



State of Ohio Environmental Protection Agency

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March 23, 2007

MONROE COUNTY
ORMET ALUMINUM MILL PRODUCTS
RCRA/SQG
~~**OHD 000 040 585**~~

OHD 004 379 970

Mr. John Reggi
Ormet Primary Aluminum Corporation
P.O. Box 176
Hannibal, Ohio 43931

Dear Mr. Reggi:

On March 22, 2007, Jim Sferra and I inspected Ormet Primary Aluminum Corporation's facility in Hannibal, Ohio to determine Ormet Primary Aluminum Corporation's compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). During the inspection, we also helped you identify ways to prevent pollution by reducing waste. This letter will explain the violations we found and what you need to do to correct the violations.

We found the following violations of Ohio's hazardous waste law. In order to correct these violations, you must do the following and send me the required information **within 30 days** of your receipt of this letter:

- (1) **Used oil storage requirements for generators, OAC rule 375-279-22(D)**: Upon detection of a release of used oil to the environment, a generator shall clean up and manage properly the release used oil and other materials.

During the inspection, a used oil container found in the rectifier yard was found to be leaking onto the ground. As required by this rule, Ormet must clean-up the contaminated ground. To demonstrate compliance with this rule, photographic documentation must be submitted to Ohio EPA demonstrating that the contaminated ground has been removed and disposed of properly.

- (2) **Labeling/markings standards for small quantity handlers of universal waste, OAC 3745-273-14(E)**: A small quantity handler of universal waste shall label or mark the universal waste to identify the type of universal waste as specified in this rule. Each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste-Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."

During the inspection, it was determined that the boxes of waste lamps were not labeled as required by this rule. To demonstrate compliance with this rule, photographic documentation must be submitted to Ohio EPA demonstrating that all waste lamp containers have been labeled as required.

- (3) **Accumulation time limits- limits for small quantity handlers of universal waste, OAC rule 3745-273-15(C):** A small quantity handler of universal waste who accumulates universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration any one of the methods listed in this rule.

During the inspection, it could not be determined how long the boxes of waste lamps had been stored. Ormet must demonstrate the length of time the universal waste has been stored on-site in accordance with this rule. To demonstrate compliance with this rule, Ormet must state in writing how the demonstration will be made in the future.

- (4) **Accumulation time of hazardous waste, OAC rule 3745-52-34(2):** A generator may, for ninety days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without a permit, provided that the date upon which each period of accumulation and/or treatment begins is clearly marked and visible for inspection on each container.

During the inspection, eight containers of spent pot liner (K088) were not labeled with the accumulation date as required. To demonstrate compliance with this rule, photographic documentation must be submitted to Ohio EPA demonstrating that all containers have been labeled as required.

- (5) **Closure and post-closure care of containment buildings, OAC rule 3745-256-102(A):** At closure of a containment building, the owner or operator must remove or decontaminate all waste residues, contaminated containment system components (liners, etc.), contaminated subsoils, and structures and equipment contaminated with waste and leachate, and manage them as hazardous waste unless paragraph (D) of rule 3745-51-03 of the Administrative Code applies. The closure plan, closure activities, cost estimates for closure, and financial responsibility for containment buildings must meet all of the requirements specified in rules 3745-66-10 to 3745-66-21 and 3745-66-40 to 3745-66-48 of the Administrative Code.

As discussed in Ormet's letter dated November 27, 2006 to USEPA, the containment building is not being used as a containment building but as a container storage area. USEPA's letter, dated January 26, 2007 states that Ormet must comply with the containment building closure and post-closure care requirements as required by this rule. Ormet does not have a closure plan for the containment building. Ormet must submit a closure plan which incorporates all of the required elements to the director of Ohio EPA *within forty-five days* of receipt of this letter.

Mr. John Reggi
Ormet Primary Aluminum Corporation
March 23, 2007
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- (6) **Testing and maintenance of equipment, OAC rule 3745-65-33:** All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, must be tested and maintained as necessary to assure its proper operation in time of emergency. The owner or operator must record the inspections in a log or summary.

