



State of Ohio Environmental Protection Agency

Northeast District Office

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

June 20, 2008

RE: RÜTGERS ORGANICS CORP (ROC)
COLUMBIANA COUNTY
OHD 980 610 018
LQG CEI NOTICE OF VIOLATION/PRTC

Mr. Rainer Domalski
201 Struble Road
State College, PA 16801

CERTIFIED MAIL

Dear Mr. Domalski:

On May 20 and 27, 2008, the Ohio EPA conducted a compliance evaluation inspection (CEI) of Rütgers Organics Corp's (ROC) Salem, Ohio facility to determine ROC's compliance with Ohio's hazardous waste laws and regulations as found in the Ohio Revised Code and the Ohio Administrative Code ("ORC" and "OAC" respectively). ROC was represented by Denny Lane and Gerald Wilhelm on May 20 and by Steve Finn and Julie Lehrman of Golder and you on May 27. Sheila Abraham and I represented the Ohio EPA.

On June 16, 2008, Julie Lehrman e-mailed revised exhibits for the contingency plan.

The Ohio EPA's compliance inspection included an inspection of many of the facility operations and a review of written documentation. Based on this inspection and the above submitted documentation, Ohio EPA has determined that ROC has violated at least the following state hazardous waste regulations:

Violations:

1. **Contingency Plan Requirements, OAC rule 3745-65-52(D):** The contingency plan must include a current list of names, addresses and telephone numbers (office and home) of all persons qualified to act as emergency coordinator and the contingency plan must be revised in response to personnel changes.

Donald Baird and Jim Gazza no longer work for Howell and Baird and ROC respectively. They are still listed in the contingency plan.

The revised pages of the contingency plan submitted documentation that the required revisions have occurred.

No further action is required.

Additionally, information was submitted by ROC on October 15, 2004, addressing violations originally cited in a June 28, 2004 notice of violation letter and cited again in a September 15, 2004 partial return to compliance (PRTC) letter. Based on this information, the following violations have been abated from the PRTC:

2. **Waste Evaluation, OAC rule 3745-52-11**
 - k. The oily waste found in the bottom of 2 five gallon containers
 - l. The kitty litter appearing material in a 55 gallon steel drum.
 - m. The carbon material found in two 55 gallon drums
3. **Personnel Training, OAC rules 3745-52-34(A)(4) and 3745-65-16**

4. **Personnel Training, OAC rule 3745-65-16 (A)(2)**
5. **Personnel Training, OAC rule 3745-65-16 (C)**
12. **Tank System Requirements, OAC rules 3745-66-91 through 66-911** (for the EST)
13. **Maintenance and Operation of Facility, OAC rule 3745-65-31**
14. **Tank System Requirements, OAC rules 3745-66-91 through 66-911**

However the following violations remain outstanding:

11. **Tank System Requirements, OAC rules 3745-66-91 through 66-911:** Any tank system used to accumulate hazardous waste must meet the applicable requirements found in this portion of the rules.

The July 30, 2004 ROC letter states that both the railroad tank car and the spare green tank will go through a tank closure as found in OAC rule 3745-66-97(A) and (B). This violation will be abated once this generator closure documentation is submitted to Ohio EPA and found to be adequate.

ROC submitted a closure plan in an October 15, 2004 correspondence. Ohio EPA does not review generator closures, the closure is self implementing. ROC should commence closure of the two tanks and submit documentation that the closure performance standard has been met for these two tanks.

15. **Unpermitted storage and disposal of hazardous waste, OAC rule 3745-52-43; ORC § 3734.02 (E) and (F):** A generator may not accumulate hazardous waste on site in excess of 90 days without a permit or an extension from the Director; no person shall store, treat, or dispose of hazardous waste, regardless of whether generated on or off the premises where the waste is stored, treated, or disposed of, except at a permitted facility.

This violation was cited as the result of ROC discharging the contents of the carbon tanks on the wash pad and allowing the contents to be collected in two catch basins which lead to an underground tank (wash pad sump).

