



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

January 11, 2011

**VINTON COUNTY  
AUSTIN POWDER COMPANY-RED  
DIAMOND PLANT  
DHWM/SEDO  
OHD004293775**

Ms. Jennifer Squires  
Austin Powder Company - Red Diamond Plant  
430 Powder Plant Road, P.O. Box 317  
McArthur, Ohio 45651

Dear Ms. Squires:

On December 29, 2010, I inspected Austin Powder Company's Red Diamond Plant to determine compliance with Ohio's hazardous waste laws found in Chapter 3734 of the Ohio Revised Code (ORC), Chapter 3745 of the Ohio Administrative Code (OAC), and the terms and conditions of the facility's Part B Hazardous Waste Permit. Concurrent with this inspection, I conducted a quarterly site visit as part of the Ohio EPA Division of Hazardous Waste Management's effort to identify any permit modifications that may be needed to keep the permit updated to reflect current operating practices. This letter will explain any violations found during the inspection and what you need to do to correct the violations, as well as other general concerns noted and what you need to do to respond to those concerns.

The following violations of Ohio's hazardous waste laws were found during the inspection. Each violation is described below, along with the actions your facility must take to correct the violation, and the documentation you must submit to Ohio EPA in order to demonstrate the violation has been abated. Please send me any requested documentation **within 30 days** of your receipt of this letter.

- (1) OAC Rule 3745-66-74, Inspections.** The owner/operator must inspect areas where containers of hazardous waste are stored at least weekly, looking for leaks and for deterioration caused by corrosion or other factors. The inspections must be recorded in an inspection log or summary.

Austin Powder did not conduct and record weekly inspections of the hazardous waste accumulation magazine, HW #26, during the recent plant shut down period. No inspections were recorded for the period of December 13<sup>th</sup> through December 29<sup>th</sup> (the date of the hazardous waste inspection).

As we discussed, inspections of the less-than 90 day hazardous waste accumulation magazine must be conducted and recorded at least once within a 7-day period following the preceding inspection, regardless of whether the plant is on shut down. During the inspection, Austin Powder indicated that the facility would resume conducting and recording weekly inspections of the hazardous waste accumulation magazine during plant shut down periods. To demonstrate abatement of this violation, please submit to me two weeks of inspection logs for the hazardous waste accumulation magazine once they have been completed.

- (2) **OAC Rule 3745-273-13(D)(1), Waste Management Standards for Small Quantity Handlers of Universal Waste.** A small quantity handler of universal waste must manage lamps in a way that prevents releases. Lamps must be contained in packages or containers that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Containers of lamps must remain closed, and lack evidence of damage that could cause leakage under reasonably foreseeable conditions.

Austin Powder accumulates spent fluorescent and other universal waste lamps in a locked wooden cabinet located in Maintenance Shop #3. During the inspection it was noted that inside the cabinet some spent lamps were in boxes which were not closed. Numerous spent lamps were stored loose within the cabinet, and some of the unboxed lamps were banded together.

During the inspection, Austin Powder indicated that the facility would begin accumulating spent fluorescent and other universal waste lamps in boxes or containers, which will be kept closed within the locked wooden cabinet. To demonstrate abatement of this violation, please submit to me a photograph showing that spent universal waste lamps have been containerized within the cabinet.

- (3) **OAC Rule 3745-273-14(E), Labeling/Marking Standards for Small Quantity Handlers of Universal Waste.** A small quantity handler of universal waste must label or mark the universal waste to identify the type of universal waste as specified in this rule. Each lamp, or each container or package in which lamps are contained, must be labeled or marked clearly with one of the following phrases: "Universal Waste- Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."

During the inspection, it was noted that individual spent lamps or boxes of spent lamps inside the wooden cabinet located in Maintenance Shop #3 were not labeled "Universal Waste - Lamps", "Waste Lamps", or "Used Lamps".

To demonstrate abatement of this violation; please submit to me a photograph showing that spent universal waste lamps have been properly labeled, either by labeling each spent lamp within each container or by labeling each container that holds spent lamps.

### **GENERAL COMMENTS:**

- **Proper Storage of Spent Universal Waste Lamps.**

Lamps must be containerized a manner that minimizes breakage. The containers must be designed to contain potential releases if breakage does occur. Do not tape spent lamps together or use rubber bands. Some examples of acceptable packaging include double or triple-ply cardboard containers with closed lids or the original boxes in which new lamps are shipped to you from the manufacturer. Specially manufactured containers can be purchased for storing spent lamps until they are recycled, or your lamp recycler may be able to provide you with containers to make spent lamp storage, shipping, or pick-up easier. Close and securely seal each box or container of spent lamps with tape (3" PVC plastic insulating tape is recommended) prior to off-site shipment for recycling.

- **Accumulation Time for Universal Waste.**

As we discussed during the inspection, small quantity handler of universal waste may accumulate universal waste for no longer than one year from the date on which it was generated, unless such activity is solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment, or disposal. The handler bears the burden of proving that universal waste was accumulated for over one year in order to facilitate its proper recovery, treatment or disposal.

Austin Powder maintains shipment records which demonstrate that spent universal waste lamps are sent off-site for recycling approximately every two years. Ohio EPA recommends that Austin Powder develop a method that more clearly demonstrates the length of time spent lamps or other universal wastes have been accumulated on-site from the date they became a waste. You can make this demonstration by:

- (1) Placing spent universal waste lamps in a container and labeling the container with the earliest date that any spent lamp in the container became a waste;
- (2) Labeling each individual spent lamp with the date it became a waste;
- (3) Maintaining an inventory system on-site that identifies the date each universal waste item became a waste;
- (4) Maintaining an inventory system on-site that identifies the earliest date that any spent universal waste in a group of universal waste items or in a group of containers of universal waste became a waste;
- (5) Placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste; or

- (6) Any other method which clearly demonstrates the length of time that the universal waste has been accumulated from the date it becomes a waste.

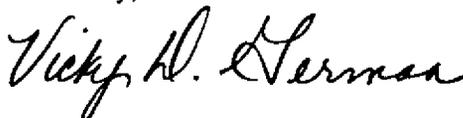
In addition, Austin Powder should ensure that spent lamps and other universal wastes are sent off-site for recycling on a yearly basis, or more clearly demonstrate that spent lamps are accumulated for longer than one year in order to accumulate quantities that facilitate their recycling.

- **Quarterly Permitted Facility Visit.** No issues were noted as necessary to update or modify the facility's Part B Hazardous Waste Permit at this time.

Enclosed, you will find a copy of the checklists that were completed during the inspection. You can find copies of the hazardous waste rules and other information on our division's web page at: <http://www.epa.ohio.gov/Default.aspx?alias=www.epa.ohio.gov/dhwm>. Compliance assistance and pollution prevention information is available at: <http://www.epa.ohio.gov/Default.aspx?alias=www.epa.ohio.gov/ocapp>.

Should you have any questions or require assistance, please feel free to call me at 740-380-5237.

Sincerely,



Vicky D. German  
Division of Hazardous Waste Management  
Ohio EPA, Southeast District Office

VDG/mlm

Enclosure

cc: Sarah Beal, Ohio EPA, DHWM-CO-ERAS

**NOTICE:**

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

Completed forms that are required to be submitted to CO should be e-mailed to [paula.canter@epa.state.oh.us](mailto:paula.canter@epa.state.oh.us)

<b>Site EPA ID No.</b>  <b>Site Name</b>  <b>Site Location Information</b>  <b>Site Land Type</b> (check only one) <b>NAICS codes</b> <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>	EPA ID Number: <b>OHD004293775</b> Name: <b>Austin Powder Company - Red Diamond Plant</b> Website (Optional): Street Address: <b>430 Powder Plant Road</b> City, Town, or Village: <b>McArthur</b> State: <b>: OH</b> County Name: <b>VINTON</b> Zip Code: <b>: 45651</b> 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"/> <b>32592</b>
<b>Facility Representative</b>  Additional names can be recorded in comments section.  Only provide address information if it is different than the site address.	First Name: <b>Jennifer</b> MI: Last Name: <b>Squires</b> Phone Number: <b>740-596-5286</b> Extension: <b>7416</b> E-Mail Address: <b>jennifer.squires@austinpowder.com</b> Fax Number: <b>740-596-5288</b> Fax Number Extension: Street or P.O. Box: <b>same as above</b> City, Town or Village: State: Zip Code:
<b>Legal Owner And Operator</b>  List additional Owners and/or Operators in the Comments Section or on another copy of this page.	Name of Site's Legal Owner: <b>Austin Powder Company</b> Date Became Owner (mm/dd/yyyy): Owner Type: 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"/> Street or P.O. Box: <b>25800 Science Park Drive</b> City, Town or Village: <b>Cleveland</b> Owner Phone #: <b>216-424-2400</b> State: <b>OH</b> Country: <b>US</b> Zip Code: <b>44122</b> Name of Site's Operator: <b>Austin Powder Company - Red Diamond Plant</b> Date Became Operator: Owner Type: 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"/> Street or P.O. Box: <b>430 Powder Plant Road</b> City, Town or Village: <b>McArthur</b> Operator Phone #: <b>740-596-5286</b> State: <b>OH</b> Country: <b>US</b> Zip Code: <b>45651</b>

<b>VIOLATIONS CITED?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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<b>TYPE OF HANDLER (MARK AS APPROPRIATE)</b>	
<input type="checkbox"/> Not a Generator <input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Short-Term Generator Generated from short-term or one-time event and not from ongoing processes. <i>Check the box for the applicable generator status and provide a comment.</i>	<input checked="" type="checkbox"/> <b>Large Quantity Generator (LQG)</b> <input type="checkbox"/> Small Quantity Generator (SQG) <input type="checkbox"/> Conditionally Exempt Small Quantity Generator (CESQG) <input type="checkbox"/> U.S. Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator

<b>TYPE OF REGULATED WASTE ACTIVITY</b>					
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace				
<input type="checkbox"/> Underground Injection Control Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption				
<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption				
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste					
<b>UNIVERSAL WASTE ACTIVITIES</b>					
<input checked="" type="checkbox"/> Small Quantity Handler of Universal Waste	<input type="checkbox"/> Destination Facility for Universal Waste				
<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)					
<b>TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES</b>					
<input type="checkbox"/> Batteries					
<input type="checkbox"/> Pesticides					
<input type="checkbox"/> Mercury-containing equipment					
<input checked="" type="checkbox"/> Lamps					
<b>USED OIL ACTIVITIES</b>					
<input checked="" type="checkbox"/> Used Oil Generator					
<input type="checkbox"/> Used Oil Transporter					
<input type="checkbox"/> Used Oil Transfer Facility					
<input type="checkbox"/> Used Oil Processor					
<input type="checkbox"/> Used Oil Re-refiner					
<input type="checkbox"/> Off-Specification Used Oil Burner					
<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil					
<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner					
<b>Eligible Academic Entities with Laboratories:</b> Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check box below to indicate laboratory type.					
<input type="checkbox"/> College or University					
<input type="checkbox"/> Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university					
<input type="checkbox"/> Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university					
<b>Waste Codes for Federally Regulated Hazardous Wastes:</b> List the codes for the federally regulated hazardous waste handled at the site, in the order they are presented in the regulations (e.g., D001, D003, F007, U112). 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; just indicate the date of the most recent source record.					
D001	D003	D022	K044	K045	F003
<b>Use this area to describe inspection conditions and additional information.</b>					
Announced	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Additional Facility Representatives:		
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			
<b>INSPECTOR(S)</b>			<b>INSPECTION DATE</b>		
Vicky German, DHWM-SEDO			12/29/2010		
<b>COMMENTS</b>					
The facility has a Part B permit to treat (via open burning) D003, K044, and K045 hazardous wastes generated from explosives manufacturing. The facility also generates spent lab reagents/solvents/lab packs and used oil, which are manifested off-site, and spent lamps which are managed as universal waste. In addition to permitted activities, the facility operates as a LQG, UOG, and SQHUW.					

