



State of Ohio Environmental Protection Agency

**Southeast District Office**

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

June 3, 2008

**GALLIA COUNTY  
OHIO VALLEY ELECTRIC COMPANY  
KYGER CREEK STATION  
DHWM/SEDO  
OHD049651854**

Mr. Gary Edwards  
Ohio Valley Electric Company  
PO Box 372  
Cheshire, Ohio 45620

Dear Mr. Edwards:

On April 24, 2008, Vicky German and I performed a compliance inspection to determine your facility's compliance with Ohio's hazardous waste laws and regulations as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC).

Based on our observations and review of facility documentation during this inspection, we found the following violations of the hazardous waste regulations. Please provide the requested information within thirty days of the date of this letter:

- (1) **OAC rule 3745-273-13(D)(1) Waste Management – standards for small quantity handlers of universal waste:** A small quantity handler of universal waste must contain any lamps in containers or packages that are structurally sound, adequate to prevent breakage,...Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage...

The May 6, 2008 response includes photographs indicating that all lamps are now properly placed into containers and are closed. Based on these photographs, this violation has been abated and no further action is required.

- (2) **OAC rule 3745-273-13 (D)(2) Waste Management – standards for small quantity handlers of universal waste:** A small quantity handler of universal waste must immediately clean up and place in a container any lamp that shows evidence of breakage, leakage or damage that could cause the release of mercury or other hazardous constituent to the environment.

The May 6, 2008 response includes photographs indicating that all broken lamps are now properly placed into containers. Based on these photographs, this violation has been abated and no further action is required.

- (3) **OAC rule 3745-273-14 (E), Labeling/marketing standards for small quantity handlers of universal waste:** Each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal waste -Lamps" or "Waste Lamps" or "Used Lamps."

The May 6, 2008 response states that the photographs included indicate that the containers have been properly labeled. That could not be determined from these photographs. Please provide photographs indicating that all the containers have been properly labeled.

- (4) **OAC rule 3745-52-41(B), Annual report:** Any generator who treats, stores or disposes of hazardous waste on-site must submit an annual report covering those wastes in accordance with the applicable provisions of rules 3745-50-40 to 3745-50-66 and chapters 3745-54 to 3745-57, 3745-65 to 3745-69, 3745-205, 3745-256 and 3745-266 of the Administrative Code.

OVEC did not provide an annual report that included the boiler clean out waste which was generated and treated on-site in May, 2006 by March 1, 2007. A complete annual report with the correct information must be provided with a copy provided to this office for review.

**Other compliance issues:**

- (a) Please provide documentation indicating whether OVEC had trained personnel who handle universal wastes (e.g. batteries, fluorescent bulbs) on proper management procedures per OAC rule 3745-273-16.
- (b) The May 6, 2008 response stated that a Universal Waste manifest for the spent lamps was included in the response but it was not. Please provide a copy of the two most recent manifests.
- (c) You have stated that the #5 boiler cleanout and rinse solution that originally exceeded the TCLP limit for chromium was treated in a Totally Enclosed Treatment Facility (TETF) by dilution (not boiler rinse). You have stated that this boiler clean out waste was collected and treated in a series of frac tanks. However, the regulatory clarification for the TETF exemption specifies that it is intended for wastes from "industrial production process" which was meant to include only processes which produce a product, an intermediate, or a byproduct. Boiler cleanout is not a production process. OVEC should provide all documentation on how this waste was generated and treated. Also provide any information regarding how this system was constructed and operated to prevent releases of waste (tightness testing, inspections, etc.).

Mr. Gary Edwards  
OVEC  
June 3, 2008  
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I have provided a copy of the checklists used to evaluate your facility's compliance. Additional information on the hazardous waste rules, pollution prevention assessments and other useful information is available on Ohio EPA's website at [www.epa.state.oh.us](http://www.epa.state.oh.us). If you have any questions regarding waste management or pollution prevention activities, please call me at (740) 380-5278. If you have any pollution prevention questions or would be interested in a pollution prevention assessment, please call Donna Goodman at (740) 380-5293.

