OhioEPA

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

July 10, 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Irene Raiber
Engineering Associate
PPG
4829 Fairland Road
P.O. Box 31
Barberton, OH 44203-0031

RE: PPG INDUSTRIES, INC. (BARBERTON, PLANT), OHD 004 198 917, OHIO ID# 02-77-0453, SUMMIT COUNTY, COMPLIANCE EVALUATION INSPECTION, NOTICE OF VIOLATION/RETURN TO COMPLIANCE

On June 19, 2008, Ohio EPA conducted a compliance evaluation inspection of PPG Industries, Inc. (PPG) located at 4829 Fairland Road, Ohio. PPG manufactures specialty chemicals and synthetic paper products and is a Treatment, Storage and Disposal Facility (TSDF) operating under its September 30, 1993 Hazardous Waste Facility Installation and Operating Permit (permit). PPG is also a large quantity generator of hazardous waste. The purpose of this inspection was to determine PPG's compliance with Ohio's hazardous waste laws and regulations as found under the Ohio Revised Code and Ohio Administrative Code ("ORC" and "OAC" respectively), and with PPG's permit. PPG was represented by Irene Raiber and Randy Brillhart while Ohio EPA was represented by me. During this inspection all inspection activities were confined to the permitted Hazardous Waste Storage Building (HWSB) and a review of documentation. Based upon this inspection, Ohio EPA has determined that PPG has violated the following hazardous waste regulations and permit conditions:

1. ***Permit Condition B.23 Manifest System (OAC 3745-52-40(A)):*** *In the management of waste at the facility the permittee shall comply with the provisions of OAC Chapter 3745-52 and OAC rules 3745-54-70, 3745-54-71, 3745-54-72 and 3745-54-76 with regard to the manifest system.*

   At the time of this inspection, Ohio EPA observed that PPG could not produce a copy of hazardous waste manifest #003827589 JJK which had been signed by the designated facility.

   According to PPG representatives, and documentation received from the designated facility, Ross Incineration, this load of waste was partially rejected and sent back to PPG on manifest #003171367 JJK. However, PPG stated they never received a final signal copy of the original manifest (#003827589 JJK).

PPG INDUSTRIES, INC. BARBERTON
(OHD004198917/02-77-0453)

STATE PART B HAZARDOUS WASTE PERMIT
INSPECTION CHECKLIST

DHWM-OEPA
June 2008

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END OF PERMIT CONDITIONS

OHIO PART B PERMITTED FACILITY
RCRA INSPECTION CHECKLIST

Facility: PPG Barberton
Address: P.O. Box 31
Barberton, Ohio 44203

Ohio Permit: 02-77-0453
USEPA ID: OHD 004198917

County: Summit Facility Phone: 330-825-1217

Inspection Date: June 19, 2008 Time: **~ 9 am**

Advance notice of inspection given? (yes) ____ (no) X
If so, how far in advance? _____

	Name	***Agency/Title***	***Phone***
Inspector:	Suzanne Prusnek	OEPA/DHWM/NEDO	330-963-1181

Facility Representatives:

Is facility operating as a generator? (yes) __X___ (no) _____

If so, complete the applicable sections of the Generator Requirements checklist for wastes being managed under generator status. Note - This inspection was limited to the permitted hazardous waste storage building.

PERMIT STATUS

Permit Issued: September 30, 1993
Permit Effective Date: September 30, 1993
Permit Expiration Date: September 30, 1998

AUTHORIZED ACTIVITIES

STORAGE	***TREATMENT***	***DISPOSAL***
X Container	___Tank	___Injection Well
___Tank	___Surface Impoundment	___Landfill
___Waste Pile	___Incinerator	___Land Application
___Surface Impoundment	___Thermal Treatment	___Surface Impoundment

Revised 12/03/93
(DRAFT)

GENERAL CONDITIONS OF PERMIT

GENERAL PERMIT COMPLIANCE AND ACTIVITIES	*Y/N/NA*	*RMK#*
1. Has the expiration date of the permit passed? If so,	__Y___	_____
(a) Is the Permittee continuing any activity regulated by the permit after the expiration date of the permit?	__Y___	_____
(b) Has the facility submitted an application for a permit renewal to the Director no later than (180) days prior to the expiration date of the permit? (or upon a later date if the Permittee can demonstrate good cause for late submittal) [Condition A.6.(a)]	___Y___	_____

NOTE: The Permittee may continue to operate in accordance with the terms and conditions of the expired permit until a renewal permit is issued or denied if:

i. The Permittee has submitted a timely and complete application for a renewal permit under O.A.C. Rule 3745-50-40, and;

ii. Through no fault of the Permittee, a new permit has not been issued pursuant to O.A.C. Rule 3745-50-40 on or before the expiration date of the permit. [Condition A.6.(b)]

2. Has the Permittee submitted the annual permit fee, payable to Treasurer of the State, to the Ohio EPA on or before the anniversary of the date of issuance during the term of the permit [Condition A.26.]?	___Y___	_____
3. Is the Permittee conducting any hazardous waste management activities (not otherwise exempt by law) which are not authorized by the permit [Condition A.1.(b) and A.5]?	__N___	_____
Have any provisions of the permit been identified as invalid? [Condition A.4]	__N___	_____

REMARKS

	Y/N/NA	RMK#
5. Has the facility identified any instances of noncompliance with the permit, R.C. Chapter 3734 or the Rules adopted thereunder, which may endanger human health or the environment? If so,	N	
(a) Did the facility immediately report the following to Ohio EPA Emergency Response Section: [Condition A.20.(b)]	N/A	
i. Information concerning a release of any hazardous waste that may cause an endangerment to public drinking water supplies; and		
ii. Information concerning a release of hazardous waste, fire or explosion at the facility which could threaten human health or the environment, including a description of:		
a. Name, address and telephone number of the owner or operator?		
b. Name, address and telephone number of the facility?		
c. Date, time, type and source of release?		
d. Local weather conditions?		
e. Name and quantity of material(s) involved?		
f. The extent of injuries, if any?		
g. An assessment of the actual or potential hazard to the environment and human health inside and outside the facility where applicable?		
h. The response the facility took to contain and monitor the release?		
i. Who was notified?		
j. Any monitoring results?		
k. Estimated quantity and disposition of recovered material that resulted from the incident?		

