



State of Ohio Environmental Protection Agency

**Northeast District Office**

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Ted Strickland, Governor  
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Chris Korleski, Director

August 27, 2007

Curt Jerauld  
Environmental Assurance Engineer  
The Lubrizol Corporation  
155 Freedom Road  
Painesville, OH 44077-1234

**RE: LUBRIZOL PAINESVILLE, TSD-LQG, OHD 004 172 623, LAKE COUNTY  
NOTICE OF VIOLATION/RETURN TO COMPLIANCE**

Dear Mr. Jerauld:

On August 1, 2007, Ohio EPA, represented by Ed D'Amato/DHWM-NEDO and Marie Jarden/DHWM-CO, conducted a compliance evaluation inspection of the Lubrizol Corporation's Painesville, Ohio facility. The purpose of the inspection was to determine Lubrizol's compliance with its hazardous waste permit and Ohio's hazardous waste laws and regulations found under the Ohio Revised Code (ORC) and the Ohio Administrative Code (OAC). Lubrizol was represented by you.

The following violations were found:

**1. Used Oil Storage Requirements for Generators (Labels)  
OAC 3745-279-22(C)**

*Containers and above ground tanks used to store used oil at generator facilities shall be labeled or marked clearly with the words "Used Oil"*

There were three buckets of used oil in Building 34 that were not labeled per this rule. This violation was abated on August 3, 2007, when you sent an e-mail explaining that two of the buckets had been removed, and submitted a photo showing the bucket under the pipe threading machine had been labeled with the words "Used Oil".

**2. Sampling/Monitoring Recordkeeping Requirements  
Permit Condition A.12(b)**

*The permittee's records of monitoring information must specify the date(s), time(s), and method(s) of sampling or measurement*

The waste sampling records did not include the time samples were taken.

LUBRIZOL PAINESVILLE  
AUGUST 27, 2007  
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This violation was abated on August 3, 2007, when you sent an e-mail explaining that this information was included in all four quarterly sampling reports in 2006 and the first quarter report in 2007, but the sampling contractor didn't include the times in the second quarter 2007 report. You also explained that you will notify them in order to prevent future occurrences of this omission.

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

1. Some branches along the fence line on the east side of the facility were observed growing into the fence.

Lubrizol addressed this concern on August 8 when a photograph was submitted via e-mail showing that the branches had been trimmed.

Enclosed are copies of the checklists used for the inspection.

No response to this letter is required.

Failure to list specific deficiencies in this communication does not relieve Lubrizol from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve Lubrizol from liability for any past or present violations of Ohio's hazardous waste laws.

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

Sincerely,



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

EJD:ddw

Enclosures

ec: Frank Popotnik, DHWM, NEDO  
Lindsay Brown, DHWM, CO  
Marie Jarden, DHWM, CO  
cc: John Nyers, DHWM, CO  
Regional Offsite Administrator, DE-9J, USEPA, Region V



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**GENERAL PERMIT COMPLIANCE AND ACTIVITIES**

1. Has the expiration date of the permit passed? If so: Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- a. Is the permittee continuing any activity regulated by the permit after the expiration date of the permit? Yes \_\_\_ No  N/A  RMK# \_\_\_
- 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? [Condition A.6] Yes \_\_\_ No  N/A  RMK# \_\_\_
2. Has the permittee submitted the annual permit fee, payable to "Treasurer, State of Ohio," to Ohio EPA on or before the anniversary of the date of issuance during the term of the permit? [Condition A.25] Yes  No  N/A \_\_\_ RMK# \_\_\_
3. Is the permittee conducting any hazardous waste management activities (not otherwise exempt by law) which are not authorized by the permit? [Conditions A.1(b) and A.5] Yes  No  N/A \_\_\_ RMK# \_\_\_
4. Have any provisions of the permit been identified as invalid? [Condition A.4] Yes  No  N/A \_\_\_ RMK# \_\_\_
5. Has the facility identified any instances of noncompliance with the permit (ORC Chapter 3734), which may endanger human health or the environment? If so: Yes  No  N/A \_\_\_ RMK# \_\_\_
- a. Did the facility immediately report the following information as specified in Condition A.20?
- i. Information concerning a release of any hazardous waste that may cause an endangerment to public drinking water supplies; and Yes \_\_\_ No  N/A  RMK# \_\_\_
- ii. Information concerning a release of hazardous waste, fire or explosion at the facility which could Yes \_\_\_ No  N/A  RMK# \_\_\_

threaten human health or the environment outside the facility including a description of:

- a. Name, address and telephone number of the owner/operator? Yes\_\_\_ No  N/A  RMK#\_\_\_
- b. Name, address and telephone number of the facility? Yes\_\_\_ No  N/A  RMK#\_\_\_
- c. Name and quantity of material(s) involved? Yes\_\_\_ No  N/A  RMK#\_\_\_
- d. The extent of injuries, if any? Yes\_\_\_ No  N/A  RMK#\_\_\_
- e. An assessment of the actual or potential hazard to the environment and human health outside the facility? Yes\_\_\_ No  N/A  RMK#\_\_\_
- f. Estimated quantity and disposition of recovered material that resulted from the incident? Yes\_\_\_ No  N/A  RMK#\_\_\_

6. Did the permittee provide a written report to Ohio EPA within five days of becoming aware of the circumstances? [Condition A.21] Yes\_\_\_ No  N/A  RMK#\_\_\_

**NOTE:** *The permittee need not comply with the five day written report requirement if the director, upon good cause shown by the permittee, waives that requirement and the permittee submits a written report within 15 days of the time the permittee became aware of the circumstances. [Condition A.21].*

7. Has the permittee identified other instances of noncompliance not provided for in Condition A.22, if so: Yes\_\_\_ No  N/A  RMK#\_\_\_
- a. Did the permittee report these instances to Ohio EPA, DHWM? [Condition A.22]? Yes\_\_\_ No  N/A  RMK#\_\_\_
- b. Do the reports provided contain the information set forth in Condition A.20? [Condition A.20] Yes\_\_\_ No  N/A  RMK#\_\_\_

c. Has the permittee taken all steps necessary to minimize releases to the environment or prevent any adverse impact on human health or the environment? [Condition A.8]

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

8. Has the permittee planned any changes in the permitted facility or activity which may result in noncompliance with the conditions of the permit?:

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

a. If so, has the facility provided Ohio EPA with advance notice of such changes? [Condition A.17]

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

**NOTE:** Such notification does not waive the permittee's duty to comply with the permit. [Condition A.17]

9. 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? If so:

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

a. Has the permittee properly submitted such facts or corrected information to the appropriate entity? [Condition A.24]

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

### PERMIT MODIFICATION, REVISION, REVOCATION

10. Has the permittee filed a request for a permit modification, revision or revocation since permit issuance? [Condition A.2]

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

a. Were the changes made in accordance with OAC 3745-50-51? [Condition A.15]

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

11. Has the permit, been transferred to a new owner/operator?

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

a. If so, have the requirements of Condition A.18 been met?

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

12. Has the permittee submitted reports to Ohio EPA for each compliance schedule of the permit by the scheduled date, unless otherwise specified? [Condition A.19] Yes\_\_\_ No N/A  RMK#\_\_\_
13. Has the permittee furnished to Ohio EPA upon request relevant information to determine whether cause exists for modifying, revising, revoking or suspending the permit, to determine compliance with the permit? [Condition A.10] Yes\_\_\_ No N/A  RMK#\_\_\_
14. Has the facility furnished Ohio EPA, upon request, with copies of records required to be kept by the permit? [Condition A.10] Yes  No N/A  RMK#\_\_\_
15. Has the permittee maintained records of all data used to complete the application and any amendments, revisions or modifications to the application? [Condition A.14(c)] Yes  No N/A\_\_\_ RMK#\_\_\_
16. Has the permittee retained a complete copy of the approved application on-site? [Condition A.14(c)] Yes  No N/A\_\_\_ RMK#\_\_\_
17. Has the permittee given notice to the Director as soon as possible of any physical alterations or additions to any permitted portions of the facility? If so:  
 a. Were all such changes made in accordance with OAC 3745-50-51? [Condition A.15] Yes  No N/A\_\_\_ RMK#\_\_\_

**SITE ENTRY - AVAILABILITY OF RECORDS**

18. As specified in Condition A.11, has the permittee allowed the director or an authorized representative, upon proper identification 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? Yes  No N/A\_\_\_ RMK#\_\_\_  
 b. Have access to and copy, at reasonable times, any records required to be kept under the conditions of the permit? Yes  No N/A\_\_\_ RMK#\_\_\_

- c. Inspect, at any time, facilities, equipment (including control and monitoring equipment), practices or other operations regulated under the conditions of the permit? Yes\_\_\_ No  N/A \_\_\_ RMK#\_\_\_
- d. Sample, document, photograph or monitor, at reasonable times, any substances or parameter at the location of the facility to assure compliance with the permit or as otherwise authorized by ORC Chapter 3734 and the rules adopted thereunder? Yes\_\_\_ No  N/A \_\_\_ RMK#\_\_\_

