



**Environmental
Protection Agency**

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

Re: Wilson Barrett Battery Power System
OHR000127944
Wood County
Hazardous Waste
Notice of Violation/Partial Return to Compliance

January 23 2012

Mr. Rick Slawinski, Service Manager
Wilson Barrett Battery Power System
2840 Innovative Drive
Northwood, Ohio 43619

Dear Mr. Slawinski:

Thank you for your November 21, 2011, and December 16, 2011, responses to Ohio EPA's November 2, 2011, Notice of Violation/Partial Return to Compliance (NOV/PRTC) letter. The violations cited were discovered during my October 13, 2011, inspection at your facility. The documents you submitted included waste evaluation documentation and universal waste photographs.

The analytical results, submitted on December 16, 2011, in response to the waste evaluation violation (#1), indicate that the waste battery wash/slop water (samples from drums #1, #2, and #5) and the water from the on-site battery wash water recycling unit are hazardous due to pH results of 1.1, 1.4, <1.0, and 1.5, respectively. A waste exhibits the characteristic of corrosivity (D002) if it is aqueous and has a pH less than or equal to two or greater than or equal to 12.5.

Based upon the analytical results for the waste battery wash/slop water and water from the on-site battery wash water recycling unit; and confirmation that Wilson Barrett is operating as a small quantity generator (SQG) of hazardous waste, Ohio EPA has determined that as of December 16, 2011, Wilson Barrett is in violation of the following additional Ohio hazardous waste laws:

6. ORC Section 3734.02 (F): Unlawful Transportation:

No person shall store, treat, or dispose of hazardous waste identified or listed under this chapter and rules adopted under it, regardless of whether generated on or off the premises where the waste is stored, treated, or disposed of, or transport or cause to be transported any hazardous waste identified or listed under this chapter and rules adopted under it to any other premises, except at or to any of the following: (1) A hazardous waste facility operating under a permit issued in accordance with this chapter; (2) A facility in another state operating under a license or permit issued in accordance with the "Resource Conservation and Recovery Act of 1976" 90 Stat. 2806, 42 U.S.C.A. 6921, as amended.

Wilson Barrett unlawfully transported characteristic hazardous waste to other than a permitted hazardous waste facility. Wilson Barrett has historically been sending spent battery wash/slop water mixed with battery acid to Midwest Guardian located in Wapakoneta, Ohio. Midwest Guardian is not permitted to accept hazardous waste for treatment, storage, or disposal. In 2011, Wilson Barrett shipped hazardous waste to Midwest Guardian on the following dates: 3/7/11 (8 drums); 6/14/11 (16 drums); and 9/30/11 (16 drums).

Wilson Barrett has ceased sending hazardous waste to Midwest Guardian. On December 20, 2011, I spoke with Curtis Petchler from Towlift, Inc., and notified him that the facility was operating as a SQG. I also notified him that Wilson Barrett has 180-days from September 30, 2011, to properly dispose of the six drums of waste battery wash/slop water (D002).

7. OAC Rule 3745-52-20(A): Manifest Requirements:

A generator who transports, or offers for transportation, hazardous waste for off-site treatment, storage, or disposal must prepare a uniform hazardous waste manifest, U.S. EPA form 8700-22 before transporting the hazardous waste off-site.

Wilson Barrett shipped a hazardous waste off-site without a manifest. Specifically, Wilson Barrett has been sending spent battery wash/slop water mixed with battery acid to Midwest Guardian without a hazardous waste manifest.

Wilson Barrett must properly dispose of the waste battery wash/slop water and the water from the on-site battery wash water recycling unit as a characteristic hazardous waste (D002) at a permitted treatment, storage and disposal facility. To abate this violation, a copy of the manifest for the next shipment of the waste battery wash/slop water and water from the on-site battery wash water recycling unit, complete with Land Disposal Restriction (LDR) form, must be submitted to the Ohio EPA, NWDO.

8. OAC Rule 3745-52-34(D)(4): Container Management, Labeling:

A generator may for one hundred eighty days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without an Ohio hazardous waste permit provided that the waste is placed in containers that are labeled or marked clearly with the words "Hazardous Waste" while being accumulated and/or treated on-site.