Ohio EPA acknowledges that ROC has made changes to the clean out process to eliminate/minimize the potential for releases from this activity.

Ohio EPA does not agree with ROC's statement that a release of hazardous waste has not occurred.

Ohio EPA issued an NOV on July 27, 2004, to ROC regarding the release of 20,000 gallons of hazardous waste from the waste water treatment system.

Based on information received on August 9, 2004, it appears that ROC has abated the following violation from the July 2004 NOV:

2. **Failure to notify the Director of Ohio EPA of the implementation of the Contingency Plan, Ohio Administrative Code (OAC) rules 3745-54-56(J) and 3745-65-56(J)**

However violation 1 from the July 2004 NOV remains outstanding:

1. ***Unpermitted disposal of hazardous waste, Ohio Revised Code (ORC) § 3734.02 (E) and (F)***

Ohio EPA recognizes that the ROC facility is a site listed on the National Priorities List, pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, (CERCLA), and that no state permits are required for any portion of any removal or remedial action conducted entirely on-site, pursuant to CERCLA § 121(e). However, the "permit exception" only extends to the administrative requirements of permit obligations, and does not relieve ROC from demonstrating compliance with the substantive requirements of Ohio's hazardous waste laws and rules. If ROC believes that Ohio EPA is requiring compliance with purely administrative requirements, it should note that belief, and the basis for that belief, in its response to this letter.

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

Further, be advised that any instances of non-compliance can continue as subjects of pending or future enforcement actions.

Please submit the documentation demonstrating the tank closure requirements have been met by August 31, 2008. The two violations of the ORC will be addressed under separate cover.

I have enclosed the checksheet which I used during the compliance evaluation inspection for your use. Should you have any questions or require additional information, please contact Frank Popotnik, my supervisor, or me at (330) 963-1200.

Sincerely,



Karen L. Nesbit
Division of Hazardous Waste Management

KLN.ddw

Enclosures

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

cc: Natalie Oryshkewych, DHWM, NEDO
Sheila Abraham, DERR, NEDO
Dennis Lane, Howells and Baird, Inc.
Mary Logan, Remedial Project Manager, U.S. EPA Region V, SR-6J

Ohio Environmental Protection Agency
**RCRA SUBTITLE C SITE
IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to kristina.durnell@epa.state.oh.us
or mail it to Kristina Durnell, Central Office

Site EPA ID No:	EPA ID Number: ohd980610018	
Site Name:	Name: RUTGERS ORGANICS CORP	Website: (Optional)
Site Location Information:	Street Address: 1224 BENTON ROAD, ROUTE 14A	
	City, Town, or Village: SALEM	State: OH
	County Name: COLUMBIANA	Zip Code: 44460
	<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	
	56291	
	First Name: RAINER	MI: F Last Name: DOMALSKI
	Phone Number: 8142319200	Phone Number Extension:
	E-Mail Address: rdomalski@ruetgers-organics-corp.com	
	Fax Number:	Fax Number Extension:
	Street or P.O. Box: 201 STRUBLE ROAD	
	City, Town or Village: STATE COLLEGE	
	State: PA	Country: USA Zip Code: 16801
	Name of Site's Legal Owner: RUTGERS ORGANICS CORP	Date Became Owner (mm/dd/yyyy): 12/31/77
	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	
	Street or P.O. Box: 201 STRUBLE ROAD	
	City, Town or Village: STATE COLLEGE	Owner Phone #: 8142319200
	State: PA	Country: USA Zip Code: 16801
	Name of Site's Operator: SEE OWNER (ABOVE)	Date Became Operator (mm/dd/yyyy):
	Owner 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	
	Street or P.O. Box:	
	City, Town or Village:	Operator Phone #:
	State:	Country: Zip Code:
	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Type of Generator:	<input type="checkbox"/> Not Regulated <input type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> United States Imporтер of Hazardous Waste <input checked="" type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator <input type="checkbox"/> Small Quantity Generator (SQG)	
Type of Regulated Waste Activity (Mark 'X' in all of the appropriate boxes):	<input type="checkbox"/> Recycler of Hazardous Waste <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace <input type="checkbox"/> Underground Injection Control Facility <input type="checkbox"/> Small Quantity On-Site Burner Exemption <input type="checkbox"/> Hazardous Waste Transporter <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	

