



State of Ohio Environmental Protection Agency

**Southeast District Office**

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

March 11, 2008

**TUSCARAWAS COUNTY  
BAERLOCHER  
DHWM/SEDO  
OHR 000 031 567**

John Dallatore  
Baerlocher  
3676 Davis Road N.W.  
Dover, Ohio 44622

Dear Mr. Dallatore:

On February 25, 2008, Jim Sferra and I inspected Baerlocher's facility in Dover, Ohio to determine Baerlocher'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) **Ohio Revised Code § 3734.02 (E) and (F), Prohibitions:** (E) No person shall establish or operate a hazardous waste facility for the storage, treatment, or disposal of any hazardous waste, without obtaining a hazardous waste facility installation and operation permit. (F) No person shall store, treat, or dispose of hazardous waste identified or listed under this chapter and rules adopted under it, regardless of whether generated on or off the premises where the waste is stored, treated, or disposed of, or transport or cause to be transported any hazardous waste identified or listed under this chapter and rules adopted under it to any other premises except to a hazardous waste facility operating under a permit issued in accordance with this chapter.

During the site visit, it was discovered that hazardous waste had been stored for greater than 90 days. Specifically, a 55-gallon container, which was 1/3 full of hazardous waste filter cake (D005/D006) has been stored on-site since 2004. According to facility representatives, the filter press has not been used for at least three years and was never decontaminated. The hazardous waste filter cake and any hazardous waste remaining in the filter press must be immediately manifested off-site to a permitted treatment, storage, disposal facility. Copies of the manifests must be submitted to this office for review.

As a result of the storage of hazardous waste greater than ninety days without a permit, a closure plan, in lieu of a hazardous waste facility installation and operation permit, for the filter press hazardous waste storage area discussed above must be developed and submitted to Ohio EPA for review and approval. This closure plan must be submitted in compliance with OAC rule 3745-55-12.

- (2) **Personnel training, OAC rule 3745-65-16(C)**: Facility personnel must take part in an annual review of the initial training.

During the inspection, Baerlocher documented that the personnel training took place on February 13, 2007. Personnel must be trained annually (within 365 days of the last training). Baerlocher must schedule training for its personnel as soon as possible. Please provide the date this training is scheduled **within thirty days** receipt of this letter. Once this training is completed, Baerlocher must submit a copy of the employee signature sign-in sheet to demonstrate compliance with this rule.

- (3) **Purpose and implementation of contingency plan, OAC rule 3745-65-51(A)**: Each owner or operator shall have a contingency plan for the facility. The contingency plan shall be designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water.

During the inspection, Baerlocher could not present a site specific plan for review. A site specific contingency plan which complies with 3745-65-50 through 3745-65-56 must be developed and submitted to this office for review. Please note that additional violations may be cited as a result of Ohio EPA's review.

- (4) **Accumulation time of hazardous waste, OAC rule 3745-52-34(A)(3)**: While being accumulated, each container and tank must be labeled or marked with the words "Hazardous Waste".

During the inspection a five-gallon bucket, a 300-gallon tote accumulating hazardous waste near the filter press in Building 27 and hazardous waste tanks 213T and 214T were not labeled as required by this rule. To demonstrate compliance with this rule, these containers and tanks must be labeled appropriately and photographic documentation must be sent to this office for review.

- (5) **Management of containers, 3745-66-73(A)**: A container holding hazardous waste shall always be closed during storage, except when it is necessary to add or remove waste.

During the inspection, a five-gallon bucket and a 300-gallon tote accumulating hazardous waste near the filter press in Building 27 were not closed as required by this rule. To demonstrate compliance with this rule, these containers must be closed and photographic documentation must be sent to this office for review.

- (6) **Design and installation of new tank systems or components, 3745-66-92 (A):**  
Owners or operators of new tank systems or components must ensure that the foundation, structural support, seams, connections, and pressure controls (if applicable) are adequately designed and that the tank system has sufficient structural strength, compatibility with the waste(s) to be stored or treated, and corrosion protection so that it will not collapse, rupture, or fail. The owner or operator must obtain a written assessment reviewed and certified by an independent, qualified, registered professional engineer in accordance with paragraph (D) of rule 3745-50-42 of the Administrative Code attesting that the system has sufficient structural integrity and is acceptable for the storing and treating of hazardous waste. This assessment must include all elements of rule 3745-66-92 (a copy of this rule is attached for your convenience).

