



State of Ohio Environmental Protection Agency

Northeast District Office

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

July 31, 2008

RE: 9150 GROUP, L.P.
SUMMIT COUNTY
OHD 050 387 802
UNPERMITTED TSDF
NOTICE OF VIOLATION - UPDATE

Mr. Frank Libby, site contact
9150 Group, L.P. et al.
2400 Danbury Lane
Hudson, OH 44236

RE: GROUNDWATER MONITORING NOV, HAZARDOUS WASTE NOV, CRO NOV

Dear Mr. Libby:

The Ohio EPA's Division of Hazardous Waste Management (DHWM) has received analytical data in letters dated June 20, 2008 and June 27, 2008 for the Old Drum Room and Mixing Room Sampling and Analysis Plans. This data appears to represent the following identified indoor closure areas of concern: the Former Drum Accumulation Area, Former Transfer Vessel and Tote Area, Transfer Vessel and Tote Area, Old Drum Accumulation Area, Last Known Drum Room Accumulation Area, Puncture Shed Room and Vent Area.

Review of the data provided and the procedure used to clean the floor indicates these floor areas appear to meet the generator closure performance standard cited in the Closure Plan Review Guidance (CPRG), revised 2007. These surface floor areas will be considered closed when Ohio EPA receives documentation of the disposal of the drummed wash and rinse fluids generated during the closure process.

Subsurface analytical data collected from below the floor crack in the Mix Room area and near the former Puncture Shed Room and Vent Area identified VOC analytes. VOCs near the former Puncture Shed area (sample DRB-3) are significantly elevated and a possible source of contamination to groundwater observed at MW-3 and MW-3A. Further delineation of subsurface floor contamination is needed to identify the source and extent of VOCs.

This facility is inspected annually as a result of the Facility being subject to the closure and post-closure care requirements in rules 3745-55-10 to 3745-55-20 or 3745-66-10 to 3745-66-20 of the Ohio Administrative Code (OAC). Further, the 9150 Group is regulated under Ohio's Cessation of Regulated Operations (CRO) laws and rules as found under Chapter 3752 of the Ohio Revised Code (ORC) and Chapter 3745-352 of the OAC. As the owner of the Facility, the 9150 Group is subject to these requirements.

This letter is a **NOTICE OF VIOLATION** update for the CRO and Hazardous Waste rules and a **NOTICE OF VIOLATION** for groundwater monitoring rule violations.

CRO AND HAZARDOUS WASTE VIOLATIONS

1. **Waste Evaluation OAC 3745-52-11 and Removal of Regulated substances, ORC § 3752.06(A)(5) and OAC 3745-352-20(A)(2)(C):**

1. Mercury contamination - Dirt and concrete dust/debris identified to be mercury containing during the CRO effort was collected and sent offsite. Ohio EPA's screening on August 25, 2004, indicated levels of mercury exceeding 100 ug/m³ (micrograms per cubic meter of air) in debris in the west gas house area. Elemental mercury was also observed in this floor debris. Documentation of floor debris waste disposal, generated from the former west gas house floor area, has not been received.

To abate this violation, provide documentation of proper disposal of the mercury contaminated debris that you had collected and stored in buckets in the west gas house area.

2. Solvent Contamination in Pipe Trench - Backfill in an outdoor concrete pipe trench at the former pump house was contaminated by solvent releases that occurred during the CRO effort in August of 2004. On June 14, 2005, you reported this contamination was 1,200 parts per million (ppm) for 1,1,1 trichloroethane. Ohio EPA, DHWM split samples from this location with the 9150 Group on August 8, 2007, and confirmed the presence of nineteen VOCs released in the containment at this location. On June 11, 2008 you reported elevated photoionization detector (PID) readings from soil samples taken just outside the containment. You believed the VOC source to have been from the release during the 2004 CRO removal effort. This occurrence was identified in the vicinity of the pipe trench and elevated VOC contamination noted at SMW-8.