**OHIO PART B PERMITTED FACILITY  
RCRA INSPECTION CHECKLIST**

<b>FACILITY</b>	Austin Powder Company – Red Diamond Plant	<b>US EPA ID#</b>	OHD004293775
<b>STREET ADDRESS</b>	430 Powder Plant Road	<b>OHIO PERMIT #</b>	04-82-0643
<b>CITY, STATE AND ZIP CODE</b>	McArthur, Ohio 45651-0317	<b>PHONE NUMBER</b>	740-596-5286
<b>COUNTY</b>	Vinton	<b>INSPECTION DATE</b>	12/29/2010

Was advance notice of inspection given? Yes  No  N/A

If so, how far in advance? 3 days

	<b>NAME</b>	<b>AGENCY/TITLE</b>	<b>PHONE</b>
<b>INSPECTOR(S):</b>	Vicky German	OEPA, DHWM-SEDO	740-380-5237
<b>FACILITY REPRESENTATIVE(S):</b>	Jennifer Squires	APC-Red Diamond Plant	740-596-5286 ext. 7416

Is facility operating as a generator? Yes  No  N/A   
 If so, complete the applicable sections of the Generator Requirements checklist for wastes being managed under generator status.

**PERMIT STATUS**

Permit Issued:	12/04/2001	LDR Checklist Attached:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Permit Effective Date:	12/04/2001	Used Oil Checklist Attached:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Permit Expiration Date:	12/04/2011	Generator Checklist Attached:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Permit Renewal Date:	Renewal Permit submittal due June 4, 2011.		
Permit Modification Date(s):	Refer to APPENDIX 1 - MODIFICATIONS TO PART B PERMIT (2005 to present)		

**AUTHORIZED ACTIVITIES**

<b>STORAGE</b>		<b>TREATMENT</b>		<b>DISPOSAL</b>	
<input type="checkbox"/>	Containers	<input type="checkbox"/>	Tanks	<input type="checkbox"/>	Injection Well
<input type="checkbox"/>	Tanks	<input type="checkbox"/>	Incinerator	<input type="checkbox"/>	Landfill
<input type="checkbox"/>	Waste Pile	<input type="checkbox"/>	Thermal Treatment	<input type="checkbox"/>	Land Application
<input type="checkbox"/>	Surface Impoundment	<input type="checkbox"/>	Post-Closure	<input type="checkbox"/>	Surface Impoundment
		<input checked="" type="checkbox"/>	Other: (Open Burning)		

Post-Closure Care       Corrective Action

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## GENERAL PERMIT COMPLIANCE AND ACTIVITIES

1.	Has the expiration date of the permit passed? If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a. Is the permittee continuing any activity regulated by the permit after the expiration date of the permit?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. Has the facility submitted an application for a permit renewal to the director no later than 180 days prior to the expiration date of the permit (i.e., no later than 180 days prior to December 4 <sup>th</sup> )? [Condition A.6]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>Austin Powder's renewal permit application is due to be submitted to Ohio EPA by June 4, 2011.</i>		
2.	Has the permittee submitted the annual permit fee, payable to "Treasurer, State of Ohio," to Ohio EPA on or before the anniversary of the date of issuance during the term of the permit (on or before December 4 <sup>th</sup> )? [Condition A.26]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
3.	Is the permittee conducting any hazardous waste management activities (not otherwise exempt by law) which are not authorized by the permit? [Conditions A.1(b) and A.5]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
4.	Have any provisions of the permit been identified as invalid? [Condition A.4]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
5.	Has the facility identified any instances of noncompliance with the permit, ORC Chapter 3734, or the rules adopted thereunder, which may endanger human health or the environment? If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a. Did the facility immediately report the following to Ohio EPA's Emergency Response Unit? [Condition A.20]	
	i. Information concerning a release of any hazardous waste that may cause an endangerment to public drinking water supplies; and	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	ii. Information concerning a release of hazardous waste, fire or explosion at the facility which could threaten human health or the environment outside the facility including a description of:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	A. Name, address and telephone number of the owner/operator?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	B. Name, address and telephone number of the facility?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	C. Name and quantity of material(s) involved?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	D. The extent of injuries, if any?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	E. An assessment of the actual or potential hazard to the environment and human health outside the facility?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	F. Estimated quantity and disposition of recovered material that resulted from the incident?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
6.	Did the permittee provide a written report to Ohio EPA's Emergency Response Unit and DHWM within five days of becoming aware of the circumstances reported in Questions No. 5?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	If so, did the report contain: [Condition A.21]	
	a. A description of the noncompliance and its cause (including exact dates and times)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. Whether the noncompliance has been corrected and if not, the anticipated time noncompliance is expected to continue?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

	c.	Steps taken or planned to minimize the impact on the environment and to reduce, eliminate and prevent recurrence of the noncompliance?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<b>NOTE:</b> The permittee need not comply with the five day written report requirement if the director, upon good cause shown by the permittee, waives that requirement and the permittee submits a written report within 15 days of the time the permittee became aware of the circumstances. [Condition A.21].			
7.		Has the permittee identified other instances of noncompliance not provided for in Condition A.21? If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a.	Did the permittee report these instances to Ohio EPA, DHWM? [Condition A.22]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	Do the reports provided contain the information set forth in Condition A.20? [Condition A.22]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c.	Has the permittee taken all steps necessary to minimize releases to the environment or prevent any adverse impact on human health or the environment? [Condition A.8]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
8.		Has the permittee planned any changes in the permitted facility or activity which may result in noncompliance with the conditions of the permit?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	a.	If so, has the facility provided Ohio EPA with advance notice of such changes? [Condition A.17]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<b>NOTE:</b> Such notification does not waive the permittee's duty to comply with the permit. [Condition A.17]			
<i>Austin Powder's new booster production line was completed and began operating in September 2010. The new production line does not change the facility's compliance with the terms and conditions of the permit. However, the Part B permit application should be updated to reflect this addition to the plant and any operational changes associated with it such as additional satellite accumulation areas, and updated facility maps showing its location. The facility has already modified their contingency plan to reflect changes due to the addition of the new booster production line.</i>			
9.		Has the permittee become aware that it failed to submit any relevant facts in the permit or issuance proceedings or that it submitted incorrect or incomplete information in permit issuance proceedings or other submissions to Ohio EPA? If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a.	Has the permittee properly submitted such facts or corrected information to the appropriate entity? [Condition A.24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<b>PERMIT MODIFICATION, REVISION, REVOCATION</b>			
10.		Has the permittee filed a request for a permit modification, revision or revocation since permit issuance? [Condition A.2]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>Refer to Appendix 1 - Modifications to Part B Permit (2005 to present).</i>			
11.		Has the permit, been transferred to a new owner/operator? If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a.	Has the transfer been conducted in accordance with ORC Chapter 3734, and the rules adopted thereunder, which includes the permittee notifying the new owner in writing of the requirements of ORC Chapter 3734, and the rules adopted thereunder and the applicable Ohio hazardous waste rules before transferring ownership? [Condition A.18]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
12.		Has the permittee submitted reports in any compliance schedule of the permit to Ohio EPA no later than 14 days following each scheduled date, unless otherwise specified? [Condition A.19]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
13.		Has the permittee furnished relevant information which Ohio EPA has requested to determine whether cause exists for modifying, revising, revoking or suspending the permit, to determine compliance with the permit? [Condition A.10]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

14.	Has the facility furnished Ohio EPA, upon request, with copies of records required to be kept by the permit? [Condition A.10]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
15.	Is the permittee maintaining records of all data used to complete the application and any amendments, revisions or modifications to the application? [Condition A.14c]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
16.	Is the permittee retaining a complete copy of the approved application on-site? [Condition A.14c]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
17.	Is the permittee planning any physical alterations or additions to any permitted portions of the facility? If so:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Has the permittee given notice to the director of such alterations/additions? [Condition A.15]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

*Austin Powder is considering the addition of a new PETN production area at the site. Notice will be given to the director when the facility's plans have been finalized. The facility will discuss any upcoming changes and necessary permit modifications with Ohio EPA during the planning process.*

**SITE ENTRY - AVAILABILITY OF RECORDS**

18.	Has the permittee allowed the director or an authorized representative, upon proper identification to: [Condition A.11]	
a.	Enter at reasonable times upon the premises where a regulated activity is located or where records are kept under the conditions of the permit?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Have access to and copy, at reasonable times, any records required to be kept under the conditions of the permit?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Inspect and photograph at reasonable times, any facilities, equipment (including control and monitoring equipment), practices or other operations regulated under the terms and conditions of the permit?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Sample, document, or monitor, at reasonable times, any substances or parameter at any location of the facility for the purposes of assuring to compliance with the permit, or as otherwise authorized by ORC Chapter 3734. and the rules adopted thereunder?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

**RECORDKEEPING/OPERATING REQUIREMENTS**

**OPERATING RECORD**

19.	In accordance with OAC rules 3745-54-73 and 3745-54-74 and Condition B.22 of the permit, does the permittee maintain an Operating Record which contains the following information:	
a.	A description of the quantity of each hazardous waste and the method(s) and date(s) of its treatment or storage?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	The location of each hazardous waste and quantity at each location including cross-reference to specific manifest numbers?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Records and results of required waste analysis?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Summary reports and details of all incidents that required implementation of the contingency plan?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
e.	Records and results of required inspections?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
f.	Documents required to be maintained by the LDR requirements of OAC rule 3745-270?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
g.	Monitoring, testing, or analytical data, and corrective action where	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

	required, from groundwater monitoring and required monitoring of surface impoundments, landfills, waste piles and land treatment units? [3745-54-73(B)(6)]	
h.	<b>For disposal facilities</b> , location and quantity of each hazardous waste record on a facility map and cross-references to manifest document numbers? [3745-54-73(B)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