GENERAL CONDITIONS (3)

	Y/N/NA	RMK#
6. Did the Permittee provide a written report to the Ohio EPA Emergency Response Section within (5) days of the time the Permittee became aware of the circumstances reported in Question 5? [Condition A.21.] If so, did the report contain:	__N/A__	_____
(a) A description of the noncompliance (including exact dates and times)?	_____	_____
(b) Whether the noncompliance has been corrected and if not, the anticipated time noncompliance is expected to continue? and;	_____	_____
(c) Steps taken or planned to minimize the impact on human health and the environment and to reduce and prevent recurrence of the noncompliance?	_____	_____
7. Has the Permittee expeditiously taken all steps necessary to minimize or correct any adverse impact on the environment or public health resulting from noncompliance with the permit? [Condition A.8.]	__Y__	_____
8. Has the Permittee identified any other instances of noncompliance not provided for in Question #5?	__Y__	_____
(a) If so, did the Permittee report these instances to the Ohio EPA, DHWM within (15) days of becoming aware of the noncompliance? [Condition A.22.]	Y _____	_____
(b) Do the reports provided contain the information set forth in Condition A.20? [Condition A.22.]	__Y__	_____
(c) Has the Permittee expeditiously taken all steps necessary to minimize or correct any adverse impact on the environment or public health resulting from noncompliance with the permit? [Condition A.8.]	__Y__	_____
9. Has the Permittee planned any changes in the permitted facility or activity which may result in noncompliance with the conditions of the permit?	__N__	_____
(a) If so, has the facility provided Ohio EPA with advance notice of such changes? [Condition A.17.]	__N/A__	_____

NOTE: Such notification does not waive the Permittee's duty to comply with the permit pursuant to Condition A.5.

GENERAL CONDITIONS (4)
PERMIT MODIFICATION, REVISION, REVOCATION

		Y/N/NA	***RMK#***
1.	Has the Permittee filed a request for a permit modification, revision or revocation since issuance of the permit? [Condition A.2.]	__Y__	_____
2.	Has the permit been transferred to a new owner or operator? [Condition A.18.]	__N__	_____
	(a) If so, has the transfer been conducted in accordance with R.C. Chapter 3734 and the Rules adopted thereunder? [Condition A.18.(a)] and;	_____	_____
	(b) Before transferring ownership did the Permittee notify the new owner in writing of the requirements of R.C. Chapter 3734 and the Rules adopted thereunder and the applicable Ohio hazardous waste Rules? [Condition A.18.(a)]	_____	_____

NOTE: *The Permittee's failure to notify the new owner or operator of the requirements of the applicable Ohio law of hazardous waste rules does not relieve the new owner or operator of its obligation to comply with all applicable requirements. [Condition A.18.(b)]*

3.	Has the Permittee submitted reports of compliance or non-compliance with, or any progress reports on the requirements contained in any compliance schedule of the permit to the Ohio EPA no later than (14) days following each scheduled date, unless otherwise specified? [Condition A.19.]	__Y__	_____
4.	Has the Permittee furnished relevant information which the Ohio EPA has requested to determine whether cause exists for modifying, revising, revoking or suspending the permit, or to determine compliance with the permit? [Condition A.10.]	__N/A__	_____
5.	Has the facility furnished Ohio EPA, upon request, with copies of records required to be kept by the permit? [Condition A.10]	__Y__	_____
6.	Has the Permittee become aware that it failed to submit any relevant facts in the permit or issuance proceedings or that it submitted incorrect or incomplete information in permit issuance proceedings or other submissions to Ohio EPA or the HWFB? If so,	__N__	_____
	(a) Has the Permittee promptly submitted such facts or corrected information to the appropriate entity? [Condition A.23.]	__N/A__	_____

PERMIT MODIFICATION/REVISION/REVOCATION (5)

		Y/N/NA	*RMK#*
7.	Is the Permittee maintaining records of all data used to complete the approved application and any amendments, supplements, revisions or modifications to the application? [Condition A.14.(c)]	___Y___	_____
8.	Is the Permittee retaining a complete copy of the approved application on-site? [Condition A.14.(c)]	___Y___	_____
9.	Is the Permittee planning any physical alterations or additions to the permitted container storage facility?	___N___	_____
	(a) If so, has the Permittee given notice to the Director of such alterations/additions? [Condition A.15]	_____	_____
	(b) Have such changes been made in accordance with O.A.C. Rule 3745-50-51? [Condition A.15.]	_____	_____

REMARKS

PERMIT MODIFICATION/REVISION/REVOCATION (6)

SITE ENTRY - AVAILABILITY OF RECORDS

	Y/N/NA	RMK#
1. As specified in Condition A.11, has the Permittee allowed the Director or an authorized representative, upon proper identification and upon stating the purpose and necessity of an inspection, to:		
(a) Enter at reasonable times upon the premises where a regulated activity is located or where records are kept under the conditions of the permit?	___Y___	_____
(b) Have access to and copy any records required to be kept under the conditions of the permit?	___Y___	_____
(c) Inspect and photograph at reasonable times facilities, equipment (including control and monitoring equipment), practices or other operations regulated under the conditions of the permit?	___Y___	_____
(d) Sample or monitor any substance or parameter at any location of the facility to assure compliance with the permit or as otherwise authorized by R.C. Chapter 3734 and the rules adopted thereunder?	___Y___	_____