Wilson Barrett has six 55-gallon drums of waste battery wash/slop water (D002) located in the hazardous waste storage area that are not marked with the words "Hazardous Waste."

Wilson Barrett must properly label the six drums of waste battery wash/slop water with the words "Hazardous Waste." To abate this violation, Wilson Barrett must submit photographic documentation to show that the containers in the hazardous waste storage area are properly labeled.

9. OAC Rule 3745-52-34(D)(4): Accumulation Start Date:

A generator may, for one hundred eighty days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without an Ohio hazardous waste permit provided that the waste is placed in containers that have the date upon which each period of accumulation begins clearly marked and visible for inspection on each container.

Wilson Barrett has six 55-gallon drums of waste battery wash/slop water (D002) located in the hazardous waste storage area that do not have an accumulation start date.

Wilson Barrett must properly label the six drums of waste battery wash/slop water with the accumulation start date (September 30, 2011). To abate this violation, Wilson Barrett must submit photographic documentation to show that the containers in the hazardous waste storage area are properly marked.

10. OAC Rule 3745-52-34(D)(5)(a): Emergency Coordinator:

A generator must ensure that at all times there is at least one employee either on the premises or on call (available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures. This employee is the emergency coordinator.

Wilson Barrett failed to have a designated emergency coordinator.

To abate this violation, Wilson Barrett must ensure that at least one emergency coordinator is available at all times. Wilson Barrett must submit a list of emergency coordinator(s) for the facility.

11. OAC Rule 3745-52-34(D)(5)(b): Preparedness and Prevention:

A generator must post the following information next to the telephone: the name and telephone number of the emergency coordinator; location of fire extinguishers and spill control equipment, and if present, fire alarms; and the telephone number of the fire department, unless the facility has a direct alarm.

Wilson Barrett failed to have the required information posted next to the telephone located nearest to the hazardous waste storage area.

To abate this violation, Wilson Barrett must post the required information next to the telephone and submit a copy of the posted list. Wilson Barrett must also submit photographic documentation to show that the list has been properly posted in this area.

12. OAC Rule 3745-52-34(D)(5)(c): Emergency Procedures/Preparedness and Prevention:

A generator must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies.

Wilson Barrett failed to properly train employees on proper waste handling and emergency procedures related to the wastes generated on-site.

To abate this violation, Wilson Barrett must immediately provide training to Rick Slawinski, Dale Good, and Gloria Reetz related to the management of the hazardous waste. A copy of the training outline must be submitted to me for review prior to conducting the training. In addition, once the training has been completed, a copy of the sign-in sheets used to document employee attendance must be submitted.

13. OAC Rule 3745-65-32(C), Required Equipment:

All facilities shall be equipped with portable fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment.

Wilson Barrett does not maintain spill control equipment in the hazardous waste storage area.

To abate this violation, Wilson Barrett must provide spill control equipment for the hazardous waste storage area. Wilson Barrett must also submit photographic documentation to show that the required equipment is now located in the hazardous waste storage area.

14. OAC Rule 3745-65-33: Emergency Equipment:

All facility communications or alarm systems, spill control equipment and decontamination equipment 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.

Wilson Barrett does not test and maintain the emergency equipment to assure its proper operation in the event of an emergency. These tests are not recorded in a log. It is recommended that the log include the following information: date and time of test, name of person conducting the test, observations made and date/nature of any repairs.

To abate this violation, Wilson Barrett must submit a copy of an internal policy regarding the testing and maintenance of all emergency equipment and the frequency of the inspections. Wilson Barrett must submit a copy of a completed inspection log to verify compliance with this rule.

15. OAC Rule 3745-66-74: Weekly Inspections:

Container storage areas shall be inspected on a weekly basis looking for leaks and for deterioration.

These inspections shall be recorded in an inspection log or summary. Ohio EPA interprets weekly to mean once within the seven-day period following the previous inspection.

Wilson Barrett was not conducting inspections of the hazardous waste storage areas where the waste battery wash/slop water (D002) is stored.

To abate this violation, Wilson Barrett must immediately begin conducting weekly inspections of the hazardous waste storage areas and submit four (4) weeks of completed inspection logs to this office. An example log was sent to you via electronic mail on 12/20/11.

