



**Environmental
Protection Agency**

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

June 10, 2011

**RE: NORTHSIDE MEDICAL CENTER
MAHONING COUNTY
OHD 981 193 790
NOTICE OF VIOLATION (NOV)
SQG**

Peter Kapottos
Director, Environmental/Laundry Services
Northside Medical Center
500 Gypsy Lane
Youngstown, OH 44501

Dear Mr. Kapottos:

On May 25, 2011, I as a representative of the Ohio EPA's (OEPA) Division of Materials and Waste Management (DMWM), conducted an inspection of Northside Medical Center (Northside Medical) located at 500 Gypsy Lane, Youngstown, for compliance with Ohio's hazardous waste and used oil regulations. Northside Medical was represented by you, Mary Ann Hall and Tom Carchedi.

The facility is a medium size hospital which offers a wide range of medical care services. Several laboratories and a pharmacy support the hospital's operations. Wastes currently managed as hazardous waste include: spent xylene/acetone solvent (D001, D035, F003) and lab packs. It is anticipated that in the future crushed used fluorescent lamps from the new bulb crusher will be managed as hazardous waste.

The inspection included a review of the facility's operations, as well as waste management practices and documentation. Northside Medical was inspected for the requirements of a small quantity generator (SQG) of hazardous waste because the facility appeared to be generating between 220 pounds and 2,200 pounds of hazardous waste per calendar month. If in response to this violation letter, Northside Medical determines that it is generating acutely hazardous waste at a generation rate in excess of 2.2 pounds per calendar month or other hazardous waste in excess of 2,200 pounds per calendar month, it would have to comply with the requirements of a large quantity generator (LQG).

Based on observations made during the facility walk-through and inspection, Ohio EPA has determined that Northside Medical has violated the following state hazardous waste regulations:

1. OAC Rule 3745-52-11 Waste Evaluation

OAC Rule 3745-52-11 requires "Any person who generates a waste...[to] determine if that waste is a hazardous waste..."

Peter Kapottos
Northside Medical Center
June 10, 2011
Page 2

Apparently some unused pharmaceuticals, including some that could be hazardous waste (e.g., Coumadin), have been placed in waste intended for disposal at Stericycle (e.g., chemotherapy waste). These wastes are not managed as hazardous waste.

Coumadin, and equivalent medications, contain warfarin which would require that the waste be managed as hazardous waste, either as P001 or U248, depending on warfarin concentration. In addition, certain chemotherapy medications, if they should become waste, are subject to regulation as hazardous waste and cannot be placed in chemotherapy waste for disposal at Stericycle. Numerous other pharmaceuticals and medications could be hazardous waste when discarded.

Northside Medical has not properly evaluated its unused pharmaceutical wastes as discussed above as required by OAC Rule 3745-52-11. As discussed during the inspection, Northside Medical has recently entered into an agreement with Stericycle to implement improvements in its hazardous waste management program.

To return to compliance the facility must:

- Implement the Stericycle program (or an equivalent). At a minimum this program should include the following elements:
 - Develop and implement procedures to ensure that all pharmaceutical wastes are evaluated to determine whether they are hazardous wastes prior to shipment off site.
 - Review all wastes placed in chemotherapy waste or bio bag wastes.
 - Develop and implement procedures to ensure that only non-hazardous wastes are placed in chemotherapy waste or bio bag wastes.
 - Review reverse distribution procedures to ensure that no hazardous wastes are disposed through the reverse distribution process.
 - Train appropriate personnel on these procedures.
- Submit documentation on program implementation and training provided to this office within 30 days of receipt of this letter.

Ohio EPA guidance documents on disposal of hazardous pharmaceutical wastes and frequently asked questions on the disposal of hazardous pharmaceutical waste are enclosed for the facility's assistance in responding to this violation. These documents with internal "hot links" are also available on the internet at:

<http://www.epa.ohio.gov/portals/32/pdf/PharmFAQNov2010rF.pdf> and
<http://www.epa.ohio.gov/portals/32/pdf/PharmBusinessNov2010rF.pdf>

2. OAC Rule 3745-52-34 (C) (1) (b) Labeling of Satellite Accumulation Containers.

Under this rule, "A generator may accumulate as much as fifty-five gallons of hazardous waste...in containers at or near any point of generation where wastes initially accumulate...provided he:...Marks his containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers." These are commonly called "satellite accumulation containers".