REMARKS

RECORDKEEPING REQUIREMENTS

CONFIDENTIALITY	***Y/N/NA***	***RMK#***
1. Has the Permittee requested confidentiality of any information of the permit in accordance with R.C. Chapter 3734 and the rules adopted thereunder? [Condition A.25.]	___N___	_____
OPERATING RECORD		
2. Is the Permittee maintaining a written operating record at the facility as set forth in O.A.C. Rules 3745-54-73 and 3745-54-74 which contains the following elements: [Condition B.21.]		
(a) A description and the quantity of each hazardous waste received?	___Y___	_____
(b) Method(s) and date(s) of treatment, storage or disposal at the facility?	___Y___	_____
(c) The location of each hazardous waste within the facility and the quantity at each location?	___Y___	_____
3. Is the Permittee maintaining, until closure is complete and certified, the following documents and amendments, revisions and modifications to these documents: [Condition A.28.]		
(a) Waste analysis plan in accordance with O.A.C. Rule 3745-54-13 and the conditions of the permit?	___Y___	_____
(b) Contingency plan in accordance with O.A.C. Rule 3745-54-53 and the conditions of the permit?	___Y___	_____
(c) Closure plan in accordance with O.A.C. Rule 3745-55-12 and the conditions of the permit?	___Y___	_____
(d) Cost estimate for facility closure in accordance with O.A.C. Rule 3745-55-42 and the conditions of the permit? (estimate only - adequacy of estimate will be evaluated by C.O. financial assurance personnel)	___Y___	_____
(e) Personnel training plan and records required by O.A.C. Rule 3745-54-16 and the conditions of the permit?	___Y___	_____
(f) Inspection schedules developed in accordance with O.A.C. Rules 3745-54-15 and O.A.C. Rule 3745-55-74 and the conditions of the permit?	___Y___	_____

RECORDKEEPING (8)

	Y/N/NA	RMK#
4. Have any of the documents identified in Question #3 been revised as required by the permit? If so,	___Y___	_____
(a) Has the Permittee submitted the revisions to the Ohio EPA? [Condition A.28.(b)]	___Y___	_____
(b) Has the Permittee received approval in accordance with Ohio hazardous waste rules to make such changes? [Condition A.28.(b)]	___Y___	_____
5. Is the Permittee maintaining copies of all inspection logs at the facility for a period of at least three years from date of inspection? [Condition A.28.(c)]	___Y___	_____
ANNUAL REPORT REQUIREMENT		
6. Is the Permittee complying with annual report requirements set forth in O.A.C. Rule 3745-54-75 and the additional report requirements set forth in O.A.C. Rule 3745-54-77 and the conditions of the permit? [Condition B.24.]	___Y___	_____
SAMPLING/MONITORING RECORDKEEPING REQUIREMENTS		
7. In compliance with Condition A.12.(b) of the permit, do the Permittee's records of monitoring information specify the:		
(a) Date(s), exact place(s), time(s) and method(s) of sampling or measurement?	___Y___	_____
(b) Individual(s) who performed the sampling or measurement?	___Y___	_____
(c) Date(s) analyses were performed?	___Y___	_____
(d) Individual(s) who performed the analyses?	___Y___	_____
(e) Analytical technique(s) or method(s) used?	___Y___	_____
(f) Results of such analyses?	___Y___	_____
8. Have the methods used to obtain a representative sample of the waste to be analyzed included the appropriate SW-846 method or an equivalent method specified in the approved waste analysis plan? [Condition A.12.(a)]	___Y___	_____
9. Is the Permittee maintaining records of all monitoring information, including calibration and maintenance records for a period of at least (3) years form the date of sample, measurement report, and record? [Condition A.14.(a)]	___Y___	_____

	Y/N/NA	RMK#
10. Has Ohio EPA requested submittal of any reports or other information required by the conditions of the permit from the Permittee? If so,	__N____	_____
(a) Have the submittals been signed and certified according to O.A.C. Rule 3745-50-42? [Condition A.13.]	__N/A____	_____

WASTE MINIMIZATION REQUIREMENTS

11. Has the Permittee submitted a Waste Minimization Report to Ohio EPA meeting the requirements of Condition A.29. of the permit within (180) days of permit journalization?	__Y____	_____
(a) Following the first submittal as identified above in question #11, has the Permittee submitted biennial updates to this report as required by Condition A.29.(c)?	___Y___	_____

REMARKS

OFF-SITE SHIPMENTS/MANIFEST REQUIREMENTS

		Y/N/NA	*RMK#*
1.	Is all hazardous waste transported from the facility by a properly registered transporter of hazardous waste in accordance with all applicable laws, rules and standards? [Condition A.16.]	___Y___	_____
2.	Is the Permittee complying with the following manifest requirements set forth in O.A.C. Chapter 3745-52 and O.A.C. Rules 3745-54-70, 3745-54-71, 3745-54-72 and 3745-54-76: [Condition B.23.]		
	(a) All hazardous wastes shipped off-site have been accompanied by a completed manifest, USEPA form 8700-22 and, if necessary, USEPA form 8700-22A in compliance with O.A.C. Rule 3745-52-20(A)?	___Y___	_____
	(b) The manifest form used contains all information required by O.A.C. Rule 3745-52-20 and the minimum number of copies required by O.A.C. Rule 3745-52-22?	__Y___	_____
	(c) The facility has designated at least one permitted disposal facility and has/will designate an alternate facility or instructions to return waste in compliance with O.A.C. Rule 3745-52-20(C)(D)(E)?	___Y___	_____
	(d) Prepared manifests have been signed by the facility and initial transporter in compliance with O.A.C. Rule 3745-52-23?	___Y___	_____
3.	Has the Permittee received a return copy of each completed manifest within (35) days of the date the waste was accepted by the initial transporter?	___N___	_____
	(a) If not, has the Permittee complied with the manifest exception reporting requirements of O.A.C. Rule 3745-52-42?	__N___	_____
4.	Are signed copies of all hazardous waste manifests and any documentation required for exception reports retained for at least three years at the facility as required by O.A.C. Rule 3745-52-40?	___**N**___	_____
5.	Does the Permittee ensure that hazardous wastes are not received from an off-site foreign source? [Condition B.2.(a)]	__Y___	_____
6.	Does the Permittee only manage those wastes generated at the PPG Barberton facility designated by USEPA identification number of OHD004198917 (HWFB #02-77-0453)? [Condition B.2.(b)]	___Y___	_____