16. OAC Rule 3745-270-07(A)(1): Land Disposal Restrictions:

A generator of a hazardous waste must determine if the waste has to be treated before it can be land disposed. This is done by determining if the hazardous waste meets the treatment standards by either testing the waste, or by using knowledge of the waste.

Wilson Barrett failed to determine if the hazardous waste needed to be treated to meet the treatment standard prior to disposal.

Wilson Barrett must ensure the waste is properly treated prior to disposing of the waste battery wash/slop water and the water from the on-site battery wash water recycling unit as a characteristic hazardous waste (D002). To abate this violation, a copy of the manifest for the next shipment of the waste battery wash/slop water and water from the on-site battery wash water recycling unit, complete with LDR form, must be submitted to the Ohio EPA, NWDO.

17. OAC Rule 3745-270-07(A)(2): Land Disposal Restrictions:

With the initial shipment of waste to each treatment or storage facility, the generator must send a one-time written notice to each treatment or storage facility receiving the waste, and place a copy in the generator's files. The notice must include the information in Column A of Table 1 of this rule.

Wilson Barrett failed to send a LDR form with the hazardous waste when it was shipped off-site for disposal.

Wilson Barrett must properly dispose of the waste battery wash/slop water and the water from the on-site battery wash water recycling unit as a characteristic hazardous waste (D002). To abate this violation, a copy of the manifest for the next shipment of the waste battery wash/slop water and water from the on-site battery wash water recycling unit, complete with LDR form, must be submitted to the Ohio EPA, NWDO.

18. OAC Rule 3745-270-09(A): Land Disposal Restrictions:

The initial generator of a waste must determine each EPA hazardous waste number applicable to the waste in order to determine the applicable treatment standards. If the generator determines that his waste displays a hazardous characteristic (i.e. D002), the generator must determine underlying hazardous constituents in the characteristic waste.

Wilson Barrett failed to determine if underlying hazardous constituents were present in the waste battery wash/slop water, which is a characteristic hazardous waste.

Wilson Barrett must properly dispose of the waste battery wash/slop water and the water from the on-site battery wash water recycling unit as a characteristic hazardous waste (D002). A copy of the manifest for the next shipment of the waste battery wash/slop water and water from the on-site battery wash water recycling unit, complete with LDR form, must be submitted to the Ohio EPA, NWDO. To abate this violation, Wilson Barrett must state that all underlying hazardous constituents (cadmium, chromium, and lead) will be monitored for at the treatment facility where the waste is sent for disposal.

19. OAC Rule 3745-66-101(B)(2): SQG Tank System Requirements:

Hazardous waste or treatment reagents must not be placed in a tank if they could cause the tank or its inner liner to rupture, leak, corrode, or otherwise fail before the end of its intended life.

Wilson Barrett failed to ensure that the tank liners would not rupture, leak, or corrode at the following tanks:

- a. Wilson Barrett was storing hazardous waste (D002) in the battery wash station collection trough located under the wooden washing grates. Wilson Barrett must immediately cease storing hazardous waste in the washing station collection trough or begin managing this unit as a tank. Ohio EPA recommends that Wilson Barrett transfer the waste battery wash water out of the trough immediately after use to avoid operating this unit as a tank. Wilson Barrett must submit to Ohio EPA documentation to demonstrate how you plan to manage this area in the future.
- b. In addition, Wilson Barrett was storing hazardous waste (D002) in the battery wash water recycling unit. Wilson Barrett must immediately cease storing hazardous waste in the battery wash water recycling unit or begin managing this as a tank. This unit was intended to operate as a wash water recycling unit and not as a hazardous waste storage tank. Wilson Barrett must submit to Ohio EPA documentation to demonstrate how you plan to manage this area in the future.

20. OAC Rule 3745-66-101(B)(3): SQG Tank System Requirements:

Uncovered tanks must be operated to ensure at least sixty centimeters (two feet) of freeboard, unless the tank is equipped with a containment structure, a drainage control system, or a diversion structure.