Sincerely,



Richard Stewart  
District Representative  
Division of Hazardous Waste Management

RS/mlm

cc: Gabriel Coriell, OVEC (w/ attachments)

**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.

Ohio Environmental Protection Agency  
**RCRA SUBTITLE C SITE**  
**IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to  
[tammy.mcconnell@epa.state.oh.us](mailto:tammy.mcconnell@epa.state.oh.us) or mail it to Tammy  
 McConnell, Central Office

Site EPA ID No.	EPA ID Number: OHD049651854								
Site Name	Name: Ohio Valley Electric Corporation - Kyger Creek Station					Website: (Optional)			
Site Location Information	Street Address: 5758 SR 7 North								
	City, Town, or Village: Cheshire					State: OH			
	County Name: Gallia					Zip Code: 45620			
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) <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>									
Facility Representative  Additional names can be recorded in number 12  Only provide address information if it is different than the site address	First Name: John			MI:	Last Name: Markley				
	Phone Number: 740-367-5050				Phone Number Extension:				
	E-Mail Address:								
	Fax Number:				Fax Number Extension:				
	Street or P.O. Box: PO Box 372								
	City, Town or Village: Same								
	State:			Country:		Zip Code:			
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: Same				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:								
	City, Town or Village:				Owner Phone #:				
	State:				Country:		Zip Code:		
	Name of Site's Operator:				Date Became Operator (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:								
	City, Town or Village:				Operator Phone #:				
	State:				Country:		Zip Code:		
Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No								
Type of Generator									
<input type="checkbox"/> Not Regulated				<input type="checkbox"/> Conditionally Exempt Small Quantity Generator					
<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11				<input type="checkbox"/> United States Importer of Hazardous Waste					
<input checked="" type="checkbox"/> Large Quantity Generator (LQG)				<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator					
<input type="checkbox"/> Small Quantity Generator (SQG)									
Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)									
<input type="checkbox"/> Recycler of Hazardous Waste				<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace					
<input type="checkbox"/> Underground Injection Control Facility				<input type="checkbox"/> Small Quantity On-Site Burner Exemption					
<input type="checkbox"/> Hazardous Waste Transporter				<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption					
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste									

Universal Waste Activities (Indicate types of universal waste generated and/or accumulated (check all boxes that apply))					
<input type="checkbox"/> Small Quantity Handler of Universal Waste			<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)		
<input type="checkbox"/> Destination Facility for Universal Waste					
(Check all boxes below that apply for each of the three types of facilities above)			Used Oil Activities (indicate Type(s) of Activity(ies))		
	Generated	Accumulated	<input checked="" type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner	
Batteries	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil	
Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner	
Thermostats	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor		
Lamps	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Re-refiner		
Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.					
D007	D008	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:		Jim Baughman
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Other Comments:		
Containers	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			
Name of Inspector(s)			Name of Inspector(s)		Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Rich Stewart			Vicky German		4/24/2007 9:30-12:00
OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.					
Signature of Owner, Operator, or an Authorized Representative			Name and Title (Print)		Date (mm/dd/yyyy)

**LAARGE QUANTITY GENERATOR REQUIREMENTS  
COMPLETE AND ATTACH A PROCESS DESCRIPTION SUMMARY**

CESQG: #100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.

SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.

LQG: ≥1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.

NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

**GENERAL REQUIREMENTS**

- |   |     |                                     |    |                                     |     |                          |
|---|-----|-------------------------------------|----|-------------------------------------|-----|--------------------------|
| 1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11]  | Yes | <input type="checkbox"/>            | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| 2. Are records of waste determination being kept for at least 3 years?[3745-52-40(C)]   | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/>            | N/A | <input type="checkbox"/> |
| 3. Has the generator obtained a U.S. EPA identification number? [3745-52-12]  | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/>            | N/A | <input type="checkbox"/> |
| 4. Were annual reports filed with Ohio EPA on or before March 1 <sup>st</sup> ? [3745-52-41(A)]   | Yes | <input type="checkbox"/>            | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| 5. Are annual reports kept on file for at least 3 years?[3745-52-40(B)]   | Yes | <input type="checkbox"/>            | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| 6. Has the generator transported or caused to be transported hazardous waste to <b>other</b> 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"/> |
| 7. Has the generator disposed of hazardous waste <b>on-site without a permit</b> or at another facility <b>other than</b> a facility authorized to dispose of the hazardous waste? [ORC 3734.02(E) & (F)] | Yes | <input type="checkbox"/>            | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| 8. Does the generator accumulate hazardous waste?   | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/>            | N/A | <input type="checkbox"/> |

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

- |   |     |                          |    |                                     |     |                          |
|---|-----|--------------------------|----|-------------------------------------|-----|--------------------------|
| 9. Has the generator accumulated hazardous waste on-site in excess of 90 days without a permit or an extension from the director ORC §3734.02 (E) & ( F)? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
|---|-----|--------------------------|----|-------------------------------------|-----|--------------------------|

NOTE: If F006 waste is generated and accumulated for > 90 days and is recycled see 3745-52-34(G) & (H).

- |   |     |                                     |    |                          |     |                                     |
|---|-----|-------------------------------------|----|--------------------------|-----|-------------------------------------|
| 10. Does the generator treat hazardous waste in a: [ORC 3734.02(E)&(F)] |     |                                     |    |                          |     |                                     |
| a. Container that meets 3745-66-70 to 3745-66-77?                       | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/>            |
| b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C)?     | Yes | <input type="checkbox"/>            | No | <input type="checkbox"/> | N/A | <input 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.

- |   |     |                          |    |                                     |     |                                     |
|---|-----|--------------------------|----|-------------------------------------|-----|-------------------------------------|
| 11. Does the generator export hazardous waste? If so:   | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/>            |
| a. Has the generator notified U.S. EPA of export activity? [3745-52-53(A)]                                      | Yes | <input type="checkbox"/> | No | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |
| b. Has the generator complied with special manifest requirements? [3745-52-54]                                  | Yes | <input type="checkbox"/> | No | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |
| c. For manifests that have not been returned to the generator: has an exception report been filed? [3745-52-55] | Yes | <input type="checkbox"/> | No | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |
| d. Has an annual report been submitted to U.S. EPA? [3745-52-56]  | Yes | <input type="checkbox"/> | No | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |
| e. Are export related documents being maintained on-site? [3745-52-57(A)]                                       | Yes | <input type="checkbox"/> | No | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |

**MANIFEST REQUIREMENTS**

- |  |     |                                     |    |                          |     |                          |
|--|-----|-------------------------------------|----|--------------------------|-----|--------------------------|
| 12. Have all hazardous wastes shipped off-site been 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"/> |
| 13. 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 completed. [3745-52-20(A)]

- |  |     |                                     |    |                          |     |                          |
|--|-----|-------------------------------------|----|--------------------------|-----|--------------------------|
| 14. 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 alternate 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)].

- |   |     |                          |    |                          |     |                                     |
|---|-----|--------------------------|----|--------------------------|-----|-------------------------------------|
| 15. If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternate 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"/> |
|---|-----|--------------------------|----|--------------------------|-----|-------------------------------------|

- |  |     |                                     |    |                          |     |                          |
|--|-----|-------------------------------------|----|--------------------------|-----|--------------------------|
| 16. Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)](1) & (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 a program in place to reduce the volume and toxicity waste they generate.

17. If the generator did not receive a return copy of each completed manifest within 35 days of the waste being accepted by the transporter did the generator contact the transporter and/or TSD facility to check on the status of the waste? [3745-52-42(A)(1)] Yes  No  N/A
18. If the generator has not received the manifest within 45 days, did the generator file an exception report with Ohio EPA? [3745-52-42(A)(2)] Yes  No  N/A
19. Are signed copies of all manifests and any exception reports 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.