I observed three 5-gallon flip-top pails being used as satellite accumulation containers in the histology lab, two of which contained hazardous waste (spent xylene/acetone solvent) at the time of the inspection, that were not marked with the words "Hazardous Waste" or with any other words that identified the contents of the container.

To return to compliance the facility must:

- Mark these containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers"; and,
- Submit a photo of one of the marked containers to this office within 30 days of receipt of this letter.

**3. OAC Rule 3745-52-34(A)(2) Accumulation Date Must Be Clearly Marked
OAC Rule 3745-52-34(A)(3) Must Be Labeled With the Words
"Hazardous Waste"**

These rule sections allow a SQG to accumulate, for 180 days or less, hazardous waste that is generated on-site without obtaining an Ohio hazardous waste permit, provided each container in the 180 day accumulation area is labeled or marked clearly with:

- The date upon which accumulation begins; and
- The words "Hazardous Waste".

Two 55-gallon drums containing hazardous waste (spent xylene/acetone solvent) were present in the 180 day area located in the shed in the yard area. Initially there was uncertainty whether the containers held hazardous waste or used oil. Two empty 55-gallon drums were also in the shed. The accumulation start date (i.e., the date waste was first placed in the container) and the words "Hazardous

Peter Kapottos
Northside Medical Center
June 10, 2011
Page 4

Waste” should have been marked on the two drums holding hazardous waste. Neither drum was so marked or labeled when I first observed them. Hazardous waste labels were placed on the drums at the close of inspection and Northside staff was to determine the dates that accumulation had begun and so mark the containers.

To return to compliance the facility must:

- Mark the date that accumulation began on the containers; and
- Submit a photo of one of the marked containers to this office within 30 days of receipt of this letter.

In the future, label and date containers in the 180 day area when waste is first placed in the drum, or if waste is already in the container when it is placed in the 180 day area, on that date it is placed there.

4. OAC Rule 3745-66-74 Inspection Log.

This rule states, “The owner or operator must inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors. The owner or operator must record inspections in an inspection log or summary.”

Northside Medical did not provide an inspection log or summary for the 180-day accumulation area as required by OAC Rule 3745-66-74.

To return to compliance the facility must:

- Implement procedures to complete an inspection log or summary weekly for the 180-day accumulation area. The following site has a blank log that you could use or modify for this purpose:
<http://epa.ohio.gov/portals/32/pdf/sqglog.PDF>
- Provide a copy of a completed log within 30 days of receipt of this letter, documenting that two weeks of the required inspections were completed.

5. OAC Rule 3745-65-32(C) Required equipment.

OAC Rule 3745-65-34 (A) Access to communications or alarm system.

OAC Rule 3745-65-32(C) states in part “All facilities shall be equipped with the following, unless none of the hazards posed by waste handled at the facility could require a particular kind of equipment specified below...

(B) A device, such as a telephone (immediately available at the scene of operations) or a hand-held two-way radio, capable of summoning emergency

assistance from local police departments, fire departments, or local or Ohio EPA emergency response teams;

(C) Portable fire extinguishers, fire control equipment (including, but not limited to, special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment, and decontamination equipment..."

OAC Rule 3745-65-34(A) states in part "Whenever hazardous waste is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation shall have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee, unless such a device is not required under rule 3745-64-32..."

No fire extinguishers or spill control equipment were present at the 180 day accumulation area, nor was immediate access to an internal alarm or emergency communication device provided at the 180 day accumulation area. The wastes being handled at the 180 day accumulation area were flammable and combustible liquids. Five gallon flip-top pails are poured into 55 gallon drums at the 180 day accumulation area.

To return to compliance facility is required to:

- Install a fire extinguisher suitable for the extinguishing fires of the type that could involve wastes likely to be present in the 180 day accumulation area;
- Provide immediate access to an internal alarm or emergency communication device for the 180 day accumulation area;
- Provide spill control equipment suitable for the wastes likely to be present in the 180 day accumulation area; and,
- Provide pictures of the fire extinguisher, spill control equipment, and emergency communication device to this office within 30 days of receipt of this letter.

