

**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

CERTIFIED MAIL

July 12, 2010

Ray Tumbry
Smitty's Car Craft
747 Sugar Ln.
Elyria, OH 44035

RE: SMITTY'S CAR CRAFT, OHD982419764, LORAIN COUNTY, SQG NOV

Dear Mr. Tumbry:

On June 24, 2010, this writer, representing Ohio EPA, Division of Hazardous Waste Management (DHWM), visited Smitty's Car Craft located at 747 Sugar Lane in Elyria, Ohio to conduct a hazardous waste compliance evaluation inspection (CEI). Smitty's Car Craft was represented by Joyce Smith and you.

The purpose of the inspection was to determine Smitty's Car Craft's compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). The inspection included a review of the facility's operations, as well as the management of wastes. Smitty's Car Craft was inspected for the requirements of a small quantity generator (SQG) of hazardous waste.

Based on the inspection, Ohio EPA identified the following violations:

- 1. ORC §3734.02(F), Causing Hazardous Waste to be Transported to an Unpermitted Facility: No person shall store, treat or dispose of hazardous waste identified or listed under this chapter and rules adopted under it or transport or cause to be transported any hazardous waste identified or listed under this chapter and rules adopted under ... except to a facility operating under a hazardous waste facility installation and operation permit.**

Smitty's Car Craft generates used lacquer thinner (spent solvent) from the cleaning of the facility's spray guns. The spent solvent is characterized, at a minimum, as D001/F005 hazardous waste. The used lacquer thinner is accumulated in containers (drums) and subsequently placed into a solvent recycling (distillation) unit. The resulting still bottoms (sludge or "pucks") from the solvent recycling unit are, at a minimum, F005 listed hazardous waste since they have been recovered/derived from the F005 listed spent solvent.

Since at least 2006, Smitty's Car Craft has been placing the hazardous waste still bottoms in with the facility's trash (solid waste). The solid waste is transported off-site by Allied Waste. As a result of the aforementioned activities, Smitty's Car Craft violated ORC §3734.02(F) through causing hazardous waste to be transported to a facility not operating under a hazardous waste facility installation and operation permit. Additionally, Smitty's Car Craft violated OAC rule 3745-52-11 (Waste Evaluation), OAC rule 3745-52-20 through OAC rule 3745-52-23 (Manifest Use), OAC rule 3745-52-31 and OAC rule 3745-52-32 (Labeling and Marking Containers of Hazardous Waste) and OAC rule 3745-270-07 (Land Disposal Restriction Requirements) since these regulations were not complied with when the hazardous waste was shipped.

To demonstrate efforts towards addressing this violation, Smitty's Car Craft must identify how the facility will manage the still bottoms in compliance with the hazardous waste laws.

2. **ORC §3734.02(E)&(F), Unlawful Storage of Hazardous Waste:** A small quantity generator may for 180 days or less accumulate hazardous waste that is generated on-site without an Ohio hazardous waste permit.

During the inspection, Ohio EPA documented 24 containers of waste located outdoors in the fenced in area, as well as indoors, near the paint booths. You indicated that some of the containers observed outdoors had been stored in the location for approximately five years. Several of these containers were open and in poor condition as evidenced by the release of waste material.

Prior to the inspection, Smitty's Car Craft last shipped the used lacquer thinner off-site in 2001 as a D001/D035/F003/F005 hazardous waste.

Smitty's Car Craft stored hazardous waste on-site for greater than 180 days in violation of ORC §3734.02 (E)&(F). To demonstrate efforts towards addressing this violation, Smitty's Car Craft must:

- A. Manage all hazardous waste in compliance with the hazardous waste laws;
- B. Identify in writing the corrective actions taken to address this violation; and
- C. In accordance with OAC rules 3745-55-10 through 3745-55-20, Smitty's Car Craft must conduct closure activities for all areas where hazardous waste was unlawfully stored and/or disposed. Closure activities entail the following: removing and disposing of all waste and residues, removing or decontaminating contaminated equipment and structures, remediating contaminated soils and groundwater, if necessary and managing all wastes generated from these activities in accordance with the hazardous waste laws.

You must submit a closure plan which ensures that the closure performance standards set forth in OAC rule 3745-55-11 are met. The closure performance standards require you to remove and remediate contamination in these areas to prevent it from posing a risk to human health and the environment. The closure plan should be prepared in accordance with Ohio EPA's Closure Plan Review Guidance for RCRA Facilities and is available at: <http://www.epa.ohio.gov/portals/32/pdf/2008CPRG.pdf>. Additionally, Smitty's Car Craft must comply with the closure cost estimate, financial assurance and liability requirements found in OAC rules 3745-55-40 to 3745-55-51.

