



State of Ohio Environmental Protection Agency

Northwest District Office

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

**RE: H&K Chevy Pontiac
Buick
OHD 017 929 969
Putnam County
DHWM, NWDO
Partial Return to
Compliance/Notice of
Violation**

December 22, 2009

Mr. Bob Quigley
H&K Chevy Pontiac Buick
200 South Main Street
Continental, Ohio 45831

Dear Mr. Quigley:

On August 21, 2009, the Ohio Environmental Protection Agency (Ohio EPA) received documents in response to the March 16, 2009, and July 23, 2009, Notices of Violations (NOVs) sent to H&K Chevy Pontiac Buick (H&K). The documentation was sent by Mr. Mark Mercer of Shumaker, Loop & Kendrick, LLP, and was dated August 20, 2009. The documentation included photographs, analytical results, price quotes, service agreements, and other information.

H&K was originally inspected on February 23, 2009, as a conditionally exempt small quantity generator (CESQG) of hazardous waste. However, after review of the submitted information, H&K was actually a small quantity generator (SQG) of hazardous waste during the February 23, 2009, compliance evaluation inspection. Ohio EPA revisited H&K on October 8, 2009, to gather additional information pertaining to H&K's SQG status. Several additional violations have been cited after H&K's inspection as a SQG.

The following is a summary of the violations observed during the February 23, 2009, and October 8, 2009, compliance evaluation inspections and the facility's compliance with respect to each violation. Please submit the required information **within 30 days of receipt of this letter.**

Mr. Bob Quigley
December 22, 2009
Page Two

Violations:

1. **Ohio Administrative Code (OAC) Rule 3745-52-11, Hazardous Waste Determination:** "Any person who generates a waste, as defined in rule 3745-51-02 of the Administrative Code, must determine if that waste is a hazardous waste..."

H&K failed to evaluate the following waste streams to determine if they were a hazardous waste in accordance with OAC Rule 3745-52-11, prior to sending them off site: a) spent lamps, b) waste paint booth filters, c) water and sludge from the paint booth channel, d) parts washer solution, and e) antifreeze.

In order to abate this violation, H&K must do the following and submit the requested information to Ohio EPA **within 30 days of receipt of this letter.**

- a. **Spent Lamps**-H&K failed to have waste evaluation documentation or an established recycling plan in place for spent lamps generated at the facility.

On August 21, 2009, Ohio EPA received documentation that H&K will manage the spent lamps as universal waste. These lamps will be picked up by PSC Environmental Services LLC (PSC) out of Detroit, Michigan.

The cover letter included with the documentation received by Ohio EPA on August 21, 2009, states that the containers will be "labeled 'Fluorescent Lamps-Universal Waste'". Ohio EPA would like to remind H&K that OAC Rule 3745-273-14(E), Labeling/markings-standards for small quantity handlers of universal waste states "Each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal Waste-Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)."

The photographs received by Ohio EPA on August 21, 2009, show a sticker attached to the spent lamp container with the proper labeling "Universal Waste-Lamps." However, the wording on the spent lamp container itself is incorrect. H&K should note that if the sticker is removed from the container, then they will be in violation of OAC Rule 3745-273-14(E) since the box itself is not labeled properly.

Mr. Bob Quigley
December 22, 2009
Page Three

The cover letter included with the August 21, 2009, documentation also states that "PSC will transport the spent lamps for recycling on an as needed basis." It is unclear what the definition of "as needed" is in this context. Universal waste lamps cannot be stored on site for greater than 365 days unless the universal waste generator demonstrates there is a necessity for the purposes of recovery, treatment or disposal (see OAC rule 3745-273-15). Therefore, H&K cannot store lamps in the container for greater than 365 days without demonstrating a necessity for the storage of greater than one year.

This violation is considered abated on August 21, 2009.

- b. Waste Paint Booth Filters-H&K failed to have proper waste evaluation documentation for waste paint booth filters generated at the facility.

Ohio EPA observed sampling of the waste paint booth filters on June 5, 2009. Ohio EPA received documentation on August 21, 2009, that included analytical results from the sampling of the waste paint booth filters. These results show that the waste paint booth filters are non-hazardous.

Therefore, this violation is considered abated on August 21, 2009.

- c. Water and Sludge from the Paint Booth Channel-H&K failed to have proper waste evaluation documentation for the water and sludge generated from the paint booth channel.

During the February 2009 inspection, H&K showed Ohio EPA the paint booth and stated that groundwater accumulates during the rainy season in the channel. H&K stated that this channel is pumped out and the water is sent down a drain or drained behind the building.