6. OAC Rule 3745-65-33 Emergency Equipment Log

All emergency equipment required for hazardous waste management shall be tested and maintained as necessary to assure operation in time of emergency. Inspections of emergency equipment required for hazardous waste management are to be recorded in a log as required by OAC 3745-65-33. The facility did not provide such a log.

To return to compliance the facility must:

- Immediately initiate documentation of inspections of emergency equipment needed for management of hazardous waste in the 180-day accumulation area, for example, spill response equipment and fire

Peter Kapottos
Northside Medical Center
June 10, 2011
Page 6

- extinguisher. The following site has a blank log that you could use or modify for this purpose: <http://epa.ohio.gov/portals/32/pdf/equiplog.PDF>.
- Submit documentation in the form of a completed copy of the log to this office within 30 days of receipt of this letter.

7. OAC Rule 3745-52-34(D)(5)(c) Employees Must Be Appropriately Trained

This rule states that a SQG “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”.

Staff managing the 180-day accumulation area did not appear to be thoroughly familiar with all the applicable requirements. Staff managing waste pharmaceuticals did not appear to be thoroughly familiar with all the detailed regulatory distinctions applicable to such wastes.

To return to compliance Northside Medical is required to:

- Conduct training of all staff with hazardous waste management responsibilities and activities; and,
- Submit a copy of the training agenda and a list of attendees to this office within 30 days of receipt of this letter.

The response to this violation likely will have some overlap with the response to Violation No. 1. Also please note that in the above rule, “employees” means those employees that have responsibilities for hazardous waste management and that the employee training requirement only applies to hazardous waste management responsibilities and activities. Employees whose only hazardous waste responsibility is to place hazardous waste into a satellite accumulation container need not be part of the response to this violation; however, less formal training for such employees outside the response to violation is recommended.

Enclosed you will find a copy of the checklists completed during the inspection.

Other Information

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

Peter Kapottos
Northside Medical Center
June 10, 2011
Page 7

Should you have any questions regarding this letter, please contact me at (330) 963-1165.

Sincerely,



Neil J. Wasilk
Environmental Specialist
Division of Materials and Waste Management

NJW:cl
Enclosure

ec: Natalie Oryshkewych, Ohio EPA, DMWM, NEDO
Nyall McKenna, Ohio EPA, DMWM, NEDO
Marlene Kinney, Ohio EPA, DMWM, NEDO
Jeff Mayhugh, Ohio EPA, DMWM, CO

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 brad.hauser@epa.state.oh.us.

Site EPA ID No.	EPA ID Number: OHD 981 193 790	
Site Name	Name: Northside Medical Center	Website: (Optional)
Site Location Information	Street Address: 500 Gypsy Lane	
	City, Town, or Village: Youngstown	State: OH
	County Name: MAHONING	Zip Code: 44501
Site Land Type (check only one)	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"/>	
NAICS code(s) www.census.gov/epcd/www/naics.html		

Facility Representative	First Name: Peter	MI:	Last Name: Kapottos
Additional names can be recorded in number 12	Title: Director, Environmental/Laundry Services		
	Phone Number: 330-884-3881	Phone Number Extension:	
	E-Mail Address:		
Only provide address information if it is different than the site address	Fax Number:		Fax Number Extension:
	Street or P.O. Box:		
	City, Town or Village:		Zip Code:
	State:		

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:		Date Became Owner (mm/dd/yyyy):	
	Owner Type:	Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>		
	Street or P.O. Box:		Owner Phone #:	
	City, Town or Village:		Country:	Zip Code:
	State:			
	Name of Site's Operator:		Date Became Operator (mm/dd/yyyy):	
	Operator Type:	Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>		
	Street or P.O. Box:		Operator Phone #:	
	City, Town or Village:		Country:	Zip Code:
	State:			

VIOLATIONS CITED?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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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/Temporary 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

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

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

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

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

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

Batteries
 Pesticides
 Mercury containing equipment
 Lamps

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

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

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

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

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

F003 D035 D001 D009

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

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

Name of Inspector(s) N. Wasilk	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm) 05/25/2011 1:05 p.m.
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Comments:

PROCESS DESCRIPTION**Facility:**

OHD 981 193 790

Northside Medical Center
500 Gypsy Lane
Youngstown, OH 44501

The facility is a medium size hospital which offers a wide range of medical care services. Several laboratories and a pharmacy support the hospital's operations

Nursing uses pharmaceuticals return system; must account for all medications. Unused pharmaceuticals reportedly are segregated into secure boxes on the hospital floor for return to pharmacy.

