

**Environmental
Protection Agency**

John R. Kasich, **Governor**
Mary Taylor, **Lt. Governor**
Scott J. Nally, **Director**

June 27, 2011

Karen Henrietta
NPA Coatings
11120 Berea Rd
Cleveland, OH 44102

RE: NPA COATINGS, OHR 000 005 033, CUYAHOGA COUNTY, LQG-CEI, NOTICE OF VIOLATION/PARTIAL RETURN TO COMPLIANCE

Dear Ms. Henrietta:

On May 25, 2011, Ohio EPA's Division of Materials and Waste Management, represented by Edward D'Amato and Karen Nesbit inspected NPA Coatings located at 11120 Berea Road, Cleveland for compliance with Ohio's hazardous waste laws and regulations found in Chapters 3734 of the Ohio Revised Code (ORC) and 3745 of the Ohio Administrative Code (OAC). You represented NPA Coatings during the inspection.

NPA Coatings manufactures automotive paints.

The following violations were found:

**1. Permit Required for Establishment of a TSD
ORC 3734.02(E)(2)**

No person shall establish or operate a hazardous waste facility, or use a solid waste facility for the storage, treatment, or disposal of any hazardous waste, without a hazardous waste facility installation and operation permit .

One drum of hazardous waste was found in the outdoor less-than-90-day accumulation area that was dated October 16, 2010. The drum was not leaking and showed no signs of releases. You explained that this drum was stored over 90-days due to a labeling error. Please dispose of this drum immediately and submit a copy of the Hazardous waste manifest to this office. At the time of the inspection, NPA Coatings was in the process of implementing a new bar coding system that will eliminate such errors in the future. Ohio EPA is satisfied that this remedy will prevent this violation from recurring.

**2. Dating of Hazardous Waste Containers (LQG)
OAC 3745-52-34 (A)(2)**

A generator may, for ninety days or less, accumulate and/or conduct treatment of hazardous waste that is generated on site, provided that...The date upon which each period of accumulation...begins is clearly marked and visible for inspection on each container.

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Nineteen drums in the less than 90-day storage area were not dated per this rule. This violation has been corrected. Some of the drums were dated during the inspection. On May 26, 2011, you sent an e-mail with pictures showing the rest had been dated. No further action is required regarding this violation.

3. Land Disposal Restrictions
OAC 3745-270-07 (A)(2)(a)

With the initial shipment of waste to each treatment, storage, or disposal facility, the generator shall send a one-time written notice to each treatment, storage or disposal facility receiving the waste and place a copy in the generator's files...

You did not have a Land Disposal Restriction form for a waste stream on manifest #05461222 JJK. This violation was corrected on May 26, 2011, when you e-mailed a copy of the LDR form to this office. No further action is required regarding this violation.

4. General Inspection Requirements
OAC 3745-66-74

The owner or operator shall inspect areas where containers are stored at least weekly, looking for leaks and for deterioration caused by corrosion or other factors.

- a. You have not been inspecting the tote of Red Wastewater, which you dispose as hazardous waste. Due to the volume of the tote, the satellite accumulation rule does not apply to this container unless you comply with the rules regarding the 55-gallon limit. You explained in an e-mail dated May 26, 2011, that NPA Coatings no longer uses MEK which is what made this waste stream hazardous, so you will have the waste re-profiled as non-hazardous. To correct this violation, please submit copies of documentation that demonstrate this waste stream is now non-hazardous.
- b. Weekly inspections of the less than 90-day area were not done from 11/3/09 through 12/15/09. You explained that during this time frame NPA Coatings experimented with requiring the Production Department do the inspections, and that inspection responsibilities were re-assigned in December 2009 when this was discovered. No further action is required regarding this violation.

5. Emergency Equipment Inspections
OAC 3745-65-33

All communication and emergency equipment shall be tested and maintained as necessary to assure proper operation in time of emergency...The owner or operator must record the inspections in a log or summary.

Emergency equipment inspections do not include the emergency equipment in Room 105. This violation was corrected on May 26, 2011, when you submitted, via e-mail, an updated inspection list. No further action is required regarding this violation.

**6. Labeling/Marking Standards for Universal Waste
OAC 3745-273-14(E)**

*Each universal waste lamp or a container or package in which such lamps are contained, must be labeled or marked clearly with one of the following phrases:
"Universal Waste-Lamp(s)", or "Waste Lamp(s)", or "Used Lamp(s)."*

There were approximately 13 boxes that were not labeled per this rule. This violation was corrected on May 26, 2011, when you e-mailed pictures showing that the boxes had been labeled. No further action is required regarding this violation.

**7. Universal Waste Management Standards—Containers
OAC 3745-273-13(D)**

Containers must be kept closed and must lack evidence of leakage, spillage or damage.

There were approximately 13 boxes that were not closed per this rule. This violation was corrected on May 26, 2011, when you e-mailed pictures showing that the boxes had been closed. No further action is required regarding this violation.

**8. Universal Waste Management Standards—Containers
OAC 3745-273-13(D)**

A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage...

