OhioEPA

State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

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

Re: Central Avenue Strip Shop
OHD987052156
Lucas County
Complaint #2612
2nd Notice of Violation/PRTC

March 17, 2008

Mr. Dan McKie
Central Avenue Strip Shop
8035 W. Central Avenue
Toledo, Ohio 43617

• hand delivered on March 17, 2008 by Wendy Miller DHWM-NWDO

Dear Mr. McKie:

On April 17, 2007, Melissa Boyers and I were at Central Avenue Strip Shop (CASS) to conduct sampling of waste water and sludge from your evaporator tank. This was done as a follow up to our March 6, 2007, complaint investigation and compliance evaluation inspection. A previous Notice of Violation (NOV) was sent to your facility dated March 30, 2007.

We have received the analytical data results which show that both the waste water in the evaporator tank and the sludge in that tank are indeed hazardous waste. Specifically, the liquid or waste water phase had a flashpoint of 84 degrees Fahrenheit (F) which makes it an ignitable hazardous waste. Any liquid with a flash below 140 degrees F is considered a hazardous waste and carries a waste code of D001. Due to the fact that you are using methylene chloride as a stripping agent, the liquid would be considered a "listed" hazardous waste and also would carry the waste code of F002.

The sludge in the tank also is an ignitable hazardous waste as it had a flashpoint of 74 degrees F and also contained hazardous levels of barium and lead. Any sludge that is removed will carry the waste codes of F002, D001, D005, and D008.

On September 12, 2007, Colleen Weaver, Mitch Mathews and I made a visit to your facility to gain a better understanding of your process and to determine your compliance status.

**Because you were evaporating a hazardous waste and are currently storing it in the evaporator tank, additional violations of Ohio's hazardous waste laws apply. These were based upon the sampling results received by our office on May 4, 2007. The additional violations are listed below:**

**2. Unpermitted Treatment, Storage and Disposal, ORC § 3734.02 (E) and (F):** CASS operated an unpermitted hazardous waste tank system to conduct unpermitted treatment and storage. CASS conducted unpermitted treatment and disposal by using an on-site evaporator to treat and dispose of hazardous waste water into the atmosphere. Waste water from the pressure washing of furniture being stripped with methylene chloride was put into a tank and heated so that it would evaporate. The waste water was tested and found to be hazardous for ignitability in addition to the F002 listing. The sludge is also hazardous as stated above and has been stored in an unpermitted tank.

You stated that CASS has never removed waste water or sludge from the tank since the beginning of operation. Because the contents are hazardous, CASS has been storing hazardous waste for greater than 180 days. During the inspection, Ohio EPA calculated that CASS is a small quantity generator based upon the information you provided us about how much hazardous waste water you generate. You generate greater than 100 kilograms (kg) but less than 1000 kg of hazardous waste each month. This calculation did not include other infrequently generated hazardous waste such as filters, paint chips and sludge.

At the present time, you have changed your process and are no longer evaporating the hazardous waste water from the hazardous waste tank. CASS is allowing hazardous waste water to be captured in a sump and pumped into the former evaporation tank (currently hazardous waste storage tank) where it is subsequently filtered and recirculated again through the power washer.

During our September 12, 2007, visit, we determined that this method would still require the tank to be managed as a hazardous waste tank because by filtering the water after it is collected, you are reclaiming it. However, if the hazardous waste water is reclaimed (filtered) prior to storing it in the tank, the reclaimed waste water would no longer be considered a hazardous waste. If any accumulation/storage occurs prior to reclamation (filtering), the units would be subject to hazardous waste regulations (for example, the floor sump).

There is also hazardous waste underneath the wood grating. This would also be considered storage. The overspray/powerwash basin that is covered by wood grating, does not allow for all of the hazardous waste water to flow into the floor sump. The liquid must be removed and properly managed (reclaimed or managed appropriately off-site as a hazardous waste).

A suggestion would be to change the wood grating to a metal grating with a lining underneath that would not hold the liquid and would direct it to the sump (sheet metal, etc). This would be the best way to be able to remove liquid easily. If you choose to remove the wood grating, you will have to determine whether it is now a hazardous waste, and manage it appropriately.