No longer doing out patient chemotherapy; small number of inpatient chemotherapy treatments. All chemotherapy wastes reportedly go into a chemo disposal container that goes to Stericycle.

Liquid narcotics disposed by pouring down the drain; state pharmacy board protocol. Unreturnable Coumadin apparently goes to Stericycle containers. Some pharmaceuticals used that could be hazardous waste if discarded include: Chlorambucil, Cyclophosphamide, Mitomycin C, nicotine, Physostigmine, chloral hydrate, diethylstilbestrol, Lindane shampoo, and pharmaceuticals with m-cresol as preservative.

Facility uses a reverse distributor to return some unused pharmaceuticals for credit.

No more silver film x-rays; x-rays all digital since 2007. Used lead aprons are collected; ECSOR takes the used aprons.

About 4 months ago purchased "The Bulb Eater" to crush used fluorescent lamps. Have not yet shipped any drums of the crushed lamps. Reportedly will ship as hazardous waste when drum is full.

No parts washers being used. All paints in paint shop appear to be latex; reportedly with no heavy metals. Wash water goes to POTW. A bead blaster is present, but reportedly is not used.

Histology Lab generates spent xylene/acetone solvent (D001, D035, F003) that is accumulated in 5-gallon flip-top pails in the lab. Container contents are periodically transferred to 55-gallon drums in a shed, sometimes called the "Used Oil Cabinet", that holds four 55-gallon drums. This shed is the 180 accumulation area. Shipped to Hukill about every 3 to 4 months when drums are full. Small amount of used oil, for example from grounds equipment maintenance, may also be added to these drums.

Used batteries collected for management as universal waste.

NORTHSIDE MEDICAL CENTER

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: $\text{Amount in gallons} \times \text{Specific Gravity} \times 8.345 = \text{Amounts in pounds}$.

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 type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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"/>
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 <u>in excess of (180/270) days</u> without a permit or an extension from the Director? [3745-52-34; ORC §3734-02(E)&(F)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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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: NOT TREATING	
a.	Container that meets 3745-66-70 to 3745-66-77?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Tank that meets 3745-66-101?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Complete appropriate checklist for each unit.

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

MANIFEST REQUIREMENTS

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 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 checked="" type="checkbox"/>
b.	Is the transport vehicle owned and operated by the reclaimer?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

[Facility Name/Inspection Date]

[ID number]

SQG/March 2009

Page 1 of 4

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 checked="" 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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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 type="checkbox"/> N/A <input checked="" type="checkbox"/>
14.	Have the manifests been signed by the generator and initial transporter? [3745-52-23 (A) (1) and (2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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 type="checkbox"/> N/A <input checked="" type="checkbox"/>
16.	Are signed copies of all manifests being retained for at least three years? [3745-52-40]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
NOTE: Waste generated at one location and transported along a publicly accessible road for temporary consolidated storage or treatment on a contiguous property also owned by the same person is not considered "on-site" and manifesting and transporter requirements must be met. To transport "along" a public right-of-way the destination facility has to act as a transfer facility or have a permit because this is considered to be "off-site." For additional information see the definition of "on-site" in OAC rule 3745-50-10.		
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"/>
18.	Has the following been posted by the telephone: [3745-52-34(D)(5)(b)]	
a.	Name and telephone number of emergency coordinator? <i>FACILITY USES INTERNAL EMERGENCY SYSTEM IN KEY</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Location of fire and spill control equipment, and, if present, fire alarm(s)? <i>ON PHONE POSTING</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Telephone number of local fire department?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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"/>
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"/>
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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