During the inspection, Baerlocher could not present a tank assessment for hazardous waste tanks 213T, 214T and 341 for review. A tank assessment for these hazardous waste tanks must be submitted to this office for review. Please note that additional violations may be cited as a result of Ohio EPA's review.

- (7) **Inspections, OAC rule 3745-66-95(A) and (C):**

(A): The owner or operator must inspect, where present, at least once each operating day: (1) Overfill/spill control equipment (e.g., waste-feed cut-off systems, bypass systems, and drainage systems) to ensure that it is in good working order; (2) The aboveground portions of the tank system, if any, to detect corrosion or releases of waste; (3) Data gathered from monitoring equipment and leak-detection equipment (e.g., pressure and temperature gauges, monitoring wells) to ensure that the tank system is being operated according to its design; and (4) The construction materials and the area immediately surrounding the externally accessible portion of the tank system including secondary containment structures (e.g., dikes) to detect erosion or signs of releases of hazardous waste (e.g., wet spots, dead vegetation).

(C): The owner or operator must record the inspections in a log book.

During the inspection, it was determined that daily inspections of hazardous waste tanks 213T, 214T, and 341 were not being conducted. Baerlocher must immediately begin conducting daily inspections of these tanks. To demonstrate compliance with this rule, please submit a copy of two weeks worth of daily inspections to this office for review.

#### **Questions/comments**

- (a) During the inspection, Baerlocher could not provide information as to the type of secondary containment that was installed or the type of spill and overfill prevention controls being used for hazardous waste tanks 213T, 214T, and 341. Secondary containment is required by OAC rule 3745-66-93 and spill and overfill prevention controls are required by OAC rule 3745-66-94 (a copy of these rules is attached). Baerlocher must submit information, ***within thirty days***, to Ohio EPA demonstrating what type of secondary containment, spill and overfill prevention controls are being used on the hazardous waste tanks for review. Please note that additional violations may be cited as

a result of Ohio EPA's review.

- (b) Since Baerlocher violated ORC §3734.02(E) and (F), Baerlocher is subject to all applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its right to have Baerlocher begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

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 Melody Stewart 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>.

Enclosed you will find a copy of the checklists that were completed as a result of the inspection. Should you have any questions regarding the contents of this letter, feel free to contact me at 740-380-5256.

Sincerely,



Melody Stewart  
District Representative  
Division of Hazardous Waste Management

MS/mlm

Enclosures

cc: Harry Sarvis, DHWM-CO

**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.

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  
McCConnell, Central Office

Site EPA ID No.	EPA ID Number: OHR 000 031 567							
Site Name	Name: Baerlocher					Website: (Optional)		
Site Location Information	Street Address: 3676 Davis Road							
	City, Town, or Village: Dover					State: OH		
	County Name: Tuscarawas					Zip Code: 44622		
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: Dallatore			
	Phone Number: 330-602-1531				Phone Number Extension:			
	E-Mail Address:							
	Fax Number:				Fax Number Extension:			
	Street or P.O. Box:							
	City, Town or Village:			State:		Country:		Zip Code:
	Name of Site's Legal Owner:							
Date Became Owner (mm/dd/yyyy):								
Owner Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>
Street or P.O. Box:								
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 checked="" 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 type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner	
Batteries	<input 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 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.					
D001	D005	D006			
Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.					
Announced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:		
Tanks	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Other Comments:		
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			
Name of Inspector(s)		Name of Inspector(s)		Date of Inspection/Time (mm/dd/yyyy) (hh:mm)	
Jim Sferra		Melody Stewart		8/25/2009	
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)	

## PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: Baerlocher USA

Facility Type: LQG

EPA ID#: OHR 000 031 567

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.	
1	Various areas	Condensate from carbon tower and other areas, drippings, scrap water	D001/D005/D006	Varies	55 gallon container	NA	<90 day storage area	EQ Detroit, Inc. Detroit, Mi. Treatment
2	Filter press	busa filters	D005/D006	Varies	55 gallon containers for 30 days. Filters are then put into a 15 yard hopper	NA	Outside of Building 1	EQ Detroit, Inc. Detroit, Mi. Treatment
4	Lab waste	process samples	D001/D005/D006	Varies	55 gallon container	NA	Outside of Building 1	EQ Detroit, Inc. Detroit, Mi. Treatment
5	Rubber room	Waste water	D005/D006	3,300 gallons	4000 gallon tank	NA	Rubber room	EQ Detroit, Inc. Detroit, Mi. Treatment

## REMARKS-GENERAL INFORMATION

### **General Process Information:**

Baerlocher USA manufactures liquid mixed metal stabilizers for the vinyl industry. For example, these stabilizers are used in vinyl siding and as plastic additives. Baerlocher uses a liquid blending process. Employees from Dover Chemical are involved in the daily operations of the facility.

### **Regulatory/Enforcement History** (if applicable):

The facility was last inspected in 2004.

**Other:**

**LARGE 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 checked="" type="checkbox"/> | No | <input 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 checked="" type="checkbox"/> | No | <input 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 checked="" type="checkbox"/> | No | <input type="checkbox"/>            | N/A | <input type="checkbox"/> |
| 6. Has the generator transported or caused to be transported hazardous waste to other than a facility authorized to manage the hazardous waste? [ORC 3734.02(F)]                            | Yes | <input type="checkbox"/>            | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| 7. 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 | <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 checked="" type="checkbox"/> | No | <input 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 type="checkbox"/> | No | <input checked="" 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 checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| c. Drip pads that meet 3745-69-40 to 3745-69-45?                        | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| d. Containment building that meets 3745-256-100 to 3745-256-102?        | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input 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 acutely hazardous waste at any one time? [3745-52-34(C)(1)] Yes  No  N/A
- e. Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)] Yes  No  N/A
- f. Containers are marked with 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

**LQG TANK SYSTEM REQUIREMENTS (OAC rule 3745-52-34(A) and OAC rules 3745-66-90 through 3745-66-100)**

(Please refer to the rules before or while completing this checklist.)

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

**TANK SYSTEM – GENERAL OPERATING REQUIREMENTS**

2. Does the o/o follow the general operating requirements below:
- a. Does the o/o prevent placement of hazardous waste or treatment reagents in tank or secondary containment if such placement can cause the system to leak, rupture, corrode, or otherwise fail?[3745-66-94(A)] Yes  No  N/A
- b. Does the o/o use appropriate controls to prevent spills or overflows from the system (e.g., check valves, dry disconnect couplings, high level alarms, etc.)?[3745-66-94(B)] Yes  No  N/A
- c. If a leak or spill has occurred in the tank system, has the o/o complied with 3745-66-96?[3745-66-94(C)] Yes  No  N/A

**TANK SYSTEM – INSPECTION REQUIREMENTS**

3. Has the o/o documented the inspections required in 3745-66-95, in the operating record, including inspection of the following:
- a. Spill control equipment each operating day? [3745-66-95(A)(1)] Yes  No  N/A
- b. Above ground portion of tank each operating day?[3745-66-95(A)(2)] Yes  No  N/A
- c. Data from leak detection equipment each operating day?[3745-66-95(A)(3)] Yes  No  N/A
- d. Construction materials and area immediately surrounding the tanks for signs of erosion or release of hazardous waste each operating day?[3745-66-95(A)(4)] Yes  No  N/A

*NOTE: "Each operating day" is each day that the tank system is being used to manage (store or treat) hazardous waste.*

4. Where applicable, the cathodic protection system to confirm proper operation within six months of initial installation and annually thereafter?[3745-66-95(B)(1)] Yes  No  N/A
5. Where applicable, all sources of impressed current at least bi-monthly?[3745-66-95(B)(2)] Yes  No  N/A

