (2)] Yes  No   N/A  *See NOV #8*
- 17. Does the secondary containment system meet the following minimum requirements of [3745-66-93(C)]:
  - a. Constructed or lined with compatible materials of sufficient strength to prevent failure?[3745-66-93(C)(2)] Yes  No  N/A
  - b. Placed on a foundation or base capable of providing support?[3745-66-93(C)(2)] Yes  No  N/A
  - c. Provided with a leak detection system designed/operated to detect failure to primary or secondary containment or any release of hazardous waste within 24 hours or at earliest practicable time?[3745-66-93(C)(3)] Yes  No  N/A
  - d. Sloped or designed to drain and remove liquid resulting from leaks, spills or precipitation?[3745-66-93(C)(4)] Yes  No  N/A
  - e. Any liquid which accumulates in the containment unit resulting from spills, leaks or precipitation removed within 24 hours or in a timely manner?[3745-66-93(C)(4)] Yes  No  N/A

**ANCILLARY EQUIPMENT REQUIREMENTS**

- 18. Is ancillary equipment provided with secondary containment (such as double-walled piping, jacketing or a trench)? Yes  No  N/A 

*If not, is the ancillary equipment one of the following: [3745-66-93(F)]*

  - a. Above ground piping (exclusive of flanges, joints, valves and connections) that is inspected daily? Yes  No  N/A
  - b. Welded flanges, welded joints and/or welded connections that is inspected daily? Yes  No  N/A
  - c. Sealless or magnetic coupling pumps and/or sealless valves? Yes  No  N/A
  - d. Pressurized above ground piping systems with automatic shut-off devices (e.g., excess flow check valves, flow metering shutdown and/or loss of pressure-actuated shut-off devices) that is inspected daily? Yes  No  N/A

**TANK SYSTEMS FOUND TO BE LEAKING OR UNFIT FOR USE**

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

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

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

- h. Submit a written report of the incident to the director within 30 days of the release? [3745-66-96(D)(3)] Yes  No  N/A
- i. Remediate the spill and repair the unit prior to returning it to service? [3745-66-96(E)(2)] Yes  No  N/A
- j. For a release from a tank system without secondary containment, did the o/o provide secondary containment meeting the requirements of 3745-66-93 for the unit prior to putting it back into service? [3745-66-96(E)(4)] Yes  No  N/A

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

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

*NOTE: More information <sup>and</sup> / or P.E. assessment needed to complete checklist.*

## USED OIL INSPECTION CHECKLIST (Short Version)

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

### PROHIBITIONS

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

### USED OIL GENERATOR STANDARDS

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

- b. Contained the release? Yes  No  N/A  RMK# Nov 9
- c. Cleaned up and properly managed the used oil and other materials? Yes  No  N/A  RMK# Nov 9
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes  No  N/A  RMK# Nov 9
10. Does the generator burn used oil in used fired space heaters? [3745-279-23] If so: Yes  No  N/A  RMK#
- a. Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators? Yes  No  N/A  RMK#
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes  No  N/A  RMK#
- c. Are the combustion gases from heater vented to the ambient air? Yes  No  N/A  RMK#
11. Does the generator have the used oil hauled only by transporters that have obtained U.S. EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24] Yes  No  N/A  RMK#

**USED OIL COLLECTION CENTERS AND AGGREGATION POINTS**

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

**WASTE EVALUATION**

15. Have all wastes generated at the facility been evaluated? [3745-52-11] \*See Generator Checklist/NOV Yes  No  N/A  RMK# \*

## SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS

*Large Quantity Universal Waste Handler (LQUWH) = 5,000 Kg or more*

*Small Quantity Universal Waste Handler (SQUWH) = 5,000 Kg or less*

### PROHIBITIONS

1. Did the SQUWH dispose of universal waste? [3745-273-11(A)] Yes  No  N/A  RMK#\_\_\_\_\_
2. Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in 3745-273-17 or managing specific wastes as provided in 3745-273-13? [3745-273-11(B)] Yes  No  N/A  RMK#\_\_\_\_\_