During the inspection it was determined that Ormet is inspecting the emergency equipment; however, Ormet is not recording these inspections in a log or summary. Ormet must be recording these inspections in a log or summary. To demonstrate compliance, Ormet must provide a copy of the log or summary that will be used to record the emergency equipment inspections.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. You can find more information about pollution prevention, including fact sheets at the following web address: <http://www.epa.state.oh.us/opp>. If you would like to be considered for an in-depth on-site pollution prevention assessment, or if you would like more information about pollution prevention assessments, please contact me at 740-380-5256. You can also find copies of the rules and other information on Ohio EPA's web page at <http://www.epa.state.oh.us>.

If you have any questions regarding the contents of this letter, please call me at (740) 380-5278.

Sincerely,



Melody Stewart
District Representative
Division of Hazardous Waste Management

MS/mlm

cc: Paul Little, Chief, Enforcement and Compliance Assurance Branch, USEPA Region V

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 appropriate regulations.

PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: Ormet Primary Aluminum Corp.

Facility Type: LQG

EPA ID#: OHD004379970

Description of Waste				On-Site Management			Off-Site Management		
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, etc)	Waste Generated (e.g. sludge, spent solvent, ash, etc)	EPA Waste Code	QTY Generated per Month	Type of Accumulation/Storage (e.g. container, tank, etc)	Type of On-Site Treatment (recycle, wwt, etc)	Waste Location (Include map if possible)	Name, state, and type of activity occurring at the facility.	P2 Activities	
1	Removal of spent pot liners from pots on the aluminum smelting process lines	Spent pot liners	K088	Due to strike no pot liners are being generated.	Metal containment building with concrete floor & sides	Accumulation	Pot Liner Storage Building 554.	Shipped as K088 waste to Clean Harbors Canada Corunna ON	NA
2	Ground water treatment plant - remediation activities	Filtercake and Spent filters	K088	~ 20 Y/mo (M)	3-4 Y boxes	NA	Ground Water Treatment Plant	Wayne Disposal Belleville MI stabilization - landfilled	NA
3	Parts cleaning - Auto Shop	Spent solvent (Monoethanol-amine)	D006 D008 D027 D039 D040	~5 gal. every 4 months (M)	NA	NA	Small parts washer in Auto Shop Building 207	Safety-Kleen Systems, Inc. Wheeling WV Fuel blending	NA
4	Parts cleaning - Auto Shop, Maintenance Shop, Rectifier Area Shop	Spent petroleum naphtha-based solvent	D039	~8 gal. every 2 months (M)	NA	NA	Parts washers - Auto Shop, Maintenance Shop, Rectifier Area Shop. (~ 6 parts washers various locations)	Safety-Kleen Systems, Inc. Wheeling WV Fuel blending	NA

Description of Waste				On-Site Management			Off-Site Management		
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, etc)	Waste Generated (e.g. sludge, spent solvent, ash, etc)	EPA Waste Code	QTY Generated per Month	Type of Accumulation/Storage (e.g. container, tank, etc)	Type of On-Site Treatment (recycle, wwt, etc)	Waste Location (Include map if possible)	Name, state, and type of activity occurring at the facility.	P2 Activities	
5	Painting	Spent solvents containing toluene/xylene; paint wastes	F003 F005	Due to strike no waste is being generated.	55-gallon drums	NA	Satellite accumulation areas at the Dry Scrubber, Rectifier, and Maintenance.	Safety-Kleen Systems, Inc. Wheeling WV Fuel blending	NA
6	Aluminum melting process; Casting operations	Aluminum dross; casting dross	Non-hazardous	Varies	3-4 Y boxes	NA	Outside casting building	Ormet's Bens Run facility Used in process	Being recycled/reused
7	Oil changes in plant machinery, production equipment, forklifts	Used oil	Non-hazardous	Varies	55-gallon drums, transferred to 2 Used Oil tanks	NA	Maintenance Shop Area Building 222	Safety-Kleen Systems, Inc. Wheeling WV Recycled	Being recycled
8	Draining of transformers in Rectifier Yard	Spent transformer oil	Non-hazardous, below TSCA PCB level	Varies	55-gallon drums	NA	Rectifier Yard by Building 593	Safety-Kleen Systems, Inc. Wheeling WV Recycled	Being recycled
9	Changing batteries in plant machinery, forklifts	Spent lead-acid batteries	D008 unless recycled	Varies	Outside on pallets	NA	Maintenance Shop Area, outside Building 222 on pallets	Interstate Battery (Exchange) Parkersburg WV - Recycled	Being recycled & exchanged