**RECORDKEEPING/OPERATING REQUIREMENTS**

**OPERATING RECORD**

1. Does the permittee maintain an operating record as per OAC 3745-54-73 and 3745-54-74 and Condition B.22 of the permit which contains the following information:
- a. A description of the quantity of each hazardous waste and the method(s) and date(s) of its treatment or storage? Yes\_\_\_ No  N/A \_\_\_ RMK#\_\_\_
- b. The location of each hazardous waste and quantity at each location including cross-reference to specific manifest numbers? Yes\_\_\_ No  N/A \_\_\_ RMK#\_\_\_
- c. Records and results of required waste analysis? Yes\_\_\_ No  N/A \_\_\_ RMK#\_\_\_
- d. Summary reports and details of all incidents that required implementation of the contingency plan? Yes\_\_\_ No  N/A \_\_\_ RMK#\_\_\_
- e. Records and results of required inspections? Yes\_\_\_ No  N/A \_\_\_ RMK#\_\_\_
- f. Documents required to be maintained by LDR requirements of OAC Chapter 3745-270? Yes\_\_\_ No  N/A \_\_\_ RMK#\_\_\_
- g. Monitoring, testing, or analytical data, and corrective action where required, from groundwater monitoring and required monitoring of surface impoundments, landfills, waste piles and land treatment units? [3745-54-73(B)(6)] Yes\_\_\_ No  N/A \_\_\_ RMK#\_\_\_

**DOCUMENTS TO BE MAINTAINED AT FACILITY**

2. In accordance with Condition A.28 of the permit, is the permittee maintaining the following documents at the facility:

- a. Waste analysis plan in accordance with OAC 3745-54-13? Yes  No  N/A \_\_\_ RMK# \_\_\_
- b. Contingency plan in accordance with OAC 3745-54-53? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- c. Closure plan in accordance with OAC 3745-55-12? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- d. Cost estimate for facility closure in accordance with OAC 3745-55-42? (Estimate only - adequacy will be evaluated by CO financial assurance personnel) [Condition B.36] Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- e. Personnel training plan and records required by OAC 3745-54-16? [Condition B.6] Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- f. Inspection schedules developed in accordance with OAC 3745-54-15, 3745-55-74 and 3745-55-95? [Condition B.5] Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- g. Operating record in accordance with OAC 3745-54-73? [Condition B.22] Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- h. Post-closure plan, as required by OAC 3745-55-18(A)? [Condition A.28(a)(viii)] Yes \_\_\_ No  N/A  RMK# \_\_\_
- i. Annually-adjusted cost estimate for facility closure and post-closure, as required by OAC 3745-55-42 and 3745-55-44? [Condition A.28(a)(ix)] Yes  No  N/A \_\_\_ RMK# \_\_\_

3. 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 B.5]

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

4. Have any of the documents in Question No. 2 been revised? [Condition A.15] If so: Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_

a. Has the permittee submitted the revisions to Ohio EPA in accordance with OAC 3745-50-51? Yes \_\_\_ No  N/A  RMK# \_\_\_

b. Have all requirements of OAC 3745-50-51 been met, including, where required, Ohio EPA approval? Yes \_\_\_ No  N/A  RMK# \_\_\_

**ANNUAL REPORT REQUIREMENT**

5. Is the permittee in compliance with annual report requirements set forth in OAC 3745-54-75 and the additional report requirements set forth in OAC 3745-54-77? [Condition B.25] Yes  No  N/A \_\_\_ RMK# \_\_\_

**SAMPLING/MONITORING RECORDKEEPING REQUIREMENTS**

-> 6. 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? *Time missing* Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_

b. Individual(s) who performed the sampling or measurement? Yes  No  N/A \_\_\_ RMK# \_\_\_

c. Date(s) analyses were performed? Yes  No  N/A \_\_\_ RMK# \_\_\_

d. Individual(s) who performed the analyses? Yes  No  N/A \_\_\_ RMK# \_\_\_

e. Analytical technique(s) or method(s) used? Yes  No  N/A \_\_\_ RMK# \_\_\_

f. Results of such analyses? Yes  No  N/A \_\_\_ RMK# \_\_\_

7. 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)] Yes  No  N/A \_\_\_ RMK# \_\_\_

8. In accordance with Condition A.14 of the permit, is the permittee retaining records of monitoring information as required by the permit for at least three years from the date of sampling, including:

a. All calibration and maintenance records.

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

9. Has Ohio EPA requested submittal of any reports or other information from the permittee? If so:

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

a. Have the submittals been signed and certified according to OAC 3745-50-42? [Condition A.13]

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

### **WASTE MINIMIZATION REQUIREMENTS**

1. Does the permittee certify at least once every year that a program is in place to reduce the volume and toxicity of hazardous waste generated in accordance with Condition A.29(a) and OAC 3745-54-73?

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

2. Did the permittee submit the waste minimization report to Ohio EPA, Office of Pollution Prevention within 180 days of journalization of this permit? and updates biennially thereafter? [Condition A.29(c)]

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

3. Has the permittee reduced the amount of waste (hazardous waste, solid waste, air emission, waste water discharges, etc.) this year generated at their facility by implementing pollution prevention/waste minimization?