To abate this violation, provide documentation of sampling and removal of contaminated backfill and surrounding soils, confirmation sampling verifying the removal and cleanup, waste evaluation and proper disposal of all contaminated media, including disposal manifests or other receipts. Contamination released outside the containment and to groundwater requires closure under the anticipated modified closure plan being developed as part of the Interim Partial Consent Order (IPCO).

3. Solvent Contaminated Containment Water - The containments have been breached and demolished. The "western containment water" was to be transported for disposal. The "eastern containment water" was approved for discharge to the ground.

To abate this violation, provide documentation of disposal of the "western containment water". Ohio EPA has received the analytical data and approval documentation for this water to be received by GEM, but Ohio EPA has not received confirmation of its transport and receipt by GEM or another licensed hazardous waste disposal facility.

4. Solvent Contaminated discharge from Connecting Pipe - Discharge of contaminated storm water to the ground occurred from a leak in a former pipe connection between the dike and the pipe trench. This area needs to be investigated to determine the appropriate remedial or closure action. A SAP for this area has been prepared but has not been executed as of this writing.

To abate this violation, execute the **AST Containment SAP** and provide documentation of subsurface sampling in the vicinity of the pipe connections and trench. Properly remove and dispose of all contaminated soil and piping. Provide Ohio EPA with all analytical data, verification of cleanup, decommissioning and disposal manifests. Inform me five days in advance of this event so that an Ohio EPA representative may be present. Further efforts to properly close this area may need to be identified in the modified closure plan being developed as part of the Interim Partial Consent Order (IPCO).

5. Waste fluid in abandoned 55- gallon drum – There is a drum of unknown waste fluid that has had remained on the north side of the Facility for more than one year. It is understood that TCLP characterization of this drum indicates that it is a non-hazardous oil. You reported that the oil was being recycled at an AutoZone or similar entity. As such, it appears this drum should be labeled as “used oil” per the **Used Oil Storage Requirements, OAC 3745-279-22(C)**.

To abate this violation, provide a copy of the analytical data and confirmation that the contents have been recycled. This drum must also be properly labeled and managed per the used oil rules.

3. Hazardous Waste Requirements OAC 3745-352-20 (A) (2) (G) and OAC 3745-66-10 to 66-

20 Closure and post-closure care:

The Facility has failed to conduct closure of its hazardous waste storage activities and failed to provide closure cost estimates, financial assurance and liability coverage for hazardous waste units at the Facility. The Facility has stored and disposed hazardous waste at the site without a permit. Therefore, you are subject to all applicable general facility standards found in OAC chapters 3734-54 and 55. At least six (6) indoor generator accumulation units and at least seven (7) other outside areas have been identified that require closure. The indoor generator accumulation unit floor areas now appear to meet the generator closure performance standard cited in the Closure Plan Review Guidance (CPRG), revised 2007.

To abate this violation, submit disposal documentation for the generated wash and rinse waters from cleaning of the indoor unit floor areas. If other areas appear to meet the closure standards, formally submit all documentation requesting Ohio EPA’s consideration for closure. Remaining VOC contaminated unit areas will need included in a modified closure plan. Several outdoor units and the indoor subsurface floor area (former Puncture Shed Room and Vent Area) will need to be closed in compliance with the regulations and the Facility closure plan. The data results from the SAPs and ground water sampling will need summarized and reported to Ohio EPA.

4. 90-day Notification to the Director, ORC § 3752.06(A)(6) and OAC 3745-352-20(A)(2)(h):

Not all substances have been demonstrated to have been removed as indicated by the items noted in Violation #1 above. The 90-day form with attached information was provided to Ohio EPA prior to satisfactory completion of the CRO effort.

To abate this violation, Ohio EPA requires additional information as identified in items #1-4 of Violation #1 above to document that all CRO substances have been properly removed from the Facility. When removal is complete, please update and resubmit the CRO 90-day notification form.