Description of Waste				On-Site Management			Off-Site Management		
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, etc)	Waste Generated (e.g. sludge, spent solvent, ash, etc)	EPA Waste Code	QTY Generated per Month	Type of Accumulation/ Storage (e.g. container, tank, etc)	Type of On-Site Treatment (recycle, wwt, etc)	Waste Location (Include map if possible)	Name, state, and type of activity occurring at the facility.	P2 Activities	
10	Replacement of fluorescent bulbs	Spent fluorescent bulbs	D009 unless recycled	Varies	Cardboard boxes	NA	Various locations in facility	Safety Kleen Wheeling, WV Recycled	Being recycled
11	Road & plant sweepings	Dust	Non-hazardous	Varies	Roll off Boxes	NA	Various locations around facility	American Disposal Services of WV Landfilled	NA
12	Aluminum smelting process	Cryolite solids from bath solution	Non-hazardous	Varies (see process description)	Totes and inside storage.	Reused in pots or sometimes sold	Under roof, near Glass Plant Building 560)	NA	NA
13	Pot change out	Metal Pads	Non-hazardous	Varies	Roll off boxes	NA	Near Anode Crushing	Bens Run Facility	Reprocessed
14	Anode crushing	anodes	Non-hazardous	Varies	Roll off boxes	NA	Anode Crushing building	Alcan Seabring, Kentucky	Reprocessed

REMARKS-GENERAL INFORMATION

General Process Information:

Ormet Primary Aluminum Corporation produces aluminum metal by the electrolytic reduction of alumina (aluminum oxide) dissolved in a cryolite (sodium aluminum fluoride) bath. Powdered alumina is shipped to Ormet by barge from Louisiana and stored in tanks. From the tanks, the alumina is put into hoppers located above 1,032 melting pots that are located in 6 pot lines within the pot room. In each pot, alumina drops into a cryolite bath and dissolves while electrical current passes through carbon anodes to the cathode (which is the lining of the pot). The molten aluminum is siphoned out of the pots and transferred to the casting operation, where it is either poured directly into large molds (sows), or mixed with alloys such as iron, copper, silicon, etc., and cast into various sized billets.

For air emissions control purposes, about $\frac{1}{3}$ of the raw alumina in the storage tanks is conveyed through a dry scrubber attached to the pot room, where it acts as a scrubbing agent for exhaust gases by absorbing fluorides emitted from the melting pots. The alumina that is used in the dry scrubber is captured in baghouses then conveyed to the hoppers in the 6 pot lines for use in the smelting pots.

Spent pot liner is generated during the production of aluminum. In the aluminum reduction process, the carbonaceous lining of the aluminum smelting pots functions as the cathode. The pot liners are made of carbon (anthracite) and bricks layered together. During the production process the pot liners become contaminated with cyanide and fluoride compounds and begin to crack. Once they are cracked, the pot liners begin to contaminate the molten aluminum with impurities. These pot liners are now "spent" and must be replaced. The average life of one pot liner is approximately 3-4 years. Ormet's spent pot liners are manifested off-site as K088 hazardous waste.

According to the level of sodium in the incoming alumina, Ormet either generates cryolite or makes cryolite. When the sodium level in the alumina is high, cryolite is taken out of the pots and stored to make cryolite bath when it is needed. When the sodium level in the alumina is low, Ormet uses the stored cryolite to make the bath.

Ormet used to manufacture their own anodes, but began to purchase anodes from off-site last year. Ormet now receives the anodes (carbon, petroleum coke, and tar pitch baked into large blocks) and takes them to the Rodding Room, where rods of steel and copper are attached to them with molten cast iron. The attached rods make it possible to lower the anodes into the melting pots. One anode lasts 13 days; Ormet uses approximately forty thousand anodes every 13 days. Once an anode becomes spent, it is removed from the pot and disposed of as a non-hazardous waste.

Ormet also generates parts washer solvents, paint-related wastes and solvents from miscellaneous painting jobs, used oil, spent lead-acid batteries, spent fluorescent bulbs, and road sweepings from maintenance and clean up at the site. Ormet has 4 satellite accumulation areas that are located in the following departments: Pot Services, Dry Scrubber, Maintenance, and Rectifier areas. In addition, the facility has three <-90-day accumulation areas. One is located outside the Stores Department Loading area, but this has not been used recently because Ormet has wastes picked up directly from the satellite accumulation areas when the one drum limit is reached. Spent pot liner is accumulated in a containment building, and a <-90-day accumulation area is located at the ground water treatment plant for sludge and filters generated during ground water remediation activities.