	b.	Emergency communication device? [3745-65-32(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	c.	Portable fire control, spill control and decon equipment? [3745-65-32(C)]?	Yes <input type="checkbox"/> No <input checked="" 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 checked="" type="checkbox"/> No <input 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 (unless the device is not required under OAC 3745-65-32)? [3745-65-34(A)]	Yes <input type="checkbox"/> No <input checked="" 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 (unless not required under OAC 3745-65-32)? [3745-65-34(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input 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):	
	a.	Are at or near a point of generation? [3745-52-34(C)(1)]	Yes <input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>
	e.	Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	f.	Containers are marked with the words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)]	Yes <input type="checkbox"/> No <input checked="" 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 checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a.	Did the generator comply with 3745-52-34(A)(1) through (4) or other applicable generator requirements within three days? [3745-52-34(C)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	Did the generator mark the container(s) holding 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 checked="" type="checkbox"/>

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

USE AND MANAGEMENT OF CONTAINERS

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"/>
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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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b. In good condition? [3745-66-71]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	c. Compatible with wastes stored in them? [3745-66-72]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	d. Handled in a manner which prevents rupture/leakage? [3745-66-73(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<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 checked="" type="checkbox"/> No <input 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 checked="" 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 checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
39.	Does each container ≤119 gallons have a completed hazardous waste label? [3745-52-32(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
40.	Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

**GENERATOR LDR CHECKLIST
DOES NOT APPLY TO CESQGS**

GENERAL REQUIREMENTS

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

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

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

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

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

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

NOTE: Written documentation of this determination is not required.

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|----|--|--|
| 7. | Did the generator treat his HW /soil on-site to meet the LDR treatment standard? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
|----|--|--|

NOTE If "Yes" see question #16.

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

NOTIFICATION FORM

- | | | |
|-----|---|--|
| 11. | Does the LDR Notification form contain the following information: | |
| a. | Manifest number of the first waste shipment to the TSD?[3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| b. | Applicable waste codes (includes characteristic codes for a listed HW if applicable)? [3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| c. | A statement that conveys that the HW is subject to LDRs and must be treated to meet LDR treatment requirements? [3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| d. | A designation whether the HW is a wastewater or non-wastewater? [3745-270-07(A)(2)]. | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

NOTE: A wastewater contains <1% by wt. total suspended solids(TSS) and <1% by wt. TOC. If you doubt the HW is a wastewater or non-wastewater, the HW can be tested using for example, Standard Methods (SM) 160.2 for TSS, SW-846 method 9060a for TOC.

e.	Designation of the waste subcategory when applicable? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: Subcategories are found on the LDR treatment standards table under the applicable waste code. Not all HWs have subcategories

f.	A listing of the underlying hazardous constituents for which a characteristic waste must be treated? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: Not required if the waste is high TOC D001 or the TSD tests its treatment residues for all underlying hazardous constituents.

g.	If the HW is F001-F005 or F039, did the generator note on the LDR form what solvents or constituents, respectively, the waste contains and must be treated for?[3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: Not required if the TSD tests its treatment residues for all underlying hazardous constituents.

PROHIBITED DILUTION

12.	Is the HW treated by burning? If "No", go to #15.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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13.	Is the HW a metal-bearing HW?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: Generally, metal-bearing HWs contain heavy metals above TCLP levels or were listed due to the presence of metals. A list of the restricted metal-bearing HWs are given in the Appendix to 3745-270-03.

14.	a.	Metal-bearing HWs cannot be incinerated, combusted or, blended and burned for fuel unless one of the following conditions apply. [3745-270-03(c)]	
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	i.	Contains > 1% TOC?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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	ii.	Contains organic constituents or cyanide at levels greater than the UST levels?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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	iii.	Is made up of combustible material e.g., paper, wood, plastic?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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	iv.	Has a reasonable heating value (e.g., > 5000 Btu)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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	v.	Co-generated with a HW that must be combusted?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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	b.	If all responses to 14 a.i. through 14 a.v. are "No", HW is being improperly treated by dilution, violation of 3745-270-03(C). Is HW being treated by dilution?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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15.	Was the HW treated by wastewater treatment?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/>
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	a.	Is a LDR treatment method, other than DEACT or a numerical value, specified for the waste? [3745-270-03(B) and 3745-270-40(A)(3)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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NOTE: If Yes, HW is improperly being treated by dilution.

	b.	Does the waste carry the D001 code and contain ≥10% TOC?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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	c.	Does the wastewater treatment process include a process to separate/recover the organic phase of the waste?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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NOTE: If the answers to b & c are "yes" and "no", respectively, waste is improperly being treated by dilution and generator is in violation of [3745-270-03(B) and 3745-270-40(A)(3)].