**TANK SYSTEM CLOSURE REQUIREMENTS**

6. If the generator has closed a <90 day tank, was closure completed in accordance with OAC 3745-66-97 (except for paragraph C)? Yes  No  N/A

**TANK SYSTEMS STORING IGNITABLE OR REACTIVE WASTES**

7. For tanks used to treat or store ignitable or reactive wastes, has the o/o complied with one of the following: [3745-66-98(A)] Yes  No  N/A
- a. Is the waste treated immediately after placement in the tank so that the resultant mixture is no longer ignitable or reactive and the o/o has conducted such activities in compliance with 3745-66-17(B)?[3745-66-98(A)]; OR Yes  No  N/A
- b. Is the waste stored or treated to protect it from materials or conditions which may cause ignition or reaction?[3745-66-98(A)]; OR Yes  No  N/A
- c. The tank is used solely for emergencies?[3745-66-98(A)] Yes  No  N/A
8. If ignitable or reactive waste is stored or treated, are protective distances maintained between waste management areas and any public streets, alleys or adjoining property lines as required by the NFPA Flammable and Combustible Liquids Code (1996)? [3745-66-98(B)] Yes  No  N/A
9. Has the o/o placed incompatible wastes or materials into the same tank system, or into a tank system that has not been decontaminated and which previously held an incompatible waste or material?[3745-66-99(A) and/or (B)] Yes  No  N/A
- a. If so, have the requirements of 3745-65-17(B) been met?[3745-66-99(A) and/or (B)] Yes  No  N/A

**TANK SYSTEM – WASTE ANALYSIS REQUIREMENTS**

10. In addition to conducting the waste analysis required by 3745-65-13, when the tank system is used to store or treat a waste which is substantially different or uses a substantially different process than previously used, has the o/o done one of the following:[3745-66-100]
- a. Conducted waste analysis and trial treatment or storage tests?[3745-66-100(A)]; OR Yes  No  N/A
- b. Obtained written documentation on similar waste under similar operating conditions to show that the proposed storage/treatment will meet the requirements of OAC 3745-66-94? [3745-66-100(B)] Yes  No  N/A

**TANK SYSTEMS REQUIREMENTS**

11. Is there a written assessment attesting that the design, installation and structural integrity of the system is adequate for the management of hazardous waste(s)?[3745-66-92(A)] Yes  No  N/A

*NOTE: You should review the file to see if the written assessment has been previously reviewed and what the results were.*

12. Does the written assessment include the following:[3745-66-92(A)]

- a. Certification by an independent registered, professional engineer?[3745-66-92(A)] Yes  No  N/A
- b. Consideration of the design standards of the system?[3745-66-92(A)] Yes  No  N/A
- c. Consideration of the hazardous characteristics of the waste(s)?[3745-66-92(A)] Yes  No  N/A
- d. An evaluation by a corrosion expert (only if the external system/components are metal and in contact with soil or water)?[3745-66-92(A)] Yes  No  N/A
- e. A determination of design and operational measures that will be needed to protect the tank system from potential damage (only for underground tank components)?[3745-66-92(A)] Yes  No  N/A
- f. Design considerations to ensure that the tank foundations will maintain the load of a full tank?[3745-66-92(A)] Yes  No  N/A
- g. Design considerations for anchoring the unit to prevent floatation (only for tanks situated in a seismic fault zone or saturated zone)?[3745-66-92(A)] Yes  No  N/A
- h. Design considerations to ensure that the tank system will withstand the effects of frost heave(only for underground tank systems)?[3745-66-92(A)] Yes  No  N/A

NOTE: CO-DHWM Engineering staff are available to assist you with evaluation of the written assessment.