On August 21, 2009, Ohio EPA received a response from Mr. Mark Mercer of Shumaker, Loop & Kendrick, LLP. In this letter, Mr. Mercer states that the "occasional existence of naturally occurring groundwater in the concrete channel does not constitute "waste" or "hazardous waste" under the applicable rules. Given these circumstances, H&K has not performed a chemical analysis of the groundwater."

Mr. Bob Quigley
December 22, 2009
Page Four

During Ohio EPA's inspection on October 8, 2009, H&K showed Ohio EPA the paint booth and water channel. Ohio EPA asked if any water had been disposed of since Ohio EPA's visit in June. H&K informed Ohio EPA that three days prior to the October 8, 2009, inspection, the paint booth had been washed down and the water had been pumped out from the channel.

During the October 8, 2009 inspection, H&K stated that the paint booth is washed down approximately every one and a half years. During this washing, all water is collected in the concrete channel and then pumped, using the sump pump and hose (which are located in the sump pump hole which sits below the grade of the bottom of the channel; i.e. a small hole within the channel), into the sanitary sewer drain in the middle of the building. All water cannot be pumped out because the sump pump sits higher than the bottom of the sump pump hole and the bottom of the channel. Therefore, approximately 2 feet of water is left in the sump pump hole in the channel. H&K also stated that small amounts of groundwater accumulate in this channel, but not enough to require disposal (via pumping out), which conflicts with the information given to Ohio EPA during the February inspection. Additionally, H&K stated the sludge in the bottom of the channel is a mixture of powder, dirt, and paint from the paint booth that has never been removed.

On October 29, 2009, Ohio EPA's Division of Surface Water (DSW) conducted an inspection at H&K. During this inspection, H&K told Ryan Gierhart of Ohio EPA that the paint booth is washed down approximately every one and a half years. During this washing, all water is collected in the concrete channel and then pumped into the sanitary sewer drain in the middle of the building. In order to confirm this management, Ohio EPA conducted a dye test on the drain inside the building where the channel water is pumped and disposed. The dye test showed that the floor drain flows to the sanitary sewer and then to the local waste water treatment plant.

H&K must properly evaluate the liquid waste and sludge in the paint channel in accordance with OAC rule 3745-52-11. H&K must submit the information which demonstrates that these wastes have been properly evaluated within 30 days after receipt of this letter. I have included in this letter a copy of Use of Generator Knowledge in Complying with OAC rule 3745-52-11, Hazardous waste Evaluation, dated July 18, 2005, to assist you in your evaluation of your wastes.

Mr. Bob Quigley
December 22, 2009
Page Five

If you decide to sample and analyze your wastes, feel free to contact me to discuss sampling strategies, including constituents of concern which need to be sampled and analyzed. Also, please notify me at least five days prior to taking the sample(s) so that I may be present.

If the waste is hazardous, I will determine the status of your compliance with other hazardous waste laws and notify you of my findings in a separate letter.

- d. Waste Parts Washer Fluid- H&K failed to have proper waste evaluation documentation for the waste parts washer solution.

In a phone conversation with Mark Mercer on May 28, 2009, he explained that based on the Material Safety Data Sheet (MSDS) for the parts washer fluid (pwf), H&K would use generator knowledge to consider the spent pwf hazardous waste and would not spend money to sample the spent pwf. This generator knowledge was based on the fact that the MSDS for the pwf states the flashpoint of the material is 108 degrees Fahrenheit.

Ohio EPA received documentation on August 21, 2009, that H&K has placed the spent pwf in a continued use program with Safety-Kleen. The documentation also shows that the service agreement between Safety-Kleen and H&K is valid for two years. H&K is reminded that if the pwf is taken out of the continued use program, it is hazardous waste and must be properly managed and disposed of as hazardous waste. The disposal of this waste stream (instead of being in a continued use program) will make H&K a SQG once again and H&K will be required to follow additional regulations.

This violation is considered abated on August 21, 2009.

- e. Antifreeze-H&K failed to have proper waste evaluation documentation for the antifreeze.

On August 21, 2009, Ohio EPA received the following documentation: what appears to be Waste Compliance Services' analytical results from a composite sample of antifreeze taken from several dealerships serviced by Vesco which was submitted by General Oil Company in 1994; what appears to be Midwest Analytical Services, Inc.'s analytical results from a composite sample of antifreeze from several dealerships serviced by Vesco Oil

Mr. Bob Quigley
December 22, 2009
Page Six

Corporation taken in 1993; a PCS waste characterization report for the "Used Mixed Oils & Anti-freeze" dated July 1, 2009, for H&K; an "Analytical Sheet" for an unknown waste stream that appears to be generated at H&K; and a "PSC Small Quantity Hazardous Waste Services" sheet that describes services offered by PSC.