**DOCUMENTS TO BE MAINTAINED AT FACILITY**

20.	Is the permittee maintaining the following documents at the facility: [Condition A.28]	
a.	Waste analysis plan, developed and maintained in accordance with OAC rule 3745-54-13 and the permit terms and conditions?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Contingency plan, developed and maintained in accordance with OAC rule 3745-54-53 and the permit terms and conditions?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Closure plan, developed and maintained in accordance with OAC rule 3745-55-12 and the permit terms and conditions?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Cost estimate for facility closure, developed and maintained in accordance with OAC rule 3745-55-42 and the permit terms and conditions? ( <i>Estimate only - adequacy will be evaluated by CO financial assurance personnel</i> ) [Condition B.36]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
e.	Personnel training plan and training records required by OAC rule 3745-54-16 and the permit terms and conditions? [Condition B.6]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
f.	Inspection schedules developed in accordance with OAC rules 3745-54-15, 3745-55-74, 3745-55-95 and the permit terms and conditions? [Condition B.5]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
g.	Operating record, in accordance with OAC rule 3745-54-73 and the permit terms and conditions? [Condition B.22]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
h.	Post-closure plan, as required by OAC rule 3745-55-18(A)? [Condition A.28(a)(viii)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
i.	Annually-adjusted cost estimate for facility closure and post-closure, as required by OAC rules 3745-55-42 and 3745-55-44? [Condition A.28(a)(ix)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

21.	Is the permittee maintaining copies of all inspection logs at the facility for a period of at least three years from date of inspection? [Condition B.5]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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22.	Have any of the documents in Question No. 20 been revised? [Condition A.15] If so:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Has the permittee submitted the revisions to Ohio EPA in accordance with OAC rule 3745-50-51? [Condition A.28(b)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Have all requirements of OAC rule 3745-50-51 been met, including, where required, Ohio EPA approval? [Condition A.28(b)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

*Question 20(d) Cost estimate for facility closure (financial assurance), and 20(i) adjusted cost estimate for closure have been updated annually as required by the facility's permit.*

**ANNUAL REPORT REQUIREMENT**

23.	Is the permittee complying with annual report requirements set forth in OAC rule 3745-54-75, the additional report requirements set forth in OAC rule 3745-54-77? [Condition B.25]?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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*The facility submitted their 2009 Annual Hazardous Waste Report on February 24, 2010; prior to the March 1<sup>st</sup> deadline set forth in Condition B.25.*

**SAMPLING/MONITORING RECORDKEEPING REQUIREMENTS**

24.	In compliance with Condition 12(b) of the permit, do the permittee's records	
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of monitoring information specify the:		
a.	Date(s), exact place(s), time(s) and method(s) of sampling or measurement?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Individual(s) who performed the sampling or measurement?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Date(s) analyses were performed?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Individual(s) who performed the analyses?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
e.	Analytical technique(s) or method(s) used?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
f.	Results of such analyses?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

25.	Have the methods used to obtain a representative sample of the waste to be analyzed included the appropriate SW-846 method or an equivalent method specified in the approved waste analysis plan? [Condition 12(a)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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26.	In accordance with Condition A.14 of the permit, is the permittee retaining records of monitoring information as required by the permit for at least three years from the date of sampling, including:	
a.	All calibration and maintenance records?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

27.	Has Ohio EPA requested submittal of any reports or other information from the permittee? If so:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Have the submittals been signed and certified according to OAC rule 3745-50-42? [Condition A.13(c)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

#### WASTE MINIMIZATION REQUIREMENTS

28.	Does the permittee certify at least once every year that a program is in place to reduce the volume and toxicity of hazardous waste generated in accordance with Condition A.29(a) and OAC rule 3745-54-73?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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29.	Did the permittee submit the waste minimization report to Ohio EPA, Office of Compliance Assistance & Pollution Prevention and Southeast District Office within 180 days of journalization of this permit and updates biennially thereafter? [Condition A.29]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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*Austin Powder's waste minimization report was submitted to Ohio EPA on January 28, 2010. The next waste minimization report will be due in January 2012.*

30.	Has the permittee reduced the amount of waste (hazardous waste, solid waste, air emission, waste water discharges, etc.) this year generated at their facility by implementing pollution prevention/waste minimization?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	If so, what amount of waste has the permittee reduced this year?	

31.	Has the permittee's company saved much money this year by implementing pollution prevention (reducing raw material usage, disposal fees, energy savings, etc.)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	If so, how much money has the permittee's company saved this year?	

*For Questions 30 and 31, refer to Austin Powder's 2009 Annual Hazardous Waste Report and 2010 Biennial Waste Minimization Report.*

#### GROUND WATER MONITORING

32.	Has the permittee conducted semi-annual sampling of their monitoring wells?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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33.	Have they reported the results in the Annual Report to the director by March 1 <sup>st</sup> as required by Condition B.25?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<b>WASTE ACCEPTANCE AND GENERATION</b>		
34.	Is the permittee storing any containers of hazardous waste received from any off-site source that permittee is not permitted to store? [Condition A.1.]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
35.	Has the permittee arranged to receive hazardous waste from a foreign or off-site source that the permittee is not permitted to store? [Condition A.1.]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
36.	Has the permittee notified the director at least four weeks prior to the date the permittee expects to receive hazardous waste from a foreign source, as required by OAC rule 3745-54-12(A)? [Condition B.2(a)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

**OFF-SITE SHIPMENTS/MANIFEST REQUIREMENTS**

37.	Is the permittee complying with the following manifest requirements set forth in OAC Chapter 3745-52 and OAC rules 3745-54-70, 3745-54-71, 3745-54-72 and 3745-54-76: [Condition B.24]	
a.	All hazardous wastes shipped off-site have been accompanied by a completed manifest, U.S. EPA Form 8700-22 and, if necessary, U.S. EPA Form 8700-22A in compliance with OAC rule 3745-52-20(A)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	The manifest form used contains all information required by OAC rule 3745-52-20 and the minimum number of copies required by OAC rule 3745-52-22?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	The permittee has designated at least one permitted disposal facility and has/will designate an alternate facility or instructions to return waste in compliance with OAC rule 3745-52-20(B)(C)(D)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Prepared manifests have been signed by the permittee and initial transporter in compliance with OAC rule 3745-52-23?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
38.	As a permittee that generates hazardous waste, are signed copies of all hazardous waste manifests and any documentation required for exception reports retained for at least three years at the facility as required by OAC rules 3745-52-40 and 3745-54-71(A)(5)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
39.	Does the permittee use only properly registered transporters when removing hazardous wastes? [Condition A.16]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
40.	Does the permittee give one copy of the manifest to the transporter, send one copy to the generator within 30 days, and keep one copy for at least three years? [3745-54-71(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	If shipping papers are used in lieu of manifests (bulk shipments, etc.), are the same requirements met? [3745-54-71(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Are any significant discrepancies in the manifest, as defined in 3745-54-72(A) noted in writing on the manifest document?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
41.	Have any manifest discrepancies been reconciled within 15 days as required by 3745-54-72(B)? If not:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Has the owner/operator submitted the required information to the director?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
42.	If the facility has accepted any unmanifested hazardous wastes from off-site sources for treatment, storage, or disposal, has an unmanifested waste report containing all the information required by 3745-54-76(A) been submitted to the director within 15 days?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

**WASTE ANALYSIS/WASTE ANALYSIS PLAN**

43.	Does the permittee have a detailed chemical and physical analysis of waste streams which contains all information of the waste in accordance with OAC Chapters 3745-54 to 3745-57, 3745-218 and 3745-270 and the terms and conditions of the permit? [Condition B.3(a)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
44.	Does the permittee follow the procedures described in the WAP (described in Attachment 22 of the approved Part B permit application)? [Condition B.3]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
45.	In accordance with OAC rule 3745-54-13(A)(3), does the permittee repeat the waste analysis when the process or operation generating the hazardous waste has changed, or at least annually? [Condition B.3]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

*Austin Powder has a Part B permit to treat (via open burning) D003, K044, and K045 hazardous wastes to remove the characteristic of reactivity. The ash generated from treatment of these wastes by open burning is analyzed annually by Rumpke prior to being disposed as a solid waste.*

*The K044 and K045 wastes are subject to the LDR treatment standards of OAC 3745-270-40, which is "DEACT". The D003 wastes are subject to the LDR treatment standards of OAC 3745-270-40, which is "DEACT and meet the universal treatment standards in OAC 3745-270-48". It is Austin Powder's position that underlying hazardous constituents of detonation cord and other D003 wastes are not above universal treatment standards at the point of generation in the original waste streams, and exceedances of the LDR treatment standards of OAC 3745-270-40 by underlying hazardous constituents of the D003 wastes that may occur are due to concentration during treatment. Austin Powder used generator knowledge and extensive MSDS information on the products used in the manufacturing process to make this determination and provided this information to Ohio EPA. Ohio EPA has agreed with the facility's determination, and per our April 23, 2010 letter, the ash from treatment of the D003 waste detonation cord (along with the ash from treatment of the K044 and K045 wastes) can continue to be disposed at a solid waste landfill with the appropriate LDR notification/certification attached.*

*In preparations for the 2011 permit renewal, it is recommended that Austin Powder revise the Waste Analysis Plan in the Part B Permit Application to reflect the following:*

- In addition to the analysis conducted on a composite sample of ash from treatment of all the waste streams, Austin Powder should continue to sample and analyze the ash from each separate waste stream annually, to continue to verify that they meet LDR treatment standards, in order to ensure proper disposal.*
- To address identification/testing for Underlying Hazardous Constituents (UHCs) in D003 waste streams at their point of generation, Austin Powder should explain in the Waste Analysis Plan their position that underlying hazardous constituents of detonation cord and other D003 wastes are not above universal treatment standards at the point of generation in the original waste streams; and include information in the Waste Analysis Plan regarding Austin Powder's use of generator knowledge and extensive MSDS information on the products used in the manufacturing process in order to make this determination.*

<b>FOR OFF-SITE FACILITIES:</b>		
46.	Are the sampling methods and procedures specified in the permittee's WAP that will be used to inspect and, if necessary, analyze each movement of hazardous waste received at the facility to ensure that it matches the identification of the waste on the manifest [3745-54-13(c)]?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