Since Smitty's Car Craft violated ORC § 3734.02(E)&(F), your facility is subject to all applicable general facility standards found in OAC Chapters 3745-54 and 3745-55. Additionally, at any time Ohio EPA may assert its right to have you begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

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

Smitty's Car Craft failed to evaluate the following wastes:

- A. The contents of containers SC-01 through SC-06, SC-08 through SC-22 and SC-24 through SC-26. It is Ohio EPA's understanding that container SC-07 is empty and container SC-23 contains recycled solvent. In addition to being a F005 listed hazardous waste, Smitty's Car Craft must evaluate the containerized wastes for any additional listed and characteristic hazardous waste criteria identified in OAC rules 3745-51-21 through 3745-51-33. Submit waste evaluation information, as well as an inventory of the type and amounts of waste present in containers SC-01 through SC-26.
- B. Spent spray booth filters from painting operations. To abate this violation, submit waste evaluation information for the spent spray booth filters.
- C. Used rags from painting operations. To abate this violation, submit waste evaluation information for the used rags.
- D. Spent fluorescent lamps from lighting fixtures. Smitty's Car Craft may wish to manage the spent lamps in accordance with the universal waste management requirements found in OAC Chapter 3745-273. Please refer to the guidance document that was provided to you during the inspection. To abate this violation, identify how spent lamps will be managed on-site.

4. **OAC rule 3745-52-34(A)(2)(3), Labeling & Dating Hazardous Waste Accumulation Containers:** While being accumulated on-site, each container with hazardous waste contents must be labeled with the words "Hazardous Waste" and an accumulation date.

Smitty's Car Craft failed to label and date containers of hazardous waste. The containers were observed outdoors in the fenced in area, as well as indoors, near the paint booths. To abate this violation, submit a description of corrective actions taken to comply with this rule.

5. **OAC rule 3745-52-34(D)(5)(b)(c), Emergency Procedures for SQG:** (b) The generator must post the following emergency information by the telephone: name and telephone number of the emergency coordinator; location of fire extinguishers and spill control material, and, if present fire alarm(s); and the telephone number of the fire department (unless the facility has a direct alarm). (c) The generator must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies.

Smitty's Car Craft failed to comply with OAC rule 3745-52-34(D)(5)(b)(c). To abate this violation, submit a copy of the posted emergency information, as well as the location of the posting. Additionally, identify the date and include a description of the training provided to facility employees to familiarize them with proper waste handling and emergency procedures. To assist in abating this violation, I have enclosed a copy of an example emergency information posting.

6. **OAC rule 3745-65-31, Maintenance and Operation:** Facilities must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

During the inspection, Ohio EPA observed waste on the floor near the indoor containers, as well as evidence of released waste around the outdoor containers. To abate this violation, identify the corrective actions taken to clean up all spilled, leaked or released waste.

7. **OAC rule 3745-65-33, Testing & Maintenance of Emergency Equipment:** Facility communications or alarm systems, fire protection equipment, spill control equipment and decontamination equipment (where required), must be tested and maintained as necessary to assure its proper operation in the event of an emergency. The owner or operator must record the inspections in a log or summary.

Smitty's Car Craft failed to conduct inspections of emergency equipment. To abate

this violation, submit copies of completed inspection forms that document emergency equipment is being inspected. To assist in abating this violation, I have enclosed a copy of an example inspection form.

8. **OAC rule 3745-66-71, Condition of Containers:** If a container holding hazardous waste is not in good condition, or if it begins to leak, the facility must transfer the hazardous waste from the leaking container to a container that is in good condition.

Smitty's Car Craft failed to store hazardous waste in containers that are in good condition. To abate this violation, submit a description of corrective actions taken to comply with this rule.

9. **OAC rule 3745-66-73(A)(B), Management of Containers:** (A) A container holding hazardous waste must be closed during storage, except when it is necessary to add or remove waste. (B) A container holding hazardous waste may not be opened, handled, or stored in a manner which may rupture the container or cause it to leak.

Smitty's Car Craft failed to store hazardous waste in closed containers, as well as managed them in a manner which caused them to leak. To abate this violation, submit a description of corrective actions taken to comply with this rule.

10. **OAC rule 3745-66-74, Inspections:** The owner or operator must inspect areas where hazardous waste containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors. The owner or operator must record the inspections in an inspection log or summary.

Smitty's Car Craft failed to conduct inspections of hazardous waste containers. To abate this violation, submit copies of two weeks of completed inspection forms that document hazardous waste containers are being inspected. To assist in abating this violation, I have enclosed a copy of an example inspection form.

The above violations must be immediately addressed and all of the above requested documentation must be submitted to my attention at the Ohio EPA **within 30 days of receipt of this letter**. Information obtained pertaining to the facility's processes and waste generation is discussed on the Process Description-Waste Activities Summary Sheet within the enclosed inspection checklists.