WASTE ANALYSIS/WASTE ANALYSIS PLAN

	Y/N/NA	RMK#
1. Does the Permittee have a detailed chemical and physical analysis of waste streams which contains all information which is necessary to properly treat, store or dispose of the waste in accordance with O.A.C. Chapters 3745-54 to 3745-57 and Condition B.3 of the permit? [3745-54-13(A)(1)]	__Y____	_____
2. Since the last inspection, were any wastes generated by the facility which were unable to be characterized through process knowledge? If so,	___N___	_____
(a) Were the waste analysis procedures described in Section C of the approved permit application followed?	___N/A__	_____
3. Is the Permittee following the procedures described in the approved waste analysis plan (Section C of approved permit application) and the requirements of O.A.C. Rule 3745-54-13? [Condition B.3.]	___Y___	_____

WASTE ANALYSIS QUALITY ASSURANCE REQUIREMENTS

4. Is the Permittee verifying the analysis of each waste stream annually as part of its quality assurance program in accordance with SW-846? [Condition B.3.]	__Y____	_____
5. In accordance with Condition B.3. of the permit, does the Permittee's quality assurance plan ensure that the Permittee is, at a minimum:		
(a) Maintains proper functional instruments?	___ N/A___	_____
(b) Using approved sampling/analytical methods?	__N/A___	_____
(c) Verifying the validity of sampling and analytical procedures and performance of correct calculations?	___N/A___	_____

WASTE ANALYSIS (12)

GENERAL INSPECTION REQUIREMENTS

		Y/N/NA	***RMK#***
1.	Is the Permittee following the inspection procedures and schedules described in Section F of the approved permit application and the requirements of O.A.C. Rule 3745-54-15? [Condition B.5]	___Y___	_____
2.	Does the Permittee inspect the facility with such regularity as to identify problems resulting from deterioration, malfunctions, operator errors or discharges which may lead to a release of hazardous waste to the environment or a threat to human health? [O.A.C. Rule 3745-54-15(A)(1)(2)]	___Y___	_____
3.	Is the Permittee following the approved inspection schedule for inspecting: monitoring equipment, safety equipment, emergency equipment, security devices and operating and structural equipment as specified in O.A.C. Rule 3745-54-15(1)?	___Y___	_____
	(a) Is the schedule kept at the facility? [O.A.C. Rule 3745-54-15(B)(2)]	___Y___	_____
	(b) Does the schedule identify the types of problems which are to be looked for during the inspection? [O.A.C. Rule 3745-54-15(B)(3)]	___Y___	_____
	(c) Does the schedule include inspection of areas subject to spills daily when in use and according to other applicable regulations when not in use? [O.A.C. Rule 3745-54-15(B)(4)]	___Y___	_____
4.	Does the Permittee remedy deterioration or any malfunctions discovered by an inspection as required by O.A.C. Rule 3745-54-15(C)? [Condition B.5.]	___Y___	_____
5.	Is the Permittee maintaining records of inspections for a minimum of three years? [Condition B.5]	___Y___	_____
6.	In accordance with O.A.C. Rule 3745-54-15(D) and Condition B.5 of the permit, do inspection records contain the following information:		
	(a) Date and time of inspection?	___Y___	_____
	(b) Signature of inspector?	___Y___	_____
	(c) Notation of observations made?	___Y___	_____
	(d) Date/nature of any repairs or other remedial actions?	___Y___	_____

SECURITY PROVISIONS/FACILITY OPERATION

		Y/N/NA	RMK#
1.	Is the Permittee complying with the security provisions of O.A.C. Rule 3745-54-14 and Section F of the approved permit application, including the following: [Condition B.4]		
	(a) Does the Permittee have a 24-hour surveillance system which continuously monitors and controls entry onto the active portion of the facility, or;	___Y___	_____
	(b) An artificial or natural barrier (in good repair) which completely surrounds the active portion of the facility, or;	____Y__	_____
	(c) A means to control entry, at all times, through gates or other entrances, to the active portion of the facility?	___Y___	_____
2.	In accordance with O.A.C. Rule 3745-54-14(C), does the Permittee have signs reading "Danger-Unauthorized Personnel Keep Out" posted at each entrance and at other locations and in sufficient numbers to be seen when approaching the active portion of the facility? [Condition B.4.]	___Y___	_____
3.	Is construction, maintenance and operation of the facility being conducted to minimize the possibility of a fire, explosion, or unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil ground or surface waters? [Condition B.1.]	___Y___	_____

REMARKS

PERSONNEL TRAINING

	Y/N/NA	RMK#
1. Is the facility conducting personnel training in accordance with Section H of the approved permit application and the following requirements of O.A.C. Rule 3745-54-16: [Condition B.6.]	___Y___	_____
(a) The facility provides personnel training which includes instruction in safe equipment operation and emergency procedures and implementation of the contingency plan? [O.A.C. Rule 3745-54-16(A)(B)(C)]	___Y___	_____
(b) The facility provides personnel training to new employees within 6 months after their date of employment as required by O.A.C. Rule 3745-54-16(B)?	___Y___	_____
(c) The facility provides an annual refresher training course as required by O.A.C. Rule 3745-54-16(B)?	___Y___	_____
2. Is the Permittee maintaining personnel training records as required by O.A.C. Rule 3745-54-16(D) and of the approved application, including; written job titles, job descriptions and documented employee training records? [Condition B.6.]	___Y___	_____