FOR FACILITIES OPERATING SURFACE IMPOUNDMENTS EXEMPT FROM LAND DISPOSAL RESTRICTIONS UNDER OAC 3745-270-04(A):		
47.	Does the waste analysis plan include procedures and schedules for:	
i.	The sampling of impoundment contents? [3745-54-13(B)(7)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
ii.	The analysis of test data? [3745-65-13(B)(7)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
iii.	The annual removal of residues which are not delisted or which exhibit the characteristic of a hazardous waste and either do not meet treatment standards (OAC 3745-270-40 to 3745-270-49) or where no treatment standards have been established? [3745-54-13(B)(7)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
48.	<b>Where applicable:</b> The methods which will be used to meet additional waste analysis requirements for specific waste management methods specified in rules 3745-54-17, 3745-57-14, 3745-57-41 and 3745-270-07 of the OAC? [3745-54-13(B)(6)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
49.	Does the permittee place the results of all waste analyses in the facility operating record in accordance with OAC rule 3745-54-73?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

### GENERAL INSPECTION REQUIREMENTS

**NOTE:** Inspector may attach a copy of the inspection procedures and schedules in the Appendices to this checklist.

50.	Is the permittee following the inspection procedures and schedules as set forth in the permit terms and conditions, Section I(E) of the approved Part B permit application, and the requirements of OAC rules 3745-54-15(A),(C) and (D)? [Condition B.5]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
51.	Is the permittee following the approved inspection schedule for inspecting monitoring equipment, safety equipment, emergency equipment, security devices, and operating and structural equipment as specified in OAC rule 3745-54-15(B)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the schedule kept at the facility? [OAC rule 3745-54-15(B)(2)] [Condition B.5]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
52.	Does the permittee remedy deterioration or any malfunctions discovered by an inspection as required by OAC rule 3745-54-15(C)? [Condition B.5]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
53.	In accordance with OAC rule 3745-54-15(D) and Condition B.5 of the permit, do inspection records contain the following information:	
a.	Date and time of inspection?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Name of inspector?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Notation of observations made?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Date and nature of any repairs or other remedial actions?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

### SECURITY REQUIREMENTS

54.	Is the permittee complying with the following security provisions of OAC rule 3745-54-14 and Condition B.4 of the approved Part B permit application:	
a.	Does the permittee have a 24-hour surveillance system which continuously monitors and controls entry onto the active portion of the facility?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

	b.	Does the permitted facility have an artificial or natural barrier (in good repair) which completely surrounds the active portion of the facility?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	c.	Does the facility have a means to control entry, at all times, through gates or other entrances, to the active portion of the facility?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
55.		In accordance with OAC rule 3745-54-14(C), does the permittee have signs reading "Danger - Unauthorized Personnel Keep Out" posted at all entrances to active portions of the facility?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

### FACILITY OPERATIONS

56.		In accordance with OAC rule 3745-54-3, is construction, maintenance, and operation of the facility being conducted to minimize the possibility of a fire, explosion, or unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, ground or surface water? [Condition B.1]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
57.		In accordance with OAC rule 3745-50-58(E), does the permittee properly maintain and operate the facility to achieve compliance with the terms and conditions of the permit, including: [Condition A.9]			
	a.	Effective management practices?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	b.	Adequate funding?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	c.	Adequate operator staffing and training?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	d.	Adequate laboratory and process controls, including appropriate QA/QC control procedures?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

### PERSONNEL TRAINING

58.		In accordance with the requirements OAC rule 3745-54-16, is the permittee conducting personnel training in accordance with the conditions of the permit, Section I(E) of the approved permit application, and the following requirements: [Condition B.6]			
	a.	The facility provides personnel training in accordance with OAC rule 3745-54-16(A)(B)(C), which includes instruction in safe equipment operation and emergency procedures and implementation of the contingency plan?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	b.	The facility provides personnel training to new employees within six months after their date of employment as required by OAC rule 3745-54-16(B)?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	c.	The facility provides an annual refresher training course as required by OAC rule 3745-54-16(C)?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
59.		Is the permittee maintaining personnel training records as required by OAC rule 3745-54-16(D) and (E), including written job titles, job descriptions and documented employee training records? [Condition B.6]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

### REQUIRED EQUIPMENT

60.		Has the permittee, at minimum, equipped the facility with the following emergency equipment as required by OAC rule 3745-54-32 and the equipment set forth in the contingency plan contained in Section I(G) of the approved permit application: [Condition B.9]			
	a.	An internal communications or alarm system?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

	b.	A device such as a telephone which is capable of summoning emergency assistance from local emergency authorities?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	c.	Portable fire extinguishes and/or fire control equipment, spill control and decontamination equipment?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	d.	Water in adequate volume and pressure to supply water hose streams, foam producing equipment, automatic sprinklers or water spray systems?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
61.		Is the permittee inspecting, testing, and maintaining the equipment specified above in order to ensure its proper operation, in accordance with OAC rule 3745-54-33 and the permit terms and conditions? [Condition B.10]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
62.		Whenever hazardous waste is being managed at the facility, has the permittee provided all personnel involved in the operation with immediate access to an internal alarm or emergency communication device as required by OAC rule 3745-54-34 and Sections I(F) and I(G) of the approved permit application? [Condition B.11]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

### CONTINGENCY PLAN - EMERGENCY PROCEDURES

63.		In compliance with Condition B.13 of the permit and OAC rule 3745-54-37(A) and (B), does the permittee:			
	a.	Familiarize emergency response agencies with the layout of the facility, associated hazards, places where personnel will normally be working, entrances and possible evacuation routes?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	b.	Inform such agencies of safety equipment, supplies, proper emergency safety procedures that are applicable to the facility?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	c.	Familiarize the local police, fire departments, hospitals, and any other local emergency service listed in the approved application with the properties of hazardous waste managed at the facility and the types of injuries or illness that could result from fires, explosions or releases at the facility?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
64.		Has a state or local agency declined to enter into the arrangements set forth in OAC rule 3745-54-37(A)? If so:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	a.	Has the permittee documented the refusal in the operating record as required by OAC rule 3745-54-37(B)? [Condition B.13(b)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
65.		Has the permittee, in accordance with OAC rule 3745-54-53, submitted a copy of the approved contingency plan (including amendments, revisions or changes) to all local authorities, agencies and response contractors designated in the approved contingency plan? [Condition B.18(b)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
66.		Has the permittee notified all parties identified in the contingency plan in writing of amendments, modifications, or revisions to the plan within ten days of the effective date of the change in the plan? [Condition B.18(b)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
67.		Has the permittee submitted a copy of the approved contingency plan and all revisions, amendments and modifications to the Ohio EPA, Division of Emergency and Remedial Response (DERR) in accordance with OAC rule 3745-54-53? [Condition B.18(c)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
68.		Is the permittee reviewing the approved contingency plan at least annually and amending the plan immediately if needed, in compliance with OAC rule 3745-54-54? [Condition B.17]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

**NOTE:** Also see Recordkeeping Requirements to verify that any changes to the contingency plan were submitted in accordance with OAC rule 3745-50-51.

*The facility reviews the approved contingency plan at least annually and makes any necessary amendments to the plan and modifications to the permit.*

**EMERGENCY COORDINATOR**

69.	In accordance with OAC rule 3745-54-55 and Condition B.19 of the permit, is an emergency coordinator on premises or on call at all times?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
70.	In accordance with OAC rule 3745-54-55 and Condition B.19 of the permit, is the emergency coordinator at the facility familiar with the following:	
a.	Contingency plan?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Facility operations and activities?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Waste characterization and location?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Location of all records in the facility?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
e.	Facility layout?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
71.	In accordance with OAC rule 3745-54-55, does the emergency coordinator have the authority to commit the resources needed to carry out the contingency plan? [Condition B.19]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
72.	Does the permittee have a contingency plan for the facility that: [Condition B.19]	
a.	Describes the actions facility shall take to comply with OAC rules 3745-54-51 through 3745-54-56 in response to fires, explosions, or any unplanned sudden or nonsudden release of hazardous waste or hazardous waste constituents to air, soil or surface water at the facility?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Describes arrangements agreed to by local police, fire departments, hospitals, contractors and Ohio EPA and the local emergency response team to coordinate emergency services?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Includes an up-to-date list of names, addresses and phone numbers (office and home) for all persons qualified to act as emergency coordinator in the order that they will assume responsibility for coordination of emergency response?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Includes a list of all emergency equipment, including fire extinguishing systems, spill control equipment, communications and alarm systems and decontamination equipment?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
e.	Includes the location and a physical description of each item on the list referenced in Question No. 72(d), and a brief outline of its capabilities?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
f.	Includes an evacuation plan for facility personnel describing signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes, in situations where the primary routes could be blocked by releases of hazardous waste?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

**IMPLEMENTATION OF CONTINGENCY PLAN**

73.	Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents at the facility since the date of the last inspection, including:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	<ul style="list-style-type: none"> <li>• any spill or release of hazardous waste or hazardous waste constituents greater than or equal to 55 gallons;</li> <li>• any spill or release of hazardous waste or hazardous waste constituents that is reported to the National Response Center</li> </ul>	If yes, explain:

	<ul style="list-style-type: none"> <li>any spill or release of hazardous waste or hazardous waste constituents less than 55 gallons may result in a fire or explosion hazard as determined by the Emergency Coordinator;</li> <li>any spill on-site that may potentially cause on or off-site soil and/or ground or surface water contamination;</li> </ul>	<ul style="list-style-type: none"> <li>or local (city or county) emergency response center because the spill exceeded the "RQ" limits;</li> <li>any fire involving hazardous waste;</li> <li>any explosion involving hazardous waste</li> </ul>	
	If so:		
a.	Did the permittee immediately implement the approved contingency plan and follow the emergency procedures described in OAC rule 3745-54-56? [Conditions B.14 and B.20]		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Did the permittee immediately notify Ohio EPA's emergency response team using the 24-hour toll free number (800-282-9378), providing the following information: [OAC rule 3745-54-56(D)(2)]		
	i.	Name and telephone number of the reporter?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	ii.	Name and address of the facility?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iii.	Time and type of incident?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iv.	Name and quantity of materials involved?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	v.	The extent of injuries?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	vi.	The possible hazards to human health or the environment outside the facility?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Did the permittee collect and manage as hazardous waste all liquid or solid material resulting from fire, explosion, released material or emergency response materials until such time as the permittee can demonstrate to Ohio EPA that such waste are not hazardous wastes? [Condition B.16]		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	Within 15 days of the incident did the permittee submit to the director a written report of the incident? If so:		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	i.	Did the report contain the elements set forth in OAC rule 3745-54-56(J)? [Condition B.23]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
e.	Did the permittee note in the operating record the time, date and details of any incident that required the implementation of the approved contingency plan as required by OAC rule 3745-54-56(J)? [Condition B.23]		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