Ohio EPA offers the following comments:

1. Ohio EPA has created an electronic news service to provide facilities with quick and timely updates on news and events related to hazardous waste activities in Ohio. For more information, please refer to: http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpageohio

2. Technical assistance and pollution prevention information is available from Ohio EPA at: <http://epa.ohio.gov/ocapp/assistance.aspx>
3. The Ohio Department of Development's Office of Energy Efficiency may be able to help with energy efficiency issues. For more information, please refer to: <http://development.ohio.gov/Energy>
4. You may be able to reduce the amount of waste your facility generates by finding ways to recycle, reduce, or eliminate it. Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) provides free compliance and pollution prevention assistance on environmental issues related to air, land and water. Should your facility be interested in receiving a free pollution prevention assessment in the future, please contact me or OCAPP. OCAPP may be contacted at (800) 329-7518 or via the internet at: <http://www.epa.ohio.gov/ocapp>
5. You may find copies of the hazardous waste rules and other information on Ohio EPA's web page at: <http://www.epa.ohio.gov/dhwm>.

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

Should you have any questions, please contact me at (330) 963-1108.

Sincerely,



Frank A. Zingales
Environmental Specialist
Division of Hazardous Waste Management

FAZ:ddw

Enclosure

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

Send to Central Office <input checked="" type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to paula.canter@epa.state.oh.us.

Site EPA ID No. Site Name	EPA ID Number: OHD982419764 Name: Smitty's Car Craft	Website: (Optional)
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Site Location Information	Street Address: 747 Sugar Lane City, Town, or Village: Elyria	State: OH Zip Code: 44035
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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"/>
811121	

Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Ray MI: Last Name: Tumbry Title: Phone Number: (440) 366-5696 Phone Number Extension: E-Mail Address: Fax Number: (440) 365-3898 Fax Number Extension: Street or P.O. Box: City, Town or Village: State: Zip Code:
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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: Smith Valley LLC Owner Type: 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"/> Street or P.O. Box: 747 Sugar Lane City, Town or Village: Elyria State: OH Name of Site's Operator: Smitty's Car Craft Operator Type: 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"/> Street or P.O. Box: 747 Sugar Lane City, Town or Village: Elyria State: OH	Date Became Owner (mm/dd/yyyy): Owner Phone #: Country: USA Zip Code: 44035 Date Became Operator (mm/dd/yyyy): Operator Phone #: Country: USA Zip Code: 44035
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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 type="checkbox"/> Short-Term Generator (generates from a short-term or one-time event and not from on-going processes). <i>Check the box for the applicable generator status and provide a comment.</i>	<input type="checkbox"/> Large Quantity Generator (LQG) <input checked="" 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
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PROCESS DESCRIPTION / WASTE ACTIVITIES SUMMARY

Facility Name: Smitty's Car Craft

Facility Type: SQG

EPA ID#: OHD982419764

Process Information: Facility conducts collision repair work.

Regulatory / Enforcement History: None

<i>Description of Waste</i>				<i>On-Site Management</i>	<i>Off-Site Management</i>
Process/Activity Generating Waste	Waste Generated	EPA Waste Code	Quantity Generated	Type of Accumulation / Storage	Name, state, and type of activity occurring at the facility.
Painting – clean out of spray gun.	Waste thinner & paint	D001/F005 Under evaluation.		Hazardous waste stored in drums at the following areas: 1). Outdoor, fenced in area near southwest corner of property, and 2). Indoors, near paint booths.	
Recycling of waste thinner using distillation unit.	Sludge/still bottoms	F005 - Under evaluation.			
Painting	Used rags	Under evaluation.			
Painting	Spent booth filters	Under evaluation.			
Maintenance	Spent lamps	Under evaluation.			

Would this facility be interested in a pollution prevention (P2) assessment? Made facility aware of opportunity.

Office of Compliance Assistance and Pollution Prevention: 1-800-329-7518 or p2mail@epa.state.oh.us or <http://epa.ohio.gov/ocapp/contact.aspx>

**SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

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

Safety Equipment Used:

GENERAL REQUIREMENTS

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
2.	Has the generator obtained a U.S. EPA I.D. number? [3745-52-12]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
3.	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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> F005 hazardous waste – still bottoms.
4.	Has the generator disposed of hazardous waste on-site without a permit or at another facility other than a facility authorized to dispose of hazardous waste? [ORC 3734.02 (E) & (F)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Under evaluation.
5.	Does the generator accumulate hazardous waste?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

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

6.	Has the generator accumulated hazardous wastes in excess of (180/270) days without a permit or an extension from the Director? [3745-52-34; ORC §3734-02(E)&(F)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> F005 hazardous waste – spent solvent/used lacquer thinner.
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NOTE: SQG's shipping waste to a facility greater than 200 miles away can accumulate on-site for 270 days. [3745-52-34 (E)]

7.	Is the generator accumulating more than 6,000 kg on site? [3745-52-34(D)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: 6,000 kg = approximately 27, 55-gallon drums. If the facility is accumulating waste for greater than 180/270 days without an extension/permit or is accumulating greater than 6,000 kg on-site, it is classified as a storage facility and TSD standards apply. Complete applicable TSD checklists.