Several lamps were stored in a plastic bag rather than a container that meets the requirements of this rule. This violation was corrected on May 26, 2011, when you e-mailed pictures showing that the lamps in question were in a closed, labeled box. No further action is required regarding this violation.

In addition to the above violations, the following concern was noted:

9. Many of the hazardous waste labels on containers in the hazardous waste container storage building were not visible for inspection. This makes it difficult to conduct weekly inspections properly. Please explain what NPA Coatings will do to prevent this from recurring in the future.

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Ohio EPA has the following suggestion for NPA Coatings:

1. NPA Coatings is storing some of its paint in uninsulated rooms. These rooms must be heated to keep them at a minimum temperature during the colder times of the year. NPA Coatings should evaluate insulating these rooms to save on energy costs.
2. NPA Coatings may benefit from an energy assessment. The US Department of Energy offers an energy assessment program. More information can be found at:
<http://www1.eere.energy.gov/industry/saveenergynow/assessments.html>.

The Ohio Department of Development, Office of Energy Efficiency can also assist. More information can be found at: <http://development.ohio.gov/cdd/oeeciservices.htm>.

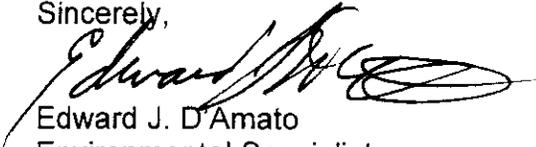
The Division of Materials and Waste Management has created an electronic news service to provide you with updates related to hazardous waste activities in Ohio. You can find more information and sign up for this free service at the following web link:
http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpage.

Enclosed are copies of the checklists used for the inspection.

Failure to list specific deficiencies in this communication does not relieve NPA Coatings from the responsibility of complying with all applicable Ohio EPA laws and regulations. Please be advised that present or past instances of non-compliance can continue as subjects of pending or future enforcement actions.

Please feel free to contact me at (330) 963-1170 if you have any questions.

Sincerely,


Edward J. D'Amato
Environmental Specialist
Division of Materials and Waste Management

EJD:cl
Enclosures

ec: Natalie Oryshkewych, DMWM, NEDO
Frank Popotnik, DMWM, NEDO
Marlene Kinney, DMWM, NEDO

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

NPA Coatings

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

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

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

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

Safety Equipment Used:

GENERAL REQUIREMENTS

| | | |
|----|--|--|
| 1. | Have all wastes generated at the facility been adequately evaluated? [3745-52-11] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 2. | Are records of waste determination being kept for at least 3 years? [3745-52-40(C)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 3. | Has the generator obtained a U.S. EPA identification number? [3745-52-12] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 4. | Were annual reports filed with Ohio EPA on or before March 1 st ? [3745-52-41(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 5. | Are annual reports kept on file for at least 3 years? [3745-52-40(B)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 6. | Has the generator transported or caused to be transported hazardous waste to other than a facility authorized to manage the hazardous waste? [ORC 3734.02(F)] | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| 7. | Has the generator disposed of hazardous waste on-site without a permit or at another facility other than a facility authorized to dispose of the hazardous waste? [ORC 3734.02(E)&(F)] | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| 8. | Does the generator accumulate hazardous waste? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

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

| | | |
|----|--|---|
| 9. | Has the generator accumulated hazardous waste on-site in excess of 90 days without a permit or an extension from the director ORC §3734.02(E)&(F)? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> <i>one drum, due to inventory error</i> |
|----|--|---|

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

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

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| <i>NOTE: Complete appropriate checklist for each unit.</i> | | |
| <i>NOTE: If waste is treated to meet LDRs, use LDR checklist.</i> | | |
| 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)(1)] | 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)(1)]&[3745-52-27(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <i>NOTE: U.S. EPA Form 8700-22(A) (the continuation form) may be needed in addition to Form 8700-22. In these situations items (21) through (35) must also be completed. [3745-52-20(A)(1)]</i> | | |
| 14. | Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <i>NOTE: The generator may designate on the manifest one alternate facility to handle the waste in the event of an emergency which prevents the delivery of waste to the primary designated facility. [3745-52-20(C)]</i> | | |
| 15. | If the transporter was unable to deliver a shipment of hazardous waste to the designated facility, did the generator designate an alternate TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 16. | Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1)&(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <i>NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have a program in place to reduce the volume and toxicity waste they generate.</i> | | |
| 17. | If the generator received a rejected load or residue and accumulated the waste on-site, did the generator sign item 18c or 20 of the manifest? [3745-52-34(M)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 18. | If the generator did not receive a return copy of each completed manifest within 35 days of the waste being accepted by the transporter, did the generator contact the transporter and/or TSD facility to check on the status of the waste? [3745-52-42(A)(1)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 19. | If the generator has not received the manifest within 45 days, did the generator file an exception report with Ohio EPA? [3745-52-42(A)(2)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 20. | Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

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

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| 21. | Does the generator have a training program which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to their positions? [3745-65-16(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 22. | 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)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

NOTE: For facility employees that receive emergency response training pursuant to OSHA regulations, the facility is not required to provide separate emergency response training, provided that the overall facility training meets all the requirements of OAC 3745-65-16(A). [3745-65-16(A)(4)]