<b>CLOSURE REQUIREMENTS</b>			
74.	Does the permittee maintain the approved closure plan at the facility? [Condition B.29]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
75.	Is the permittee keeping at the facility and submitting annually to Ohio EPA, the latest closure cost estimate as required by OAC rule 3745-55-42(D)? [Condition B.36]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
76.	Has the permittee amended the closure plan? If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	

	a.	Has the plan been amended in accordance with OAC rule 3745-5-18(D)? [Condition B.28]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<b>NOTE: Also see <u>Recordkeeping Requirements</u> to verify that any changes to the closure plan were submitted in accordance with OAC rule 3745-50-51.</b>			
77.		Has the permittee closed the facility? If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a.	Did the permittee complete closure of the facility 180 days after receiving the final volume of hazardous waste, in accordance with OAC rule 3745-55-13? [Condition B.31]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	Was closure conducted in accordance with the closure performance standard of OAC rule 3745-55-11? [Condition B.26]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c.	Did the permittee carry out the approved closure plan as set found in Section I(M) and Attachment 8 of the approved permit application? [Condition B.27]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d.	After receiving the final volume of hazardous waste, did the permittee remove all hazardous waste and complete closure activities in accordance with the schedule specified in the approved closure plan and as required by OAC rule 3745-55-13? [Condition B.31]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	e.	Has the permittee decontaminated and/or disposed of all facility equipment, structures and soils as required by OAC rule 3745-55-14 and the approved closure plan? [Condition B.32]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	f.	Has the permittee certified that the facility has been closed in accordance with the specifications in the approved closure plan as required by OAC rule 3745-55-15? [Condition B.33]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	g.	If requested, has the permittee submitted documentation, including a survey plat to the director and local zoning authority, of certification of closure of each hazardous waste disposal unit? [Condition B.33]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<b>POST-CLOSURE MAINTENANCE</b>			
<i>Post-closure maintenance is not currently applicable at this facility.</i>			
78.		In accordance with OAC rule 3745-55-17(A)(1)(b), has the permittee inspected the components, structures, and equipment at the site in accordance with the inspection schedule in the permit application on a quarterly basis? [Condition B.35]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
79.		Has the permittee conducted and recorded an inspection of at least the following items: [Condition B.35]	
	a.	Security control devices (gates, locks, fences and signs);	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	Erosion control;	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c.	Cover settlement, subsidence and displacement;	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d.	Vegetative cover conditions;	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	e.	Integrity of run-on/run-off control measures;	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	f.	Cover drainage system functioning;	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	g.	Monitor well conditions; and	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	h.	Benchmark integrity.	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
80.		Is the permittee using the inspection forms found in the approved Part B permit application?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

81.	Have suitable repairs been made within a reasonable amount of time? [Condition B.35]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
82.	Have repairs been indicated on the Notification Repair Form? [Condition B.35]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
83.	Was the Notification of Repair Form submitted to Ohio EPA within one week after determining that repairs are necessary? [Condition B.35]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

### CORRECTIVE ACTION

97.	If there has been a release of hazardous waste or hazardous waste constituents from any waste management unit (WMU) at the facility, has the Permittee complied with OAC Rule 3745-55-01 and instituted corrective actions as necessary to protect human health and the environment? [Condition E.1]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
98.	In the event that it is necessary to protect human health and the environment, has the Permittee implemented corrective actions beyond the facility property boundary? [Condition E.2.]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
99.	Has the permittee identified any new WMUs or releases at the facility? [Condition E.10]? If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Did the permittee follow the steps indicated in Conditions E.10 and E.11?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

### FACILITY-SPECIFIC INSPECTION ITEMS FROM PART B PERMIT APPLICATION and PERMIT TERMS AND CONDITIONS

1.	Is the facility in complying with the terms and conditions in Module C [Condition C.2] of the approved Ohio Part B Hazardous Waste Permit and ORC 3734.02(F)(3), by conducting open burning of:	
a.	<b>Not more than 59 tons or 118,000 pounds annually of D003 waste?</b> includes: <ul style="list-style-type: none"> <li>• off-spec/out-of-date explosives</li> <li>• detonation cord</li> <li>• explosives-contaminated materials (i.e., contaminated packaging and materials; empty packaging that contained reactive materials and which meets the definition of an empty container (OAC 3745-51-07); and waste shock star tubing)</li> </ul>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	<b>Not more than 2.2 tons or 4,400 pounds annually of K044 waste?</b> includes: <ul style="list-style-type: none"> <li>• Wastewater treatment sludge from manufacturing and processing of explosives</li> </ul>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	<b>Not more than 1.2 tons or 2,400 pounds annually of K045 waste?</b> includes: <ul style="list-style-type: none"> <li>• Spent carbon from treatment of wastewater containing explosives</li> </ul>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
2.	Is the facility treating other waste that is not identified above?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<i>The facility is prohibited from treating hazardous wastes not identified in Permit Condition C.2 or A.1(c) of the permit.</i>		
3.	Is the facility complying with the terms and conditions in Module C [Condition C.1] of the approved Ohio Part B Hazardous Waste Permit and OAC Rules 3745-57-90 through 3745-57-93, by ensuring the following:	

	a.	Not more than <b>1000 pounds</b> of explosives or explosive-contaminated materials are allowed on the open burning area at one time?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b.	Not more than <b>100 pounds of explosives</b> , or <b>200 pounds of detonating cord waste</b> , or <b>200 pounds of emulsion-plastic bag waste</b> is open burned on any single burn pan at a time?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	c.	Open burning of waste explosives occurs only in the burn pans located at the existing designated burn area?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
4.	Is the open burn area inspected in accordance with the Inspection Schedule outlined in Section I(E) of the approved permit application? [Condition C.5]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>Austin Powder's Open Burning Treatment Area inspection checklist is attached in Appendix 2.</i>			
5.	Does the facility's on-site operating record include a log containing information about the meteorological conditions and wind speed on the day and time of each waste treatment (open burning) event? [Condition B.22 and Condition C.3]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
6.	Does the facility operate and maintain the open burning area in accordance with the operating procedures contained in with Section I(H) - General Hazard Prevention, and Section I (I) - Prevention of Unintended Ignition or Reaction of Waste, of the approved permit application?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
7.	Does the facility operate and maintain the open burning area in accordance with Condition C.3 of the permit, as follows:		
	a.	Does the facility open burn D003 reactive hazardous waste and the empty packaging as outlined in Condition A.1(C) separately from the K044 and K045 (listed) hazardous waste? [Condition C.3(1)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b.	Does the facility ensure that open burning does not occur during rain events and/or periods of wind speed greater than 15 mph? [Condition C.3(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	c.	Does the facility use the type of open burning unit described in Attachment 1 of the permit terms and conditions? [Condition C.3(3)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	d.	Does the facility ensure that ash/residues from the open burning pad is collected immediately and managed in accordance with Section I(H) - General Hazard Prevention, and Attachment 15 of the approved permit application? [Condition C.3(4)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>Condition C.3(5) of the facility's permit specifies that ash from separately treated D003 (reactive) and K044, K045 (listed) hazardous wastes may be mixed together prior to sampling, analysis, and disposal.</i>			
	f.	Does the facility maintain and operate run-on and run-off control systems at the open burn area in accordance with Section I(H) of the approved permit application? [Condition C.3(6)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

8.	Does the facility accumulate and manage energetic waste in accordance with Sections I(F)-Preparedness and Prevention, I(G)-Contingency Plan, I(H) - General Hazard Prevention, I(I) - Prevention of Unintended Ignition or Reaction of Waste, and I(J) Traffic Pattern, Volume, and Control, of the approved permit application? [Condition C.4]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
9.	Has the facility developed and maintained all records required to comply with OAC rules 3745-54-73, 3745-57-92, and all other terms and conditions of the permit?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

# APPENDIX 1

<b>MODIFICATIONS TO PART B PERMIT (2005 to present)</b>		
<b>Approval Date</b>	<b>Modification Class</b>	<b>Modification Description</b>
<b>2005</b>		
1/31/2005	1	Added BATF hazardous waste magazines
9/29/2005	1A	Extension of permit duration from 5 to 10 years
10/18/2005	1A	Annual financial assurance update
<b>2006</b>		
11/8/2006	2	Increased amount permitted to be open burned (change to Part A)
12/05/2006	2	Changes to Module E of Permit Terms and Conditions (corrective action)
<b>2007</b>		
2/9/2007	1A	Annual financial assurance update (closure cost estimate)
3/30/2007	1A	Annual financial assurance update (certificate of liability)
11/30/2007	1A	Annual financial assurance update (closure cost estimate)
<b>2008</b>		
1/18/2008	1A	Changes to Module F of Permit Terms and Conditions (soil sampling changes)
2/13/2008	1A	Change in contingency plan names/contacts, building names, enhanced facility maps
10/27/2008	1A	Annual financial assurance update (closure cost estimate)
10/27/2008	1A	Annual financial assurance update (certificate of liability)
11/19/2008	1	Added new hazardous waste storage magazine (total of 3)
<b>2009</b>		
4/1/2009	1	Change in contingency plan contacts and building names
11/18/2009	1	Annual financial assurance update (closure cost estimate and certificate of liability)
<b>2010</b>		
7/7/2010	1	Updates to emergency contact information in the facility's contingency plan and emergency control manual.
11/8/2010	2	Updates to contingency plan, including changes in emergency equipment and emergency procedures.
11/30/2010	1	Change in location of less-than-90-day hazardous waste accumulation magazine (HWM #26); updated facility map reflecting new location.

## APPENDIX 2

CHECKLISTS / LOGS
Daily Report Form for Open Burning of Explosives and/or Explosives Contaminated Materials
Daily Waste Inventory Form
Hazardous Waste Magazine Inspection Checklist
Emergency Equipment Log
<i>Note: These items are located in Attachment 7 (Personnel Training and Operating Procedures) of Austin Powder's Part B Permit Application.</i>



**AUSTIN POWDER COMPANY  
GENERATOR REPORT  
DAILY WASTE INVENTORY FORM**

DATE \_\_\_\_\_ MAGAZINE \_\_\_\_\_

TYPE OF WASTE: \_\_\_\_\_

WASTE NO. \_\_\_\_\_

NO. OF CONTAINERS \_\_\_\_\_

WT. PER CONTAINER \_\_\_\_\_

TOTAL WT LBS. \_\_\_\_\_

SIGNATURE \_\_\_\_\_

WASTE NO. D003, if greater than 3% explosives.  
None, if less than 3% explosives.