Because CASS violated ORC §3734.02(E) and (F), CASS 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 CASS begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

**3. Tank Requirements, Ohio Administrative Code (OAC) Rules 3745-66-101:** CASS utilized a hazardous waste water tank from which evaporation took place. The tank was subject to the hazardous waste tank standards. CASS is currently storing hazardous waste in the tank and is presently not in compliance with any of the tank requirements.

To abate this violation, you must remove all hazardous waste from the tank (liquid and sludge). You must submit copies of the hazardous waste manifests and land disposal restriction forms that accompany the wastes off-site. CASS must also submit a plan as to how the tank will be utilized in the future. (How will it be used in the process, will it be used to hold hazardous waste, etc.)

**4. Labeling of Tanks, OAC Rule 3745-52-34(A)(3):** CASS did not label the evaporator tank with the words "hazardous waste".

To abate this violation, you must submit to me a photograph documenting that the tank has been properly labeled "hazardous waste".

**5. Management of Satellite Containers, OAC Rule 3745-52-34(C)(1)(a):** CASS must keep all hazardous waste containers closed except when adding or removing waste. During our complaint investigation on April 17, 2007, the container of paint sludge next to the evaporator tank was open.

**During our September 12, 2007, visit the container was closed. Therefore, this violation is considered abated.**

**6. Labeling of Containers, OAC Rule 3745-52-34(C)(1)(b):** CASS must keep all hazardous waste satellite containers labeled with the words "hazardous waste". The drum containing paint sludge next to the evaporator tank was not labeled "hazardous waste".

At the time of our April 17, 2007, sampling event, you labeled the drum with the words "hazardous waste". **Therefore, this violation is considered abated.**

**7. Inspections of Containers, OAC Rule 3745-66-74(A):** CASS must conduct weekly inspections of all hazardous waste containers. Specifically, the methylene chloride sludge from the screening process must be inspected on a weekly basis. CASS is not conducting weekly inspections of this area. Please note that Ohio EPA considers weekly to be seven (7) days from the previous inspection.

To abate this violation, you must begin documenting inspections immediately and provide me with four weeks worth of inspection documentation. I will provide you with a sample inspection log.

**8. Inspections of Containers, OAC Rule 3745-66-74(B):** CASS must keep records of the weekly inspections in an inspection log or summary. Weekly inspections were not being conducted by CASS of container storage areas. CASS is not conducting weekly inspections or recording weekly inspections of the container storage area.

To abate this violation, you must begin documenting inspections immediately and provide me with four weeks worth of inspection documentation.

**9. Emergency Preparedness, OAC Rule 3745-52-34(D)(5)(b):** CASS must have the following information posted next to the telephone: name and phone number of emergency coordinator, location of fire extinguisher and spill equipment, and phone number of fire department. There is no emergency coordinator or response information posted near the telephone.

To abate this violation, you must post the above information next to a phone which is nearest to the process area and send me a photograph documenting that it has been done.

**You must respond to the above violations within 30 days upon receipt of this letter. All correspondence can be sent to: OHIO EPA, DHWM-NWDO, Wendy Miller, 347 N. Dunbridge Road, Bowling Green, Ohio 43402**

CASS had the following violations of land disposal restrictions found in Chapter 3745-270 of the OAC:

**10. Land Disposal Restrictions, OAC Rule 3745-270-07(A)(1):** CASS failed to evaluate all wastes to determine whether they are restricted from land disposal.

**11. Land Disposal Restrictions, OAC Rule 3745-270-07(A)(2):** CASS failed to determine each EPA hazardous waste code applicable to their waste.

**12. Land Disposal Restrictions, OAC Rule 3745-270-07(A)**: CASS failed to determine the correct "treatability group" for their waste.

**13. Land Disposal Restrictions, OAC Rule 3745-270-09(A)**: CASS did not identify the appropriate treatment standards and underlying hazardous consituents for their waste.