Although H&K has submitted analytical results from what appears to be composite samples of antifreeze taken from several different dealerships, this analytical cannot be used to demonstrate that H&K's antifreeze is non-hazardous waste. In order to show that H&K's antifreeze is non-hazardous waste, H&K must either obtain a chemical analysis of a representative sample of the antifreeze generated by H&K only or provide information which demonstrates an accurate characterization of the waste in light of the processes used (see enclosed Use of Generator Knowledge In Complying with OAC rule 3745-52-11 Hazardous waste Evaluation, dated July 18, 2005, for further information). A representative sample cannot be combined with antifreeze generated at any other generator location. H&K will most likely need to contract the services of an environmental laboratory if you choose to analyze this material. If you do sample this waste stream, please notify me five days prior to taking the sample(s) so that I may be present.

If the waste is hazardous, I will determine the status of your compliance with other hazardous waste laws and notify you of my findings in a separate letter.

2. OAC Rule 3745-279-22 (C)(1), Used oil storage requirements for generators: "Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words 'Used Oil'".

H&K failed to mark two used oil tanks located in the back shop and ten used oil tanks located in the front shop with the words "Used Oil."

This violation was abated on February 23, 2009.

Additional Violations:

The following violations are being cited after H&K was inspected according to the SQG rules and regulations. Since H&K has placed the spent parts washer fluid into a continued use program and it is no longer counted toward their hazardous waste monthly generation, H&K has now dropped into the CESQG category.

Therefore, these violations are abated on the contingency that H&K remain a CESQG in the future. If H&K becomes a SQG again in the future, then H&K must follow all SQG rules and regulations, including but not limited to the ones stated below.

3. OAC Rule 3745-52-34(D)(5)(b), Accumulation time of hazardous waste:

"The generator must post the following information next to the telephone: (i) The name and telephone number of the emergency coordinator; (ii) Location of fire extinguishers and spill control material, and, if present, fire alarm(s); and (iii) The telephone number of the fire department, unless the facility has a direct alarm."

H&K failed to post the following information next to the telephones: location of fire extinguishers, spill control material, and fire alarms.

Ohio EPA received information on August 21, 2009, that H&K has become a CESQG by placing the spent parts washer fluid into a continued use program. H&K will remain a CESQG in the future.

Therefore, this violation is considered abated on August 21, 2009.

4. OAC Rule 3745-65-33, Testing and Maintenance of equipment: "All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, must be tested and maintained as necessary to assure its proper operation in time of emergency. The owner or operator must record the inspections in a log or summary."

H&K failed to record emergency equipment inspections in a log or summary.

Ohio EPA received information on August 21, 2009, that H&K has become a CESQG by placing the spent parts washer fluid into a continued use program. H&K will remain a CESQG in the future.

Therefore, this violation is considered abated on August 21, 2009.

5. OAC Rule 3745-52-34(C)(1)(a), Accumulation time of hazardous waste:

"A generator may accumulate as much as fifty-five gallons of hazardous waste or one quart of acutely hazardous waste...in containers at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit ... provided...[the] container holding hazardous waste...[is] closed..."

Mr. Bob Quigley
December 22, 2009
Page Eight

H&K failed to keep the satellite accumulation container closed at all times unless waste was being placed into the container.

H&K closed the container while Ohio EPA was on site during the February 23, 2009, inspection.

Therefore, this violation is considered abated on February 23, 2009.

6. **OAC Rule 3745-52-34(C)(1)(b), Accumulation time of hazardous waste:** "A generator may accumulate as much as fifty-five gallons of hazardous waste or one quart of acutely hazardous waste...in containers at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit ... provided he...marks his containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers..."

H&K failed to mark the satellite accumulation container with the words "Hazardous Waste" or with other words that identify the contents of the container.

H&K properly labeled the container while Ohio EPA was on site during the February 23, 2009, inspection.

Therefore, this violation is considered abated on February 23, 2009.

7. **OAC Rule 3745-66-74: Inspections:** "The owner or operator must inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors. The owner or operator must record inspections in an inspection log or summary."

H&K failed to inspect the less than 180 day hazardous waste storage area and to record the inspections in an inspection log or summary.