This form is to be completed by the person placing waste explosives or explosives contaminated materials in the hazardous waste magazine.

Cut Here

HW Form 301

1/10/99 Rev. 1

**AUSTIN POWDER COMPANY  
GENERATOR REPORT  
DAILY WASTE INVENTORY FORM**

DATE \_\_\_\_\_ MAGAZINE \_\_\_\_\_

TYPE OF WASTE: \_\_\_\_\_

WASTE NO. \_\_\_\_\_

NO. OF CONTAINERS \_\_\_\_\_

WT. PER CONTAINER \_\_\_\_\_

TOTAL WT LBS. \_\_\_\_\_

SIGNATURE \_\_\_\_\_

WASTE NO. D003, if greater than 3% explosives.  
None, if less than 3% explosives.

This form is to be completed by the person placing waste explosives or explosives contaminated materials in the hazardous waste magazine.

HW Form 301

Approved By:

OHIO EPA. DHMM

HW-7

1/10/99 Rev. 1

DEC -4 2001

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## 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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <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"/>	NA <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"/>	NA <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"/>	NA <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"/>	NA <input type="checkbox"/>
6.	Has the generator transported or caused to be transported hazardous waste to <b>other</b> than a facility authorized to manage the hazardous waste? [ORC 3734.02(F)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	NA <input type="checkbox"/>
7.	Has the generator disposed of hazardous waste <b>on-site without a permit</b> 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"/>	NA <input type="checkbox"/>
8.	Does the generator accumulate hazardous waste?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

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

9.	Has the generator accumulated hazardous waste on-site in excess of 90 days without a permit or an extension from the director ORC §3734.02 (E) & (F)?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	NA <input type="checkbox"/>
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**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 type="checkbox"/>	NA <input checked="" type="checkbox"/>
b.	Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
c.	Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
d.	Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>

**NOTE: Complete appropriate checklist for each unit. 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  No  N/A

**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  No  N/A

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

**NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have a program in place to reduce the volume and toxicity of the waste they generate.**

17. If the generator received a rejected load or residue and accumulated the waste on-site, did the generator sign item 18c or 20 of the manifest? [3745-52-34(M)] Yes  No  N/A

18. 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

19. 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

20. 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

21. 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

22. 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

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

24. 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

25. Does the generator provide annual refresher training to employees? [3745-65-16(C)] Yes  No  N/A

26. 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

27.	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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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### CONTINGENCY PLAN

28.	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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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29.	Does the contingency 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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
b.	Arrangements with emergency authorities [3745-65-52(C)].	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
d.	A list of all emergency equipment, including: location, a physical description and brief outline of capabilities? [3745-65-52(E)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
e.	An evacuation plan for facility personnel where there is possibility that evacuation may be necessary? [3745-65-52(F)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

**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)]

30.	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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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31.	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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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*The facility reviews the approved contingency plan at least annually and makes any necessary amendments to the plan. The contingency plan is also in the facility's Part B permit application.*

32.	Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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**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

33.	Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents since the last inspection? If so:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
a.	Was the contingency plan implemented? [3745-65-51(B)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
b.	Did the facility follow the emergency procedures in 3745-65-56(A) through (H)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
c.	Did the facility submit a report to the Director within 15 days of the incident as required by 3745-65-56(J)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

**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

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

### SATELLITE ACCUMULATION AREA REQUIREMENTS

43.	Does the generator ensure that satellite accumulation area(s):				
a.	Are at or near a point of generation? [3745-52-34(C)(1)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	
b.	Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	
c.	Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	
d.	Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	
e.	Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	
f.	Containers are marked with the words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	
44.	Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	
a.	Did the generator comply with 3745-52-34(A)(1)through(4) or other applicable generator requirements within three days? [3745-52-34(C)(2)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	
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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	

**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**

45.	Has the generator marked each container with the words "Hazardous Waste?" [3745-52-34(A)(3)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
46.	Is the accumulation date on each container? [3745-52-34(A)(2)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
47.	Are hazardous wastes stored in containers which are:			
	a. Closed (except when adding/removing wastes)? [3745-66-73(A)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	b. In good condition? [3745-66-71]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	c. Compatible with wastes stored in them? [3745-66-72]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	d. Handled in a manner which prevents rupture/leakage? [3745-66-73(B)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
48.	Are hazardous waste container accumulation areas inspected weekly? [3745-66-74] <i>Note: "Week" means 7 consecutive days, per ORC§1.44(A).</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>

*Austin Powder did not conduct weekly inspections of the hazardous waste accumulation magazine, HW #26, during the recent plant shut down period which began on December 13<sup>th</sup>. No inspections were recorded for the period of December 13<sup>th</sup> through the date of Ohio EPA's December 29<sup>th</sup> hazardous waste inspection.*

	a. Are inspections recorded in a log or summary? [3745-66-74]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
49.	Are containers of ignitable or reactive wastes located at least 50 feet (15 meters) from the facility's property line? [3745-66-76]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
50.	Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
51.	If the generator places incompatible wastes, or incompatible wastes and materials in the same container, is it done in accordance with 3745-65-17(B)? [3745-66-77(A)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
52.	If the generator places hazardous waste in an unwashed container that previously held an incompatible waste, is it done in accordance with 3745-65-17(B)? [3745-66-77(B)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
<b>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.</b>				
53.	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 <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

**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**

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

# GENERATOR LAND DISPOSAL RESTRICTION (LDR) CHECKLIST

## GENERAL REQUIREMENTS

1. If LDRs do not apply, does the generator have a statement that lists how the hazardous waste was generated, why LDRs don't apply and where the hazardous waste went? [3745-270-07(A)(7)]  
 Yes  No  N/A

2. Did the generator determine if the hazardous waste/soil must be treated to meet the LDR treatment standard prior to disposal? Generator knowledge or testing may be used. [3745-270-07(A)(1)]  
 Yes  No  N/A

**NOTE: This is done by determining if the hazardous waste /soil contains levels of constituents greater than the levels given in its LDR treatment standard in 3745-270-40. However, if a specific treatment method is given in 3745-270-40 for the hazardous waste, no determination is required [3745-270-07 (A)(1)(b)]. If soil, generator can choose to have soil treated to LDR levels given in 3745-270-49 (alternative treatment levels for soils).**

3. Does the generator have documentation of how he determined whether the hazardous waste/soil meets or does not meet the LDR treatment standard in 2, above? [3745-270-07(A)(6)(a) or 3745-270-07(A)(6)(b)]  
 Yes  No  N/A

4. Does the generator keep the documentation required in #2, above, on-site for at least three years from the last date the hazardous waste/soil was sent on-site/off-site for treatment/disposal? [3745-270-07(A)(8)]  
 Yes  No  N/A

5. Does the generator generate a listed hazardous waste that exhibits a characteristic? If yes,  
 Yes  No  N/A

a. Did the generator determine if the listed hazardous waste exhibits a characteristic that is not treated under the LDR treatment standard for the listed hazardous waste? [3745-270-09(A)]  
 Yes  No  N/A

**FOR EXAMPLE: F006 that exhibits the characteristic for silver or K062 that is corrosive, D002. Review LDR treatment standard in 3745-270-40 to determine what constituents the listed hazardous waste is treated for.**

6. Did the generator determine if its characteristic hazardous waste contains underlying hazardous constituents that need to be treated? [3745-270-09(A)]  
 Yes  No  N/A

**NOTE: This is done by evaluating which underlying hazardous constituents (UHC) are in the hazardous waste at levels above the universal treatment standards given in 3745-270-48. This requirement does not apply to high total organic carbon (i.e., contains >10% TOC) D001 wastes or listed hazardous wastes.**

*Austin Powder has a Part B permit to treat (via open burning) D003, K044, and K045 hazardous wastes to remove the characteristic of reactivity. The K044 and K045 wastes are subject to the LDR treatment standards of OAC 3745-270-40, which is "DEACT". The D003 wastes are subject to the LDR treatment standards of OAC 3745-270-40, which is "DEACT and meet the universal treatment standards in OAC 3745-270-48". It is Austin Powder's position that underlying hazardous constituents of detonation cord and other D003 wastes are not above universal treatment standards at the point of generation in the original waste streams. Austin Powder used generator knowledge and extensive MSDS information on the products used in the manufacturing process to make this determination, and has provided this information to Ohio EPA.*

7. Did the generator treat his hazardous waste /soil on-site to meet the LDR treatment standard?  
 Yes  No  N/A

**NOTE: If "Yes" see question #16.**  
*Austin Powder has a Part B permit to treat (via open burning) D003, K044, and K045 hazardous wastes to remove the characteristic of reactivity; see above.*

8. Did the generator send a one-time LDR notification form to the TSD with the first shipment to that facility? [3745-270-07(A)(2)]  
 Yes  No  N/A

9.	Did the generator resubmit the LDR notification form to the TSD when the hazardous waste changed or the generator used a new TSD? [3745-270-07(A)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
10.	Does the generator have a copy of the LDR notification form on file? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the form kept on file for three years after last hazardous waste shipped? [3745-270-07(A)(8)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

### NOTIFICATION FORM

11.	Does the LDR Notification form contain the following information:	
a.	Manifest number of the first waste shipment to the TSD? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Applicable waste codes (includes characteristic codes for a listed hazardous waste if applicable)? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	A statement that conveys that the hazardous waste is subject to LDRs and must be treated to meet LDR treatment requirements? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	A designation whether the hazardous waste is a wastewater or non-wastewater? [3745-270-07(A)(2)].	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

**NOTE:** A wastewater contains <1% by wt. total suspended solids(TSS) and <1% by wt. TOC. If you doubt the hazardous waste is a wastewater or non-wastewater, the hazardous waste can be tested using for example, Standard Methods (SM) 160.2 for TSS, SW-846 method 9060a for TOC.

e.	Designation of the waste subcategory when applicable? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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**NOTE:** Subcategories are found on the LDR treatment standards table under the applicable waste code. Not all hazardous wastes have subcategories.

f.	A listing of the underlying hazardous constituents for which a characteristic waste must be treated? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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**NOTE:** Not required if the waste is high TOC D001 or the TSD tests its treatment residues for all underlying hazardous constituents.

g.	If the hazardous waste is F001-F005 or F039, did the generator note on the LDR form what solvents or constituents, respectively, the waste contains and must be treated for? [3745-270-07(A)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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**NOTE:** Not required if the TSD tests its treatment residues for all underlying hazardous constituents.