REMARKS

REQUIRED EQUIPMENT

		Y/N/NA	***RMK#***
1.	Is the Permittee, at a minimum, maintaining the equipment set forth in the approved permit application (Section G) at the facility? [Condition B.8.]	__Y___	_____
2.	Is the Permittee inspecting, testing and maintaining the equipment specified in Question #1 to assure its proper operation as specified in O.A.C. Rule 3745-54-33, the inspection plans and Section F of the approved permit application? [Condition B.9.]	___Y___	_____
3.	Whenever hazardous waste is being managed at the facility, has the Permittee provided all personnel involved in the operation with immediate access to an internal alarm or emergency communication device as required by O.A.C. Rule 3745-54-34 and Section F of the approved permit application? [Condition B.10.]	___Y___	_____

REMARKS

CONTINGENCY PLAN REQUIREMENTS

EMERGENCY PROCEDURES	*Y/N/NA*	*RMK#*
1. In compliance with Condition B.12.(a) of the permit, does the Permittee:		
(a) Familiarize the emergency response agencies likely to respond to an emergency at the facility with:		
i. The layout of the facility?	___Y___	_____
ii. Properties of hazardous waste managed at the facility and associated hazards?	_____	_____
iii. Places where facility personnel will normally be working?	_____	_____
iv. Entrances to and roads inside the facility?	_____	_____
v. Evacuation routes as depicted in Section G of the permit application?	___Y___	_____
(b) Inform emergency response agencies of safety equipment, supplies, proper emergency procedures that are applicable to the facility, and any further requirements imposed by the permit? and;	___Y___	_____
(c) Familiarize local ambulance services, fire depts., hospitals and any other local emergency services with the properties of hazardous waste managed at the facility and the types of injuries or illness which could result from fires, explosions or a release of hazardous wastes at the facility?	___Y___	_____
2. Is the Permittee in compliance with the requirements of O.A.C. Rule 3745-54-56 and Section G of the approved permit application regarding emergency procedures? [Condition B.19.]	___Y___	_____
EMERGENCY AUTHORITIES		
3. Has a state or local agency declined to enter into the arrangements set forth in O.A.C. Rule 3745-54-37(A)? If so,	___N___	_____
(a) Has the Permittee documented the refusal in the operating record as required by O.A.C. Rule 3745-54-37(B)? [Condition B.12.(b)]	___N/A___	_____
4. Has the Permittee, in accordance with O.A.C. Rule 3745-54-53 submitted a copy of the approved contingency plan (including amendments, revisions or changes) to all local authorities, agencies and response contractors designated in the approved contingency plan? [Condition B.12.(c)]	__Y____	_____

Y/N/NA *RMK#*

5. Has the Permittee notified the agencies in Question #1, in writing, within (10) days of the effective date of any amendments or revisions to the plan? [Condition B.12.(c)] ___Y___ _____

6. Has the Permittee submitted a copy of the approved contingency plan and all revisions, amendments and modifications to the Ohio EPA, Division of Emergency and Remedial Response in accordance with O.A.C. Rule 3745-54-53? [Condition B.12.(d)] ___Y___ _____

EMERGENCY COORDINATOR

7. At all times is there an individual on-site or on call to act as an emergency coordinator as required by O.A.C. Rule 3745-54-55? [Condition B.18.] __Y____ _____

AMENDMENT OF PLAN

8. Is the Permittee reviewing the approved contingency plan regularly and amending the plan immediately if needed in compliance with O.A.C. Rule 3745-54-54? [Condition B.16.] ___Y___ _____

   NOTE: Also see Question #4 of Recordkeeping Requirements to verify that any changes to the contingency plan were submitted in accordance with O.A.C. Rule 3745-50-51.

IMPLEMENTATION OF PLAN

9. Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents at the facility since date of last inspection as described by Condition B.13. of the permit? If so, __N____ _____

   (a) Did the Permittee immediately implement the approved contingency plan and follow the emergency procedures described in O.A.C. Rule 3745-54-56? [Condition B.13.] _____ _____

   (b) Did the Permittee collect and manage released material, emergency response material and by-products as hazardous waste until making a demonstration to Ohio EPA that such materials are not subject to Ohio hazardous waste rules? [Condition B.15.] __N/A___ _____

	Y/N/NA	RMK#
(c) Within (15) days of the incident did the Permittee submit, to the Director, a written report of the incident? If so,	_____	_____
i. Did the report contain the elements set forth in O.A.C. Rule 3745-54-56(J)? [Condition B.22.]	_____	_____
(d) Did the Permittee note in the operating record the time, date and details of any incident that required the implementation of the approved contingency plan? [Condition B.22.]	_____	_____

REMARKS

CLOSURE REQUIREMENTS

GENERAL CLOSURE REQUIREMENTS	*Y/N/NA*	*RMK#*
1. Is the Permittee maintaining at the facility, the approved closure plan which contains the elements set forth in O.A.C. Rule 3745-55-12? [Condition B.29.]	___Y___	_____
AMENDMENT OF CLOSURE PLAN		
2. Has the Permittee amended the closure plan?	___N___	_____
(a) If so, has the plan been amended in accordance with O.A.C. Rule 3745-55-12(C)? [Condition B.27.]	__N/A____	_____
NOTE: Also see Recordkeeping Requirements (Question #4) in order to verify that any changes to the closure plan were submitted in accordance with O.A.C. Rule 3745-50-51.		
CLOSURE PROCEDURES		
3. Has the Permittee closed the facility? If so,	___N___	_____
(a) Was closure conducted in accordance with the closure performance standard of O.A.C. Rule 3745-55-11? [Condition B.25.]	_____	_____
(b) Did the Permittee carry out the approved closure plan as set forth in the permit application and the conditions of the permit? [Condition B.26.]	_____	_____
(c) After receiving the final volume of hazardous waste, did the Permittee remove from the facility all hazardous waste and complete closure activities in accordance with the schedule specified in the approved closure plan and as required by O.A.C. Rule 3745-55-13? [Condition B.30.]	_____	_____
(d) Has the Permittee decontaminated and/or disposed of all facility equipment, structures and soils as required by O.A.C. Rule 3745-55-14 and the approved closure plan? [Condition B.31.(a)]	_____	_____
(e) Did the Permittee notify Northeast District Office, OEPA within five (5) working days prior to all rinseate and soil sampling? [Condition B.31.(b)]	_____	_____
(f) Has the Permittee certified that the facility has been closed in accordance with the specifications in the approved closure plan as required by O.A.C. Rule 3745-55-15? [Condition B.32.]	_____	_____