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

NOTE: Complete appropriate checklist for each unit.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

MANIFEST REQUIREMENTS – Facility failed to use a manifest for the off-site shipment of sludge (F005 hazardous waste – still bottoms) from the solvent recycling (distillation) unit.

9.	Are all hazardous wastes either reclaimed under a contractual agreement as defined in OAC rule 3745-52-20(E), or shipped off-site accompanied by a manifest (U.S. EPA Form 8700-22)? [3745-52-20(A)(1)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
10.	Are wastes reclaimed under a contractual agreement? If so: [3745-52-0(E)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

a.	Does the contractual agreement specify the type of waste and frequency of shipment?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Is the transport vehicle owned and operated by the reclaimer?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Is a copy of the reclamation agreement kept on-site for at least three years after termination/expiration of the agreement?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

NOTE: If wastes are reclaimed under a contractual agreement and an answer to questions 10(a) through 10(c) is no, the generator is in violation of 3745-52-20 (A) (B) & (D), 3745-52-22 and 3745-52-23. Even if the waste is being reclaimed under agreement, LDRs still apply. Complete LDR checklist.

11.	Have items 1 through 20 of each manifest been completed? [3745-52-20(A)(1)] & [3745-52-27(A)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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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 complete. [3745-52-20(A)(1)]

12.	Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: The generator may designate on the manifest one alternative 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)]

13.	If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternative TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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14.	Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1) and (2)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have made a good faith effort to minimize their waste generation.

15.	If the generator did not receive a return copy of each completed manifest within 60 days of being accepted by the transporter did the generator submit to Ohio EPA, a copy of the manifest with some indication that the generator has not received confirmation of delivery? [3745-52-42(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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16.	Are signed copies of all manifests being retained for at least three years? [3745-52-40]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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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.

PREPAREDNESS AND PREVENTION

17.	Is an emergency coordinator available at all times (on-site or on-call)? [3745-52-34(D)(5)(a)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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18.	Has the following been posted by the telephone: [3745-52-34(D)(5)(b)]	
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a.	Name and telephone number of emergency coordinator?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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b.	Location of fire and spill control equipment, and, if present, fire alarm(s)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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c.	Telephone number of local fire department?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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19.	Are employees familiar with waste handling and emergency procedures? [3745-52-34(D)(5)(c)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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20.	Has the facility properly responded to all fires and spills? [3745-52-34(D)(5)(d)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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21.	Is the facility operated to minimize the possibility of fire, explosion, or any unplanned sudden or nonsudden release of hazardous waste? [3745-65-31]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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22.	Does the generator have the following equipment at the facility if it is required due to actual hazards associated with the waste:		
	a.	Internal 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"/>
23.	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"/>
	a.	Are inspections recorded in a log or summary? [3745-65-33]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
24.	Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (<i>unless the device is not required under OAC 3745-65-32</i>)? [3745-65-34(A)]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
25.	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 (<i>unless not required under OAC 3745-65-32</i>)? [3745-65-34(B)]		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
26.	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"/>
27.	Has the generator attempted to familiarize emergency authorities with possible hazards and facility layout? [3745-65-37(A)]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
28.	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			
29.	Does the generator ensure that satellite accumulation area(s):		No satellite accumulation points.
	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"/>
	d.	Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)]	Yes <input 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 type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	f.	Containers are marked with the words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
30.	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 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 type="checkbox"/>
	b.	Did the generator mark the container(s) holding the 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 type="checkbox"/>
<p><i>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.</i></p>			

USE AND MANAGEMENT OF CONTAINERS		
31.	Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(D)(4)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
32.	Is the accumulation date on each container? [3745-52-34(D)(4)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
33.	Are hazardous wastes stored in containers which are:	
	a. Closed (except when adding/removing wastes)? [3745-66-73(A)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	b. In good condition? [3745-66-71]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	c. Compatible with wastes stored in them? [3745-66-72]	Yes <input 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 type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: Record location on process summary sheets and photograph the area.</i>		
34.	Is the container accumulation area(s) inspected at least weekly? [3745-66-74] Per ORC§1.44(A) "Week" means seven(7) consecutive days.	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 type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
35.	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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
36.	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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
37.	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"/>
<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>		
PRE-TRANSPORT REQUIREMENTS		
38.	Does each 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 type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
39.	Does each container, ≤100 gallons have a completed hazardous waste label? [3745-52-32(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
40.	Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>