- 13. Are there written statements by those persons who supervised installation or certified design of the new tank system, that the tank system was properly installed and designed and that required repairs were performed?[3745-66-92(G)] Yes  No  N/A

Do the written statements address all of the following:

- a. Inspection for damage and/or inadequate construction and installation was conducted?[3745-66-92(B)] Yes  No  N/A
- b. Statement that deficiencies were corrected before the tank system was covered or put into use?[3745-66-92(B)] Yes  No  N/A
- c. Proper backfilling?[3745-66-92(C)] Yes  No  N/A
- d. Tightness test; if the tank system was found not to be tight, does the statement indicate that proper repairs were made?[3745-66-92(D)] Yes  No  N/A
- e. Proper support and protection of ancillary equipment?[3745-66-92(E)] Yes  No  N/A
- f. Supervision of the installation of field fabricated corrosion protection?[3745-66-92(F)] Yes  No  N/A

#### SECONDARY CONTAINMENT

- 14. Has secondary containment been provided? Yes  No  N/A

NOTE: All tank systems must have secondary containment at this point, except for tank systems that store/treat materials that become hazardous waste after January 12, 1987, must have secondary containment required within the time intervals in [3745-66-92(A)(1)] to (A)(4). The date the material became a hazardous waste must be used in place of January 12, 1987.[3745-66-92(A)(5)]

- 15. Is secondary containment one of the following: Yes  No  N/A
- a. An **External Liner?** [3745-66-93(E)(1)] If so, Yes  No  N/A
- i. Is liner designed or operated to contain 100% of the capacity of the largest tank? Yes  No  N/A
- ii. Is liner designed and operated to prevent run-on and infiltration or the collection system has excess capacity to contain run-on and infiltration from a 25-year, 24-hour storm? Yes  No  N/A
- iii. Is liner free of cracks and gaps? Yes  No  N/A
- iv. Does liner completely surround the tank and cover all earth likely to be contacted by waste during a release? Yes  No  N/A
- v. Are chemically resistant water stops in place at all points? (concrete liners only) Yes  No  N/A
- vi. Is there a compatible interior coating or lining to prevent migration of waste into the concrete? (concrete liners only) Yes  No  N/A
- b. **Vault System?** [3745-66-93(E)(2)] If so, Yes  No  N/A
- i. Is vault system designed to contain 100% of the capacity in the largest tank? Yes  No  N/A
- ii. Is liner designed and operated to prevent run-on and infiltration or the collection system has excess capacity to contain run-on and infiltration from a 25-year, 24-hour storm? Yes  No  N/A
- iii. Are chemically resistant water stops in place at all points? Yes  No  N/A
- iv. Is there a compatible interior coating to prevent migration into the concrete? Yes  No  N/A
- v. For **ignitable or reactive waste**: Is the vault system provided with means to prevent (or alternatively "protect against") the formation or ignition of vapors? Yes  No  N/A
- vi. Is vault system provided with an exterior moisture barrier? Yes  No  N/A

- c. **Double-Walled Tank?** [3745-66-93(E)(3)] If so, Yes  No  N/A
- i. Is double-walled tank designed as an integral structure to contain any release from the inner tank? Yes  No  N/A
- ii. If metal, are the primary tank interior and outer shell exterior surfaces protected from corrosion? Yes  No  N/A
- iii. Is double-walled tank provided with a continuous leak detection system able to detect a release within 24 hours or at the earliest practicable time? Yes  No  N/A
- d. **An Equivalent Device?** As described in 3745-66-93(D)(4) which has been approved by the director? [3745-66-93(D&E)] Yes  No  N/A

### SECONDARY CONTAINMENT DESIGN/OPERATION/INSTALLATION

16. Has each secondary containment system been designed, installed and operated to prevent any migration of wastes or liquid to the soil, groundwater, or surface water and is it capable of detecting and collecting releases and accumulated liquids?[3745-66-93(B)(1) and (2)] Yes  No  N/A
17. Does the secondary containment system meet the following minimum requirements of [3745-66-93(C)]:
- a. Constructed or lined with compatible materials of sufficient strength to prevent failure?[3745-66-93(C)(2)] Yes  No  N/A
- b. Placed on a foundation or base capable of providing support?[3745-66-93(C)(2)] Yes  No  N/A
- c. Provided with a leak detection system designed/operated to detect failure to primary or secondary containment or any release of hazardous waste within 24 hours or at earliest practicable time?[3745-66-93(C)(3)] Yes  No  N/A
- d. Sloped or designed to drain and remove liquid resulting from leaks, spills or precipitation?[3745-66-93(C)(4)] Yes  No  N/A
- e. Any liquid which accumulates in the containment unit resulting from spills, leaks or precipitation removed within 24 hours or in a timely manner?[3745-66-93(C)(4)] Yes  No  N/A