### PROHIBITED DILUTION

12.	Is the hazardous waste treated by burning?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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**NOTE:** If "No", go to Question #15.

13.	Is the hazardous waste a metal-bearing hazardous waste?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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**NOTE:** Generally, metal-bearing hazardous wastes contain heavy metals above TCLP levels or were listed due to the presence of metals. A list of the restricted metal-bearing hazardous wastes are given in the Appendix to 3745-270-03.

14.	a.	Metal-bearing hazardous wastes cannot be incinerated, combusted or, blended and burned for fuel unless <u>one</u> of the following conditions apply: [3745-270-03(c)]	
	i.	Contains > 1% TOC?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	ii.	Contains organic constituents or cyanide at levels greater than the UST levels?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iii.	Is made up of combustible material (e.g., paper, wood, plastic)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iv.	Has a reasonable heating value (e.g., > 5000 Btu)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

v.	Co-generated with a hazardous waste that must be combusted?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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Note: If all responses to i. through v. are "No", hazardous waste is being improperly treated by dilution; a violation of 3745-270-03(C).

	b.	Is hazardous waste being treated by dilution?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
15.		Was the hazardous waste treated by wastewater treatment?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	a.	Is a LDR treatment method, other than DEACT or a numerical value, specified for the waste? [3745-270-03(B) and 3745-270-40(A)(3)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

NOTE: If Yes, hazardous waste is improperly being treated by dilution.

	b.	Does the waste carry the D001 code and contain $\geq 10\%$ TOC?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	c.	Does the wastewater treatment process include a process to separate/recover the organic phase of the waste?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

NOTE: If the answers to b and c above are "yes" and "no", respectively; waste is improperly being treated by dilution and the generator is in violation of [3745-270-03(B) and 3745-270-40(A)(3)].

NOTE: A list of separation/recovery processes are given in 3745-270-42 under RORG.

**GENERATOR TREATMENT**

16.		Does the generator treat to meet LDRs on-site? [3745-270-40(A)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
		Did the generator treat hazardous waste/soil on-site in a tank, container, drip pad or containment building to meet the LDR treatment standard?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>

**If "Yes", complete the rest of the checklist.  
If "No", STOP HERE.**

	a.	Does the generator have a written waste analysis plan (WAP) that describes the procedures he will follow to treat the hazardous waste/soil to the LDR treatment standard? [3745-270-07(A)(5)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	b.	Did the generator use a detailed chemical and physical analysis of the hazardous waste/soil in order to develop the WAP? [3745-270-07(A)(5)(a)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

NOTE: This is a laboratory analysis but it does not have to be kept by the generator.

	c.	Does the WAP contain all information necessary to treat the hazardous waste/soil to the LDR treatment standard? [3745-270-07(A)(5)(a)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	d.	Does the WAP include the testing frequency of the treated hazardous waste/soil to demonstrate that the LDR treatment standard is being met? [3745-270-07(A)(5)(a)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	e.	Does the generator keep the WAP on-site? [3745-270-07(A)(5)(b)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	f.	Is the WAP available for the inspector's review during the inspection? [3745-270-07(A)(5)(b)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

**NOTIFICATION FORM**

17.	a.	Does the notification form contain all information in Question #11 a through g above, and:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	b.	If the treated hazardous waste/soil is listed, does the notification contain the following certification statement: "I certify under penalty of law that I personally have examined and am familiar with the waste, through analysis and testing or through knowledge of the waste, to support this certification that the waste complies with the treatment standards specified in rule 3745-270-40 to 3745-270-49 of the Administrative Code. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment."	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	c.	If the treated hazardous waste/soil no longer exhibits a characteristic and is no longer a hazardous waste, did the generator:			
	i.	Send a one-time notification to the director?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

		[3745-270- 09 (D)]	
	ii.	Maintain a copy of the notice onsite? [3745-270-09(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iii.	Include in the notification: [3745-270-09(D)(1)(a)]	
		1. Name & address of receiving landfill?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
		2. Description of hazardous waste when generated?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
		3. Hazardous waste code when generated?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
		4. Treatability group when generated?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
		5. Underlying hazardous constituents present when generated?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iv.	Contain the right certification statement as required by 3745-70-07(b)(4)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

## USED OIL GENERATOR COLLECTION CENTER, AND AGGREGATION POINT REQUIREMENTS

**NOTE:** A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

### PROHIBITIONS

1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	a. Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

**NOTE:** Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

### GENERATOR STANDARDS

4.	Does the generator mix hazardous waste with used oil? If so,	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	a. Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
<b>NOTE:</b> Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, <u>unless</u> the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.				
5.	Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
<b>NOTE:</b> If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.				
6.	Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]			
	a. Stopped the release?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	b. Contained the release?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	c. Cleaned up and properly managed the used oil and other materials?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

### ON-SITE BURNING IN SPACE HEATERS

10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	a. Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	c. Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

### GENERATOR TRANSPORTATION

11.	If the generator self-transported used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]			
	a. Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator? [3745-279-24]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	b. Does the generator transport more than 55 gallons of used oil at any time? [3745-279-24]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

*NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).*

### COLLECTION CENTERS AND AGGREGATION POINTS

12.	Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

*NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.*

## SMALL QUANTITY UNIVERSAL WASTE HANDLER (SQWH) REQUIREMENTS BATTERIES AND LAMPS

Large Quantity Universal Waste Handler (LQUWH) = 5,000 Kg or more  
Small Quantity Universal Waste Handler (SQUWH) = Less than 5,000 Kg (11,023 lb)

### PROHIBITIONS

1.	Did the SQUWH dispose of universal waste? [3745-273-11(A)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	NA <input type="checkbox"/>
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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	NA <input type="checkbox"/>

### 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 <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
5.	Does the SQUWH conduct any of the following activities:			
	a. Sort batteries by type?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	NA <input type="checkbox"/>
	b. Mix battery types in one container?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	NA <input type="checkbox"/>
	c. Discharge batteries to remove the electric charge?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	NA <input type="checkbox"/>
	d. Regenerate used batteries?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	NA <input type="checkbox"/>
	e. Disassemble them into individual batteries or cells?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	NA <input type="checkbox"/>
	f. Remove batteries from consumer products?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	NA <input type="checkbox"/>
	g. Remove the electrolyte from the battery?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	NA <input type="checkbox"/>
	If so, are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)(2)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
	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 <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
	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 <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
7.	Are the batteries or containers of batteries labeled with the words "Universal Waste - Batteries" or "Waste Batteries" or "Used Batteries"? [3745-273-14(A)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>

### UNIVERSAL WASTE LAMPS

8.	Does the SQUWH contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and are compatible with contents of the lamps? [3745-273-13(D)(1)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	NA <input type="checkbox"/>
	a. 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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	NA <input type="checkbox"/>

*Austin Powder accumulates spent fluorescent and other universal waste lamps in a locked wooden cabinet located in Maintenance Shop #3. Inside the cabinet, numerous containers (boxes) of spent lamps were not closed; some of the spent lamps were stored loose within the cabinet, and some were banded together. There was no evidence of broken lamps or releases. The spent lamps should be accumulated inside the cabinet in containers or boxes which are kept closed to minimize the chance of breakage while awaiting off-site shipment for recycling.*

9.	Are lamps that show evidence of leakage, leakage or damage that could cause a release of mercury or hazardous constituents into the environment immediately cleaned up? [3745-273-13(D)(2)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
a.	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 <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>

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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	NA <input type="checkbox"/>
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*Individual spent lamps or boxes of spent lamps were not labeled "Universal Waste - Lamps" or "Waste Lamps" or "Used Lamps" as required by this rule.*

**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)] If not:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	NA <input type="checkbox"/>
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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 this) [3745-273-15(B)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
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*Shipment records maintained by the facility indicate that spent universal waste lamps are sent off-site for recycling approximately every two years.*

12.	Is the length of time the universal waste is stored documented by one of the following: [3745-273-15(C)]			
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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 <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>

*The facility maintains shipment records which demonstrate that spent universal waste lamps are sent off-site for recycling approximately every two years. Austin Powder should begin using one of the above methods that more clearly demonstrates the dates that spent universal waste lamps were generated and the length of time that universal waste has been accumulated on-site.*

### 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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
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### RESPONSE TO RELEASES

14.	Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
15.	Is the material released characterized? [3745-273-17(B)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
16.	If the material released is a hazardous waste, is it managed as required in OAC Chapters 3745-50 through 3745-69? <i>(If the waste is hazardous, the handler is considered the generator of the waste and is subject to Chapter 3745-52).</i> [3745-273-17 (B)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
<i>No known releases have occurred on-site from accumulation of spent universal waste lamps, and no broken lamps or releases were noted during the inspection.</i>				

### 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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
<b>NOTE: SQUWHs are prohibited to send waste to any other facility.</b>				
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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
19.	Prior to shipping universal waste off-site, does the receiver agree to receive the shipment? [3745-273-18(D)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
	b. Agree to where the shipment will be sent? [3745-273-18(E)(2)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
21.	If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss one of the following:			
	a. Sending the waste back to the originating handler? [3745-273-18(F)(1)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
	b. Sending the shipment to a destination facility? <i>(If both the originating and receiving handler agree)</i> [3745-273-18(F)(2)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>

### EXPORTS

4.	Is waste being sent to a foreign destination? If so:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	NA <input type="checkbox"/>
	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 <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
	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 <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
	c. Is a copy of U.S. EPA's "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>

## PROCESS INFORMATION AND WASTE ACTIVITIES SUMMARY

Austin Powder Company - Red Diamond Plant

LQG / PERMIT

OHD004293775

Description of Waste				On-Site Management			Off-Site Management
Process Generating Waste	Waste Generated	EPA Waste Code	QTY Generated per Month	Type of Accumulation/ Storage	Type of On-Site Treatment	Waste Location	Name, state, and type of activity
Explosives manufacturing	Waste booster detonation cord snips Off-spec. explosives, booster wastes Paper/plastic product packaging waste	D003	6000 P	Plastic bags in <90 day HW storage magazine	Open burning as specified in permit	SAAs in process areas, transferred daily to <90 day HW storage magazine	NA – Facility has permit for treatment of D003 wastes via open burning
Explosives manufacturing	Wastewater treatment sludge from treatment of "pink water" (explosives - containing wastewater); catch tank sludge, bags, and filters	K044	28 P	Plastic bags in <90 day HW storage magazine	Open burning as specified in permit	Accumulated in <90 day HW storage magazine	NA – Facility has permit for treatment of K044 wastes via open burning
Booster production	Spent carbon from treatment of "pink water" (explosives -containing wastewater)	K045	60 P	Plastic poly drum in wastewater pre-treat shed at booster area	Open burning as specified in permit	Plastic /poly drum in wastewater pre-treat shed at booster area. Transferred to open burn area	NA – Facility has permit for treatment of K045 wastes via open burning
Treatment (open burning) of D003, K044, and K045 hazardous wastes	Ash	NA Treated for reactivity via open burning	10 T (20,000 P) every 3 months	Covered solid waste dumpster located at burn area	NA	Covered solid waste dumpster located at burn area	Rumpke Landfilled
Maintenance Garage - truck maintenance	Used oil  Used oil filters	NA  NA	80 G  Amt. varies	250-G used oil tank  55-G drum	NA  NA	Outside main Maintenance Garage	Glockner Oil & Environmental Services Recycled