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

If so, what amount of waste has the permittee reduced this year? \_\_\_\_\_

4. Has the permittee's company saved much money this year by implementing pollution prevention (reducing raw material usage, disposal fees, energy savings, etc.)?

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

If so, how much money has the permittee's company saved this year? \_\_\_\_\_

**NOTE:** If this facility is inspected two times a year, the information obtained in questions 3 & 4 only needs to be collected one time for the calendar year.

## GROUND WATER MONITORING

1. Has the permittee conducted semi-annual sampling of their monitoring wells? Yes  No  N/A  RMK# \_\_\_\_\_
2. Have they reported the results in the Annual Report to the director by March 1<sup>st</sup> as required by Condition B.25? Yes \_\_\_\_\_ No  N/A  RMK# \_\_\_\_\_

## WASTE ACCEPTANCE AND GENERATION

1. Is the permittee storing any containers of hazardous waste received from any off-site source that permittee is not permitted to store? [Condition A.1.] Yes  No  N/A \_\_\_\_\_ RMK# \_\_\_\_\_
2. Has the permittee arranged to receive hazardous waste from a foreign or off-site source that the permittee is not permitted to store? [Condition A.1.] Yes  No  N/A \_\_\_\_\_ RMK# \_\_\_\_\_
3. Has the permittee notified the director at least four weeks prior to the date the permittee expects to receive hazardous waste from a foreign source, as required by OAC 3745-54-12(A)? [Condition B.2(a)] Yes \_\_\_\_\_ No  N/A  RMK# \_\_\_\_\_

## OFF-SITE SHIPMENTS/MANIFEST REQUIREMENTS

1. Is the permittee complying with the following manifest requirements set forth in OAC Chapter 3745-52 and OAC 3745-54-70, 3745-54-71, 3745-54-72 and 3745-54-76: [Condition B.24]
- a. All hazardous wastes shipped off-site have been accompanied by a completed manifest, U.S. EPA Form 8700-22 and, if necessary, U.S. EPA Form 8700-22A in compliance with OAC 3745-52-20(A)? Yes \_\_\_\_\_ No  N/A \_\_\_\_\_ RMK# \_\_\_\_\_
- b. The manifest form used contains all information required by OAC 3745-52-20 and the minimum number of copies required by OAC 3745-52-22? Yes \_\_\_\_\_ No  N/A \_\_\_\_\_ RMK# \_\_\_\_\_
- c. The permittee has designated at least one permitted disposal facility and has/will designate an alternate facility or instructions to return waste in compliance with OAC 3745-52-20(B)(C)(D)? Yes \_\_\_\_\_ No  N/A \_\_\_\_\_ RMK# \_\_\_\_\_

d. Prepared manifests have been signed by the permittee and initial transporter in compliance with OAC 3745-52-23?

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

2. As a permittee that generates hazardous waste, 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 OAC 3745-52-40 and 3745-54-71(A)(5)?

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

**NOTE:** If the permittee is generating hazardous waste, remember to attach a complete generator checklist.

3. Does the permittee use only properly registered transporters when removing hazardous wastes? [Condition A.16]

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

<b>Transporters:</b>

4. Does the permittee give one copy of the manifest to the transporter, send one copy to the generator within 30 days, and keep one copy for at least three years? [3745-54-71(A)]

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

a. If shipping papers are used in lieu of manifests (bulk shipments, etc.), are the same requirements met? [3745-54-71(B)]

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

b. Are any significant discrepancies in the manifest, as defined in 3745-54-72(A) noted in writing on the manifest document?

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

5. Have any manifest discrepancies been reconciled within 15 days as required by 3745-54-72(B)? If not:

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

a. Has the owner/operator submitted the required information to the director?

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

## WASTE ANALYSIS/WASTE ANALYSIS PLAN

1. Does the permittee have a detailed chemical and physical analysis of waste streams which contains all information of the waste in accordance with OAC Chapters 3745-54 to 3745-57, 3745-218 and 3745-270 and the terms and conditions of the permit? [Condition B.3(a)] Yes\_\_\_ No  N/A \_\_\_ RMK#\_\_\_
2. Does the permittee follow the procedures described in the WAP (Section C of the Application)? [Condition B.3(b)] Yes\_\_\_ No  N/A \_\_\_ RMK#\_\_\_
3. In accordance with OAC 3745-54-13(A)(3), does the permittee repeat the waste analysis when the process or operation generating the hazardous waste has changed, or at least annually? [Condition B.3] Yes\_\_\_ No  N/A \_\_\_ RMK#\_\_\_

## GENERAL INSPECTION REQUIREMENTS

**NOTE:** *Inspector may attach a copy of the inspection procedures and schedules. If so, the attached document is referenced as Appendix \_\_\_\_\_.*