**PERSONNEL TRAINING**

20. Does the generator have a training program which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to their positions? [3745-65-16(A)(2)] Yes  No  N/A
21. Does the personnel training program, at a minimum, include instructions to ensure that facility personnel are able to respond effectively to emergencies involving hazardous waste by familiarizing them with emergency procedures, emergency equipment and emergency systems (where applicable)? [3745-65-16(A)(3)(a-f)] Yes  No  N/A
22. Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)] Yes  No  N/A
23. Do new employees receive training within six months after the date of hire (or assignment to a new position)? [3745-65-16(B)] Yes  No  N/A
24. Does the generator provide annual refresher training to employees? [3745-65-16(C)] Yes  No  N/A
25. Does the generator keep records and documentation of:
- a. Job titles [3745-65-16D(1)]? Yes  No  N/A
  - b. Job descriptions [3745-65-16D(2)]? Yes  No  N/A
  - c. Type and amount of training given to each person [3745-65-16D(3)]? Yes  No  N/A
  - d. Completed training or job experience required [3745-65-16D(4)]? Yes  No  N/A
26. Are training records for current personnel kept until closure of the facility and are training records for former employees kept for at least three years from the date the employee last worked at the facility? [3745-65-16(E)] Yes  No  N/A

NOTE: The following section can be used by the inspector to document that all personnel who are involved with hazardous waste management have been trained. The employees who need training (written and/or on-the-job) may include the following: environmental coordinators, drum handlers, emergency coordinators, personnel who conduct hazardous waste inspections, emergency response teams, personnel who prepare manifest, etc.

Job Performed	Name of Employee	Date Trained

**CONTINGENCY PLAN**

27. Does the owner/operator have a contingency plan to minimize hazards to human health or the environment from fires, explosions or any unplanned release of hazardous waste? [3745-65-51(A)] Yes  No  N/A
28. Does the plan describe the following:
- a. Actions to be taken in response to fires, explosions or any unplanned release of hazardous waste [3745-65-52(A)]? Yes  No  N/A
  - b. Arrangements with emergency authorities [3745-65-52(C)]. Yes  No  N/A
  - c. A current list of names, addresses and telephone numbers (office and home) of all persons qualified to act as emergency coordinator? [3745-65-52(D)] Yes  No  N/A
  - d. A list of all emergency equipment, including: location, a physical description and brief outline of capabilities? [3745-65-52(E)] Yes  No  N/A

e. An evacuation plan for facility personnel where there is possibility that evacuation may be necessary? [3745-65-52(F)] Yes  No  N/A

NOTE: If the facility already has a "Spill Prevention, Control and Counter measures Plan" under CFR Part 112 or 40 CFR Part 1510, or some other emergency plan, the facility can amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with OAC requirements. [3745-65-52(B)]

29. Is a copy of the plan (plus revisions) kept on-site and been given to all emergency authorities that may be requested to provide emergency services? [3745-65-53 (A) & (B)] Yes  No  N/A

30. Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, or failure of the plan? [3745-65-54] Yes  No  N/A

31. Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55] Yes  No  N/A

NOTE: The emergency coordinator shall be thoroughly familiar with: (a) all aspects of the facility's contingency plan; (b) all operations and activities at the facility; (c) the location and characteristics of waste handled; (d) the location of all records within the facility; (e) facility layout; and (f) shall have the authority to commit the resources needed to implement provisions of the contingency plan.

**EMERGENCY PROCEDURES**

32. Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents since the last inspection? If so: Yes  No  N/A

a. Was the contingency plan implemented? [3745-65-51(B)] Yes  No  N/A

b. Did the facility follow the emergency procedures in 3745-65-56(A) through (H)? Yes  No  N/A

c. Did the facility submit a report to the Director within 15 days of the incident as required by 3745-65-56(J)? Yes  No  N/A

NOTE: OAC 3745-65-51(b) requires that the contingency plan be implemented immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents, which could threaten human health and the environment.