Wilson Barrett failed to ensure that there was at least two feet of freeboard at the following tanks:

- a. Wilson Barrett was storing hazardous waste (D002) in the battery wash station collection-trough located under the wooden washing grates. Wilson Barrett must immediately cease storing hazardous waste in the washing station collection trough or begin managing this unit as a tank. Ohio EPA recommends that Wilson Barrett transfer the waste battery wash water out of the trough immediately after use to avoid operating this unit as a tank. Wilson Barrett must submit to Ohio EPA documentation to demonstrate how you plan to manage this area in the future.
- b. In addition, Wilson Barrett was storing hazardous waste (D002) in the battery wash water recycling unit. Wilson Barrett must immediately cease storing hazardous waste in the battery wash water recycling unit or begin managing this as a tank. This unit was intended to operate as a wash water recycling unit and not as a hazardous waste storage tank. Wilson Barrett must submit to Ohio EPA documentation to demonstrate how you plan to manage this area in the future.

21. OAC Rule 3745-66-101(C)(3): SQG Tank System Requirements:

Generators must inspect the level of waste in the uncovered tank at least once each operating day to ensure that two feet of freeboard is maintained.

Wilson Barrett failed to conduct the required inspections of the following tanks:

- a. Wilson Barrett was storing hazardous waste (D002) in the battery wash station collection trough located under the wooden washing grates. Wilson Barrett must immediately cease storing hazardous waste in the washing station collection trough or begin managing this unit as a tank. Ohio EPA recommends that Wilson Barrett transfer the waste battery wash water out of the trough immediately after use to avoid operating this unit as a tank. Wilson Barrett must submit to Ohio EPA documentation to demonstrate how you plan to manage this area in the future.
- b. In addition, Wilson Barrett was storing hazardous waste (D002) in the battery wash water recycling unit. Wilson Barrett must immediately cease storing hazardous waste in the battery wash water recycling unit or begin managing this as a tank. This unit was intended to operate as a wash water recycling unit and not as a hazardous waste storage tank.

Wilson Barrett must submit to Ohio EPA documentation to demonstrate how you plan to manage this area in the future.

22. OAC Rule 3745-66-101(C)(4): SQG Tank System Requirements:

Generators must inspect the construction materials of the tank at least weekly to detect corrosion or leaking of fixtures or seams.

Wilson Barrett failed to conduct the required inspections of the following tanks:

- a. Wilson Barrett was storing hazardous waste (D002) in the battery wash station collection trough located under the wooden washing grates. Wilson Barrett must immediately cease storing hazardous waste in the washing station collection trough or begin managing this unit as a tank. Ohio EPA recommends that Wilson Barrett transfer the waste battery wash water out of the trough immediately after use to avoid operating this unit as a tank. Wilson Barrett must submit to Ohio EPA documentation to demonstrate how you plan to manage this area in the future.
- b. In addition, Wilson Barrett was storing hazardous waste (D002) in the battery wash water recycling unit. Wilson Barrett must immediately cease storing hazardous waste in the battery wash water recycling unit or begin managing this as a tank. This unit was intended to operate as a wash water recycling unit and not as a hazardous waste storage tank. Wilson Barrett must submit to Ohio EPA documentation to demonstrate how you plan to manage this area in the future.

23. OAC Rule 3745-66-101(C)(5): SQG Tank System Requirements:

Generators must inspect the area immediately surrounding the tank at least weekly to detect erosion or obvious signs of leakage.

Wilson Barrett failed to conduct the required inspections of the following tanks:

- a. Wilson Barrett was storing hazardous waste (D002) in the battery wash station collection trough located under the wooden washing grates. Wilson Barrett must immediately cease storing hazardous waste in the washing station collection trough or begin managing this unit as a tank. Ohio EPA recommends that Wilson Barrett transfer the waste battery wash water out of the trough immediately after use to avoid operating this unit as a tank. Wilson Barrett must submit to Ohio EPA documentation to demonstrate how you plan to manage this area in the future.
- b. In addition, Wilson Barrett was storing hazardous waste (D002) in the battery wash water recycling unit. Wilson Barrett must immediately cease storing hazardous waste in the battery wash water recycling unit or begin managing this as a tank.

This unit was intended to operate as a wash water recycling unit and not as a hazardous waste storage tank. Wilson Barrett must submit to Ohio EPA documentation to demonstrate how you plan to manage this area in the future.