1. Is the permittee following the inspection procedures and schedules set forth in the permit ( Section F of the application) and the requirements of OAC 3745-54-15(A),(C)) and (D)? [Condition B.5] Yes\_\_\_ No  N/A \_\_\_ RMK#\_\_\_
2. 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 OAC 3745-54-15(B)? [Section F of the Application] Yes\_\_\_ No  N/A \_\_\_ RMK#\_\_\_
  - a. Is the schedule kept at the facility? [OAC 3745-54-15(B)(2)] Yes\_\_\_ No  N/A \_\_\_ RMK#\_\_\_
3. Does the permittee remedy deterioration or any malfunctions discovered by an inspection in a timely manner (OAC 3745-54-15(c))? [Condition B.5] Yes\_\_\_ No  N/A \_\_\_ RMK#\_\_\_
4. Do inspection records contain the following information (OAC 3745-54-15(D)) (Condition B.5):

- a. Date and time of inspection? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- b. Name of inspector? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- c. Notation of observations made? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- d. Date and nature of any repairs or other remedial actions? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_

**SECURITY REQUIREMENTS**

1. Is the permittee complying with OAC 3745-54-14 and Condition B.4 of the permit: [ Section F of the Part B permit application]
- a. Does the permittee have a 24-hour surveillance system which continuously monitors and controls entry onto the active portion of the facility? Yes  No  N/A \_\_\_ RMK# \_\_\_
- b. An artificial or natural barrier (in good repair) which completely surrounds the active portion of the facility? Yes  No  N/A \_\_\_ RMK# \_\_\_
- c. A means to control entry, at all times, through gates or other entrances, to the active portion of the facility? Yes  No  N/A \_\_\_ RMK# \_\_\_
2. In accordance with OAC 3745-54-14(c), does the permittee have signs reading "Danger - Unauthorized Personnel Keep Out" posted at entrances to the active portions of the facility and other locations? Yes  No  N/A \_\_\_ RMK# \_\_\_

**FACILITY OPERATIONS**

3. Is construction, maintenance and operation of the facility being conducted to minimize the possibility of a fire, explosion, or unplanned release of hazardous waste or hazardous waste constituents to air, soil, ground or surface water? [OAC 3745-54-31; Condition B.1] Yes  No  N/A \_\_\_ RMK# \_\_\_

4. Does the Permittee operate and maintain the facility in accordance with fire, explosion, or release prevention procedures, practices and design specifications provided in Sections D, F, and G of the Part B permit application [OAC 3745-54-31: Condition B.1] Yes  No  N/A \_\_\_ RMK# \_\_\_

5. Does the permittee properly maintain and operate the facility to achieve compliance with the terms and conditions of the permit including: [Condition A.9]

a. Effective management practices? Yes  No  N/A \_\_\_ RMK# \_\_\_

b. Adequate funding? Yes  No  N/A \_\_\_ RMK# \_\_\_

c. Adequate operator staffing and training? Yes  No  N/A \_\_\_ RMK# \_\_\_

d. Adequate laboratory and process controls? Yes  No  N/A \_\_\_ RMK# \_\_\_

**PERSONNEL TRAINING**

1. Is the permittee conducting personnel training in accordance with Section H of the Application and the following requirements of OAC 3745-54-16? [Condition B.6]: Yes  No  N/A \_\_\_ RMK# \_\_\_

a. Personnel training which includes instruction in safe equipment operation and emergency procedures and implementation of the contingency plan? [OAC 3745-54-16(A)(B)(C)] Yes  No  N/A \_\_\_ RMK# \_\_\_

b. Personnel training to new employees within six months after their date of employment. [3745-54-16(B)]? Yes  No  N/A \_\_\_ RMK# \_\_\_

c. Annual refresher training [OAC 3745-54-16(C)]? Yes  No  N/A \_\_\_ RMK# \_\_\_

2. Is the permittee maintaining personnel training records as per OAC 3745-54-16(D) and Section H of the Application, including: written job titles, job descriptions and documented employee training records? [Condition B.6] Yes  No  N/A \_\_\_ RMK# \_\_\_

**REQUIRED EQUIPMENT**

**NOTE:** Inspector may attach a list of emergency equipment. If so, the attachment document is referenced as Appendix \_\_\_\_\_.