**PREPAREDNESS AND PREVENTION**

33. Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31] Yes  No  N/A

34. Does the generator have the following equipment at the facility, if it is required due to actual hazards associated with the waste:

a. Internal communications or 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

NOTE: Verify that the equipment is listed in the contingency plan.

35. Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33] Yes  No  N/A

36. Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33] Yes  No  N/A

37. Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under 3745-65-32)? [3745-65-34(A)] Yes  No  N/A

38. 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

39. Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] Yes  No  N/A

40. Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)] Yes  No  N/A

41. 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**

42. 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 acute hazardous waste at any one time? [3745-34(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 words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)] Yes  No  N/A
43. 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 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 IN <90 DAY ACCUMULATION AREAS**

44. Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(A)(3)] Yes  No  N/A
45. Is the accumulation date on each container? [3745-52-34(A)(2)] Yes  No  N/A
46. 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, photograph the area, and record on facility map.*

47. Is the container accumulation areas(s) inspected weekly? [3745-66-74] Per ORC §1.44(A) "Week" means 7 consecutive days. Yes  No  N/A
- a. Are inspections recorded in a log or summary? [3745-66-74] Yes  No  N/A
48. Are containers of ignitable or reactive wastes located at least 50 feet (15 meters) from the facility's property line? [3745-66-76] Yes  No  N/A
49. 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
50. 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
51. 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.*

52. If the generator has closed a <90 day accumulation area does the closure appear to have met the closure performance standard of 3745-66-11? [3745-52-34(A)(1)] Yes  No  N/A

*NOTE: Please provide a description of the unit and documentation provided by the generator for the file to demonstrate that closure was completed in accordance with the closure performance standards. If the generator has closed a <90 day tank, closure must also be completed in accordance with OAC 3745-66-97 (except for paragraph C of this rule). [3745-52-34]*

**PRE-TRANSPORT REQUIREMENTS**

53. Does the 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
54. Does each container <110 gallons have a completed hazardous waste label? [3745-52-32(B)] Yes  No  N/A
55. Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33] Yes  No  N/A

## WASTE ACTIVITIES SUMMARY

Facility Name: Ohio Valley Electric Corp.

Facility Type: LQG/UOG

EPA ID#: OHD049651854

### Waste Generated

### On-Site and Off-Site Management

### Pollution Prevention Activities

Process Generating Waste	Waste Generated	EPA Waste Code	Amount Generated per Month	Type and Location of Accumulation, Storage	Type of On-Site Treatment	Name, State, and Type of Activity Occurring at the off-site Facility	Current Pollution Prevention Activities	Pollution Prevention Opportunities
1 equipment maintenance	Used oil	NA	~600 gal/mo	900 and 1400 gal tanks in oil room in boilerhouse	After testing, injected into boilers as fuel	NA	NA	
2 equipment maintenance	Paint chips	D008	varies	NA	NA	Managed by painting contractor: Gheen's Painting, Pomeroy, OH	NA	
3 equipment maintenance	Mercury spill waste	D009	infrequent	Mercury storage room, across from Unit 4 control room	NA	Has been several years since last disposed.	NA	
4 equipment maintenance	Liquid Hg, Hg-containing equipment  Batteries (dry)	UW	varies	Mercury storage room,	NA	Eco-First Lesage, WV  " "	recycling	
5 equipment maintenance	Boiler chemical cleaning & rinse waste	D007 or NA	Every 6 yrs ~96,000 gal per boiler	Frac tanks manifolded together, west of boilerhouse	Incineration in boilers	NA	NA	