**PROCESS INFORMATION AND WASTE ACTIVITIES SUMMARY (CONT.)**

Austin Powder Company - Red Diamond Plant

LQG / PERMIT

OHD004293775

Description of Waste				On-Site Management			Off-Site Management
Process Generating Waste	Waste Generated	EPA Waste Code	QTY Generated per Month	Type of Accumulation/ Storage	Type of On-Site Treatment	Waste Location	Name, state, and type of activity
Maintenance Garage - truck maintenance	Spent antifreeze	NA	30 G every 6 mo.	55-G drum	NA	Outside main Maintenance Garage	Glockner Oil & Environmental Services Recycled
Maintenance Garage, Machine Shop	Spent parts cleaner solvent	NA - Cont'd Use D018 D039 D040	NA	NA	NA	NA	Clean Harbors Smithfield KY Continued use
QA/QC Laboratory	Spent solvents, reagents  <i>* When emulsion/booster sample wastes are generated from testing they are D003, and are managed with the facility's open burning wastes</i>	D001 D022 F003 F005	- ½ to 1 G	SAA in laboratory	NA	Laboratory	Clean Harbors Smithfield KY
General operations (lighting)	Spent fluorescent lamps	NA Universal Waste		Boxes within locked wooden cabinet	NA	Maintenance Shop #3	Rumpke Recycled
General operations (miscellaneous)	Office waste; miscellaneous solid waste; paper, cardboard, and plastic raw material box liners	NA	Varies	Solid waste dumpster	NA	Solid waste dumpster (emptied weekly)	Rumpke Some cardboard, paper, and plastic box liners are recycled if they have not contacted reactive products or materials

**NOTE:** Quantities of waste generated were determined from the facility's open burn logs, manifest/off-site shipment documentation, and the facility's 2009 Annual Hazardous Waste Report.

## FACILITY INFORMATION

Austin Powder Company's Red Diamond Plant is located on a 1,953-acre tract of land in rural Vinton County. The production of dynamite and gelatin type explosives began at the Red Diamond Plant in 1931 and ended in 1984. Currently, the plant employs about 190 people in the manufacture and sale of explosives which are primarily used in the mining and construction industries. The facility has an Ohio Part B hazardous waste permit to conduct treatment by open burning of D003, K044, and K045 explosive-related wastes; to remove the characteristic of reactivity. The Red Diamond Plant consists of a gate house, office, storage, maintenance, and process buildings, and a QA/QC testing laboratory. The plant is divided into the following main areas:

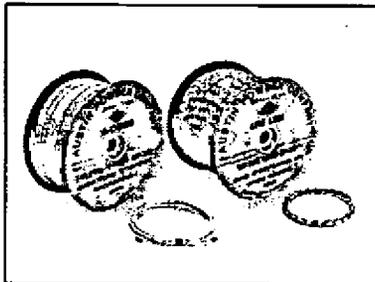
- Indirect Area
- Special Products Area (SPA) Detonating Cord Production and PETN Dryer Building
- Special Products Area (SPA) Booster Production
- Emulsion Production Plant
- Heet and ANFO Production (Mix Plant)
- Less-than-90-Day Hazardous Waste Storage Magazine Area
- Open Burn Area (Permitted Treatment Area)
- McArthur Sales

## PROCESS INFORMATION

### Indirect Area

The Indirect Area includes the Gate House, Main Plant Office, Laboratory Buildings, Receiving, Non-explosive Raw Material Storage, Boiler House (gas and oil-fired boilers), Maintenance Garages, Weld Shop, Carpenter Shop, Machine Shop, and Emergency Equipment Building which houses 2 fire engines. Wastes are generated at the Maintenance Garage and the Machine Shop.

### Special Products Area (SPA) Detonating Cord Production and PETN Dryer Building



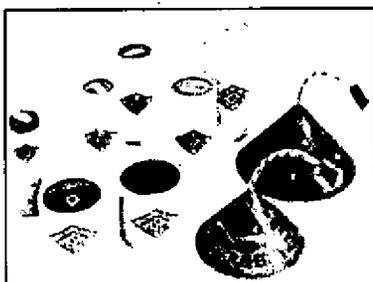
Detonating cord has been manufactured at the Austin Powder's Red Diamond Plant since 1969. Detonating cord is a flexible cord containing a center core of high explosives, and is used to initiate other explosives, such as an explosive charge in a blasthole or other lines of detonating cord. It is normally made with the explosive component PETN (pentaerythritol tetranitrate), but it can also be made with RDX (cyclotrimethylene tetranitramine, "Cyclonite") or HMX (cyclotetramethylene tetranitramine, "Octogen"), and inert plastic, paper, yarn, or wax. Detonating cord is made on a spinning machine, which makes a continuous cord by forming a piece of polypropylene tape around the granular explosive (which is fed in from an upstairs container by a funnel), and then wrapping it with two more layers of fibrillated polypropylene yarn. The spool of cord containing the granular explosive then goes through extrusion with a layer of plastic, and then it is sized by crushing, which makes the cord and its contents a uniform size with no clumps of granulated explosive material. Additional yarn or other wraps may be added to the detonation cord at this point by overspinning, if required by customer specifications. A wax layer is added to the cord to improve its handling ability; the wax is color-coded by cord size for easy identification of grain size of the explosive used in the cord.

Finished cord goes to the rewind/inspection operation, where the cord is unwound and visually inspected, rewound onto spools, and then boxed for shipment. Hazardous wastes generated from detonation cord production and inspection activities include detonation cord remnants (short lengths of detonation cord generated from defects cut out of the cord, and from the beginning and end of each production spool which are cut off for inspection). The cord remnants carry a D003 waste code. Mop water from the detonation cord production line is transported to the wastewater treatment system for treatment.

The PETN explosive material must be dried to less than 0.15% moisture prior to being used in detonation cord or booster production. Moisture is first drawn out of the PETN by putting it into a vacuum filter or nutsche. Once the moisture has been removed, the PETN is put on trays and placed on dryer racks in heated cabinets within the PETN Dryer building.

Wastewater from the PETN Dryer building goes through a filter inside the building that retains large particles and a filter outside the building that retains small particles. The remaining wastewater goes to a catch tank where it is sampled and discharged via NPDES permitted outfall. Waste filter bags are generated at the PETN Dryer building.

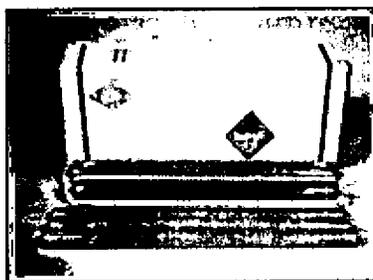
### Special Products Area (SPA) Booster Production



Boosters contain TNT (trinitrotoluene), PETN (pentaerythritol tetranitrate), and/or RDX (cyclotrimethylene tetranitramine), and are used to initiate the detonation of less sensitive explosives. These materials may be initiated by heat, friction, impact, or shock. TNT and a formulation of one of the above materials is melted in steam-jacketed kettles with automatic paddle-shaped stirrers. The molten explosive is dipped out of the kettle and poured by hand into cylindrical boosters, ranging from ¼ ounce to 5 pounds, which have a channel for placement of either a detonator or detonating cord. During the melting and pouring of the explosive into the boosters, dust and chips of the explosive material sometimes fall onto the floor; these are

swept up, packaged, and reused in the booster production process. Floor mop water is filtered and reused, which generates D003 spent filter bags, and spent charcoal. A wastewater treatment building in this area generates K044 sludge waste and K045 spent carbon/filter bag waste from treatment of "pink water". The D003, K044, and K045 wastes are treated by open burning in the permitted burn area. The Bangalore Plant treats the wastewater that is not recycled back into the process, and the effluent is discharged via NPDES permitted outfall 01.

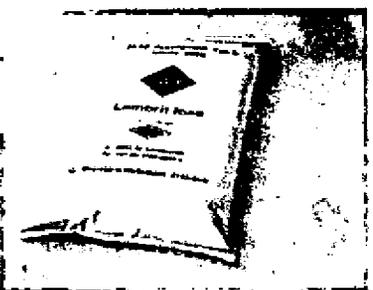
### Emulsion Production Plant



The facility also produces "water-in-oil emulsion explosives", whose trade names include Emuline and Emulex. Emulsion explosives consist of minute droplets of an aqueous solution of inorganic oxidizer salts, surrounded by a very thin layer of continuous oil-phase medium. Emulsion is stabilized with an emulsifying agent that prevents liquid separation. None of the emulsion components are molecular explosives, so they are not explosive themselves unless they are mixed with the other materials. The current emulsion process has been used at the facility since 1985. Prior to that time, a slurried explosive was manufactured. Hazardous wastes generated in the emulsion production area include explosive-contaminated materials

such as spent filter bags, and spent charcoal that carry a D003 waste code. Scrubber and floor washings go to a 560-gallon catch box where solids are removed. The remaining liquid gravity flows to a covered fiberglass retention tank where aqueous nitrate solution is removed and used as fertilizer, and the remaining water/emulsion/oil mixture is further treated or sent off-site for reprocessing or disposal. The D003 wastes are treated via open burning in the permitted burn area.

### Heet and ANFO Production (Mix Plant)



The Mix Plant produces another category of explosives which are basically a mixture of ammonium nitrate and fuel oil. Production of Heet and ANFO began in 1988. ANFO is a blend of ammonium nitrate prill and fuel oil, and Heet is a blend of ANFO and Emulsion. The mixture is bagged here and stored for shipment. Most spills that occur in this area are swept up and packaged for re-use in the process, but there is a satellite accumulation drum is located here for torn bags, gloves, rags, and other explosive-contaminated materials that could exhibit the characteristic of reactivity (D003). The contents of the satellite drum is taken daily to the Hazardous Waste Storage Magazine, and treated via open burning in the permitted burn area. In

addition to the Mix Plant, Austin Powder also has trucks that do mixing at the site of specific blasting jobs.