### WASTE MANAGEMENT & LABELING/MARKING

#### UNIVERSAL WASTE BATTERIES

3. Are battery(ies) that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)] Yes  No  N/A  RMK#\_\_\_\_\_
4. If batteries are contained, are the containers closed and structurally sound, compatible with the contents of the battery and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(A)(1)] Yes  No  N/A  RMK#\_\_\_\_\_
5. Does the SQUWH conduct any of the following activities:
- a. Sort batteries by type? Yes  No  N/A  RMK#\_\_\_\_\_
- b. Mix battery types in one container? Yes  No  N/A  RMK#\_\_\_\_\_
- c. Discharge batteries to remove the electric charge? Yes  No  N/A  RMK#\_\_\_\_\_
- d. Regenerated used batteries? Yes  No  N/A  RMK#\_\_\_\_\_
- e. Disassemble them into individual batteries or cells? Yes  No  N/A  RMK#\_\_\_\_\_
- f. Remove batteries from consumer products? Yes  No  N/A  RMK#\_\_\_\_\_
- g. Remove the electrolyte from the battery? Yes  No  N/A  RMK#\_\_\_\_\_

If so, are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)(2)]

Yes  No  N/A  RMK#\_\_\_\_\_

6. If the electrolyte is removed or other waste generated, has it been determined whether it is a hazardous waste? [3745-273-13(A)(3)]

Yes  No  N/A  RMK#\_\_\_\_\_

a. If the electrolyte or other waste is characteristic, is it managed in compliance with 3745-50 through 3745-69? [3745-273-13(A)(3)(a)]

Yes  No  N/A  RMK#\_\_\_\_\_

b. If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-13(A)(3)(b)]

Yes  No  N/A  RMK#\_\_\_\_\_

7. Are the battery(ies) of container(s) of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)"? [3745-273-14(A)]

Yes  No  N/A  RMK#\_\_\_\_\_

### **UNIVERSAL WASTE PESTICIDES**

8. Does the SQUWH prevent releases to the environment by managing pesticides in containers that are closed, structurally sound, compatible with the pesticides, and lack evidence of leakage, spillage, or damage? [3745-273-13(B)(1)]

Yes  No  N/A  RMK#\_\_\_\_\_

9. If the original pesticide container is in poor condition, was it over-packed into an acceptable container? [3745-273-13(B)(2)]

Yes  No  N/A  RMK#\_\_\_\_\_

10. If the pesticide is stored in a tank, are the requirements of 3745-66-90 through 3745-66-101, except for paragraph (C) of 3745-66-97; 3745-66-100 and -66-101 of the OAC met? (Use tank checklist) [3745-273-13(B)(3)]

Yes  No  N/A  RMK#\_\_\_\_\_

11. If pesticides are stored in a transport vehicle, is it closed, structurally sound and compatible with the pesticide(s)? [3745-273-13(B)(4)]

Yes  No  N/A  RMK#\_\_\_\_\_

12. Are containers, tanks, or transport vehicles that contain universal waste pesticides, labeled with either "Universal Waste Pesticides" or "Waste Pesticides?" [3745-273-14(B)] Yes  No  N/A  RMK#\_\_\_\_\_

### **UNIVERSAL WASTE THERMOSTATS**

13. Are thermostats that show evidence of leaking, spilling, or damage that could cause leaks, properly contained? [3745-273-13(C)(1)] Yes  No  N/A  RMK#\_\_\_\_\_

14. If the thermostats are contained, are the containers closed, structurally sound, compatible with contents of the thermostats and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(C)(1)] Yes  No  N/A  RMK#\_\_\_\_\_

15. If the mercury-containing ampules are removed, does the SQUWH: [3745-273-13(C)(2)]

- a. Remove the ampules in a manner to prevent breakage and are they removed over or in a containment device? [3745-273-13(C)(2)(a)(b)] Yes  No  N/A  RMK#\_\_\_\_\_