**To abate violations #9-12, CASS must provide a copy of a completed land disposal restriction form to Ohio EPA, prior to the waste being shipped off-site to a hazardous waste permitted facility. This form must also be accompanied with your waste off-site. The disposal facility that you choose to utilize can provide you with a generic form. Since Ohio EPA has had your waste analyzed, I have included a copy of the analytical for you to use in order to complete the land disposal restriction form.**

**14. Waste Evaluation, OAC Rule 3745-52-11:**
Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

**c)** CASS has not evaluated the paint/paint chip debri that is periodically cleaned of the floor near the tank. To abate this violation, CASS must have this waste analyzed for metals to determine if it would be a hazardous waste.

**d)** CASS has not evaluated the sludge that is removed from the methylene chloride dip tank. This waste is currently considered an F002 waste and is being managed in containers as a hazardous waste. To abate this violation, CASS must have this hazardous waste analyzed to determine if any metals are present in the sludge.

For these items above **c** and **d**, CASS may choose not to analyze these waste and may instead consider them hazardous for all eight metals (arsenic, barium, cadmium, chromium, lead, mercury, selenium and silver).

The following violation was previously cited in my March 30, 2007, NOV letter and remains outstanding:

**1. Waste Evaluation, OAC Rule 3745-52-11:**
Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

➔ **a)** CASS failed to have waste evaluation documentation or an established recycling plan in place for the fluorescent bulbs generated at the facility.

CASS must immediately cease disposing of the fluorescent bulbs as non-hazardous waste until a proper waste evaluation has been completed. Fluorescent bulbs typically contain mercury, lead or cadmium.

During our inspection, I provided you with a fact sheet regarding fluorescent lamps and a list of fluorescent lamp and ballast recyclers. Please review this information and contact me if you have any questions.

Basically, you could run analytical to determine if the bulbs contain mercury, lead, or cadmium (if you would like to continue to dispose of them) OR you can choose to handle them through the **universal waste rules** by **recycling**. When the bulbs are recycled as a universal waste, they are not considered a hazardous waste. <u>You must ensure that they are recycled within one year of being generated and that you keep documentation showing this. Also, you must label the box containing the burned out bulbs (prior to recycling) with the words "universal waste"</u>.

To abate this portion of the violation, CASS must submit to Ohio EPA documentation on how you plan to properly manage your fluorescent bulbs. **No documentation has been received from you to date.**

➔ **b)** CASS has never had the waste water in the holding tank properly evaluated. This waste water is generated when the stripper is being power-washed off of the furniture. You must have this waste analyzed for metals to determine if it would be a hazardous waste.

**Ohio EPA conducted sampling on April 17, 2007, therefore, this portion of the violation is abated.** In the future, you may need to conduct sampling once a new system is devised as the waste water/sludge will not be as concentrated as it was previously due to years of storage.

You can find copies of the rules and other information on the division's web page at http://www.epa.state.oh.us/dhwm. If you have any questions, please contact me at (419) 373-3114. I have also enclosed the checklists completed during our compliance evaluation inspection on March 6, 2007.

Sincerely,

Wendy Miller

Wendy Miller
Division of Hazardous Waste Management

/llr

Enclosures

pc: Colleen Weaver, DHWM, NWDO
Wendy Miller, DHWM, NWDO
Mike Terpinski, DHWM, NWDO
Mitch Mathews, DHWM, CO
Cindy Lohrbach, DHWM, NWDO
~~DHWM=NWDO=File=Copy~~

Central Ave. Strip Shop

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

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 | ☐ | No | ☒ | N/A | ☐ |
| 2. | Has the generator obtained a U.S. EPA I.D. number? [3745-52-12] | Yes | ☒ | No | ☐ | N/A | ☐ |
| 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 | ☐ | No | ☒ | N/A | ☐ |
| 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 | ☒ | No | ☐ | N/A | ☐ |
| 5 | Does the generator accumulate hazardous waste? | Yes | ☒ | No | ☐ | N/A | ☐ |