Universal Waste Activities (Indicate types of universal waste generated and/or accumulated (check all that apply))

Small Quantity Handler of Universal Waste Large Quantity Handler of Universal Waste

Destination Facility for Universal Waste

(Check all boxes below that apply for each of the three types of facilities above)

Batteries	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Use
Pesticides	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Market
Mercury containing equipment	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Shipment of Off-Spec. C
Lamps	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor	<input type="checkbox"/> Used Oil Fuel Market
		<input type="checkbox"/> Used Oil Re-refiner	<input type="checkbox"/> Specification Used Oil B

Waste Codes for Federally Regulated Hazardous Wastes: Please list the codes for all hazardous waste that is generated, stored, treated, stored for transport, or transported from the site. List them in the order they are presented in the regulatory code list. Use an additional page if more space is needed. If there are more than 7 waste codes, they are not all listed in the recent RCRA Info source record, you do not need to list them all. Instead, list the date of the last RCRA Info source record.

D018 D028 D039 D040

Comments: Use this area to describe whether the inspection was announced or unannounced, whether the waste is stored in tanks or containers, etc.

Announced	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Additional Facility Representatives:	DENNY LANE AND C
Tanks	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Other Comments:	CERCLA SITE - ALL WASTE GENERATED
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		REMEDIAL OPERATIONS WHICH STARTED MAY 1, 1995

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection (M/D/YYYY)
KAREN NESBIT	SHEILA ABRAHAM, DERR	5/20/2008 9:25

STATEMENT OF CERTIFICATION: I certify under penalty of law that this document and its contents were prepared under the supervision and control of a system designed to assure that the information submitted is true and accurate. Based on my knowledge of the information submitted, I am not aware of any false or misleading information. I am not aware of any information that is false or misleading, and I am not aware of any information that is false or misleading. I am not aware of any information that is false or misleading, and I am not aware of any information that is false or misleading.

Name and Title of Owner, Operator, or Authorized Representative	Name and Title of Inspector	Date (mm/dd/yyyy)

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02/22/2008

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LAR : QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS DESCRIPTION SUMMARY

Facility Name: Rutgers Organics Corp
Facility Hazardous Waste ID#: OH0 980 610 018 Date of CEI: 5-20-2008

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

GENERAL REQUIREMENTS

1. Have all wastes generated at the facility been adequately evaluated? [3745- Yes No N/A
52-11]
2. Are records of waste determination being kept for at least 3 years?[3745-52- Yes No N/A
40(C)]
3. Has the generator obtained a U.S. EPA identification number? [3745-52-12] Yes No N/A
4. Were annual reports filed with Ohio EPA on or before March 1st? [3745-52- Yes No N/A
41(A)]
5. Are annual reports kept on file for at least 3 years?[3745-52-40(B)] Yes No N/A
6. Has the generator transported or caused to be transported hazardous waste Yes No N/A
to **other** than a facility authorized to manage the hazardous waste? [ORC
3734.02(F)]
7. Has the generator disposed of hazardous waste **on-site without a permit** Yes No N/A
or at another facility **other** than a facility authorized to dispose of the
hazardous waste? [ORC 3734.02(E) & (F)]
8. Does the generator accumulate hazardous waste? Yes No N/A
9. Has the generator accumulated hazardous waste on-site in excess of 90 Yes No N/A
days without a permit or an extension from the director ORC §3734.02 (E)
& (F)?
- 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 No N/A
 - b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C)? Yes No N/A
 - c. Drip pads that meet 3745-69-40 to 3745-69-45? Yes No N/A
 - d. Containment building that meets 3745-256-100 to 3745-256-102? Yes No N/A