## WASTE ACTIVITIES SUMMARY

Waste Generated				On-Site and Off-Site Management			Pollution Prevention Activities		
Process Generating Waste	Waste Generated	EPA Waste Code	Amount Generated per Month	Type and Location of Accumulation, Storage	Type of On-Site Treatment	Name, State, and Type of Activity Occurring at the Facility	Current Pollution Prevention Activities	Pollution Prevention Opportunities	
6	Pickling stainless steel	rinseate waste from pickling the JBR tank	D007	Varies – up to 1000 gal/mo	Portable tank next to JBR	NA	Envirite of Ohio Inc. Canton, OH	NA	
7	Lighting	Spent bulbs, batteries	UW	varies	Haz waste accumulation building	NA	EcoFirst, Lesage, WV	recycled	
8	Parts cleaning	High flash parts washer solvent	NA	varies	Several in shops around plant	NA	Safety Kleen, Ashland, KY	Continued use program	
9									
10									

## GENERAL FACILITY INFORMATION

### Process Information:

OVEC Generating Station is a coal-fired electric generation facility which was completed in 1955. There are five, 217 MW steam turbines, emissions pass through an electrostatic precipitator, selective catalytic reduction units and, once current construct is completed, jet-bubble reactor to further remove SOx emissions. Operation of the new scrubber is scheduled for late 2008. A landfill is being constructed to the east of the plant for scrubber sludge and flyash disposal.

### Other wastes:

Flyash	200,000 tons/yr	On-site pond/disposal
Bottom ash	200,000 tons/yr	Used as aggregate - On-site pond/disposal

### Regulatory/Enforcement History:

DHWM-SEDO last inspected this facility on June 26, 1997. No violations were cited as a result of that inspection.

### Pollution Prevention Remarks and/or Other Information:

Would this facility be interested in a P2 assessment?

Yes  No  NA

### REMARKS

*Facility representative was briefed on OEPA's P2 assessment program.*

*If yes, refer to Ohio EPA Southeast District Office Pollution Prevention Coordinator or to Ohio EPA's Office of Compliance Assistance and Pollution Prevention, at 1-800-329-7518, [p2mail@epa.state.oh.us](mailto:p2mail@epa.state.oh.us) or [www.epa.state.oh.us/ocapp/ocapp.html](http://www.epa.state.oh.us/ocapp/ocapp.html).*

## USED OIL CHECKLIST

### PROHIBITIONS

1. Is used oil being managed in a surface impoundment or waste pile? If so: Yes \_\_\_ No Y N/A \_\_\_ RMK# \_\_\_  
Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 or 3745-65 to 3745-69? [3745-279-12(A)] Yes \_\_\_ No \_\_\_ N/A Y RMK# \_\_\_
2. Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes \_\_\_ No Y N/A \_\_\_ RMK# \_\_\_
3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)? Yes \_\_\_ No \_\_\_ N/A Y RMK# \_\_\_

### USED OIL GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [2745-279-21(A)] Yes \_\_\_ No \_\_\_ N/A Y RMK# \_\_\_
5. Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)] Yes \_\_\_ No \_\_\_ N/A Y RMK# \_\_\_
6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 or 3745-65 to 3745-69? [3745-279-22(A)] Yes \_\_\_ No \_\_\_ N/A Y RMK# \_\_\_
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes Y No \_\_\_ N/A \_\_\_ RMK# \_\_\_
8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil"? [3745-279-22(C)] Yes Y No \_\_\_ N/A \_\_\_ RMK# \_\_\_
9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
- a. Stopped the release? Yes Y No \_\_\_ N/A \_\_\_ RMK# \_\_\_
  - b. Contained the release? Yes Y No \_\_\_ N/A \_\_\_ RMK# \_\_\_
  - c. Cleaned up and properly managed the used oil and other materials? Yes Y No \_\_\_ N/A \_\_\_ RMK# \_\_\_
  - d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes Y No \_\_\_ N/A \_\_\_ RMK# \_\_\_
10. Does the generator burn used oil in used fired space heaters? [3745-279-23] If so: Yes \_\_\_ No Y N/A \_\_\_ RMK# \_\_\_
- a. Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators? Yes \_\_\_ No \_\_\_ N/A NA RMK# \_\_\_

b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?