- 1. Has the permittee equipped the facility with the emergency equipment specified in Section G? [OAC 3745-54-32, Condition B.9]:
  - a. An internal communications or alarm system? Yes  No  N/A \_\_\_ RMK# \_\_\_
  - b. A device capable of summoning emergency assistance from local emergency authorities? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
  - c. Portable fire extinguishes and/or fire control equipment, spill control and decontamination equipment? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
  - d. Water of adequate volume and pressure to supply water hose streams, foam producing equipment, automatic sprinklers or water spray systems? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- 2. Is the permittee inspecting, testing and maintaining the equipment specified to ensure its proper operation in accordance with OAC 3745-54-33 and Condition B.10? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- 3. Has the permittee provided all personnel involved in the operation with immediate access to an internal alarm or emergency communication device [OAC 3745-54-34, Condition B.11]? Yes  No  N/A \_\_\_ RMK# \_\_\_

**CONTINGENCY PLAN - EMERGENCY PROCEDURES**

- 1. As per Condition B.13 of the permit and OAC 3745-54-37(A) and (B), does the permittee:
  - a. Familiarize emergency response agencies with the facility layout, associated hazards, places where personnel will normally be working, entrances and possible evacuation routes? Yes  No  N/A \_\_\_ RMK# \_\_\_

- b. Inform such agencies of safety equipment, supplies, proper emergency safety procedures that are applicable to the facility? Yes  No  N/A \_\_\_ RMK# \_\_\_
- c. Familiarize the local hospital, police, fire department and other responders listed in the approved application with the properties of hazardous waste handled at the facility and the types of injuries or illness that could result from fires, explosions or releases at the facility? Yes  No  N/A \_\_\_ RMK# \_\_\_
2. Have any response agencies declined to enter into the arrangements set forth in OAC 3745-54-37(A)? If so: Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- a. Has the permittee documented the refusal in the operating record [OAC 3745-54-37(B), Condition B.13(b)]? Yes \_\_\_ No  N/A  RMK# \_\_\_
3. Has the permittee, 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? [OAC 3745-54-53, Condition B.18(b)] Yes  No  N/A \_\_\_ RMK# \_\_\_
4. Has the permittee notified all parties identified in the contingency plan in writing of amendments, modifications, or revisions to the plan within ten days of the effective date of the change in the plan? [Condition B.18(b)] Yes  No  N/A \_\_\_ RMK# \_\_\_
5. 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 (DERR) in accordance with OAC 3745-54-53? [Condition B.18(c)] Yes  No  N/A \_\_\_ RMK# \_\_\_
6. Is the permittee reviewing the approved contingency plan at least annually and amending the plan immediately if needed as per OAC 3745-54-54? [Condition B.17] Yes  No  N/A \_\_\_ RMK# \_\_\_

**NOTE:** Also see Question No. 4 of Recordkeeping Requirements to verify that any changes to the contingency plan were submitted in accordance with OAC 3745-50-51.

**EMERGENCY COORDINATOR**

7. Is an emergency coordinator on premises or on call at all times? [OAC 3745-54-55; Condition B.19] Yes  No  N/A \_\_\_ RMK# \_\_\_
8. Is/are the emergency coordinator(s) at the facility familiar with the following [OAC 3745-54-55; Condition B.19]:
- a. Contingency plan? Yes  No  N/A \_\_\_ RMK# \_\_\_
  - b. Facility operations/activities? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
  - c. Waste characterization and location? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
  - d. Location of all records in the facility? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
  - e. Facility layout? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
9. In accordance with, does/do the emergency coordinator(s) have the authority to commit the resources needed to carry out the contingency plan? [OAC 3745-54-55; Condition B.19]: Yes  No  N/A \_\_\_ RMK# \_\_\_
10. Does the permittee have a contingency plan for the facility that: [Condition B.19, Section G]
- a. Describes the actions facility shall take to comply with OAC 3745-54-51 through 3745-54-56 in response to fires, explosions, or any unplanned sudden or nonsudden release of hazardous waste or hazardous waste constituents to air, soil or surface water at the facility? Yes  No  N/A \_\_\_ RMK# \_\_\_
  - b. Describes arrangements agreed to by local police, fire departments, hospitals, contractors and Ohio EPA and the local emergency response team to coordinate emergency services? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_

c. Includes an up-to-date list of names, addresses and phone numbers (office and home) for all persons qualified to act as emergency coordinator in the order that they will assume responsibility for coordination of emergency response?

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

d. Includes a list of all emergency equipment, including fire extinguishing systems, spill control equipment, communications and alarm systems and decontamination equipment?

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

e. Includes the location and a physical description of each item on the list referenced in Question No. 10(d), and a brief outline of its capabilities?

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

f. Includes an evaluation plan for facility personnel describing signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes, in situations where the primary routes could be blocked by releases of hazardous waste?

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

**IMPLEMENTATION OF CONTINGENCY PLAN**

11. Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents at the facility since the date of the last inspection?

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

If so:

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

a. Did the permittee immediately implement the approved contingency plan and follow the emergency procedures described in OAC 3745-54-56? [Conditions B.14 and B.20]

b. Did the permittee immediately notify Ohio EPA's emergency response team providing the following information [OAC 3745-54-56(D)(2)], namely:

i. Name and telephone number of the reporter?

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

ii. Name and address of the facility?

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

iii. Time and type of incident?

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

iv. Name and quantity of materials involved?