LARGE QUANTITY GENERATOR REQUIREMENTS

CESQG: <100Kg. (Approximately 25-30 gallons) of waste in a calendar month.

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.

GENERAL REQUIREMENTS

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11] Yes No NA
2. Has the generator obtained a U.S. EPA identification number? [3745-52-12] Yes No NA
3. Were annual reports filed with Ohio EPA on or before March 1st? [3745-52-41(A)] Yes No NA
4. 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 NA
5. Has the generator disposed of hazardous waste **on-site without a permit** or at another facility other than a facility authorized to dispose of the hazardous waste? [ORC 3734.02(E) & (F)] Yes No NA
6. Does the generator accumulate hazardous waste? Yes No NA
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.
7. 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 No NA
NOTE: If F006 waste is generated and accumulated for > 90 days and is recycled see 3745-52-34(G) & (H).
8. 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 No NA
 - b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C) and Yes No NA
 - c. Drip pads that meet 3745-69-40 to 3745-69-45? Yes No NA
 - d. Containment building that meets 3745-256-100 to 3745-256-102? Yes No NA*NOTE: Complete appropriate checklist for each unit.*
NOTE: If waste is treated to meet LDRs, use LDR checklist.
9. Does the generator export hazardous waste? If so: Yes No NA
 - a. Has the generator notified U.S. EPA of export activity? [3745-52-53(A)] Yes No NA
 - b. Has the generator complied with special manifest requirements? [3745-52-54] Yes No NA
 - c. For manifests that have not been returned to the generator: has an exception report been filed? [3745-52-55] Yes No NA
 - d. Has an annual report been submitted to U.S. EPA? [3745-52-56] Yes No NA
 - e. Are export related documents being maintained on-site? [3745-52-57(A)] Yes No NA

MANIFEST REQUIREMENTS

10. Have all hazardous wastes shipped off-site been accompanied by a manifest?
(U.S. EPA Form 8700-22) [3745-52-20(A)] Yes No NA

11. Have items (1) through (20) of each manifest been completed? [3745-52-20(A)] Yes No NA

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)]

12. Does each manifest designate at least one facility which is permitted to handle the waste?
[3745-52-20(B)] Yes No NA

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)]

13. 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 No NA

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

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 of the waste they generate.

15. 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 NA

16. 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 NA

17. Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40] Yes No NA

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

18. 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 NA

19. Does the personnel training program include instructions to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment and emergency systems (where applicable)? [3745-65-16(A)(3)(a-f)] Yes No NA

20. Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)] Yes No NA

21. 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 NA
22. Does the generator provide annual refresher training to employees? [3745-65-16(C)] Yes No NA
23. Does the generator keep records including: job titles [D(1)], job descriptions [D(2)], type and amount of training given to each person [D(3)] and documentation of completed training or job experience required [D(4)]? [3745-65-16(D)] Yes No NA
24. 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 NA

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 Manifests, etc.

Job Performed

Name of Employee

Date Trained

CONTINGENCY PLAN

25. 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 NA
26. 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 NA
 - b. Arrangements with emergency authorities [3745-65-52(C)]. Yes No NA
 - 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 NA
 - d. A list of all emergency equipment, including: location, a physical description and brief outline of capabilities? [3745-65-52(E)] Yes No NA
 - e. An evacuation plan for facility personnel where there is possibility that evacuation may be necessary? [3745-65-52(F)] Yes No NA

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)]

27. 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 NA
28. 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 NA
29. Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55] Yes No NA

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

30. Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents since the last inspection? If so:
- a. Was the contingency plan implemented? [3745-65-51(B)] Yes No NA
- b. Did the facility follow the emergency procedures in 3745-65-56(A) through (H)? Yes No NA
- 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 NA

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

31. Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31] Yes No NA
32. 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 NA
- b. Emergency communication device? [3745-65-32(B)] Yes No NA
- c. Portable fire control, spill control and decon equipment? [3745-65-32(C)] Yes No NA
- d. Water of adequate volume/pressure? [3745-65-32(D)] Yes No NA
- NOTE: Verify that the equipment is listed in the contingency plan.*
33. Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33] Yes No NA
34. Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33] Yes No NA
35. 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 NA
36. 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 NA
37. Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] Yes No NA
38. Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)] Yes No NA
39. Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)] Yes No NA