REQUIREMENTS FOR IGNITABLE, REACTIVE OR INCOMPATIBLE WASTES

	Y/N/NA	*RMK#*
1. Is the Permittee in compliance with the requirements of O.A.C. Rules 3745-54-17, 3745-55-77 (for incompatible wastes), the approved application and conditions of the permit? [Condition B.7(a); Condition C.13.]	___Y___	_____
2. As required by O.A.C. Rule 3745-55-76 does the Permittee store containers of ignitable or reactive wastes greater than 15 feet (50 feet) from the facility's property line? [Condition C.12.(a)]	___Y___	_____
3. Does the Permittee take precautions to prevent accidental ignition or reaction of ignitable or reactive waste and follow the procedures as specified by O.A.C. Rule 3745-54-15 and in Section F of the permit application? [Condition C.12.(b)]	___Y___	_____
4. Does the Permittee provide electrical grounding for all containers and tanks, and transport vehicles during all operations involving the handling of flammable and/or combustible wastes? [Condition B.7.(b)]		
5. Does the Permittee require the use of spark proof tools during all operations involving the handling of ignitable wastes? [Condition B.7.(c)]	___Y___	_____
6. Does the Permittee prohibit smoking and open flames in areas where hazardous wastes are managed and post appropriate signs? [Condition B.7.(d)]	__Y____	_____
7. Where applicable, does all wiring and electrical equipment at the container storage building meet the National Fire Protection Association, "National Electric Code" National Fire Codes, 1985 Edition, Vol. 3, Chapter 5, Special Occupancies, Articles 500-503, pp. 176 through 189.)? [Condition B.7.(e)]	___Y___	_____
8. Does the Permittee prevent hazardous waste from being placed in an unwashed container that previously held an incompatible waste or material? [Condition C.13.(b)]	___Y___	_____
9. Does the Permittee separate a storage container holding incompatible waste from other waste or other materials nearby that may react with the waste? [Condition C.13.(c)]	___Y___	_____

STORAGE OF HAZARDOUS WASTES IN CONTAINERS

NOTE: *The requirements of Permit Condition C do not apply to the Permittee's activities as a generator accumulating hazardous waste for < 90 days per O.A.C. Rule 3745-52-34(A). Please complete the applicable sections of the Generator Requirements checklist to document compliance with activities associated with < 90-day accumulation of wastes.*

GENERAL REQUIREMENTS	***Y/N/NA***	***RMK#***
1. Is the Permittee storing in containers, only those wastes identified in the approved application and Condition C.2. of the permit?	___Y___	_____

PERMITTED WASTE CODES

D001, D002, D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D022 D028, D029, D032, D033, D034, D035, D038, D039, D040, D043, F002, F003, F005, F024, F039, K016, K030, K073, U002, U012, U080, U196, U228, U239

2. Does the Permittee limit the total quantity of containerized waste in the north and south rooms of the permitted container storage area to no more than 6,500 gallons of hazardous waste at any given time? [Condition C.1.(a); C.1.(d)]	___Y___	_____

NOTE: *For the purposes of compliance with the capacity limitation of the permit, each container will be considered to be storing an amount of hazardous waste equal to its capacity. For example, a fifty-five (55) gallon drum will be considered to be holding 55 gallons of waste, regardless of the actual quantity stored in the drum. [Condition C.1.(b)]*

3. Are hazardous wastes subject to regulation by the permit stored only at the designated container storage areas described in the approved permit application (north and south rooms of the permitted storage area) [Condition C.1.(a)]	___Y___	_____
4. Does the Permittee limit storage of hazardous waste to less than one year? [Condition C.4.]	___Y___	_____
5. Is the Permittee in compliance with the prohibition against storing wastes received from off-site? [Condition C.9.]	__Y____	_____

CONTAINER REQUIREMENTS	*Y/N/NA*	*RMK#*
6. Is the Permittee storing hazardous wastes only in the types and size of drums as specified in Section D of the approved permit application? [Condition C.1.(a)]	___Y___	_____
7. Is each container stored clearly marked to identify its contents and the date each period of accumulation/storage begins? [Condition C.4.]	___Y___	____
CONDITION OF CONTAINERS		
8. Are containers holding hazardous wastes in good condition? [Condition C.5.]	___Y___	_____
(a) If not, (e.g. severe rusting, structural defects) did the Permittee transfer the hazardous waste from such a container to a container that is in good condition or otherwise manage the waste in a manner that complies with the conditions of the permit and O.A.C. Rule 3745-55-71? [Condition C.5.]?	__N/A__	_____
9. Does the Permittee ensure that all containers used at the facility are compatible with the hazardous waste to be stored in them as required by O.A.C. Rule 3745-55-72? [Condition C.6.]	___Y___	_____
10. Is storage conducted in the container storage containment system as described in Condition C.1 of the permit? permit? [Condition C.7.(a)]	___Y___	_____
11. Does the Permittee keep all containers closed during storage except when it is necessary to add or remove waste as required by O.A.C. Rule 3745-55-73? [Condition C.7.(b)]	___Y___	_____
12. Are lab-pack wastes handled in compliance with the applicable storage requirements? [Condition C.7.(c)]	___Y___	_____
13. Are lab pack wastes packaged in drums containing absorbent material that is compatible with the wastes? [Condition C.7.(d)]	___Y___	_____