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

v. The extent of injuries?

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

vi. The possible hazards to human health or the environment outside the facility?

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

c. Did the permittee collect and manage as hazardous waste all liquid or solid material resulting from fire, explosion, released material or emergency response materials until such time as the permittee can demonstrate to Ohio EPA that such waste are not hazardous wastes? [Condition B.16]

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

d. Within 15 days of the incident did the permittee submit to the director a written report of the incident? If so:

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

I. Did the report contain the elements set forth in OAC 3745-54-56(J)? [Condition B.23]

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

e. Did the permittee note in the operating record the time, date and details of any incident that required the implementation of the contingency [OAC 3745-54-56(J); Condition B.23]

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

### CLOSURE REQUIREMENTS

1. Does the permittee maintain the approved closure plan at the facility? [Condition B.29; Section I]

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

2. Is the permittee keeping at the facility and submitting annually to Ohio EPA, the latest closure cost estimate as per OAC 3745-55-42(D)? [Condition B.36]

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

3. Has the permittee amended the closure plan? If so:

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

a. Has the plan been amended as per OAC 3745-55-18(D)? [Condition B.28]

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

**NOTE:** Also see Recordkeeping Requirements (Question #4) in order to verify that any changes to the closure plan were submitted in accordance with OAC 3745-50-51.

4. Has the permittee closed the facility? If so:

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

a. Did the permittee complete closure of the facility 180 days after receiving the final volume of hazardous waste, as per Condition B.31 of the permit?

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

b. Was closure conducted in accordance with the closure performance standard of OAC 3745-55-11? [Condition B.26]

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

- c. Did the permittee carry out the approved closure plan as set found in Section I of the approved permit application? [Condition B.27]
- d. After receiving the final volume of hazardous waste, did the permittee remove all hazardous waste and complete closure activities as per the schedule specified in the approved closure plan? [OAC 3745-55-13; Condition B.31]
- e. Has the permittee decontaminated and/or disposed of all facility equipment, structures and soils as per OAC 3745-55-14 and the approved closure plan? [Condition B.32]
- f. Has the permittee certified that the facility has been closed in accordance with the specifications in the approved closure plan as per OAC 3745-55-15? [Condition B.33]
- g. Has the permittee submitted a survey plat to the director and local zoning authority no later than the submission of certification of closure of each hazardous waste disposal unit? [Condition B.34]

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

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

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

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

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

**LAND DISPOSAL RESTRICTION REQUIREMENTS**

**NOTE:** *In order to determine compliance with all applicable LDR requirements the inspector may need to complete the separate LDR checklist:*

- 1. Does the permittee comply with all applicable regulations regarding land disposal prohibitions and restrictions as required by OAC Chapter 3745-270?
- 2. Does the permittee comply with the notification and certification requirements of OAC 3745-270-07(A)?
- 3. Does the permittee comply with the requirements of OAC 3745-270-03 and does not in any way dilute a restricted waste or treatment residue as a substitute for adequate treatment?

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

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

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

4. Does the permittee retain supporting data used to determine if wastes managed at the facility are restricted from land disposal in the facility files as required by OAC 3745-270-07(A)(5)?

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

a. Are copies of all notices, certifications, demonstrations, waste analysis and other documentation produced pursuant to OAC Chapter 3745-270 retained for a period of three years as required by OAC 3745-270-07(A)?

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

5. Is the permittee in compliance with the requirements of OAC 3745-270-50 regarding the storage of wastes restricted or prohibited from land disposal under OAC 3745-270-50?

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

**CORRECTIVE ACTION**

1. Has the permittee submitted the monthly progress report for all corrective action activities? (This report is due by the 15<sup>th</sup> of the month following the reporting period.) [Condition E.3(f)]

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

2. Has the permittee identified any new WMUs or releases at the facility? [Condition E.10]? If so:

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

a. Did the permittee follow the steps indicated in Conditions E.10(a) and (b) and E.11?

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

**TANK STORAGE, TREATMENT, AND MAINTENANCE**

- 1. Is secondary containment, in the form of an external liner, being provided for all permitted hazardous waste tanks (W-Tank Farm)? [3745-66-93(A)(1) to (A)(5)] Yes  No\_\_ N/A\_\_ RMK#\_\_
- 2. Has the permittee operated the secondary containment systems in accordance with the design plans and descriptions in Sections D and F of the application? [Condition D.3] Yes  No\_\_ N/A\_\_ RMK#\_\_
- 3. Is the liner in the tank secondary containment compatible with the wastes stored in the tank system? Yes  No\_\_ N/A\_\_ RMK#\_\_
- 4. Is the liner free of cracks and gaps? Yes  No\_\_ N/A\_\_ RMK#\_\_
- 5. Is the liner provided with a leak detection system designed/operated to detect failure to primary or secondary containment or any release of hazardous waste within 24 hours or at earliest practicable time? Yes  No\_\_ N/A\_\_ RMK#\_\_
- 6. Is the liner provided with a leak detection system designed/operated to detect failure to primary or secondary containment or any release of hazardous waste within 24 hours or at earliest practicable time? Yes  No\_\_ N/A\_\_ RMK#\_\_
- 7. Is any liquid which accumulates in the containment unit resulting from spills, leaks or precipitation removed within 24 hours or in a timely manner? Yes  No\_\_ N/A\_\_ RMK#\_\_
- 8. Is ancillary equipment to the tank systems provided with secondary containment (such as double-walled piping, jacketing or a trench)? Yes  No\_\_ N/A\_\_ RMK#\_\_  