SATELLITE ACCUMULATION AREA REQUIREMENTS

40. 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 NA
 - b. Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)] Yes No NA
 - c. Do not exceed one quart of acutely hazardous waste at anyone time? [3745-52-34(C)(1)] Yes No NA
 - d. Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)] Yes No NA
 - e. Containers are marked with words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)] Yes No NA
41. Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so:
- 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 NA
 - 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 NA
 - c. Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)] Yes No NA

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

42. Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(A)(3)] Yes No NA
43. Is the accumulation date on each container? [3745-52-34(A)(2)] Yes No NA
44. Are hazardous wastes stored in containers which are:
- a. Closed (except when adding/removing wastes)? [3745-66-73(A)] Yes No NA
 - b. In good condition? [3745-66-71] Yes No NA
 - c. Compatible with wastes stored in them? [3745-66-72] Yes No NA
 - d. Handled in a manner which prevents rupture/leakage? [3745-66-73(B)] Yes No NA
45. Is the container accumulation areas(s) inspected weekly? [3745-66-74]
Note: Per ORC§1.44(A) "Week" means seven (7) consecutive days. Yes No NA

- a. Are inspections recorded in a log or summary? [3745-66-74] Yes No NA
46. 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 NA
47. 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 NA
48. 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 NA
49. 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 NA
- 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.*
50. 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 NA
- NOTE: Please provide a description of the unit and documentation provided by the generator 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

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

REMARKS

LDR REQUIREMENTS

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 NA
- a. For determinations based solely on knowledge of the waste: Is supporting data retained on-site? [3745-270-07(A)(6)] Yes No NA
- b. For determinations based upon analytical testing: Is waste analysis data retained on-site? [3745-270-07(A)(6)] Yes No NA
2. Has the generator determined each EPA hazardous waste code applicable to the waste? [3745-270-07(A)(2) see Table 1] Yes No NA
3. Has the generator determined the correct "treatability group(s)" (e.g., wastewater, non-wastewater, etc.)? [3745-270-07(A), Table 1] Yes No NA
4. Does the generator generate a characteristic hazardous waste? If so: Yes No NA
- a. Have all underlying hazardous constituents (UHCs) been identified? [3745-270-09(A)] Yes No NA

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: Yes No NA
- 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 NA

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 NA

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 NA

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 NA

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 NA

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: Yes No NA
- a. The facility can dispose of hazardous waste in a on-site landfill or surface impoundment.[3745-270-05] Yes No NA
11. Does the facility have an extension to allow for a restricted waste to be land disposed?[3745-270-06] If so: Yes No NA
- a. The facility can land dispose of the waste. [3745-270-06] Yes No NA
12. Does the facility treat wastes that are otherwise prohibited from land disposal, in a surface impoundment? Yes No NA
If so:
- a. Has the facility complied with 3745-270-04? Yes No NA

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 NA
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 NA
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 NA
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 NA
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: Yes No NA
- 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 NA

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 NA

REMARKS

GENERATORS TREATING HAZARDOUS WASTE

1. Is treatment of hazardous waste occurring to meet the treatment standards in 3745-270-40? Yes No NA
2. If so, does the generator have a waste analysis plan containing the following requirements? [3745-270-07(A)(5)] Yes No NA
- a. A detailed chemical and physical analysis of a representative sample of the wastes being treated? [3745-270-07(A)(5)(a)] Yes No NA
- b. All information necessary to treat the waste(s) in accordance with the requirements of 3745-270, including the selected frequency? [3745-270-07(A)(5)(a)] Yes No NA
3. Is the WAP on-site in the facility's files and available to inspectors? [3745-270-07(A)(5)(b)] Yes No NA
4. Has the generator followed their WAP [3745-270-07(A)(5)]? Yes No NA
5. Have the treated wastes met the applicable treatment standards in 3745-270-40? Yes No NA
6. Has the generator sent a notification and certification with the initial shipment of waste? [3745-270-07(A)(5)(c)] Yes No NA
7. Does each notification/certification form completed, contain the information found in Table 1 of 3745-270-07? [3745-270-07(A)(5)(c)] Yes No NA
8. Has the generator, who is treating a characteristic waste, submitted a notification and certification to the director which contains the following: Yes No NA
- a. Name and address of the facility receiving the waste? [3745-270-09(D)(1)(a)] Yes No NA
- b. A description of the waste, including EPA hazardous waste codes and treatability group, and UHCs? [3745-270-09(D)(1)(b)] Yes No NA