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| 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. | Does the generator keep records and documentation of: | |
| | a. Job titles? [3745-65-16(D)(1)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | b. Job descriptions? [3745-65-16(D)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | c. Type and amount of training given to each person? [3745-65-16(D)(3)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | d. Completed training or job experience required? [3745-65-16(D)(4)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 27. | Are training records for current personnel kept until closure of the facility and are training records for former employees kept for at least three years from the date the employee last worked at the facility? [3745-65-16(E)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

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

| <u>Job Performed</u> | <u>Name of Employee</u> | <u>Date Trained</u> |
|----------------------|-------------------------|---------------------|
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| CONTINGENCY PLAN | | |
|---|--|--|
| 28. | Does the owner/operator have a contingency plan to minimize hazards to human health or the environment from fires, explosions or any unplanned release of hazardous waste? [3745-65-51(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 29. | Does the plan describe the following: | |
| a. | Actions to be taken in response to fires, explosions or any unplanned release of hazardous waste? [3745-65-52(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| b. | Arrangements with emergency authorities? [3745-65-52(C)] | Yes <input 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? [3745-65-52(D)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| d. | A list of all emergency equipment, including: location, a physical description and brief outline of capabilities? [3745-65-52(E)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| e. | An evacuation plan for facility personnel where there is possibility that evacuation may be necessary? [3745-65-52(F)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <p><i>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. The facility may develop one contingency plan which meets all regulatory requirements. Ohio EPA recommends that the plan be based on the "National Response Team's Integrated Contingency Plan Guidance (One Plan)." [3745-65-52(B)]</i></p> | | |
| 30. | 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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 31. | Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, or failure of the plan? [3745-65-54] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 32. | 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"/> |
| <p><i>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.</i></p> | | |
| EMERGENCY PROCEDURES | | |
| 33. | Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents since the last inspection? If so: | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| a. | Was the contingency plan implemented? [3745-65-51(B)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| b. | Did the facility follow the emergency procedures in 3745-65-56(A) through (H)? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| c. | Did the facility submit a report to the Director within 15 | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

[Facility Name/Inspection Date]

[ID number]

LQG/September 2010

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| | days of the incident as required by 3745-65-56(l)? | |
| <p><i>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.</i></p> | | |
| PREPAREDNESS AND PREVENTION | | |
| 34. | Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 35. | Does the generator have the following equipment at the facility, if it is required due to actual hazards associated with the waste: | |
| a. | Internal communications or alarm system? [3745-65-32(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| b. | Emergency communication device? [3745-65-32(B)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| c. | Portable fire control, spill control and decon equipment? [3745-65-32(C)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| d. | Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <p><i>NOTE: Verify that the equipment is listed in the contingency plan.</i></p> | | |
| 36. | Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33] | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> <i>Room 105 emergency Equip not being inspected</i> |
| 37. | Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 38. | Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under 3745-65-32)? [3745-65-34(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 39. | If there is only one employee on the premises, is there immediate access to a device (eg., phone, hand held two-way radio) capable of summoning external emergency assistance (unless not required under 3745-65-32)? [3745-65-34(B)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 40. | Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 41. | Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 42. | Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| SATELLITE ACCUMULATION AREA REQUIREMENTS | | |
| 43. | Does the generator ensure that satellite accumulation area(s): | |
| a. | Are at or near a point of generation? [3745-52-34(C)(1)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| b. | Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| c. | Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

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| | d. | Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | e. | Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | f. | Containers are marked with words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 44. | | Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so: | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| | a. | Did the generator comply with 3745-52-34(A)(1) through (4) or other applicable generator requirements within three days? [3745-52-34(C)(2)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| | b. | Did the generator mark the container(s) holding excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

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

USE AND MANAGEMENT OF CONTAINERS IN <90 DAY ACCUMULATION AREAS

| | | | |
|-----|----|--|--|
| 45. | | Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(A)(3)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 46. | | Is the accumulation date on each container? [3745-52-34(A)(2)] | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| 47. | | Are hazardous wastes stored in containers which are: | |
| | a. | Closed (except when adding/removing wastes)? [3745-66-73(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | b. | In good condition? [3745-66-71] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | c. | Compatible with wastes stored in them? [3745-66-72] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | d. | Handled in a manner which prevents rupture/leakage? [3745-66-73(B)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

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

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| 48. | | Is the container accumulation areas(s) inspected weekly? [3745-66-74] <i>6 week gap in 2009, has since been corrected</i> | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| | a. | Are inspections recorded in a log or summary? [3745-66-74] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

NOTE: "Week" means 7 consecutive days per ORC§1.44(A).