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

c. Are the combustion gases from heater vented to the ambient air?

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

11. Does the generator have the used oil hauled only by transporters that have obtained an EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24]

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

#### USED OIL COLLECTION CENTERS AND AGGREGATION POINTS

12. Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30]

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

13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]

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

14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]

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

#### WASTE EVALUATION

15. Have all wastes generated at the facility been evaluated? [3745-52-11]

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

#### REMARKS

**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 \_\_\_ No Y N/A \_\_\_ RMK#
2. Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in 3745-273-17 or managing specific wastes as provided in 3745-273-13? [3745-273-11(B)] Yes \_\_\_ No Y N/A \_\_\_ RMK#

**WASTE MANAGEMENT & LABELING/MARKING**

**UNIVERSAL WASTE BATTERIES**

3. Are battery(ies) that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)] Yes \_\_\_ No \_\_\_ N/A Y RMK#
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 \_\_\_ No \_\_\_ N/A Y RMK#
5. Does the SQUWH conduct any of the following activities:
- a. Sort batteries by type? Yes \_\_\_ No \_\_\_ N/A Y RMK#
  - b. Mix battery types in one container? Yes \_\_\_ No \_\_\_ N/A Y RMK#
  - c. Discharge batteries to remove the electric charge? Yes \_\_\_ No \_\_\_ N/A Y RMK#
  - d. Regenerated used batteries? Yes \_\_\_ No \_\_\_ N/A Y RMK#
  - e. Disassemble them into individual batteries or cells? Yes \_\_\_ No \_\_\_ N/A Y RMK#
  - f. Remove batteries from consumer products? Yes \_\_\_ No \_\_\_ N/A Y RMK#
  - g. Remove the electrolyte from the battery? Yes \_\_\_ No \_\_\_ N/A Y RMK#

If so, are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)(2)]

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

6. If the electrolyte is removed or other waste generated, has it been determined whether it is a hazardous waste? [3745-273-13(A)(3)]

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

a. If the electrolyte or other waste is characteristic, is it managed in compliance with 3745-50 through 3745-69? [3745-273-13(A)(3)(a)]

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

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

7. Are the battery(ies) of container(s) of batteries labeled with the words AUniversal Waste - Batteries@ or AWaste Battery(ies)@ or AUsed Battery(ies)?@ [3745-273-14(A)]

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

### UNIVERSAL WASTE LAMPS

8. Does the SQGUHW contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and are 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 \_\_\_ No Y N/A \_\_\_ RMK# 1

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 \_\_\_ No Y N/A \_\_\_ RMK# 1

10. Are the lamps or containers or packages of lamps labeled with the words AUniversal Waste - Lamp(s)@ or AWaste Lamp(s)@ or AUsed Lamp(s)?@ [3745-273-14(E)]

Yes \_\_\_ No Y N/A \_\_\_ RMK# 1

**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 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility under a hazardous waste manifest.

**ACCUMULATION TIME**

11. Is the waste accumulated for less than one year? Yes\_\_ No\_\_ N/A Y RMK# 2  
[3745-273-15(A)] If not:
- a. Was 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?\_\_ No \_\_ N/A \_\_ RMK# 2

**NOTE:** Accumulation is defined as date generated or date received from another handler.

**REMARKS**

#1 OVEC had broken bulbs that had not been cleaned up, bulbs not being stored in containers and unlabeled containers during the inspection.

#2 It is unclear how OVEC tracks the date of accumulation for the UW bulbs/batteries.