24. OAC Rule 3745-52-34(A)(3): Tank Management, Labeling:

A generator may for one hundred eighty days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without an Ohio hazardous waste permit provided that the waste is placed in containers and tanks that are labeled or marked clearly with the words "Hazardous Waste".

Wilson Barrett failed to properly label the following tanks:

- a. Wilson Barrett was storing hazardous waste (D002) in the battery wash station collection trough located under the wooden washing grates. Wilson Barrett must immediately cease storing hazardous waste in the washing station collection trough or begin managing this unit as a tank. If Wilson Barrett plans to manage this unit as a tank, the tank must be properly labeled "Hazardous Waste", and photographic documentation must be submitted to demonstrate compliance. Ohio EPA recommends that Wilson Barrett transfer the waste battery wash water out of the trough immediately after use to avoid operating this unit as a tank. Wilson Barrett must submit to Ohio EPA documentation to demonstrate how you plan to manage this area in the future.
- b. In addition, Wilson Barrett was storing hazardous waste (D002) in the battery wash water recycling unit. Wilson Barrett must immediately cease storing hazardous waste in the battery wash water recycling unit or begin managing this as a tank. This unit was intended to operate as a wash water recycling unit and not as a hazardous waste storage tank. If Wilson Barrett plans to manage this unit as a tank, the tank must be properly labeled "Hazardous Waste", and photographic documentation must be submitted to demonstrate compliance. If you do not plan to operate this unit as a tank, Wilson Barrett must submit to Ohio EPA documentation to demonstrate how you plan to manage this area in the future.

"Tank" means a stationary device, designed to contain an accumulation of hazardous waste, which is constructed primarily of non-earthen materials (e.g., wood, concrete, steel, plastic) that provide structural support.

The following is a summary of the violations discovered during my October 13, 2011, inspection and cited in the November 2, 2011, NOV/PRTC letter and your compliance with respect to each:

1. OAC Rule 3745-52-11: Waste Evaluation:

Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

At the time of the inspection, Wilson Barrett did not have waste evaluation documentation for the battery wash/slop water. Wilson Barrett has historically shipped this waste stream to Midwest Guardian as part of a contractual agreement. Wilson Barrett was not able to verify what Midwest Guardian does with the battery wash/slop water once they receive it at their facility.

On November 28, 2011, the Ohio EPA, represented by Melissa Boyers and Don North, met with Curtis Petchler from Towlift, Inc., to provide sampling oversight. A representative of Alloway was present to sample the waste battery wash/slop water which is a mixture of battery acid, neutralizing cleaner, and water. Samples were taken from drum #1, drum #2, drum #5, the mobile battery wash unit, and the on-site battery wash water recycling unit. The five samples were analyzed for Toxic Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals (SW-846 Method 1311/6010), and pH.

On December 16, 2011, Wilson Barrett submitted a copy of the analytical results for the three drums of battery wash/slop water, the water from the mobile battery wash unit, and the water from the on-site battery wash water recycling unit. The analytical results indicate that the waste battery wash/slop water and the water from the on-site battery wash water recycling unit are hazardous waste. Each waste stream exhibits the hazardous characteristic of corrosivity (D002) due to a pH less than or equal to two. The analytical pH results for each sample are as follows: drum #1- pH 1.1; drum #2- pH 1.4; drum #5- pH <1.0; water from the mobile battery wash unit- pH 3.1; and water from the on-site battery wash water recycling unit- pH 1.5.

Wilson Barrett must begin managing the battery wash/slop water and the water from the on-site battery wash water recycling unit as a hazardous waste. The Ohio EPA recommends that Wilson Barrett collect and evaluate the water from the mobile battery wash unit prior to each disposal due to the potential inconsistency of this waste stream.

Wilson Barrett must properly dispose of the waste battery wash/slop water and the water from the on-site battery wash water recycling unit as a characteristic hazardous waste (D002). To abate this violation, a copy of the manifest for the next shipment of the waste battery wash/slop water and water from the on-site battery wash water recycling unit, complete with LDR form, must be submitted to the Ohio EPA, NWDO.

This violation has not been completely abated.

2. OAC Rule 3745-273-13(D)(1): Universal Waste: Fluorescent Lamp Management:

All lamps/bulbs being managed as a universal waste must be stored in packages that are structurally sound and adequate to prevent breakage. The packages/containers must be closed.