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

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 6. | Has the generator accumulated hazardous wastes in excess of (180/270) days without a permit or an extension from the Director? [3745-52-34; ORC §3734-02(E)&(F)] | Yes | ☒ | No | ☐ | N/A | ☐ |

*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 | ☐ | No | ☒ | N/A | ☐ |

*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 | ☐ | No | ☐ | N/A | ☒ |
| b. | Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C)? | Yes | ☐ | No | ☒ | N/A | ☐ |
| c. | Drip pads that meet 3745-69-40 to 3745-69-45? | Yes | ☐ | No | ☐ | N/A | ☒ |
| d. | Containment building that meets 3745-256-100 to 3745-256-102? | Yes | ☐ | No | ☐ | N/A | ☒ |

*NOTE: Complete appropriate checklist for each unit.*

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

**MANIFEST REQUIREMENTS** no waste shipped off-site

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 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 | ☐ | No | ☐ | N/A | ☒ |
| 10. | Are wastes reclaimed under a contractual agreement? If so: [3745-52-20(E)] | Yes | ☐ | No | ☐ | N/A | ☒ |
| a. | Does the contractual agreement specify the type of waste and frequency of shipment? | Yes | ☐ | No | ☐ | N/A | ☒ |

b. Is the transport vehicle owned and operated by the reclaimer? Yes ☐ No ☐ N/A ☒

c. Is a copy of the reclamation agreement kept on-site for at least three years after termination/expiration of the agreement? Yes ☐ No ☐ N/A ☒

*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 ☐ No ☐ N/A ☒

*NOTE: U.S. EPA Form 8700-22(A) (the continuation form) may be needed in addition to Form 8700-22. In these situations, items (21) through (35) must also be 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 ☐ No ☐ N/A ☒

*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 ☐ No ☐ N/A ☒

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

*NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have 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 ☐ No ☐ N/A ☒

16. Are signed copies of all manifests being retained for at least three years? [3745-52-40] Yes ☐ No ☐ N/A ☒

*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 ☒ No ☐ N/A ☐
Same property as owner

18. Has the following been posted by the telephone: [3745-52-34(D)(5)(b)]

a. Name and telephone number of emergency coordinator? Yes ☐ No ☒ N/A ☐

b. Location of fire and spill control equipment, and, if present, fire alarm(s) Yes ☐ No ☒ N/A ☐

c. Telephone number of local fire department? Yes ☐ No ☒ N/A ☐

19. Are employees familiar with waste handling and emergency procedures [3745-52-34(D)(5)(c)] Yes ☐ No ☐ N/A ☐
not assessed during CEI

20. Has the facility properly responded to all fires and spills? [3745-52-34(D)(5)(d) Yes ☐ No ☐ N/A ☒

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 ☒ No ☐ N/A ☐

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 | ☐ | No | ☒ | N/A | ☐ |
| b. Emergency communication device? [3745-65-32(B)] | Yes | ☒ | No | ☐ | N/A | ☐ |
| c. Portable fire control, spill control and decon equipment? [3745-65-32(C)]? | Yes | ☐ | No | ☐ | N/A | ☐ |
| d. Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)] | Yes | ☒ | No | ☐ | N/A | ☐ |
| 23. Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency?[3745-65-33] | Yes | ☐ | No | ☐ | N/A | ☐ |
| a. Are inspections recorded in a log or summary? [3745-65-33]? | Yes | ☐ | No | ☐ | N/A | ☐ |
| 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 | ☒ | No | ☐ | N/A | ☐ |
| 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 3745-65-32?) [3745-65-34(B)] | Yes | ☒ | No | ☐ | N/A | ☐ |
| 26. Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] | Yes | ☒ | No | ☐ | N/A | ☐ |
| 27. Has the generator attempted to familiarize emergency authorities with possible hazards and facility layout? [3745-65-37(A)] Fire dept, hospital | Yes | ☐ | No | ☐ | N/A | ☐ |
| 28. Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)] | Yes | ☐ | No | ☐ | N/A | ☐ |