GROUND WATER VIOLATIONS

5. OAC Rule 3745-65-93(D)(4): 9150 Group L.P. is required to conduct a Ground Water Quality Assessment Program in accordance with OAC 3745-65-93 (D) and to specifically determine the rate, concentration, and extent of migration of hazardous waste or hazardous waste constituents in the ground water as required by OAC 3745-65-93 (D)(4)(a) and (b).

The full rate, concentration and extent of migration of hazardous waste or hazardous waste constituents in the ground water, has not been determined.

Ohio EPA will enforce this violation until satisfied that the rate, concentration and extent of hazardous constituents in the ground water have been delineated.

6. **OAC Rule 3745-65-93(D)(7)(a):** The 9150 Group is required to make quarterly determinations of groundwater quality in accordance with this rule until final closure of the Facility.

The 9150 Group is in the process of completing one year of quarterly ground water monitoring that began at the end of March 2008 under a consent order. Consistent quarterly ground water sampling has not been performed since the September 1999 ground water monitoring event. At least 30 quarters of ground water monitoring have been missed since 1999.

While the historic violations cannot be specifically abated, **to return to compliance**, the 9150 Group must agree to resume, on a permanent basis, the required quarterly ground water sampling and analysis in accordance with OAC Rule 3745-65-93(D)(7)(a) until final closure is achieved.

7. **OAC Rule OAC 3745-65-94(B)(2) and OAC 3745-65-75:** The 9150 Group L.P. is required to provide annually, until final closure of the facility, a report to the director containing the results of the ground water quality assessment program which include, but is not limited to, the calculated (or measured) rate of migration of hazardous waste or hazardous waste constituents in the ground water during the reporting period.

An annual ground water report has not been provided since 1999. The annual ground water report is due March 1st of each year.

To respond to this violation, this annual report must be submitted. The appropriate annual report form may be found at: <http://www.epa.state.oh.us/dhwm/annualreport/65ANN04arial.pdf>. If you have questions regarding completion of the annual report you may contact me at: (330) 963-1146 or at: Ron.Shadrach@epa.state.oh.us.

8. **OAC Rule 3745-65-91:** states that all monitoring wells must be cased in a manner that maintains the integrity of the monitoring well borehole and that the annular space above the sampling depth must be sealed to prevent contamination of samples and the ground water.

There are at least two well covers that were missing from within the Geis parking area at the time of the two previous inspections. The well-heads were filled with silt and debris. Other wells and associated remediation piping were damaged during the Geis parking lot renovation effort leaving wells potentially unsealed. Several of these wells may need to be resurveyed.

In November 2007, well MW-3A was installed. It is not known how or whether this well was developed or surveyed.

Since at least March 31, 2008 until June 18, 2008 the monitoring wells were unsecured. All locking devices were reported cut and removed from the wells to provide access. This is considered a violation of OAC 3745-65-91 for monitoring well integrity.

To respond to this violation, the well-head areas must be cleaned out and the well caps tightly installed. The well covers should be repaired or replaced using bolt down covers. Damaged remediation system piping needs repaired, capped or removed. Provide photographs that show that the well covers, casing and remediation piping have been properly maintained. In addition, identify to Ohio EPA, by well identification number, listing all affected monitoring wells that required repair, service or surveying including well MW-3A. Lastly, identify the date when all wells were finally secured by a locking mechanism.

ADDITIONAL HAZARDOUS WASTE VIOLATION

In addition to the above violations, you are also in violation of the following Ohio Hazardous Waste laws and rules as found under the Ohio Revised Code (ORC) and Ohio Administrative Code (OAC):

9. **ORC § 3734.02(E) and (F)**: During August 2004 VOC contaminants were released to concrete containment features and piping at the site. Several subsequent sampling events confirmed this release determining that unpermitted hazardous waste storage and disposal had occurred at the above ground storage tank (AST) containments of the Facility. Since 9150 Group, L.P. violated ORC §3734.02(E) and (F), the 9150 Group, L.P. is subject to all applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its right to have the 9150 Group, L.P. begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law. As the owner/operator of the property where unpermitted hazardous waste activities took place, you are jointly and severally liable for the violations of the state's hazardous waste laws.