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

GENERATOR TREATMENT			
16.	Does the generator treat to meet LDRs on-site [3745-270-40(A)]?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
	Did the generator treat his hazardous waste/soil on-site in a tank, container, drip pad or containment building to meet the LDR treatment standard?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
	If "yes"...complete the rest of the checklist. If "No"...stop...you are done.		
a.	Does the generator have a written waste analysis plan (WAP) that describes the procedures he will follow to treat the HW/soil to the LDR treatment standard? [3745-270-07(A)(5)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
b.	Did the generator use a detailed chemical and physical analysis of the HW/soil in order to develop the WAP? [3745-270-07(A)(5)(a)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
<i>NOTE: This is a laboratory analysis but it does not have to be kept by the generator.</i>			
c.	Does the WAP contain all information necessary to treat the HW/soil to the LDR treatment standard? [3745-270-07(A)(5)(a)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
d.	Does the WAP include the testing frequency of the treated HW/soil to demonstrate that the LDR treatment standard is being met? [3745-270-07(A)(5)(a)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
e.	Does the generator keep the WAP on-site? [3745-270-07(A)(5)(b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
f.	Is the WAP available for the inspector's review during the inspection? [3745-270-07(A)(5)(b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
NOTIFICATION FORM			
17.	a.	Contains all information in #11 a-g above and	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	If the treated HW/soil is listed.....notification contains the following certification statement: "I certify under penalty of law that I personally have examined and am familiar with the waste, through analysis and testing or through knowledge of the waste, to support this certification that the waste complies with the treatment stands specified in rule 3745-270-40 to 3745-270-49 of the Administrative Code. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment."	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	c.	If the treated HW/soil no longer exhibits a characteristic and is no longer a HW, did the generator:	
	i.	Send a one-time notification to the director?[3745-270- 09 (D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	ii.	Maintain a copy of the notice onsite?[3745-270-09(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iii.	Include in the notification: [3745-270-09(D)(1)(a)]	
	1.	Name & address of receiving landfill?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	2.	Description of HW when generated?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	3.	HW code when generated?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	4.	Treatability group when generated?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	5.	Underlying hazardous constituents present when generated?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iv.	Contain the right certification statement as required by 3745-70-07(B)(4)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS - BATTERIES AND LAMPS		
Large Quantity Universal Waste Handler (LQUWH) = 5,000 Kg or more		
Small Quantity Universal Waste Handler (SQUWH) = 5,000 Kg or less		
PROHIBITIONS		
1.	Did the SQUWH dispose of universal waste? [3745-273-11(A)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
2.	Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in OAC rule 3745-273-17 or managing specific wastes as provided in OAC rule 3745-273-13? [3745-273-11(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
WASTE MANAGEMENT AND LABELING/MARKING		
UNIVERSAL WASTE BATTERIES		
3.	Are batteries that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)] <i>NO LEAKING BATTERIES OBSERVED</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
4.	If batteries are contained, are the containers closed and structurally sound, compatible with the contents of the battery and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(A)(1)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
5.	Are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
6.	If the electrolyte is removed or other wastes generated, has it been determined whether the electrolyte or other wastes exhibit a characteristic of hazardous waste? [3745-273-13(A)(3)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	If the electrolyte or other waste is characteristic, is it managed in compliance with OAC Chapters 3745-50 through 3745-69? [3745-273-13(A)(3)(a)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-13(A)(3)(b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
7.	Are the batteries or containers of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)"? [3745-273-14(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
UNIVERSAL WASTE LAMPS - NO U. W. LAMPS OBSERVED; LAMPS BEING CRUSHED		
8.	Does the SQUWH contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with contents of the lamps? Are containers or packages closed and do they lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(D)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
9.	Are lamps that show evidence of breakage, leakage or damage that could cause a release of mercury or hazardous constituents into the environment immediately cleaned up? Are they placed into a container that is closed, structurally sound, compatible with the contents of the lamps, and lack evidence of leakage, spillage or damage that could cause leakage or releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<p>NOTE: Treatment (such as crushing) by a UWH is prohibited under this rule unless the facility is permitted for such activities [3745-273-31(B)]. A generator crushing lamps must manage lamps according to hazardous waste rules (OAC Chapter 3745-52). Lamp crushing is a form of generator treatment (OAC rule 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility using a hazardous waste manifest.</p>		
10.	Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)"? [3745-273-14(E)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