Ohio EPA received information on August 21, 2009, that H&K has become a CESQG by placing the spent parts washer fluid into a continued use program. H&K will remain a CESQG in the future.

Therefore, this violation is considered abated on August 21, 2009.

Mr. Bob Quigley
December 22, 2009
Page Nine

General Concerns:

- A. **Used Oil:** Ohio EPA would like to remind H&K that prior to crushing the oil filters, H&K must hot drain all oil filters to remove the excess used oil. Ohio EPA would also like to remind H&K that only used oil that is generated at H&K or received from household do-it-yourselfers can be burned at the facility without following additional regulations.

This general concern serves as a reminder to H&K and is considered addressed.

- B. **Sandblasting Sand and Other Waste Streams:** As a business all waste streams that are generated at the facility need to be evaluated prior to disposal.

This general concern serves as a reminder to H&K and is considered addressed.

- C. **Parts Washer Fluid:** At the time of the inspection, H&K was having both parts washers serviced once a month. This waste stream made H&K a SQG.

Ohio EPA received information on August 21, 2009, that H&K has become a CESQG by placing the spent parts washer fluid into a continued use program. H&K will remain a CESQG in the future.

This general concern is considered addressed on August 21, 2009.

- D. **Paint Booth Sump/Channel:** H&K should determine if the channel in the paint booth which receives and manages the paint booth wash water and sludge (see violation #1(c)) is a tank or surface impoundment based on the Ohio Administrative Code and Ohio Revised Code rule definitions. For more information, I have attached the Tank and Surface Impoundment, Definitions Memorandum dated April 8, 1983. If H&K determines this unit ultimately manages a hazardous waste (either now or in the future), H&K should be aware that there are significant regulatory requirement differences between a surface impoundment and a tank. Please forward your findings regarding this issue to me in your response.

Should you have any questions, please feel free to call me at (419) 373-3065. Please also feel free to have Mr. Mercer contact Todd Anderson of Ohio EPA's Legal Office at (614) 644-2840.

Mr. Bob Quigley
December 22, 2009
Page Ten

Please send all correspondence **within 30 days of receipt of this letter** to Ohio EPA, Northwest District Office, Attn: Kara Reynolds, 347 North Dunbridge Road, Bowling Green, Ohio 43402.

Sincerely,

Kara Reynolds

Kara Reynolds
Environmental Specialist
Division of Hazardous Waste Management

/lb

cc: Colleen Weaver, DHWM, NWDO
Kara Reynolds, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO

~~DHWM, NWDO, Putnam County, File # H&K Chevrolet Pontiac Buick~~

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.

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

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.
 SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.
 LQG: ≥ 1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.
 NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

GENERAL REQUIREMENTS

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
2.	Has the generator obtained a U.S. EPA I.D. number? [3745-52-12]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
3.	Has the generator transported or caused to be transported hazardous waste to other than a facility authorized to manage the hazardous waste? [ORC 3734.02 (F)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
4.	Has the generator disposed of hazardous waste on-site without a permit or at another facility other than a facility authorized to dispose of hazardous waste? [ORC 3734.02 (E) & (F)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
5.	Does the generator accumulate hazardous waste?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

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

6.	Has the generator accumulated hazardous wastes in excess of (180/270) days without a permit or an extension from the Director? [3745-52-34; ORC §3734-02(E)&(F)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: SQG's shipping waste to a facility greater than 200 miles away can accumulate on-site for 270 days. [3745-52-34 (E)]

7.	Is the generator accumulating more than 6,000 kg on site? [3745-52-34(D)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: 6,000 kg = approximately 27, 55-gallon drums. If the facility is accumulating waste for greater than 180/270 days without an extension/permit or is accumulating greater than 6,000 kg on-site, it is classified as a storage facility and TSD standards apply. Complete applicable TSD checklists.

8.	Does the generator treat hazardous waste in a:	
a.	Container that meets 3745-66-70 to 3745-66-77?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
b.	Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
c.	Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
d.	Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

NOTE: Complete appropriate checklist for each unit.