**SATELLITE ACCUMULATION AREA REQUIREMENTS** next to tank

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 | ☒ | No | ☐ | N/A | ☐ |
| b. Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)] | Yes | ☒ | No | ☐ | N/A | ☐ |
| c. Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)] | Yes | ☒ | No | ☐ | N/A | ☐ |
| d. Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)] | Yes | ☐ | No | ☐ | N/A | ☒ |
| e. Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)]. | Yes | ☐ | No | ☒ | N/A | ☐ |
| f. Containers are marked with the words "Hazardous Waste" <u>or</u> other words identifying the contents? [3745-52-34(C)(1)(b)] | Yes | ☐ | No | ☒ | N/A | ☐ |
| 30. Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so: | Yes | ☐ | No | ☒ | N/A | ☐ |
| a. Did the generator comply with 3745-52-34(A)(1) through (4) or other applicable generator requirements within three days? [3745-52-34(C)(2)] | Yes | ☐ | No | ☐ | N/A | ☒ |
| b. Did the generator mark the container(s) holding the excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)] | Yes | ☐ | No | ☐ | N/A | ☒ |

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

**USE AND MANAGEMENT OF CONTAINERS** Upstairs Storage

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 31. | Has the generator marked containers with the words "Hazardous Waste"[3745-52-34(D)(4)] | Yes | ☒ | No | ☐ | N/A | ☐ |
| 32. | Is the accumulation date on each container? [3745-52-34(D)(4)] | Yes | ☐ | No | ☐ | N/A | ☐ |
| 33. | Are hazardous wastes stored in containers which are: | | | | | | |
| | a. Closed (except when adding/removing wastes)? [3745-66-73(A)] | Yes | ☒ | No | ☐ | N/A | ☐ |
| | b. In good condition? [3745-66-71] | Yes | ☒ | No | ☐ | N/A | ☐ |
| | c. Compatible with wastes stored in them? [3745-66-72] | Yes | ☒ | No | ☐ | N/A | ☐ |
| | d. Handled in a manner which prevents rupture/leakage? [3745-66-73(B)] | Yes | ☒ | No | ☐ | N/A | ☐ |

*NOTE: Record location on process summary sheets and photograph the area.*

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

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

**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 | ☐ | No | ☐ | N/A | ☒ |
| 39. | Does each container ≤100 gallons have a completed hazardous waste label? [3745-52-32(B)] | Yes | ☐ | No | ☐ | N/A | ☒ |
| 40. | Before off-site transportation, does the generator placard <u>or</u> offer the appropriate DOT placards to the initial transporter? [3745-52-33] | Yes | ☐ | No | ☐ | N/A | ☒ |

Central Ave. Strip Shop

## SQG TANK SYSTEM REQUIREMENTS [3745-66-101]

1. Is each tank marked with the words "Hazardous Waste"? [3745-52-34(A)(3)] Yes _ No X N/A _

• evap. tank needs labeled

### TANK SYSTEM OPERATING REQUIREMENTS

2. Is the SQG complying with the following operating requirements of OAC 3745-66-101(B):

   a. Is the storage and/or treatment of ignitable, reactive or incompatible waste done in accordance with precautionary measures of 3745-65-17(B)? [3745-66-101(B)(1)] Yes _ No X N/A _

   b. Does the SQG ensure that wastes or treatment reagents are not placed in a tank if they could cause the tank or its inner liner to rupture, leak, corrode or fail? [3745-66-101(B)(2)] Yes _ No ☐ N/A X

   c. Are uncovered tanks operated with 2 feet of freeboard or is the tank equipped with a containment structure, drainage control system, or diversion structure with a capacity that equals or exceeds the volume of the top 2 feet of the tank? [3745-66-101(B)(3)] Yes _ No _ N/A X

   d. **If waste is continuously added to the tank:** Is the tank equipped with a waste feed cut-off or bypass system? [3745-66-101(B)(4)] Yes _ No ☐ N/A X