### ANCILLARY EQUIPMENT REQUIREMENTS

18. Is ancillary equipment provided with secondary containment (such as double-walled piping, jacketing or a trench)? Yes  No  N/A
- If not, is the ancillary equipment one of the following: [3745-66-93(F)]
- a. Above ground piping (exclusive of flanges, joints, valves and connections) that is inspected daily? Yes  No  N/A
- b. Welded flanges, welded joints and/or welded connections that is inspected daily? Yes  No  N/A
- c. Sealless or magnetic coupling pumps and/or sealless valves? Yes  No  N/A
- d. Pressurized above ground piping systems with automatic shut-off devices (e.g., excess flow check valves, flow metering shutdown and/or loss of pressure-actuated shut-off devices) that is inspected daily? Yes  No  N/A

### TANK SYSTEMS FOUND TO BE LEAKING OR UNFIT FOR USE

19. Has there been a leak or spill from any tank system or has any tank system been found unfit for use? If so, did the o/o: Yes  No  N/A

NOTE: If the tank is found to be unfit for use, inspector should explain why.

- a. Immediately cease flow of material into tank and investigate the cause of the release?[3745-66-96(A)] Yes  No  N/A
- b. Remove waste from tank system to prevent further release within 24 hours of detection or earliest practicable time?[3745-66-96(B)(1)] Yes  No  N/A
- c. Remove all material released into secondary containment system within 24 hours or as timely as possible to prevent harm to human health and the environment?[3745-66-96(B)(2)] Yes  No  N/A
- d. For a visible release to the environment, immediately conduct a visual inspection of the release?[3745-66-96(C)] Yes  No  N/A
- e. For a visible release to the environment, prevent further migration of the leak or spill to soils or surface waters?[3745-66-96(C)] Yes  No  N/A
- f. For a visible release to the environment, properly dispose of any visibly contaminated soil or surface water? [3745-66-96(C)] Yes  No  N/A
- g. Report any release to the environment to the director within 24 hours unless it was less than one pound and was cleaned up immediately? [3745-66-96(D)(1)] Yes  No  N/A
- h. For a release to the environment, submit a written report of the incident to the director within 30 days of the release? [3745-66-96(D)(3)] Yes  No  N/A
- i. Remediate the spill and repair the unit prior to returning it to service? [3745-66-96(E)(2)] Yes  No  N/A

- j. For a release from a tank system without secondary containment, did the o/o provide secondary containment meeting the requirements of 3745-66-93 for the unit prior to putting it back into service? [3745-66-96(E)(4)] Yes  No  N/A

NOTE: The requirements noted in 20.j. do not apply if the release was from an above ground component of the tank which can be inspected visually after being put back into service.

20. In the event that the repairs to the tank system were major (e.g., replacement of liner, repair of ruptured primary or secondary containment structure), did the o/o obtain a certification from an independent, registered P.E. attesting that the repaired unit is capable of handling hazardous waste? [3745-66-96(F)] Yes  No  N/A
21. Was a copy of the certification submitted to the director within seven days after returning the system to use? [3745-66-96(F)] Yes  No  N/A
22. If the o/o was unable to repair and return the unit to service as described in 20.a through 20.e, was the tank system closed in accordance with 3745-66-97? [3745-66-96(E)(1)] Yes  No  N/A
23. Does the o/o have a tank system with a variance from secondary containment from which a release has occurred but has not migrated beyond the zone of engineering control? Yes  No  N/A   
 If so,
- a. Has the o/o complied with 3745-66-96(A) through (F) and decontaminated soils? [3745-66-93(G)(3)] Yes  No  N/A
- b. If soils cannot be decontaminated/removed, has the o/o complied with 3745-66-97(B)? [3745-66-93(G)(3)] Yes  No  N/A
24. Does the o/o have a tank system with a variance from secondary containment from which a release occurred and has migrated from the zone of engineering control? If so, Yes  No  N/A
- a. Has the o/o complied with 3745-66-96(A) through (D), prevented migration, and decontaminated soil? [3745-66-93(G)(4)] Yes  No  N/A
- b. If soils cannot be decontaminated/removed, or if the groundwater has been contaminated, has the o/o complied with 3745-66-97(B)? [3745-66-93(G)(4)] Yes  No  N/A

The facility could not find any information on the three hazardous waste storage tanks.