REMARKS

INSPECTIONS	*Y/N/NA*	*RMK#*
14. Is the Permittee inspecting the container area weekly in accordance with O.A.C. Rule 3745-55-74 and the approved inspection schedule (Section F) to detect leaking containers and deterioration of containers and the containment system? [Condition C.10.]	___Y___	_____
(a) Does the Permittee note the results of these inspections in the inspection log along with any remedial action taken? [Condition C.10.]	___Y___	_____
(b) ***On days when containerized waste are added and/or removed from any of the permitted areas for storage:*** Does the Permittee conduct an inspection of the area as described in Section F of the approved permit application and maintain the inspection results in the operating record? [Condition C.10.]	___Y___	_____
CONTAINMENT SYSTEM		
15. Does the Permittee maintain the containment system as described in the plans and specifications contained in Section D of the approved permit application, including: [Condition C.8.(a)]	___Y___	_____
(a) Sufficient design to contain ten percent of the total volume of the containers?	_____	_____
(b) A system which is free of gaps and sufficiently impervious to contain leaks and spills?	_____	_____
(c) Equipped with a coating which is compatible with each waste stored in the area?	_____	_____
(d) ***For those wastes which are deemed incompatible with liner material:*** Has the Permittee installed a separate secondary containment structure within the existing structure which is equipped with a compatible liner?	__N/A____	_____
16. Has the Permittee had a spill or leak of wastes or an accumulation of precipitation in the containment system? If so,	__N____	_____
(a) Are spilled or leaked wastes and accumulated precipitation removed from the sump or collection area in a timely manner? [Condition C.8.(c)]	__N/A____	_____
(b) Does removal of spilled/leaked wastes and accumulated precipitation occur within (24) hours from the time the spilled or leak waste is discovered? [Condition C.8.(c)]	__N/A____	_____

REQUIRED AISLE SPACE ***Y/N/NA*** ***RMK#***

17. Is the Permittee maintaining aisle space to allow unobstructed movement of personnel, fire protection equipment, spill control equipment and decontamination equipment in the event of an emergency to any area of the facility as required by O.A.C. Rule 3745-54-35? [Condition B.11.] ___Y___ _____

CLOSURE AND POST-CLOSURE

18. At closure of the container storage area, did the Permittee remove all hazardous waste and hazardous waste residues from the containment system, in accordance with the procedures set forth in the approved closure plan (Section I of the permit application)? [Condition C.14.(a)] __N/A____ _____

19. ***During closure, if the Permittee could not demonstrate that all contaminated soils could be removed:*** Did the Permittee close the unit and perform post-closure care following a plan approved by the Ohio EPA? [Condition C.14.(b)] __N/A____ _____

REMARKS

LAND DISPOSAL RESTRICTION REQUIREMENTS

PROHIBITION AGAINST DILUTION	*Y/N/NA*	*RMK#*
1. Does the entity dilute a restricted waste or a treatment residue from a restricted waste: [O.A.C. Rule 3745-59-03; Condition B.37.(c)]	N	
(a) As a substitute for adequate treatment to achieve compliance with LDR treatment standards?	__N/A__	_____
(b) To circumvent the effective date of a prohibition (e.g. to dilute a "non-wastewater" waste to a "wastewater" to avoid complying with the "non-wastewater" treatment standard)?	_____	_____
(c) To otherwise avoid a prohibition in O.A.C. Rules 3745-59-30 through 3745-59-35?	_____	_____
(d) To otherwise avoid a prohibition imposed by Section 3004 of RCRA?	_____	_____

NOTE: If the answer to any of the Questions 1(a) through 1(d) above is yes, the entity is impermissibly diluting a restricted waste and is in violation of O.A.C. Rule 3745-59-03 [Condition B.37.].

Dilution of wastes is permissible under some conditions. See O.A.C. Rule 3745-59-03(B) (40 CFR 268.3) and the Third Third final Rule preamble for additional information.

GENERATOR REQUIREMENTS		
2. Has the generator adequately evaluated all wastes to determine if they are restricted from land disposal? [O.A.C. Rule 3745-59-07(A); Condition B.37.(e)]	__Y____	_____
(a) ***For determinations based solely on knowledge of the waste:*** Is supporting data used to make this determination being retained on-site? [O.A.C. Rule 3745-59-07(A)(5); Condition B.37.(e)]	__Y____	_____
(b) ***For determinations based upon analytical testing:*** Is a copy of waste analysis data being retained on-site? [O.A.C. Rule 3745-59-07(A)(5); Condition B.37.(e)]	___Y___	_____
3. Has the generator determined the correct "treatability group" for each waste restricted from land disposal (e.g. wastewater, non-wastewater, high arsenic, low arsenic, high zinc, low zinc, etc.)? [O.A.C. Rule 3745-59-07(A); Condition B.37.(e)]	___N	1

	Y/N/NA	RMK#
4. Has the generator correctly determined if restricted wastes meet or exceed treatment standards? [O.A.C. Rule 3745-59-07(A); Condition B.37.(e)]	___Y___	_____
5. Does the entity generate any listed waste(s) which are restricted from land disposal? If so,	__Y____	_____
(a) Do such wastes also exhibit hazardous waste characteristics as identified in O.A.C. Rules 3745-51-20 to 3745-52-24?	___Y___	_____
(b) ***For listed wastes which also exhibit a characteristic:*** Does the generator also identify the appropriate treatment standard for the constituent(s) which cause the waste to exhibit the characteristic(s)? [O.A.C. Rule 3745-59-09(A)]	___Y___	_____