NOTE: *If the waste will be treated and monitored for all UHCs then they do not need to be listed on the notice.*

9. Has the process/operation generating the waste or the solid waste landfill facility changed? If so: Yes No NA
- a. Has the notification and certification been updated in the generators and treaters files? [3745-270-09(D)] Yes No NA
- b. Has the director been notified of such changes? [3745-270-09(D)] Yes No NA

NOTE: *The director need only be notified on an annual basis but no later than December 31.*

10. Is the facility treating contaminated soil using the alternative treatment standards in 3745-270-49? If so: Yes No NA
- a. Has the facility treated the contaminated soil to less than 10 times the Universal Treatment Standards or has a 90% reduction in the total constituent concentrations occurred? [3745-270-49 (C)] Yes No NA
11. Does each notification/certification form completed, contain the information found in Table 1? [3745-270-07(A)(3)] Yes No NA

NOTE: *If the waste will be treated and monitored for all constituents, there is no need to put them all on the LDR notice.*

REMARKS

HAZARDOUS DEBRIS

1. Does the material in question meet the definition of hazardous debris as defined in rule 3745-270-02(A)(3)? Yes No NA
2. Is the hazardous debris being treated to the waste specific treatment standard in 3745-270-40 to 3745-270-49? (If yes, use the generator checklist.) Yes No NA
3. Is the hazardous debris being treated by the alternative treatment standards in 3745-270-45? If so: Yes No NA
 - a. Has the debris or mixtures of debris been treated for each contaminant subject to treatment (toxicity, listed waste and cyanide reactive debris) using one or more of the treatment technologies found in Table 1 in 3745-270-45? [3745-270-45(A)] Yes No NA

NOTE: *If immobilization has been used in a treatment train, it must be the last treatment technology used.*

4. Was the hazardous debris a listed waste treated by an immobilization technology in Table 1? [3745-270-45(A)(1)] If so Yes No NA
 - a. Was immobilization the last treatment technology used? [3745-270-45(A)(3)] Yes No NA
5. Is the waste a PCB waste under 40 CFR Part 761? If so: Yes No NA
 - a. Has the waste been treated to the most stringent standard in 40 CFR 761 or 3745-270-45? [3745-270-45(A)(5)] Yes No NA
6. Has the residue from the treatment of hazardous debris been disposed of in accordance with 3745-270-40 to 3745-270-49? [3745-270-45(D)] Yes No NA
7. Does the owner/operator of a treatment facility that claims the debris is excluded from regulation as a hazardous waste under 3745-51-03(F)(1) maintain the following information? Yes No NA
 - a. Records of all inspections, evaluations, and analyses of treated debris? [3745-270-07(D)(3)(a)] Yes No NA
 - b. Records of key operating parameters of the treatment unit? [3745-270-07(D)(3)(b)] Yes No NA
 - c. A certification statement for each shipment of treated debris? (See 270-07(D)(3)(c) for exact wording) [3745-270-07(D)(3)(c)] Yes No NA
8. Does the notifications and certifications of an owner/operator who first claims the debris is excluded under 3745-51-03(F)(1) have the following information? [3745-270-07(D)(3)] Yes No NA
 - a. Name and address of licensed solid waste landfill receiving the treated debris? [3745-270-07(D)(1)(a)] Yes No NA
 - b. Description of hazardous debris as initially generated with applicable waste codes? [3745-270-07(D)(1)(b)] Yes No NA
 - c. Technology used from Table 1? [3745-270-07(D)(1)(c)] Yes No NA
9. Has the above notification been sent to the director? [3745-270-07(D)(1)] Yes No NA

REMARKS

TREATING FACILITIES WHICH TREAT WASTE TO MEET LDR STANDARDS

1. Does the treating facility test waste according to their waste analysis plan as required in 3745-54-13 or 3745-65-13? [3745-270-07(B)] Yes No NA
2. Has a one-time notification been sent with the initial shipment of waste or contaminated soil to the land disposal facility? [3745-270-07(B)(3)] Yes No NA