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| 49. | | Are containers of ignitable or reactive wastes located at least 50 feet (15 meters) from the facility's property line? [3745-66-76] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 50. | | Are containers of incompatible wastes stored separately from each via a dike, berm, wall or other device? [3745-66-77(C)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 51. | | If the generator places incompatible wastes, or incompatible wastes and materials in the same container, is it done in | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

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| | accordance with 3745-65-17(B)? [3745-66-77(A)] | |
| 52. | If the generator places hazardous waste in an unwashed container that previously held an incompatible waste, is it done in accordance with 3745-65-17(B)? [3745-66-77(B)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| <p><i>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.</i></p> | | |
| 53. | If the generator has closed a <90 day accumulation area does the closure appear to have met the closure performance standard of 3745-66-11? [3745-52-34(A)(1)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| <p><i>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]</i></p> | | |
| PRE-TRANSPORT REQUIREMENTS | | |
| 54. | Does the generator package/label its hazardous waste in accordance with the applicable DOT regulations? [3745-52-30, 3745-52-31 and 3745-52-32(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 55. | Does each container ≤119 gallons have a completed hazardous waste label? [3745-52-32(B)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 56. | Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

LDR CHECKLIST (GENERATOR)
DOES NOT APPLY TO CESQGS

NPA Coatings

GENERAL REQUIREMENTS

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

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

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

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

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| 6. | Did the generator determine if its characteristic HW contains underlying hazardous constituents that need to be treated? [3745-270-09(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
|----|---|--|

NOTE: This is done by evaluating which underlying hazardous constituents (UHC) are in the HW at levels above the universal treatment standards given in 3745-270-48. This requirement does not apply to high total organic carbon (i.e., contains >10% TOC) D001 wastes or listed HWs.

NOTE: Written documentation of this determination is not required.

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| 7. | Did the generator treat his HW /soil on-site <u>to meet</u> the LDR treatment standard? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
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NOTE If a Yes@ see question #16.

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

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| | a. | Is the form kept on file for three years after last HW shipped? [3745-270-07(A)(8)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| NOTIFICATION FORM | | | |
| 11. | Does the LDR Notification form contain the following information: | | |
| | a. | Manifest number of the first waste shipment to the TSD?[3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | b. | Applicable waste codes (includes characteristic codes for a listed HW if applicable)? [3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | c. | A statement that conveys that the HW is subject to LDRs and must be treated to meet LDR treatment requirements? [3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | d. | A designation whether the HW is a wastewater or non-wastewater? [3745-270-07(A)(2)]. | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <i>NOTE: A wastewater contains <1% by wt. total suspended solids(TSS) and <1% by wt. TOC. If you doubt the HW is a wastewater or non-wastewater, the HW can be tested using for example, Standard Methods (SM) 160.2 for TSS, SW-846 method 9060a for TOC.</i> | | | |
| | e. | Designation of the waste subcategory when applicable? [3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <i>NOTE: Subcategories are found on the LDR treatment standards table under the applicable waste code. Not all HWs have subcategories</i> | | | |
| | f. | A listing of the underlying hazardous constituents for which a characteristic waste must be treated? [3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <i>NOTE: Not required if the waste is high TOC D001 or the TSD tests its treatment residues for all underlying hazardous constituents.</i> | | | |
| | g. | If the HW is F001-F005 or F039, did the generator note on the LDR form what solvents or constituents, respectively, the waste contains and must be treated for?[3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <i>NOTE: Not required if the TSD tests its treatment residues for all underlying hazardous constituents.</i> | | | |
| PROHIBITED DILUTION | | | |
| 12. | Is the HW treated by burning? If No, go to #15. | | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 13. | Is the HW a metal-bearing HW? | | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| <i>NOTE: Generally, metal-bearing HWs contain heavy metals above TCLP levels or were listed due to the presence of metals. A list of the restricted metal-bearing HWs are given in the Appendix to 3745-270-03.</i> | | | |
| 14. | a. | Metal-bearing HWs cannot be incinerated, combusted or, blended and burned for fuel unless one of the following conditions apply. [3745-270-03(c)] | |
| | i. | Contains > 1% TOC? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| | ii. | Contains organic constituents or cyanide at levels greater than the UST levels? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

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| | iii. | Is made up of combustible material e.g., paper, wood, plastic? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| | iv. | Has a reasonable heating value (e.g., > 5000 Btu)? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| | v. | Co-generated with a HW that must be combusted? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| | b. | If all responses to 14 a.i. through 14 a.v. are No, HW is being improperly treated by dilution, violation of 3745-270-03(C). Is HW being treated by dilution? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 15. | | Was the HW treated by wastewater treatment? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | a. | Is a LDR treatment method, other than DEACT or a numerical value, specified for the waste? [3745-270-03(B) and 3745-270-40(A)(3)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

NOTE: If Yes, HW is improperly being treated by dilution.

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| | b. | Does the waste carry the D001 code <u>and</u> contain $\geq 10\%$ TOC? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | c. | Does the wastewater treatment process include a process to separate/recover the organic phase of the waste? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

NOTE: If the answers to b & c are Ayes@ and Ano@, respectively, waste is improperly being treated by dilution and generator is in violation of [3745-270-03(B) and 3745-270-40(A)(3)].

NOTE: A list of separation/recovery processes are given in 3745-270-42 under RORG.