CONCERNS

10. Ground Water

March/April 2008 Quarterly ground water sampling:

- Some high VOC concentrations are at the 9150 Group property boundary and on the neighboring property;
- Ground water contamination appears to be moving offsite;
- A soil and ground water remediation program needs proposed and implemented upon Ohio EPA approval to reverse/reduce the trend of ground water contamination;
- Elevated VOCs near the former propellant and above-ground solvent tank farms indicate source areas;
- A new monitoring well was installed November 19, 2007 that may yet need developed and the top of casing elevation surveyed. The analytical data and QA/QC results of soil sampling from this boring and survey data have not been received;
- Issues of well maintenance and security need resolved.

14. Geis Paving Project Issues

The Geis Companies completed repaving of the upper and now lower parking adjacent to the 9150 Facility several years ago. Drainage ditching during this project inadvertently intersected piping of the 9150 Group treatment system and disturbed several wells. Note the following concerns:

- The remediation piping connected to several wells located on Geis Property is in need of repair, replacement, or proper decommissioning.

- Damage or disturbance to these lines may leave open a pathway of discharge to the wells. This should be evaluated and corrected immediately to protect well integrity.
- Ohio EPA recognizes that some efforts have been made to restore well integrity but a list of the affected wells and whether required actions were completed, has not been documented to Ohio EPA since the Geis paving and ditching issues.
- The Facility ground water treatment system is part of an approved closure plan. The 9150 Group must either reactivate this treatment system so that it may be operated to satisfy closure requirements or modify the closure plan and implement alternate remedial activities to address the ground water contamination present on and off site.

CONSENT ORDER

Please be advised that the 9150 Group, as owner of the Facility, may be in contempt of the Consent Order entered into between Aerosol Systems, Inc. and the State of Ohio [State of Ohio v. Aerosol Systems, Inc., et al., Case No. CV-884-10145 (Summit County Court of Common Pleas, July 9, 1990)] and an Interim Partial Consent Order State between the 9150 Group and the State of Ohio [State of Ohio v. 9150 Group, L.P., et. al. Case No. 2006-07-4740 (Summit County Court of Common Pleas, October 15, 2007)].

Ohio EPA reserves the right, pursuant to ORC Chapters 3734 and 6111 and any other applicable state and federal laws or regulations, to require further Facility-wide investigation and remediation to address any unpermitted releases of hazardous waste, hazardous substances, industrial wastes, pollutants, and/or contaminants into the environment, including groundwater.

Additional violations and/or deficiencies which may exist pertaining to **closure, financial assurance and liability, compliance monitoring inspections, etc.**, may not have been considered in this letter.

SUMMARY OF REQUIRED ITEMS TO ADDRESS VIOLATIONS

- 1) Disposal documentation of mercury contaminated debris.
- 2) Execute AST Containment SAP; sample and remove and dispose contaminated media and address remaining contamination in modified closure plan.
- 3) Documentation of disposal of "western AST containment water".
- 4) Analytical data for fluid/oil in abandoned 55-gallon drum and confirmation of removal.
- 5) Submit updated 90-day CRO form pending receipt of documentation completing removal.
- 6) Revise or modify the existing Closure Plan based on current and historical site data and submit for approval and implement.
- 7) Determine the full rate, concentration and extent of migration of hazardous waste or hazardous waste constituents in the ground water.
- 8) Consistently execute quarterly groundwater sampling to satisfy intent of the rule requirements until closure.
- 9) Provide an annual groundwater report.
- 10) Provide documentation to demonstrate all monitoring wells are being properly maintained (developed, cleaned, locked, surveyed etc.).
- 11) Reactivate the current ground water recovery and treatment system or modify the approved closure plan and implement alternate remedial activities to address on and off site ground water contamination.