ACCUMULATION TIME - NOT INSPECTED		
11.	Is the waste accumulated for less than one year? [3745-273-15(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	If not, is the waste accumulated over one year in order to facilitate proper recovery, treatment or disposal? (Burden of proof is on the handler to demonstrate) [3745-273-15(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: Accumulation is defined as date generated or date received from another handler.</i>		
12.	Is the handler able to demonstrate the length of time the universal waste has been accumulated? [3745-273-15(C)] If yes, describe below:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
EMPLOYEE TRAINING		
13.	Are employees who handle or have the responsibility for managing universal waste informed of waste handling/emergency procedures, relative to their responsibilities? [3745-273-16]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
RESPONSE TO RELEASES		
14.	Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
15.	Is the material released characterized? [3745-273-17(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
16.	If the material released is a hazardous waste, was it managed as required in OAC Chapters 3745-50 through 3745-69? (If the waste is hazardous, the handler is considered the generator of the waste and is subject to OAC Chapter 3745-52) [3745-273-17(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
OFF-SITE SHIPMENTS - NOT INSPECTED		
<i>NOTE: If a SQUWH self-transport waste, then the handler must comply with the Universal Waste transporter requirements.</i>		
17.	Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
18.	Is the handler aware of DOT requirements for packaging and shipping? If no, make aware of 49 CFR 171-180.	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
19.	Prior to shipping universal waste off-site, does the originating handler ensure that the receiver agrees to receive the shipment? [3745-273-18(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
20.	Has the originating handler ever had an off-site shipment rejected by another handler or destination facility?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	If yes, did the originating handler receive the waste back or agree to where the shipment was sent? [3745-273-18(E)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
21.	If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss and do <u>one of the following</u> :	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Send the waste back to the originating handler or send the shipment to a destination facility (If both the originating and receiving handler agree)? [3745-273-18(F)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
22.	If the handler received a shipment of hazardous waste that was not a universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
EXPORTS		
23.	Is waste being sent to a foreign destination? If so:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

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

PHASE 0 AD-HOC BARCODE SHEET
11/7/2011 2:50 PM

Department:



DMWM

Locked to DMWM

Subdepartment:



DMWM-Hazardous Waste

Office Location:



NEDO

Locked to NEDO

Media:



LAND

Locked to LAND

Doc Type:



NOV

Doc Subtype:



<NONE>

Program:



<NONE>

County:



50 - MAHONING

(Auto Load)

<NONE>

(Override)

Facility ID:



OHD981193790

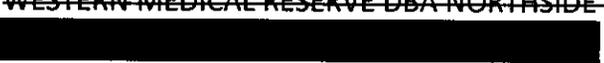
Facility Name:



WESTERN MEDICAL RESERVE DBA NORTHSIDE ME

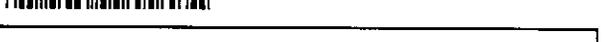
(Auto Load) input is 40 characters long.

(Override) input is 33 characters long.



7/22/2011

Record ID:



**Environmental
Protection Agency**

Governor
Lt. Governor
Director

July 22, 2011

**RE: NORTHSIDE MEDICAL CENTER
MAHONING COUNTY
OHD 981 193 790
PARTIAL RETURN TO COMPLIANCE
(PRTC) SQG**

Peter N. Kapottos
Director Environmental Services
Northside Medical Center
500 Gypsy Lane
Youngstown, OH 44501

Dear Mr. Kapottos:

This letter acknowledges receipt on July 11, 2011 of your correspondence dated July 5, 2011. That correspondence responded to Ohio EPA's Notice of Violation (NOV) letter dated June 10, 2011.