GENERATOR TREATMENT

| | | | |
|-----|----|--|--|
| 16. | | Does the generator treat to meet LDRs on-site [3745-270-40(A)]? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| | | Did the generator treat his hazardous waste/soil on-site in a tank, container, drip pad or containment building to meet the LDR treatment standard? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| | | If AYes@...complete the rest of the checklist. If ANo@...stop...you are done. | |
| | a. | Does the generator have a written waste analysis plan (WAP) that describes the procedures he will follow to treat the HW/soil to the LDR treatment standard? [3745-270-07(A)(5)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | b. | Did the generator use a detailed chemical and physical analysis of the HW/soil in order to develop the WAP? [3745-270-07(A)(5)(a)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

NOTE: This is a laboratory analysis but it does not have to be kept by the generator.

| | | | |
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| | c. | Does the WAP contain all information necessary to treat the HW/soil to the LDR treatment standard? [3745-270-07(A)(5)(a)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | d. | Does the WAP include the testing frequency of the treated HW/soil to demonstrate that the LDR treatment standard is being met? [3745-270-07(A)(5)(a)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

| | | | |
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| | e. | Does the generator keep the WAP on-site? [3745-270-07(A)(5)(b)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | f. | Is the WAP available for the inspector=s review during the inspection? [3745-270-07(A)(5)(b)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| NOTIFICATION FORM | | | |
| 17. | a. | Contains all information in #11 a-g above and | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | b. | If the treated HW/soil is listed.....notification contains the following certification statement: "I certify under penalty of law that I personally have examined and am familiar with the waste, through analysis and testing or trough knowledge of the waste, to support this certification that the waste complies with the treatment stands specified in rule 3745-270-40 to 3745-270-49 of the Administrative Code. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment." | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | c. | If the treated HW/soil no longer exhibits a characteristic and is no longer a HW, did the generator: | |
| | i. | Send a one-time notification to the director?[3745-270- 09 (D)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | ii. | Maintain a copy of the notice onsite?[3745-270-09(D)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | iii. | Include in the notification: [3745-270-09(D)(1)(a)] | |
| | | 1. Name & address of receiving landfill? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | | 2. Description of HW when generated? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | | 3. HW code when generated? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | | 4. Treatability group when generated? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | | 5. Underlying hazardous constituents present when generated? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | iv. | Contain the right certification statement as required by 3745-270-07(b)(4)? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS – BATTERIES AND LAMPS

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

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

PROHIBITIONS

NPA Coatings

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|----|---|--|
| 1. | Did the SQUWH dispose of universal waste? [3745-273-11(A)] | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| 2. | Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in OAC rule 3745-273-17 or managing specific wastes as provided in OAC rule 3745-273-13? [3745-273-11(B)] | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |

WASTE MANAGEMENT AND LABELING/MARKING

UNIVERSAL WASTE BATTERIES

No UWH batteries

- | | | |
|----|--|--|
| 3. | Are batteries that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 5. | Are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 6. | If the electrolyte is removed or other wastes generated, has it been determined whether the electrolyte or other wastes exhibit a characteristic of hazardous waste? [3745-273-13(A)(3)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| a. | If the electrolyte or other waste is characteristic, is it managed in compliance with OAC Chapters 3745-50 through 3745-69? [3745-273-13(A)(3)(a)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 7. | Are the batteries or containers of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)"? [3745-273-14(A)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

UNIVERSAL WASTE LAMPS

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| 8. | Does the SQUWH contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and 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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| 9. | 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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

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 rule 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility using a hazardous waste manifest.

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| 10. | 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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
|-----|--|--|

| ACCUMULATION TIME | | |
|---|---|--|
| 11. | Is the waste accumulated for less than one year? [3745-273-15(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | a. If not, is 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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| <i>NOTE: Accumulation is defined as date generated or date received from another handler.</i> | | |
| 12. | Is the handler able to demonstrate the length of time the universal waste has been accumulated? [3745-273-15(C)] If yes, describe below: | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| EMPLOYEE TRAINING | | |
| 13. | 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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| RESPONSE TO RELEASES | | |
| 14. | Are releases of universal waste and other residues immediately contained? [3745-273-17(A)] <i>no releases since last inspection</i> | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 15. | Is the material released characterized? [3745-273-17(B)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 16. | If the material released is a hazardous waste, was 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 OAC Chapter 3745-52) [3745-273-17(B)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| OFF-SITE SHIPMENTS | | |
| <i>NOTE: If a SQUWH self-transport waste, then the handler must comply with the Universal Waste transporter requirements.</i> | | |
| 17. | Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 18. | Is the handler aware of DOT requirements for packaging and shipping? If no, make aware of 49 CFR 171-180. | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 19. | Prior to shipping universal waste off-site, does the originating handler ensure that the receiver agrees to receive the shipment? [3745-273-18(D)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 20. | Has the originating handler ever had an off-site shipment rejected by another handler or destination facility? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| | a. If yes, did the originating handler receive the waste back or agree to where the shipment was sent? [3745-273-18(E)(2)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 21. | If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss and do <u>one of the following</u> : | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| | a. Send the waste back to the originating handler or send the shipment to a destination facility (If both the originating and receiving handler agree)? [3745-273-18(F)(2)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 22. | If the handler received a shipment of hazardous waste that was not a universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| EXPORTS | | |
| 23. | Is waste being sent to a foreign destination? If so: | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |

| | | |
|----|--|--|
| a. | Does the small quantity handler comply with primary exporter requirements in OAC rules 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| b. | Is waste exported only upon consent of the receiving country and in conformance with the U.S. EPA "Acknowledgment of Consent" as defined in OAC rules 3745-52-50 to 3745-52-57? [3745-273-20(B)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| c. | Is a copy of the U.S. EPA "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

| | | |
|--|---|-----------------------|
| Send to Central Office <input type="checkbox"/> | Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM | For Ohio EPA use only |
|--|---|-----------------------|