- b. Have a clean-up system readily available to transfer spilled mercury to another container that meets the requirements of OAC 3745-52-34 and is the spilled mercury transferred immediately? [3745-273-13(C)(2)(c)(d)] Yes  No  N/A  RMK#\_\_\_\_\_

- c. Ensure that the area where ampules are removed is well ventilated and monitored in compliance with applicable OSHA exposure levels for mercury? [3745-273-13(C)(2)(e)] Yes  No  N/A  RMK#\_\_\_\_\_

- d. Ensure that employees are thoroughly familiar with the proper waste handling and emergency procedures? [3745-273-13(C)(2)(f)] Yes  No  N/A  RMK#\_\_\_\_\_

- e. Ensure that removed ampules are stored in closed, non-leaking containers that are in good condition? [3745-273-13(C)(2)(g)] Yes  No  N/A  RMK#\_\_\_\_\_

f. Pack removed ampoules in containers with packing material to prevent breaking during storage, handling and transportation? [3745-273-13(C)(2)(h)] Yes  No  N/A  RMK#\_\_\_\_\_

16. If mercury, clean-up residues, or other wastes are generated, are they evaluated to determine whether they exhibit a characteristic of a hazardous waste? [3745-273-13(C)(3)(a)] Yes  No  N/A  RMK#\_\_\_\_\_

a. If the waste is characteristic, is it managed in compliance with OAC Chapters 3745-50 through 3745-69? (The handler is considered the generator of the mercury, residues, and/or other waste and is subject to Chapter 3745-52.) [3745-273-13] Yes  No  N/A  RMK#\_\_\_\_\_

b. If the mercury, residues and/or other wastes are not hazardous, are they managed in compliance with applicable law? [3745-273-13(C)(3)(c)] Yes  No  N/A  RMK#\_\_\_\_\_

17. Are thermostats or containers of thermostats labeled either "Universal Waste-Mercury Thermostat(s)" or "Waste Mercury Thermostat(s)" or "Used Mercury Thermostat(s)"? [3745-273-14[D]] Yes  No  N/A  RMK#\_\_\_\_\_

**UNIVERSAL WASTE LAMPS**

18. Does the SQGUHW contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and are compatible with contents of the lamps? Are containers or packages closed and do they lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(D)(1)] Yes  No  N/A  RMK#\_\_\_\_\_

19. Are lamps that show evidence of breakage, leakage or damage that could cause a release of mercury or hazardous constituents into the environment immediately cleaned up? Are they placed into a container that is closed, structurally sound, compatible with the contents of the lamps, and lack evidence of leakage spillage or damage that could cause leakage or releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)] Yes  No  N/A  RMK#\_\_\_\_\_

20. Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)?" [3745-273-14(E)] Yes  No  N/A  RMK#\_\_\_

**NOTE:** Treatment (such as crushing) by a UWH is prohibited under this rule unless the facility is permitted for such activities [3745-273-31(B)]. A generator crushing lamps must manage lamps according to hazardous waste rules (OAC Chapter 3745-52). Lamp crushing is a form of generator treatment (OAC 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility under a hazardous waste manifest.

**ACCUMULATION TIME**

21. Is the waste accumulated for less than one year? [3745-273-15(A)] If not: Yes  No  N/A  RMK#\_\_\_  
*> see Concern #10*  
a. Was the waste accumulated over one year in order to facilitate proper recovery, treatment or disposal? (Burden of proof is on the handler to demonstrate) [3745-273-15(B)] Yes  No  N/A  RMK#\_\_\_