### TANK SYSTEM INSPECTION

3. Does the generator inspect the following:

   a. Discharge control equipment (daily)? [3745-66-101(C)(1)] Yes _ No ☐ N/A X

   b. Data from monitoring equipment (daily)? [3745-66-101(C)(2)] Yes _ No ☐ N/A X

   c. The level of the waste in the tank (daily)? [3745-66-101(C)(3)] Yes _ No X N/A _

   d. The tank construction material (weekly)? [3745-66-101(C)(4)] Yes _ No X N/A _

   e. The area surrounding the tank (weekly)? [3745-66-101(C)(5)] Yes _ No X N/A _

### TANK SYSTEM CLOSURE REQUIREMENTS

4. Upon closure of the tank did the SQG remove all hazardous waste from the tank system in compliance with OAC 3745-66-101(D)? Yes _ No ☐ N/A X

### TANK SYSTEMS STORING IGNITABLE OR REACTIVE WASTES

5. For tanks used to store ignitable or reactive wastes, has the owner/operator complied with **one of the following**: [3745-66-101(E)(1)] Yes _ No X N/A _

   a. The waste is treated, rendered, or mixed before or immediately after placement in a tank so that the resultant waste, mixture or dissolution of material no longer meets the definition of ignitable or reactive waste; and 3745-65-17 is complied with; or

   b. Is the waste stored or treated to protect it from any materials or conditions that may cause the waste to ignite or react?; or

   c. Is the tank used solely for emergencies?

6. If ignitable or reactive waste are treated or stored in covered tanks, does the owner/operator comply with the buffer zone requirements for tanks contained in tables 2-1 to 2-6 of the NFPA Flammable and Combustible Liquid Code (1977 or 1981)? [3745-66-101(E)(2)] Yes _ No _ N/A X

7. Have incompatible wastes, or incompatible wastes and materials been placed into the same tank? Yes _ No X N/A _

   ***If so,*** have the requirements of 3745-65-17(B) been met?[3745-66-101(F)(1)] Yes _ No _ N/A X

8. Have hazardous wastes been placed in an unwashed tank which previously held an incompatible waste or material? [3745-66-101(F)(2)] Yes _ No X N/A _

   ***If so,*** have the requirements of 3745-65-17(B) been met?[3745-66-101(F)(2)] Yes _ No _ N/A X

**REMARKS**

Central Ave Strip Shop

# LDR CHECKLIST

## GENERAL LDR REQUIREMENTS

1. Has the generator adequately evaluated all wastes to determine if they are restricted from land disposal? [3745-270-07(A)(1)] If so: Yes___No☒N/A__RMK# ___

   a. For determinations based solely on knowledge of the waste: Is supporting data retained on-site? [3745-270-07(A)(6)] Yes___No☐N/A X RMK# ___

   b. For determinations based upon analytical testing: Is waste analysis data retained on-site? [3745-270-07(A)(6)] Yes___No☐N/A X RMK# ___

2. Has the generator determined each EPA hazardous waste code applicable to the waste? [3745-270-07(A)(2) see Table 1] Yes___No☒N/A__RMK# ___

3. Has the generator determined the correct "treatability group(s)" (e.g., wastewater, non-wastewater, etc.)? [3745-270-07(A), Table 1] Yes___No☒N/A__RMK# ___

4. Does the generator generate a characteristic hazardous waste? If so: Y es X No__N/A__RMK# ___

   a. Have all underlying hazardous constituents (UHCs) been identified? [3745-270-09(A)] Yes___No☒N/A__RMK# ___

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

5. Does the generator generate listed waste(s) which also exhibit hazardous characteristics? [3745-270-09] If so: Y es X No__N/A__RMK#

   a. Has the generator also identified the appropriate treatment standard(s) for the constituent(s) which cause the waste to exhibit a characteristic? [3745-270-09(A)] Yes__No X N/A__RMK# ___

**NOTE:** ***The generator is not required to identify the treatment standard for the characteristic if the listing covers the associated characteristic (e.g., a F019/D007 hazardous waste - F019 being listed due to chromium content and D007 being the characteristic waste code for chromium). [See OAC Rule 3745-270-09(B)]***

6. Has the generator correctly determined if restricted wastes meet or do not meet treatment standards? [3745-270-07(A)(1)]

Yes__No☒N/A__RMK# 1

* See page 3 for comment.