NOTE: The generator is not required to identify the treatment standard for the characteristic if the listing covers the associated characteristic (e.g. a F019/D007 hazardous waste - F019 being listed due to chromium content and D007 being the characteristic waste code for chromium). [See O.A.C. Rule 3745-59-09(B)]

NOTIFICATION/CERTIFICATION

6. ***For wastes that do not meet treatment standards:*** Does the generator notify the treatment/storage facility receiving the wastes, in writing, that wastes being received do not meet treatment standards? [O.A.C. Rule 3745-59-07(A)(1); Condition B.37.(f)]	__Y____	_____
If so, does the notification include the following:		
(a) EPA hazardous waste number? [O.A.C. Rule 3745-59-07(A)(1)(a); Condition B.37.(f)]	___Y___	_____
(b) Appropriate treatment standard for the waste? [O.A.C. Rule 3745-59-07(A)(1)(b); Condition B.37.(f)]	___Y___	_____
(c) The manifest number associated with the shipment of waste? [O.A.C. Rule 3745-59-07(A)(1)(c); Condition B.37.(f)]	___Y___	_____
(d) Waste analysis data, where available? [O.A.C. Rule 3745-59-07(A)(1)(d); Condition B.37.(f)]	___Y___	_____
7. Is the notification identified in Question #6 submitted with each shipment of waste? [O.A.C. Rule 3745-59-07(A)(1); Condition B.37.(f)]	___Y___	_____

	Y/N/NA	RMK#
8. ***For wastes that meet treatment standards:*** Does the generator submit a written notice and certification to the treatment, storage or disposal facility receiving the wastes stating wastes being received meet applicable treatment standards? [O.A.C. Rule 3745-59-07(A)(2); Condition B.37.(f)]	___Y___	_____
If so, does the notice/certification include the following:		
(a) EPA hazardous waste number? [O.A.C. Rule 3745-59-07 (A)(2)(a)(i); Condition B.37.(f)]	___Y___	_____
(b) The corresponding treatment standards and applicable prohibitions for the waste? [O.A.C. Rule 3745-59-07 (A)(2)(a)(ii); Condition B.37.(f)]	___Y___	_____
(c) The manifest number associated with the shipment of waste? [O.A.C. Rule 3745-59-07(A)(2)(a)(iii); Condition B.37.(f)]	___Y___	_____
(d) Waste analysis data, where available? [O.A.C. Rule 3745-59-07(A)(2)(a)(iv); Condition B.37.(f)]	___Y___	_____
(e) Is the certification signed by the generator or an authorized representative? [O.A.C. Rule 3745-59-07 (A)(2)(b); Condition B.37.(f)]	___Y___	_____
9. Is the notification/certification identified in Question #8 submitted with each shipment of waste? [O.A.C. 3745-59-07 (A)(2); Condition B.37.(f)]	___Y___	_____
10. Does the generator retain on-site a copy of all notices, certifications, demonstrations and waste analysis data for at least five years? [O.A.C. Rule 3745-59-07(A)(6); Condition B.37.(f)]	___Y___	_____

REMARKS

STORAGE OF LAND DISPOSAL RESTRICTED WASTES

NOTE: The following questions apply to operators of treatment, storage or disposal (TSD) facilities that accumulate Land Disposal Restricted wastes that do not meet treatment standards in tanks or containers. A large quantity generator who stores LDR wastes on-site for greater than 90 days becomes an operator of a storage facility and must comply with all applicable TSD requirements. SQGs become owners/operators of storage facilities if storage of LDR wastes exceeds 6,000 kg. or 180/270 days.

The LDR storage prohibition does not apply to wastes which are subject to a national capacity variance, variance from the treatment standard or case-by-case extension during the period of extension/variance. The LDR storage prohibition also does not apply to wastes subject to a no-migration petition or to wastes which meet treatment standards. [O.A.C. Rule 3745-59-50(E); 40 CFR 268.50(e)]

	Y/N/NA	***RMK#***
11. Is the owner/operator storing land disposal restricted wastes in containers? If so, is each container marked with the following information in accordance with O.A.C. Rule 3745-59-50(A)(2)(a) [Condition D.37.(h)]:	___Y___	_____
(a) The identification of the contents?	___Y___	_____
(b) The date which accumulation began?	___Y___	_____

NOTE: A TSD facility may store land disposal restricted wastes on-site for the purpose of accumulating a sufficient amount of waste for proper recovery, treatment or disposal. [O.A.C. Rule 3745-59-50(B)] During the first of storage, the burden of proof is on Ohio EPA to demonstrate that such storage is not necessary by the facility. Following one year, the burden of proof shifts to the storage facility to demonstrate that such storage of LDR wastes is necessary to facilitate proper recovery, treatment or disposal.

12. Are land disposal restricted wastes being stored at the facility for greater than one year? If so,	__N____	_____
(a) Has the owner/operator demonstrated that such storage is being conducted solely for the purpose of accumulating sufficient quantities of wastes necessary to facilitate proper recovery, treatment or disposal? [O.A.C. Rule 3745-59-50(A)(1); Condition B.37.(j)]	_N/A_____	_____

ADDITIONAL LDR REQUIREMENTS

	Y/N/NA	***RMK#***
13. Has the Permittee prepared and maintained a current list of hazardous waste codes handled by the facility that are identified in O.A.C. Rules 3745-59-30 through 3745-59-35? [Condition D.37.(d)]	___Y___	_____
(a) Does the list include all waste codes handled by the facility and any associated treatment standards? [Condition D.37.(d)]	___Y___	_____
(b) ***When new or amended LDR treatment standards have been promulgated:*** Has the Permittee updated the list? [Condition D.37.(d)]	___Y___	_____
(c) Has the list been provided by Ohio EPA as required by O.A.C. Rule 3745-50-51? [Condition D.37.(d)]	___Y___	_____

REMARKS