12. Is the length of time the universal waste is stored documented by one of the following: [3745-273-15(C)] Yes \_\_\_ No \_\_\_ N/A Y RMK#
- a. Marking or labeling the container with the earliest date when the universal waste became a waste or was received? [3745-273-15(C)(1)] Yes \_\_\_ No \_\_\_ N/A Y RMK#
- b. Marking or labeling individual item(s) of universal waste with the earliest date that it became a waste or was received? [3745-273-15(C)(2)] Yes \_\_\_ No \_\_\_ N/A Y RMK#
- c. Maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received? [3745-273-15(C)(3)] Yes \_\_\_ No \_\_\_ N/A Y RMK#
- d. Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers became a universal waste or was received? [3745-273-15(C)(4)] Yes \_\_\_ No \_\_\_ N/A Y RMK#
- e. Placing the universal waste in a specific accumulation area and identifying the earliest start date or date received? [3745-273-15(C)(5)] Yes \_\_\_ No \_\_\_ N/A Y RMK#
- f. Any other method, which clearly demonstrates, the length of time the universal waste has been accumulated from the date it became a waste or was received? [3745-273-15(C)(6)] Yes \_\_\_ No \_\_\_ N/A Y RMK#

**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 ? No \_\_\_ N/A \_\_\_ RMK# 3

**REMARKS**

#3 Unclear when/if employees received UW handling information.

- b. Agree to where the shipment will be sent? [3745-273-18(E)(2)] Yes \_\_\_ No \_\_\_ N/A Y RMK#
21. If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss one of the following:
- a. Sending the waste back to the originating handler? [3745-273-18(F)(1)] Yes \_\_\_ No \_\_\_ N/A Y RMK#
- b. Sending the shipment to a destination facility? (If both the originating and receiving handler agree) [3745-273-18(F)(2)] Yes \_\_\_ No \_\_\_ N/A Y RMK#
22. If the handler received a shipment of hazardous waste that was not universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)] Yes \_\_\_ No \_\_\_ N/A Y RMK#
23. If the handler received a shipment of nonhazardous, non-universal waste, was the waste managed in accordance with applicable law? [3745-273-18(H)] Yes \_\_\_ No \_\_\_ N/A Y RMK#

**EXPORTS**

24. Is waste being sent to a foreign destination? If so: Yes \_\_\_ No Y N/A \_\_\_ RMK#
- a. Does the small quantity handler comply with primary exporter requirements in OAC 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)] Yes \_\_\_ No \_\_\_ N/A Y RMK#
- b. Is waste exported only upon consent of the receiving country and in conformance with U.S. EPA's Acknowledgment of Consent as defined in 3745-52-50 to -52-57? [3745-273-20(B)] Yes \_\_\_ No \_\_\_ N/A Y RMK#
- c. Is a copy of U.S. EPA's Acknowledgment of Consent provided to the transporter? [3745-273-20(C)] Yes \_\_\_ No \_\_\_ N/A Y RMK#

**REMARKS**

**RESPONSE TO RELEASES**

14. Are releases of universal waste and other residues immediately contained? [3745-273-17(A)] Yes  No  N/A  RMK# 1
15. Is the material released characterized? [3745-273-17(B)] Yes  No  N/A  RMK#
16. If the material released is a hazardous waste, is 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 Chapter 3745-52) [3745-273-17 (B)] Yes  No  N/A  RMK#

**OFF-SITE SHIPMENTS**

**NOTE:** *If a SQUWH self-transport waste, then they must comply with the Universal Waste transporter requirements.*

17. Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)] Yes  No  N/A  RMK#

**NOTE:** *SQUWHs are prohibited to send waste to any other facility.*

18. If the universal waste meets the definition of hazardous material under 49 CFR 171-180, are DOT requirements met with regard to package, labels, placards and shipping papers? [3745-273-18(C)] Yes  No  N/A  RMK#
19. Prior to shipping universal waste off-site, does the receiver agree to receive the shipment? [3745-273-18(D)] Yes  No  N/A  RMK#
20. If the universal waste shipped off-site is rejected by another handler or destination facility does the originating handler do one of the following:
- a. Receive the waste back? [3745-273-18(E)(1)] Yes  No  N/A  RMK#