Note: *No further notification is necessary until such time that the waste changes or the receiving facility changes.*

3. Does the one-time notification and certification contain the information listed in Table 2 of 3745-270-07? [3745-270-07(B)(3)] Yes No NA
4. Are wastes or treatment residues being sent to another TSD to be further managed? Yes No NA
If so:
- a. Has the facility complied with the generator notification/certification requirements? [Table 1, 3745-270-07(B)(5)] Yes No NA
5. Are recyclable materials used in a manner constituting disposal and subsequently subject to 3745-266-20? If so: Yes No NA
- a. Has the treatment facility (recycler) sent a notification (found at 3745-270-07(B)(4)), excluding the manifest number, with each shipment of waste? [3745-270-07(B)(6)] Yes No NA
- b. Has the treatment facility (recycler) sent a certification found in 3745-270-07(B)(4) [3745-270-07(B)(6)] Yes No NA
- c. Has a copy of the notification and certification been sent to the director? [3745-270-07(B)(6)] Yes No NA
6. Does the recycling facility maintain records of the name and location of each entity receiving the hazardous waste-derived products? [3745-270-07(B)(6)] Yes No NA
7. Does the owner or operator of any land disposal facility disposing of waste subject to regulation under 3745-270 have: Yes No NA
- a. Copies of all notices and certifications required in 3745-270? Yes No NA
- b. Test results indicating all waste, extracts of waste or treatment residue are in compliance with 3745-270-40 to 3745-270-49? Yes No NA
- c. The testing frequency specified in the facility's WAP and have they followed the protocol? Yes No NA

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 NA
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 NA

WASTE MANAGEMENT - LABELING/MARKING

UNIVERSAL WASTE BATTERIES

3. Are batteries that show evidence of leakage spillage or damage that could cause leaks contained? [3745-273-13(A)(1)] Yes No NA
4. If batteries are contained, are the containers closed and structurally sound, compatible with the contents of the batteries, and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(A)(1)] Yes No NA
5. Does the SQUWH conduct any of the following activities:
- a. Sort batteries by type? Yes No NA
 - b. Mix battery types in one container? Yes No NA
 - c. Discharge batteries to remove the electric charge? Yes No NA
 - d. Regenerated used batteries? Yes No NA
 - e. Disassemble them into individual batteries or cells? Yes No NA
 - f. Remove batteries from consumer products? Yes No NA
 - g. Remove the electrolyte from the battery? Yes No NA
- If so, are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)(2)]
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 NA
- 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 NA
 - 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 NA

7. Are the batteries or containers batteries labeled with the words "Universal Waste - Batteries" or "Waste Batteries" or "Used Batteries"? [3745-273-14(A)] Yes No NA

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 NA
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 NA
10. Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamps" or "Waste Lamps" or "Used Lamps"? [3745-273-14(E)] Yes No NA

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

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

11. Is the waste accumulated for less than one year? [3745-273-15(A)] Yes No NA
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 NA
12. Is the length of time the universal waste is stored documented by one of the following: [3745-273-15(C)] Yes No NA
- 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 NA
- 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 NA
- 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 NA

- 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 NA
- 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 NA
- 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 NA

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 NA

RESPONSE TO RELEASES

14. Are releases of universal waste and other residues immediately contained? [3745-273-17(A)] Yes No NA
15. Is the material released characterized? [3745-273-17(B)] Yes No NA
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 NA

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 NA

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 NA
19. Prior to shipping universal waste off-site, does the receiver agree to receive the shipment? [3745-273-18(D)] Yes No NA
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 NA

b. Agree to where the shipment will be sent?
[3745-273-18(E)(2)]

Yes No NA

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:

Yes No NA

a. Sending the waste back to the originating handler?
[3745-273-18(F)(1)]

Yes No NA

b. Sending the shipment to a destination facility? (If both the originating and receiving handler agree) [3745-273-18(F)(2)]

Yes No NA

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 NA

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 NA

EXPORTS

24. Is waste being sent to a foreign destination? If so:

Yes No NA

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 NA

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 3745-52-57? [3745-273-20(B)]

Yes No NA

c. Is a copy of U.S. EPA's "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)]

Yes No NA

REMARKS