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

MANIFEST REQUIREMENTS

9.	Are all hazardous wastes either reclaimed under a contractual agreement as defined in OAC rule 3745-52-20(E), or shipped off-site accompanied by a manifest (U.S. EPA Form 8700-22)? [3745-52-20(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
10.	Are wastes reclaimed under a contractual agreement? If so: [3745-52-0(E)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Does the contractual agreement specify the type of waste and frequency of shipment?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Is the transport vehicle owned and operated by the reclaimer?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

c.	Is a copy of the reclamation agreement kept on-site for at least three years after termination/expiration of the agreement?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
NOTE: If wastes are reclaimed under a contractual agreement and an answer to questions 10(a) through 10(c) is no, the generator is in violation of 3745-52-20 (A) (B) & (D), 3745-52-22 and 3745-52-23. Even if the waste is being reclaimed under agreement, LDRs still apply. Complete LDR checklist.		
11.	Have items 1 through 20 of each manifest been completed? [3745-52-20(A)]	Yes <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 complete. [3745-52-20 (A)]		
12.	Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
NOTE: The generator may designate on the manifest one alternative facility to handle the waste in the event of an emergency which prevents the delivery of waste to the primary designated facility. [3745-52-20(C)]		
13.	If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternative TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
14.	Have the manifests been signed by the generator and initial transporter? [3745-52-23 (A) (1) and (2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have made a good faith effort to minimize their waste generation.		
15.	If the generator did not receive a return copy of each completed manifest within 60 days of being accepted by the transporter did the generator submit to Ohio EPA, a copy of the manifest with some indication that the generator has not received confirmation of delivery? [3745-52-42(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
16.	Are signed copies of all manifests being retained for at least three years? [3745-52-40]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
NOTE: Waste generated at one location and transported along a publicly accessible road for temporary consolidated storage or treatment on a contiguous property also owned by the same person is not considered "on-site" and manifesting and transporter requirements must be met. To transport "along" a public right-of-way the destination facility has to act as a transfer facility or have a permit because this is considered to be "off-site." For additional information see the definition of "on-site" in OAC rule 3745-50-10.		
PREPAREDNESS AND PREVENTION		
17.	Is an emergency coordinator available at all times (on-site or on-call)? [3745-52-34(D)(5)(a)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
18.	Has the following been posted by the telephone: [3745-52-34(D)(5)(b)]	
a.	Name and telephone number of emergency coordinator?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Location of fire and spill control equipment, and, if present, fire alarm(s)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
c.	Telephone number of local fire department?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
19.	Are employees familiar with waste handling and emergency procedures? [3745-52-34(D)(5)(c)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
20.	Has the facility properly responded to all fires and spills? [3745-52-34(D)(5)(d)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
21.	Is the facility operated to minimize the possibility of fire, explosion, or any unplanned sudden or nonsudden release of hazardous waste? [3745-65-31]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
22.	Does the generator have the following equipment at the facility if it is required due to actual hazards associated with the waste:	
a.	Internal Alarm system? [3745-65-32(A)]	Yes <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"/>
23.		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"/>
	a.	Are inspections recorded in a log or summary? [3745-65-33]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
24.		Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (<i>unless the device is not required under OAC 3745-65-32</i>)? [3745-65-34(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
25.		If there is only one employee on the premises is there immediate access to a device (ex. phone, hand-held two-way radio) capable of summoning external emergency assistance (<i>unless not required under OAC 3745-65-32</i>)? [3745-65-34(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
26.		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"/>
27.		Has the generator attempted to familiarize emergency authorities with possible hazards and facility layout? [3745-65-37(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
28.		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			
29.		Does the generator ensure that satellite accumulation area(s):	
	a.	Are at or near a point of generation? [3745-52-34(C)(1)]	Yes <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 type="checkbox"/> No <input checked="" 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 type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
30.		Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so:	Yes <input type="checkbox"/> No <input checked="" 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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	Did the generator mark the container(s) holding the excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<p><i>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.</i></p>			
USE AND MANAGEMENT OF CONTAINERS			
31.		Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(D)(4)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
32.		Is the accumulation date on each container? [3745-52-34(D)(4)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

33.	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"/>

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

34.	Is the container accumulation area(s) inspected at least weekly? [3745-66-74] Per ORC§1.44(A) "Week" means seven(7) consecutive days.		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a.	Are inspections recorded in a log or summary? [3745-66-74]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
35.	Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
36.	If the generator places incompatible wastes, or incompatible wastes and materials in the same container, is it done in accordance with 3745-65-17(B)? [3745-66-77(A)]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
37.	If the generator places hazardous waste in an unwashed container that previously held an incompatible waste, is it done in accordance with 3745-65-17(B)? [3745-66-77(B)]		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

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

PRE-TRANSPORT REQUIREMENTS

38.	Does each generator package/label its hazardous waste in accordance with the applicable DOT regulations? [3745-52-30, 3745-52-31 and 3745-52-32(A)]		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
39.	Does each container ≤100 gallons have a completed hazardous waste label? [3745-52-32(B)]		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
40.	Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33]		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>