- 11 Does the generator export hazardous waste? If so: Yes No N/A
- a. Has the generator notified U.S. EPA of export activity? [3745-52-53(A)] Yes No N/A
- b. Has the generator complied with special manifest requirements? [3745-52-54] Yes No N/A
- c. For manifests that have not been returned to the generator: has an exception report been filed? [3745-52-55] Yes No N/A
- d. Has an annual report been submitted to U.S. EPA? [3745-52-56] Yes No N/A
- e. Are export related documents being maintained on-site? [3745-52-57(A)] Yes No N/A

MANIFEST REQUIREMENTS

- 12 Have all hazardous wastes shipped off-site been accompanied by a manifest? (U.S. EPA Form 8700-22) [3745-52-20(A)] Yes No N/A
- 13 Have items (1) through (20) of each manifest been completed? [3745-52-20(A)] Yes No N/A

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

- 14 Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)] Yes No N/A

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

- 15 If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternate TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)] Yes No N/A

- 16 Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1) & (2)] Yes No N/A

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

- 17 If the generator did not receive a return copy of each completed manifest within 35 days of the waste being accepted by the transporter did the generator contact the transporter and/or TSD facility to check on the status of the waste? [3745-52-42(A)(1)] Yes No N/A

- 18 If the generator has not received the manifest within 45 days, did the generator file an exception report with Ohio EPA? [3745-52-42(A)(2)] Yes No N/A

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19 Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40] Yes No N/A

PERSONNEL TRAINING

20 Does the generator have a training program which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to their positions? [3745-65-16(A)(2)] Yes No N/A

21 Does the personnel training program, at a minimum, include instructions to ensure that facility personnel are able to respond effectively to emergencies involving hazardous waste by familiarizing them with emergency procedures, emergency equipment and emergency systems (where applicable)? [3745-65-16(A)(3)(a-f)] Yes No N/A

22 Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)] Yes No N/A

23 Do new employees receive training within six months after the date of hire (or assignment to a new position)? [3745-65-16(B)] Yes No N/A

24 Does the generator provide annual refresher training to employees? [3745-65-16(C)] Yes No N/A

25 Does the generator keep records and documentation of:
 a. Job titles [3745-65-16(D)(1)]? Yes No N/A

b. Job descriptions [3745-65-16(D)(2)]? Yes No N/A

c. Type and amount of training given to each person [3745-65-16(D)(3)]? Yes No N/A

d. Completed training or job experience required [3745-65-16(D)(4)]? Yes No N/A

26 Are training records for current personnel kept until closure of the facility and are training records for former employees kept for at least three years from the date the employee last worked at the facility? [3745-65-16(E)] Yes No N/A

<u>Job Performed</u>	<u>Name of Employee</u>	<u>Date Trained</u>

CONTINGENCY PLAN

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

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

- 29 Is a copy of the plan (plus revisions) kept on-site and been given to all emergency authorities that may be requested to provide emergency services? [3745-65-53 (A) & (B)] Yes No N/A
- 30 Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, or failure of the plan? [3745-65-54] Yes No N/A
- 31 Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55] Yes No N/A

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

EMERGENCY PROCEDURES

- 32 Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents since the last inspection? If so:
- a. Was the contingency plan implemented? [3745-65-51(B)] Yes No N/A
- b. Did the facility follow the emergency procedures in 3745-65-56(A) through (H)? Yes No N/A
- c. Did the facility submit a report to the Director within 15 days of the incident as required by 3745-65-56(J)? Yes No N/A