## LDR CHECKLIST

### GENERAL LDR REQUIREMENTS

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

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**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  N/A  RMK#
- a. Has the generator also identified the appropriate treatment standard(s) for the constituent(s) which cause the waste to exhibit a characteristic? [3745-270-09(A)] Yes  No  N/A  RMK#

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

6. Has the generator correctly determined if restricted wastes meet or do not meet treatment standards? [3745-270-07(A)(1)] Yes  No  N/A  RMK#

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

7. Does the owner/operator ensure that restricted wastes or treatment residues are not diluted as a method of achieving/circumventing LDR treatment standards? [3745-270-03] Yes  No  N/A  RMK#

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

8. Is combustion of any of the wastes identified in the Appendix to Rule 3745-270-03 occurring without meeting one or more of the criteria under Rule 3745-270-03(C) upon generation or after treatment? [3745-270-03(C)] Yes  No  N/A  RMK#

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

9. Has the generator added iron to lead-containing hazardous waste in order to achieve LDR treatment standards for lead? [3745-270-03(D)] Yes  No  N/A  RMK#

10. Does the facility have a case-by-case extension to the effective date to land dispose of hazardous waste?[3745-270-05] If so: Yes  No  N/A  RMK#

- a. The facility can dispose of hazardous waste in a on-site landfill or surface impoundment.[3745-270-05] Yes  No  N/A  RMK#

11. Does the facility have an extension to allow for a restricted waste to be land disposed?[3745-270-06] If so: Yes  No  N/A  RMK#

- a. The facility can land dispose of the waste. [3745-270-06] Yes  No  N/A  RMK#

12. Does the facility treat wastes that are otherwise prohibited from land disposal, in a surface impoundment?  
If so:

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

a. Has the facility complied with 3745-270-04?

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

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**REMARKS**

## NOTIFICATION AND CERTIFICATION REQUIREMENTS

13. If a generator's waste or contaminated soil does not meet the treatment standards, does the generator have the paperwork required in Column A of Table 1 of 3745-270-07? [3745-270-07(A)(2)] Yes \_\_\_ No  N/A  RMK# \_\_\_
14. If a generators' waste or contaminated soil meets the treatment standard at the original point of generation, does the generator have the paperwork required in Column B of Table 1 of 3745-270-07? [3745-270-07(A)(3)] Yes \_\_\_ No  N/A  RMK# \_\_\_
15. If a generators' waste is exempt (under 3745-270-05, 3745-270-06, national capacity or case-by-case variance, etc.) does the generator have the paperwork required in Column C of Table 1 of 3745-270-07? [3745-270-07(A)(4)] Yes \_\_\_ No  N/A  RMK# \_\_\_
16. If a generator manages a lab pack containing hazardous waste using the alternative treatment standard in 3745-270-42, does the generator have the paperwork required in Column D of Table 1 of 3745-270-07? [3745-270-07(A)(9)] Yes \_\_\_ No  N/A  RMK# \_\_\_
17. Does the generator produce a waste that is hazardous waste from the point of generation, but subsequently excluded from regulation under OAC 3745-51-02 through 3745-51-06? [3745-270-07(A)(7)] If so: Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- a. Is a one-time notice placed in the facility's file stating such generation, subsequent exclusion or exemption, and disposition of the wastes? [3745-270-07(A)(7)] Yes \_\_\_ No  N/A  RMK# \_\_\_

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

18. Does the generator retain on-site a copy of all notices, certifications, demonstrations and waste analysis data for at least three years from the last shipment of waste sent off-site? [3745-270-07(A)(8)] Yes  No  N/A \_\_\_ RMK# \_\_\_

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### REMARKS