**NOTE:** ***Wastes with EPA hazardous waste numbers K174 and K175 (chlorinated aliphatic wastes) have specific requirements in rule 3745-270-33. Waste with EPA hazardous waste numbers K176, K177 and K178 (inorganic chemical wastes) have specific requirements in rule 3745-270-36.***

7. Does the owner/operator ensure that restricted wastes or treatment residues are not diluted as a method of achieving/circumventing LDR treatment standards? [3745-270-03]

Yes__No☐N/A X RMK# ___

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

8. Is combustion of any of the wastes identified in the Appendix to Rule 3745-270-03 occurring without meeting one or more of the criteria under Rule 3745-270-03(C) upon generation or after treatment? [3745-270-03(C)]

Yes__No☐N/A X RMK# ___

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

9. Has the generator added iron to lead-containing hazardous waste in order to achieve LDR treatment standards for lead? [3745-270-03(D)]

Yes__No☐N/A X RMK# ___

10. Does the facility have a case-by-case extension to the effective date to land dispose of hazardous waste?[3745-270-05] If so:

Y es__No__N/A X RMK# ___

a. The facility can dispose of hazardous waste in a on-site landfill or surface impoundment.[3745-270-05]

Yes__No☐N/A X RMK# ___

11. Does the facility have an extension to allow for a restricted waste to be land disposed?[3745-270-06] If so:

Y es__No__N/A X RMK# ___

a. The facility can land dispose of the waste. [3745-270-06]

Yes__No☐N/A X RMK# ___

12. Does the facility treat wastes that are otherwise prohibited from land disposal, in a surface impoundment? Yes__No__N/A✓__RMK# ___
If so:

a. Has the facility complied with 3745-270-04? Yes__No☐N/A☑RMK# ___

**REMARKS**

Based on OEPA sampling of sludge/liquid contents of tank. The UHCs to be identifed are:

tetrachloroethene
methyl ethyl ketone
trichloroethene
acetone
chlorobenzene
1,2-dichlorobenzene
ethyl benzene
methylene chloride
napthalene
xylenes
toluene
lead, barium, chrome, arsenic

* guidelines only, there may be others scenerios for wastewater

## NOTIFICATION AND CERTIFICATION REQUIREMENTS

13. If a generator's waste or contaminated soil does not meet the treatment standards, does the generator have the paperwork required in Column A of Table 1 of 3745-270-07? [3745-270-07(A)(2)] Yes__No☐N/A☒RMK# ___

14. If a generators' waste or contaminated soil meets the treatment standard at the original point of generation, does the generator have the paperwork required in Column B of Table 1 of 3745-270-07? [3745-270-07(A)(3)] Yes__No☐N/A☒RMK# ___

15. If a generators' waste is exempt (under 3745-270-05, 3745-270-06, national capacity or case-by-case variance, etc.) does the generator have the paperwork required in Column C of Table 1 of 3745-270-07? [3745-270-07(A)(4)] Yes__No☐N/A☒RMK# ___

16. If a generator manages a lab pack containing hazardous waste using the alternative treatment standard in 3745-270-42, does the generator have the paperwork required in Column D of Table 1 of 3745-270-07? [3745-270-07(A)(9)] Yes__No☐N/A☒RMK# ___

17. Does the generator produce a waste that is hazardous waste from the point of generation, but subsequently excluded from regulation under OAC 3745-51-02 through 3745-51-06? [3745-270-07(A)(7)] If so: Y es__No__N/A☒RMK# ___

    a. Is a one-time notice placed in the facility's file stating such generation, subsequent exclusion or exemption, and disposition of the wastes? [3745-270-07(A)(7)] Yes__No☐N/A☒RMK# ___

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

18. Does the generator retain on-site a copy of all notices, certifications, demonstrations and waste analysis data for at least three years from the last shipment of waste sent off-site? [3745-270-07(A)(8)] Yes__No☐N/A__RMK# ___

**REMARKS**