If not, is the ancillary equipment inspected daily?  
AND;
- 9. Is ancillary equipment one of the following:  
Above ground piping (exclusive of flanges, joints, valves and connections), welded flanges, welded joints and/or welded connections? Yes  No\_\_ N/A\_\_ RMK#\_\_
- 10. Has the permittee stored or treated wastes in tanks consistent with the restrictions and prohibitions in Table C-1 of Section C of the application? [Condition D.1( c )] Yes  No\_\_ N/A\_\_ RMK#\_\_

11. Does the permittee prevent placement of hazardous waste or treatment reagents in tanks or secondary containment if such placement can cause the system to leak, rupture, corrode, or otherwise fail? [3745-66-94(A)] Yes  No  N/A  RMK# \_\_\_\_\_
12. Does the permittee use controls appropriate to facility design to prevent spills or overflows from the system (e.g., check valves, dry disconnect couplings, high level alarms, etc.)? [3745-66-94(B)] Yes  No  N/A  RMK# \_\_\_\_\_
13. Has the permittee conducted and documented inspections of the tank systems in accordance with the inspection schedules in Section F of the application? [Condition D.6] Yes  No  N/A  RMK# \_\_\_\_\_
14. Has the permittee documented these inspections in the operating record, including inspection of the following:
- a. Spill control equipment (daily)?
  - b. Above ground portion of tank (daily)?
  - c. Data from leak detection equipment (daily)?
  - d. Construction materials and area immediately surrounding the tanks for signs of erosion or release of hazardous waste (daily)?
15. Has the permittee had any leaks, spills or releases from the tank systems? Yes  No  N/A  RMK# \_\_\_\_\_
16. If so, has the permittee responded to the leaks, spills or releases in accordance with Condition D.6? Yes  No  N/A  RMK# \_\_\_\_\_
17. Were all releases from the tank system to the environment (other than those into secondary containment) reported to Ohio EPA within 24 hours of detection? Yes  No  N/A  RMK# \_\_\_\_\_
18. Was a written report submitted within 30 days of detecting the release that addressed the elements in Condition D.8(b) Yes  No  N/A  RMK# \_\_\_\_\_
19. If major repairs to a tank system were required, was a certification submitted to Ohio EPA within 7 days of returning the tank system to use? [Condition D.7(c)] Yes  No  N/A  RMK# \_\_\_\_\_

20. Does the permittee have on file at the facility written statements by those persons required to certify the design and installation of the tank system? [Condition D.8(b)] Yes  No  N/A  RMK# \_\_\_\_\_
21. If the Permittee was unable to repair and return the tank to service, was the tank system closed in accordance with 3745-66-97? [Condition D.9)] Yes  No  N/A  RMK# \_\_\_\_\_
22. Is the permittee following the special provisions for ignitable and reactive wastes specified in Condition D.10? Yes  No  N/A  RMK# \_\_\_\_\_
23. For tanks used to treat or store ignitable or reactive wastes, is the waste stored or treated to protect it from materials or conditions which may cause ignition or reaction? Yes  No  N/A  RMK# \_\_\_\_\_
24. Is the permittee following the special provisions for incompatible wastes specified in Condition D.11? Yes  No  N/A  RMK# \_\_\_\_\_
25. Has the Permittee placed incompatible wastes or materials into the same tank system, or into a tank system that has not been decontaminated and which previously held an incompatible waste or material?  
 a. If so, have the requirements of 3745-65-17(B) been met? Yes  No  N/A  RMK# \_\_\_\_\_
26. In addition to conducting the waste analysis required by 3745-65-13, when the tank system is used to store or treat a waste which is substantially different or uses a substantially different process than previously used, has the Permittee done one of the following: [3745-66-991  
 a. Conducted waste analysis and trial treatment or storage tests? [3745-66-991(A)]; OR  
 b. Obtained written documentation on similar waste under similar operating conditions to show that the proposed storage/treatment will meet the requirements of OAC 3745-66-94? [3745-66-991(B)]. Yes  No  N/A  RMK# \_\_\_\_\_

**REMARKS**