9150 GROUP, L.P.
JULY 31, 2008
PAGE - 7 -

Please submit the requested documentation, to my attention, within **30 days** of receipt of this letter. A checklist completed for this inspection is enclosed. Should you have any questions, please feel free to contact me at: (330) 963-1146.

Sincerely,



Ronald J. Shadrach
Environmental Specialist
Division of Hazardous Waste Management

RJS:ddw

ec: Frank Popotnik, DHWM, NEDO
John Palmer, DHWM, NEDO
cc: Ralph McGinnis, DHWM, CO
Brian Ball, EES, AGO
Isaac Wilder, DHWM, CO
Frank Posar, Fire Inspector
Larry Albright Sr., Statutory Agent
Diane Kurlich, DDAGW, NEDO
Bob Karl, Ulmer & Berne

NOTICE: Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.

SMALL QUANTITY GENERATOR REQUIREMENTS

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

Safety Equipment Used:

GENERAL REQUIREMENTS

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
2.	Has the generator obtained a U.S. EPA I.D. number? [3745-52-12]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
3.	Has the generator transported or caused to be transported hazardous waste to other than a facility authorized to manage the hazardous waste? [ORC 3734.02 (F)]	Yes <input type="checkbox"/> No <input checked="" 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 checked="" 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</u> (180/270) days 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:	
	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 3745-66-90 to 3745-66-101 except 3745-66-97 (C)?	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)]	Yes <input checked="" 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 type="checkbox"/> N/A <input checked="" type="checkbox"/>
	a. Does the contractual agreement specify the type of waste and frequency of shipment?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b. Is the transport vehicle owned and operated by the reclaimer?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

c.	Is a copy of the reclamation agreement kept on-site for at least three years after termination/expiration of the agreement?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
NOTE: If wastes are reclaimed under a contractual agreement and an answer to questions 10(a) through 10(c) is no, the generator is in violation of 3745-52-20 (A) (B) & (D), 3745-52-22 and 3745-52-23. Even if the waste is being reclaimed under agreement, LDRs still apply. Complete LDR checklist.		
11.	Have items 1 through 20 of each manifest been completed?[3745-52-20(A)]	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)]		
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?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Location of fire and spill control equipment, and, if present, fire alarm(s)?	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 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 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 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 type="checkbox"/>

	b.	Emergency communication device? [3745-65-32(B)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	c.	Portable fire control, spill control and decon equipment? [3745-65-32(C)]?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	d.	Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
23.		Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33]	Yes <input type="checkbox"/>	No <input 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 type="checkbox"/>	N/A <input type="checkbox"/>
24.		Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (<i>unless the device is not required under OAC 3745-65-32</i>)? [3745-65-34(A)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
25.		If there is only one employee on the premises is there immediate access to a device (ex. phone, hand-held two-way radio) capable of summoning external emergency assistance (<i>unless not required under OAC 3745-65-32</i>)? [3745-65-34(B)]	Yes <input checked="" type="checkbox"/>	No <input 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 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)]			
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 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 type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	b.	Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	c.	Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	d.	Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	e.	Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	f.	Containers are marked with the words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
30.		Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	a.	Did the generator comply with 3745-52-34(A)(1) through (4) or other applicable generator requirements within three days? [3745-52-34(C)(2)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	b.	Did the generator mark the container(s) holding the excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
<p><i>NOTE: The satellite accumulation area is limited to 55 gallons of hazardous waste accumulated from a distinct point of generation in the process under the control of the operator of the process generating the waste (less than 1 quart for acute hazardous waste). There could be individual waste streams accumulated in an area from different points of generation.</i></p>					
USE AND MANAGEMENT OF CONTAINERS					
31.		Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(D)(4)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

32.	Is the accumulation date on each container? [3745-52-34(D)(4)]	Yes <input checked="" type="checkbox"/> No <input 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 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 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 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, ≤100 gallons have a completed hazardous waste label? [3745-52-32(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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"/>