Completed verification forms required to be submitted to CO should be e-mailed to paula.canter@epa.state.oh.us.

| | | |
|---|---|------------------------------------|
| Site EPA ID No. | EPA ID Number: OHR 000 005 033 | |
| Site Name | Name: NPA Coatings | Website: (Optional) |
| Site Location Information | Street Address: 11120 Berea Rd | |
| | City, Town, or Village: Cleveland | State: OH |
| | County Name: Cuyahoga | |
| Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html | Private <input checked="" type="checkbox"/> | County <input type="checkbox"/> |
| | District <input type="checkbox"/> | Federal <input type="checkbox"/> |
| | Indian <input type="checkbox"/> | Municipal <input type="checkbox"/> |
| | State <input type="checkbox"/> | Other <input type="checkbox"/> |

| | | |
|--|--|-------------------------|
| Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address | First Name: Karen MI: Last Name: Henrietta | |
| | Title: Environmental Manager | |
| | Phone Number: 216-244-3626 | Phone Number Extension: |
| | E-Mail Address: khenrietta@npacoatings.com | |
| | Fax Number: 216-631-9521 | Fax Number Extension: |
| | Street or P.O. Box: Same as above | |
| | City, Town or Village: | |
| | State: | Zip Code: |

| | | | | | |
|---|--|---|---|-----------------------------------|----------------------------------|
| Legal Owner And Operator of the Site. List Additional Owners and/or Operators in the Comment Section or on another copy of this form page | Name of Site's Legal Owner: Nippon Paint Co. Ltd | | Date Became Owner (mm/dd/yyyy): | | |
| | Owner Type: <input checked="" type="checkbox"/> | Private <input type="checkbox"/> | County <input type="checkbox"/> | District <input type="checkbox"/> | Federal <input type="checkbox"/> |
| | | Indian <input type="checkbox"/> | Municipal <input type="checkbox"/> | State <input type="checkbox"/> | Other <input type="checkbox"/> |
| | Street or P.O. Box: 2-1-2, Oyodo-Kita, Kita-Ku | | Owner Phone #: | | |
| | City, Town or Village: Osaka | | Country: Japan Zip Code: 531-8511 | | |
| | State: | | Date Became Operator (mm/dd/yyyy): | | |
| | Operator Type: <input type="checkbox"/> | Private <input type="checkbox"/> | County <input type="checkbox"/> | District <input type="checkbox"/> | Federal <input type="checkbox"/> |
| | Indian <input type="checkbox"/> | Municipal <input type="checkbox"/> | State <input type="checkbox"/> | Other <input type="checkbox"/> | |
| Street or P.O. Box: | | Operator Phone #: (81) 6 6458 1111 | | | |
| City, Town or Village: | | Country: | | | |
| State: | | Zip Code: | | | |

VIOLATIONS CITED? Yes No

TYPE OF HANDLER - MARK "X" AS APPROPRIATE

| | | |
|---|--|--|
| <input type="checkbox"/> Not a HW Generator | <input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 | <input checked="" type="checkbox"/> Large Quantity Generator (LQG) |
| | <input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment. | <input type="checkbox"/> Small Quantity Generator (SQG) |
| | | <input type="checkbox"/> Conditionally Exempt Small Quantity Generator |
| | | <input type="checkbox"/> U.S. Importer of Hazardous Waste |
| | | <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator |

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)

- | | |
|---|--|
| <input type="checkbox"/> Hazardous Waste Transporter | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace |
| <input type="checkbox"/> Hazardous Waste Transfer Facility | <input type="checkbox"/> Small Quantity On-Site Burner Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Recycler of Hazardous Waste | <input type="checkbox"/> Underground Injection Control Facility |
| <input type="checkbox"/> 72-Hour Recycler | <input type="checkbox"/> Receives Hazardous Waste from Off-site |

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY))

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

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

- Batteries
 Pesticides
 Mercury containing equipment
 Lamps

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

- Used Oil Generator
 Used Oil Transporter
 Used Oil Transfer Facility
 Used Oil Processor
 Used Oil Re-refiner
 Off-Specification Used Oil Burner
 Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
 Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

- College or University
 Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
 Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

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

D001 D002 D008 D035 F003 F005

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

- | | | | |
|------------|---|--|--------------------------------------|
| Announced | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Additional Facility Representatives: |
| Tanks | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Containers | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |

Name of Inspector(s)
Ed D'Amato

Name of Inspector(s)
Karen Nesbit

Date of Inspection/Time
(mm/dd/yyyy) (hh:mm)
525/11

Comments:

PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: NPA COATINGS **Facility Type:** LQG **EPA ID#:** OHR 000 005 033

| <i>Description of Waste</i> | | | | <i>On-Site Management</i> | | <i>Off-Site Management</i> |
|--|---|--|--------------------------|--|--|----------------------------|
| Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, etc)</small> | Waste Generated <small>(e.g. sludge, spent solvent, ash, etc)</small> | EPA Waste Code | QTY Generated | Type of Accumulation/ Storage <small>(e.g. container, tank, etc)</small> | Type of On-Site Treatment <small>(recycle, wwt, etc)</small> | Name of TSD. |
| 1 Paint manufacturing | Off Spec Paint | D001 | 72,000P | Drums | None | |
| 2 Cleaning | Spent solvents from paint- related mat'l | D001, D035, F003, F005 | 35,000P | Drums | none | |
| 3 Cleaning, Paint manufacturing | Rags, paper, filters contaminated w/ solvents | D001, D035, F003, F005 | 35,000P/yr | Drums | None | |
| 4 Paint manufacturing | Red WW | D035 | 22,500P/yr | 250 gal. tote | None | |
| 5 Laboratory activities | Various lab wastes | D001, D002, D007, D008 D011, D022, P119, U044, U1144 | | | | |
| 6 Dust collector | Dust collector waste | Non-haz | | | | |
| 7 Lighting | UW Lamps | | | | | |

PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: NPA COATINGS **Facility Type:** LQG **EPA ID#:** OHR 000 005 033

| <i>Description of Waste</i> | | | | <i>On-Site Management</i> | | <i>Off-Site Management</i> | |
|--|---|---|---|--|--|----------------------------|--|
| Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, etc)</small> | Waste Generated <small>(e.g. sludge, spent solvent, ash, etc)</small> | EPA Waste Code | QTY Generated | Type of Accumulation/ Storage <small>(e.g. container, tank, etc)</small> | Type of On-Site Treatment <small>(recycle, wwt, etc)</small> | Name of TSD. | |
| 1 | Paint manufacturing | Off Spec Paint | D001 | 72,000P | Drums | None | |
| 2 | Cleaning | Spent solvents from paint-related mat'l | D001, D035, F003, F005 | 35,000P | Drums | none | |
| 3 | Cleaning, Paint manufacturing | Rags, paper, filters contaminated w/ solvents | D001, D035, F003, F005 | 35,000P/yr | Drums | None | |
| 4 | Paint manufacturing | Red WW | D035 | 22,500P/yr | 250 gal. tote | None | |
| 5 | Laboratory activities | Various lab wastes | D001, D002, D007, D008, D011, D022, P119, U044, U1144 | | | | |
| 6 | Dust collector | Dust collector waste | Non-haz | | | | |
| 7 | Lighting | UW Lamps | | | | | |



PHASE 0 AD-HOC BARCODE SHEET

11/3/2011 11:39 AM

Department:



DMWM

Locked to DMWM

Subdepartment:



DMWM-Hazardous Waste

Office Location:



NEDO

Locked to NEDO

Media:



LAND

Locked to LAND

Doc Type:



NOV

Doc Subtype:



<NONE>

Program:



<NONE>

County:



18 - CUYAHOGA

(Auto Load)

<NONE>

(Override)

Facility ID:



OHR000005033

Facility Name:



NPA COATINGS



2/20/2007

Record ID:



(Auto Load) input is 12 characters long.
(Override) input is 0 characters long.



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

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

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

February 20, 2007

**RE: NPA AUTOMOTIVE FINISHES
CUYAHOGA COUNTY
OHR 000 005 033
PARTIAL RETURN TO COMPLIANCE**

Karen Henrietta
NPA Automotive Finishes and Films
11110 Berea Road
Cleveland, Ohio 44102

Dear Ms. Henrietta:

On January 31, 2007, Ohio EPA received via e-mail a letter with attachments dated January 12, 2007 from NPA Automotive Finishes (NPA). This letter was in response to Ohio EPA's December 28, 2006 Notice of Violation letter (NOV). The response included the following:

- Attachment 1 - Amended <90 day inspection log
- Attachment 2 - Revised pages of Contingency Plan
- Attachment 3 - Revised pages of Contingency Plan
- Attachment 4 - Names of personnel in each job title
- Attachment 5 - Job titles with descriptions
- Attachment 6 - Attendance sheet

Also attached was a revised emergency coordinator list .

In addition, I spoke with you on the telephone on February 14, 2007 for additional clarification.