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PREPAREDNESS AND PREVENTION

- 33 Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31] Yes No N/A
- 34 Does the generator have the following equipment at the facility, if it is required due to actual hazards associated with the waste:
- a. Internal communications or alarm system? [3745-65-32(A)] Yes No N/A
- b. Emergency communication device? [3745-65-32(B)] Yes No N/A
- c. Portable fire control, spill control and decon equipment? [3745-65-32(C)] Yes No N/A
- d. Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)] (per facility rep) Yes No N/A
- NOTE: Verify that the equipment is listed in the contingency plan.*
- 35 Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33] Yes No N/A
- 36 Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33] Yes No N/A
- 37 Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under 3745-65-32)? [3745-65-34(A)] Yes No N/A
- 38 If there is only one employee on the premises, is there immediate access to a device (ex.phone, hand held two-way radio) capable of summoning external emergency assistance? (Unless not required under 3745-65-32) [3745-65-34(B)] Yes No N/A
- 39 Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] Yes No N/A
- 40 Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)] Yes No N/A
- 41 Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)] Yes No N/A

SATELLITE ACCUMULATION AREA REQUIREMENTS

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

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

USE AND MANAGEMENT OF CONTAINERS IN <90 DAY ACCUMULATION AREAS

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

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d. Handled in a manner wh. prevents rupture/leakage? [3745-6 3(B)] Yes No N/A

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

47 Is the container accumulation areas(s) inspected weekly? [3745-66-74] Per ORC§1.44(A) "Week" means 7 consecutive days. Yes No N/A

a. Are inspections recorded in a log or summary? [3745-66-74] Yes No N/A

48 Are containers of ignitable or reactive wastes located at least 50 feet (15 meters) from the facility's property line? [3745-66-76] Yes No N/A

49 Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)] Yes No N/A

50 If the generator places incompatible wastes, or incompatible wastes and materials in the same container, is it done in accordance with 3745-65-17(B)? [3745-66-77(A)] Yes No N/A

51 If the generator places hazardous waste in an unwashed container that previously held an incompatible waste, is it done in accordance with 3745-65-17(B)? [3745-66-77(B)] Yes No N/A

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

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

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

PRE-TRANSPORT REQUIREMENTS

53 Does the generator package/label its hazardous waste in accordance with the applicable DOT regulations? [3745-52-30, 3745-52-31 and 3745-52-32(A)] Yes No N/A

54 Does each container <110 gallons have a completed hazardous waste label? [3745-52-32(B)] Yes No N/A

55 Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33] Yes No N/A

DESIGNED &
NOTE: TANK SYSTEM, INSTALLED PER AN OHIO EPA /USEPA
APPROVED TREATMENT PLANT MODIFICATION DESIGN
TECHNICAL MEMORANDUM - PER JEFF
MAYHUGH - CO-DHW M - IS ADEQUATE TO
MEET OUR RULES

LDR CHECKLIST

GENERAL LDR REQUIREMENTS

- 1. Has the generator adequately evaluated all wastes to determine if they are restricted from land disposal? [3745-270-07(A)(1)] If so: Yes No N/A RMK#
 - a. For determinations based solely on knowledge of the waste: Is supporting data retained on-site? [3745-270-07(A)(6)] Yes No N/A RMK#
 - b. For determinations based upon analytical testing: Is waste analysis data retained on-site? [3745-270-07(A)(6)] Yes No N/A RMK#
- 2. Has the generator determined each EPA hazardous waste code applicable to the waste? [3745-270-07(A)(2) see Table 1] Yes No N/A RMK#
- 3. Has the generator determined the correct "treatability group(s)" (e.g., wastewater, non-wastewater, etc.)? [3745-270-07(A), Table 1] Yes No N/A RMK#
- 4. Does the generator generate a characteristic hazardous waste? If so: Yes No N/A RMK#
 - a. Have all underlying hazardous constituents (UHCs) been identified? [3745-270-09(A)] Yes No N/A RMK#

NOTE: *If the waste is D001 non-wastewater treated by CMBST, RORGS, POLYM in Table 1 of Rule 3745-270-42 UHCs do not need to be identified.*