**NOTE:** Accumulation is defined as date generated or date received from another handler.

22. Is the length of time the universal waste is stored documented by one of the following: [3745-273-15(C)] Yes  No  N/A  RMK#\_\_\_  
a. Marking or labeling the container with the earliest date when the universal waste became a waste or was received? [3745-273-15(C)(1)] Yes  No  N/A  RMK#\_\_\_  
b. Marking or labeling individual item(s) of universal waste with the earliest date that it became a waste or was received? [3745-273-15(C)(2)] Yes  No  N/A  RMK#\_\_\_  
c. Maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received? [3745-273-15(C)(3)] Yes  No  N/A  RMK#\_\_\_  
d. Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers became a universal waste or was received? [3745-273-15(C)(4)] Yes  No  N/A  RMK#\_\_\_

e. Placing the universal waste in a specific accumulation area and identifying the earliest start date or date received? [3745-273-15(C)(5)]

Yes  No  N/A  RMK#\_\_\_\_\_

f. Any other method, which clearly demonstrates, the length of time the universal waste has been accumulated from the date it became a waste or was received? [3745-273-15(C)(6)]

Yes  No  N/A  RMK#\_\_\_\_\_

### **EMPLOYEE TRAINING**

23. Are employees who handle or have the responsibility for managing universal waste informed of waste handling/emergency procedures, relative to their responsibilities? [3745-273-16]

Yes  No  N/A  RMK#\_\_\_\_\_

### **RESPONSE TO RELEASES**

24. Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]

Yes  No  N/A  RMK#\_\_\_\_\_

25. Is the material released characterized? [3745-273-17(B)]

Yes  No  N/A  RMK#\_\_\_\_\_

26. If the material released is a hazardous waste, is it managed as required in OAC Chapters 3745-50 through 3745-69? (If the waste is hazardous, the handler is considered the generator of the waste and is subject to Chapter 3745-52) [3745-273-17 (B)]

Yes  No  N/A  RMK#\_\_\_\_\_

### **OFF-SITE SHIPMENTS**

**NOTE:** *If a SQUWH self-transport waste, then they must comply with the Universal Waste transporter requirements.*

27. Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]

Yes  No  N/A  RMK#\_\_\_\_\_

**NOTE:** *SQUWHs are prohibited to send waste to any other facility.*

28. If the universal waste meets the definition of hazardous material under 49 CFR 171-180, are DOT requirements met with regard to package, labels, placards and shipping papers? [3745-273-18(C)] Yes  No  N/A  RMK#\_\_\_\_\_
29. Prior to shipping universal waste off-site, does the receiver agree to receive the shipment? [3745-273-18(D)] Yes  No  N/A  RMK#\_\_\_\_\_
30. If the universal waste shipped off-site is rejected by another handler or destination facility does the originating handler do one of the following:
- a. Receive the waste back? [3745-273-18(E)(1)] Yes  No  N/A  RMK#\_\_\_\_\_
- b. Agree to where the shipment will be sent? [3745-273-18(E)(2)] Yes  No  N/A  RMK#\_\_\_\_\_
31. If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss one of the following:
- a. Sending the waste back to the originating handler? [3745-273-18(F)(1)] Yes  No  N/A  RMK#\_\_\_\_\_
- b. Sending the shipment to a destination facility? (If both the originating and receiving handler agree) [3745-273-18(F)(2)] Yes  No  N/A  RMK#\_\_\_\_\_
33. If the handler received a shipment of hazardous waste that was not universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)] Yes  No  N/A  RMK#\_\_\_\_\_
34. If the handler received a shipment of nonhazardous, non-universal waste, was the waste managed in accordance with applicable law? [3745-273-18(H)] Yes  No  N/A  RMK#\_\_\_\_\_

**EXPORTS**

35. Is waste being sent to a foreign destination? If so: Yes  No  N/A  RMK#\_\_\_\_\_
- a. Does the small quantity handler comply with primary exporter requirements in OAC 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)] Yes  No  N/A  RMK#\_\_\_\_\_

b. Is waste exported only upon consent of the receiving country and in conformance with U.S. EPA's "Acknowledgment of Consent" as defined in 3745-52-50 to -52-57? [3745-273-20(B)]

Yes  No  N/A  RMK#\_\_\_\_\_

c. Is a copy of U.S. EPA's "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)]

Yes  No  N/A  RMK#\_\_\_\_\_