As stated in the December 2006 NOV, no further action was required for the following violations:

4. *Labeling Requirements for Hazardous Waste Containers, OAC rule 3745-52-34(A)(3).*
6. *Requirements for Hazardous Waste Containers, OAC 3745-66-73(A).*
12. *Labeling and Marking Standards for Handlers of Universal Waste [batteries], OAC rule 3745-273-14(A).*

Based on the information provided, it appears that NPA has adequately addressed the following violations from the December 2006 NOV:

2. *Inspections of Hazardous Waste Accumulation Areas, OAC rule 3745-66-74 (Please note, when the new <90 day accumulation area in Bldg. 113 is put into use, you must either add it to the current inspection log or create a new one for this area).*
5. *Accumulation Date Marking Requirements for Hazardous Waste Containers, OAC rule 3745-52-34(A)(2) (You stated on the telephone that all personnel were specifically trained after the Ohio EPA inspection to assure dates are placed on all containers).*

Karen Henrietta
NPA Automotive Finishes and Films
February 20, 2007
Page 2

8. *Contingency Plan Requirements, OAC rule 3745-65-54*
10. *Packaging of Universal Waste Lamps, OAC rule 3745-273-13(D)(1).*
12. *Labeling and Marking Standards for Handlers of Universal Waste, OAC rule 3745-273-14(A).*
13. *Response to releases - standards for small quantity handlers of universal waste, OAC 3745-273-17(A).*

Additional information is needed to abate the following violations:

1. *Waste Evaluation, OAC rule 3745-52-11:* Any person who generates a waste must evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51.

In our telephone conversation, you stated that NPA has tried to use the zinc acetate and e-coat material noted in the December NOV but it was not effective in the process. You also stated that for disposal purposes the material will be managed as a non-hazardous waste.

Please submit documentation demonstrating the material would be a non-hazardous waste.

3. *Required Aisle Space, OAC 3745-65-35:* The facility shall maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment and decontamination equipment in the hazardous waste accumulation areas.

You state in your response that lines will be painted on the pavement to indicate proper aisle space.

NPA should either submit three weeks of completed inspection logs or photographs indicating the aisle space is currently being maintained.

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

One of the gaylord boxes in the outside <90 day accumulation area was crushed on the top. NPA needs to evaluate this box to determine if it is acceptable for transportation. If the waste in the box needs to be transferred into a new container, please remember to maintain the accumulation date as it is currently found on the box.

It is unclear from your response if the container in question was placed in another container.

Please explicitly state what became of the container noted during the Ohio EPA inspection.

9. *Personnel Training, OAC rule 3745-65-16(D)(1) through (4)*
NPA violated the following applicable requirements of this rule as follows:
- a. *Personnel Training, OAC rule 3745-65-16(D)(1)*: The owner/operator must maintain a job title for each position at the facility related to hazardous waste management and the name of each employee filling each job.
 - b. *Personnel Training, OAC rule 3745-65-16(D)(2)*: The owner/operator must maintain a written job description for each position including requisite skill, education or other qualifications.
 - c. *Personnel Training, OAC rule 3745-65-16(D)(3)*: The owner/operator must maintain a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under paragraph (D)(1) above.
 - d. *Personnel Training, OAC rule 3745-65-16(D)(4)*: The owner/operator must maintain records that document that the training or job experience required in rule 3745-65-16 (A), (B) and (C) has been given to, and completed by, facility personnel.

The response needs to be further clarified before Ohio EPA will abate the violations.

First, it does not appear that John Arenas was present for the RCRA Training for 2006. NPA must document that Mr. Arenas has been trained.

Second, NPA trained 38 people at the two RCRA Trainings held in 2006. Per the table submitted listing the personnel in Blending, Filling, Pre-Mix and Warehouse, including the two managers, equals 20 persons responsible for managing hazardous waste. This apparent discrepancy should be addressed.

Third, the list of job titles and descriptions (Production Operator, Production supervisor and Production Materials Handler) does not match the table of 20 personnel submitted. NPA should clarify this apparent discrepancy. One possible way of addressing this may be to clarify which of the three titles submitted the personnel in Blending, Filling, Pre-Mix and Warehousing would be assigned.

Karen Henrietta
NPA Automotive Finishes and Films
February 20, 2007
Page 4

Finally, the job descriptions do not specify what hazardous waste duties each of the jobs entails. Please refer to the example job titles and descriptions I gave you at the time of the inspection to assist you in addressing this issue.

11. *Labeling/marking- standards for small quantity handlers of universal waste, OAC rule 3745-273-14(E):* Universal waste [fluorescent] lamps shall be labeled as "Universal Waste - Lamps," "Waste Lamp(s)," or "Used Lamp(s)."
14. *Accumulation time limits – standards for small quantity handlers of universal waste, OAC rule 3745-273-15(C):* A facility must be able to demonstrate the length of time that a universal waste has been accumulated.

Per our telephone conversation, all of the boxes on site were labeled and dated appropriately. **Please submit a written statement confirming this.**

It appears from the written response that all comments and concerns were adequately addressed.

Failure to list specific deficiencies and/or violations in this communication does not relieve NPA from the responsibility of complying with all applicable laws, rules and regulations.

Please submit the requested documentation by March 16, 2007. Should you have any questions, please feel free to call me or my supervisor, Frank Popotnik at this office.

Sincerely,



Karen L. Nesbit
Division of Hazardous Waste Management

KLN:cl

cc: Natalie Oryshkewych, DHWM, NEDO

ec: Frank Popotnik, DHWM, NEDO
Sherry Slone, DHWM, NEDO
Harry Sarvis, DHWM, CO