- 5. Does the generator generate listed waste(s) which also exhibit hazardous characteristics? [3745-270-09] If so: Yes No N/A RMK#
 - a. Has the generator also identified the appropriate treatment standard(s) for the constituent(s) which cause the waste to exhibit a characteristic? [3745-270-09(A)] Yes No N/A RMK#
- 6. Has the generator correctly determined if restricted wastes meet or do not meet treatment standards? [3745-270-07(A)(1)] Yes No N/A RMK#
- 7. Does the owner/operator ensure that restricted wastes or treatment residues are not diluted as a method of achieving/circumventing LDR treatment standards? [3745-270-03] Yes No N/A RMK#

NOTE: *A generator may dilute a waste (that is hazardous only because it exhibits a characteristic) in a treatment system that discharges to waters of the State pursuant to an NPDES permit (§402 of CWA), that treats waste in a CWA equivalent treatment system, or that treats waste for the purposes of pre-treatment requirements under §307 of CWA, unless a method other than DEACT is specified or the waste is a D003 reactive cyanide wastewater or non-wastewater.[3745-270-03(B)]*

- 8. Is combustion of any of the wastes identified in the Appendix to Rule 3745-270-03 occurring without meeting one or more of the criteria under Rule 3745-270-03(C) upon generation or after treatment? [3745-270-03(C)] Yes No N/A RMK#

NOTE: *In other words, is combustion a legitimate treatment method.*

- 9. Has the generator added iron to lead-containing hazardous waste in order to achieve LDR treatment standards for lead? [3745-270-03(D)] Yes No N/A RMK#

10. Does the facility have a case-by-case extension to the effective date to land dispose of hazardous waste?[3745-270-05] If so: Yes ___ No N/A ___ RMK# ___
- a. The facility can dispose of hazardous waste in a on-site landfill or surface impoundment.[3745-270-05] Yes ___ No N/A RMK# ___
11. Does the facility have an extension to allow for a restricted waste to be land disposed?[3745-270-06] If so: Yes ___ No N/A ___ RMK# ___
- a. The facility can land dispose of the waste. [3745-270-06] Yes ___ No N/A RMK# ___
12. Does the facility treat wastes that are otherwise prohibited from land disposal, in a surface impoundment? If so: Yes ___ No N/A ___ RMK# ___
- a. Has the facility complied with 3745-270-04? Yes ___ No N/A RMK# ___

NOTIFICATION AND CERTIFICATION REQUIREMENTS

13. If a generator's waste or contaminated soil does not meet the treatment standards, does the generator have the paperwork required in Column A of Table 1 of 3745-270-07? [3745-270-07(A)(2)] Yes No N/A ___ RMK# ___
14. If a generators' waste or contaminated soil meets the treatment standard at the original point of generation, does the generator have the paperwork required in Column B of Table 1 of 3745-270-07? [3745-270-07(A)(3)] Yes ___ No N/A RMK# ___
15. If a generators' waste is exempt (under 3745-270-05, 3745-270-06, national capacity or case-by-case variance, etc.) does the generator have the paperwork required in Column C of Table 1 of 3745-270-07? [3745-270-07(A)(4)] Yes ___ No N/A RMK# ___
16. If a generator manages a lab pack containing hazardous waste using the alternative treatment standard in 3745-270-42, does the generator have the paperwork required in Column D of Table 1 of 3745-270-07? [3745-270-07(A)(9)] Yes ___ No N/A RMK# ___
17. Does the generator produce a waste that is hazardous waste from the point of generation, but subsequently excluded from regulation under OAC 3745-51-02 through 3745-51-06? [3745-270-07(A)(7)] If so: Yes ___ No N/A RMK# ___
- a. Is a one-time notice placed in the facility's file stating such generation, subsequent exclusion or exemption, and disposition of the wastes? [3745-270-07(A)(7)] Yes ___ No N/A RMK# ___

NOTE: Examples include hazardous wastes discharged to a POTW or to a surface water under a NPDES permit.(See 270-07(A)(7))

18. Does the generator retain on-site a copy of all notices, certifications, demonstrations and waste analysis data for at least three years from the last shipment of waste sent off-site? [3745-270-07(A)(8)] Yes No N/A ___ RMK# ___

REMARKS