The documentation you submitted for each violation is discussed below. For consistency and ease of reference, this letter retains the violation numbers from my NOV letter of June 10, 2011. Please refer to that letter for additional details of the violations cited.

This letter identifies those violations for which Northside Medical is returned to compliance and those violations for which additional action is required.

VIOLATIONS WHICH REQUIRE ADDITIONAL ACTION

1. OAC Rule 3745-52-11 Waste Evaluation

In summary, the requested response to this violation required Northside Medical to develop and implement a program (e.g., the Stericycle program) to evaluate its unused pharmaceutical wastes so as to ensure proper disposal of any that are hazardous wastes, to train appropriate personnel on the elements of the program, and to submit documentation on program implementation and training to this office.

The response consisted of a copy of a Stericycle, Inc. Pharmaceutical Waste compliance Services Agreement Letter of Participation along with statements that a Stericycle representative did a walk-through assessment in June and that training is scheduled to begin the week of July 25 and will be implemented within 30 days of receipt of this response.

Northside Medical's response is inadequate as it does not provide sufficient details to determine if all the work necessary to respond to Violation No. 1 has been or will be completed.

Peter N. Kapottos
Northside Medical Center
July 22, 2011
Page 2

To return to compliance, Northside Medical must provide documentation that it has responded to all the response elements requested under Violation No. 1 in the NOV letter of June 10, 2011. I would expect the response to include copies of key training materials used, a list of personnel trained either by individual names or by job categories, and copies of policies on management of pharmaceutical wastes.

This documentation should be submitted to this office within 45 days of receipt of this letter.

7. OAC Rule 3745-52-34(D)(5)(c) Employees Must Be Appropriately Trained

In summary, the requested response to this violation required Northside Medical to conduct training of all staff with hazardous waste management responsibilities and activities so that they are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies, and to submit a copy of the training agenda and a list of attendees.

The response consisted for an itemized list of topics for one employee and sign-in sheets for a team meeting of "Job Specific-Bio/Hazmat" training. The response refers to "HAZMAT Training." While there is some overlap, HAZMAT is not equivalent to hazardous waste management. For example, I did not find the words "hazardous waste" in the response materials provided.

To return to compliance Northside Medical must, within 45 days of receipt of this letter, provide documentation to this office that it has responded to all the response elements requested under Violation No. 7 in my NOV letter of June 10, 2011. I would expect the response to include copies of training materials used and to find references to hazardous waste in those materials.

Submit the above requested response documentation to this office within 45 days of receipt of this letter. Response correspondence should be sent to:

**Neil Wasilk
Northeast District Office
Ohio Environmental Protection Agency
2110 East Aurora Road
Twinsburg, OH 44087**

VIOLATIONS FOR WHICH NORTHSIDE MEDICAL IS RETURNED TO COMPLIANCE

2. OAC Rule 3745-52-34 (C) (1) (b) Labeling of Satellite Accumulation Containers.

A photo of a properly marked container was provided.

Peter N. Kapottos
Northside Medical Center
July 22, 2011
Page 3

3. **OAC Rule 3745-52-34(A)(2) Accumulation Date Must Be Clearly Marked.
OAC Rule 3745-52-34(A)(3) Must Be Labeled With the Words "Hazardous Waste."**

A photo of a properly marked container was provided.

4. **OAC Rule 3745-66-74 Inspection Log.**

A copy of a current log was submitted.

5. **OAC Rule 3745-65-32(C) Required equipment.
OAC Rule 3745-65-34 (A) Access to communications or alarm system.**

Photos of the fire extinguisher, spill control equipment, and emergency communication device for the 180 day accumulation area were submitted.

6. **OAC Rule 3745-65-33 Emergency Equipment Log.**

A copy of a current log was submitted.

Should you have any questions regarding this letter, please contact me at (330) 963-1165.

Sincerely,



Neil J. Wasilk
Environmental Specialist
Division of Materials and Waste Management

NJW/cl

ec: Natalie Oryshkewych, Ohio EPA, DMWM, NEDO
Nyall McKenna, Ohio EPA, DMWM, NEDO
Jeff Mayhugh, Ohio EPA, DMWM, CO
Marlene Kinney, Ohio EPA, DMWM, NEDO