Wilson Barrett did not store the spent fluorescent lamps in containers that were closed. Specifically, there was a box of spent fluorescent bulbs located in the corner outside the conference room that was open.

On November 21, 2011, Wilson Barrett submitted photographic documentation showing the spent fluorescent lamps now stored in containers that are properly closed.

With this information, this violation has been abated.

3. OAC Rule 3745-273-13(D)(2): Universal Waste: Fluorescent Lamp Management:

Any lamp/bulb that shows evidence of breakage, leakage, or damage that could cause the release of mercury or other hazardous constituents to the environment must be placed in a closed, structurally sound container.

Wilson Barrett did not store broken fluorescent lamps in containers that are closed and structurally sound. Specifically, there was a box of spent fluorescent bulbs located in the corner outside the conference room where a broken bulb was sticking up out of the box.

On November 21, 2011, Wilson Barrett submitted photographic documentation showing the spent fluorescent lamps now stored in containers that are structurally sound and properly closed.

With this information, this violation has been abated.

4. OAC Rule 3745-273-14(E): Universal Waste: Fluorescent Lamp Labeling:

All packages and containers holding spent fluorescent lamps/bulbs are to be labeled with the words "Universal Waste - Lamps", "Waste Lamps" or "Used Lamps".

Wilson Barrett did not have the box of spent fluorescent bulbs located in the corner outside the conference room properly labeled.

At the time of our inspection, Wilson Barrett properly labeled the box of spent fluorescent bulbs with the words "Universal Waste Lamps".

This violation was previously abated on October 13, 2011.

5. **OAC Rule 3745-273-15(C): Accumulation Time for Universal Waste Batteries and Lamps:**

A small quantity handler of universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.

Wilson Barrett was unable to demonstrate the length of time the universal waste bulbs in storage have been on-site. There were no dates on the spent fluorescent bulbs, storage containers, or documentation demonstrating how long the universal waste bulbs have been in storage.

On November 21, 2011, Wilson Barrett submitted photographic documentation showing the spent fluorescent lamps now stored in containers that are properly labeled with the accumulation start date.

With this information, this violation has been abated.

Ohio EPA has helpful information about compliance assistance and pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>. In addition, you can find copies of the rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>.

Wilson Barrett needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within **14 days** of receipt of this letter, Wilson Barrett is requested to provide documentation to this office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to melissa.boyers@epa.ohio.gov.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734. of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, Wilson Barrett is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

Mr. Rick Slawinski, Service Manager
January 23, 2012
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If you have any questions, please contact me by telephone at (419) 373-3066 or by e-mail at melissa.boyers@epa.ohio.gov.

Sincerely,



Melissa L. Boyers
Division of Materials and Waste Management

/lfr

pc: Cindy Lohrbach, DMWM, NWDO
Colleen Weaver, DMWM, NWDO
Patricia Hess, Towlift, Inc., Cleveland, Ohio
Curtis Petchler, Towlift, Inc., Cleveland, Ohio

ec: Colleen Weaver, DMWM, NWDO (scanned e-copy)
Don North, DMWM, NWDO
Todd Anderson, Legal, CO

Notice:

Ohio's 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.

Send to Central Office <input type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to brad.hauser@epa.state.oh.us.

Site EPA ID No. Site Name	EPA ID Number: OHR000127944		Website: (Optional)
Site Location Information	Name: Wilson Barrett Battery Power System		
Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	Street Address: 2840 Innovative Drive	City, Town, or Village: Northwood	
	County Name: Wood	State: OH	
	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"/>	Zip Code: 43619

Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Rick	MI:	Last Name: Slawinski
	Title: Service Manager		
	Phone Number: 419-662-9523		Phone Number Extension:
	E-Mail Address:		
	Fax Number:		Fax Number Extension:
	Street or P.O. Box:		
	City, Town or Village:		
	State:		Zip Code:

Legal Owner And Operator of the Site. List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner: Towlift		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: 1395 Valley Belt Road		
	City, Town or Village: Cleveland		Owner Phone #: 216-749-6800	
	State: Ohio		Country:	
	Name of Site's Operator:		Date Became Operator (mm/dd/yyyy):	
	Operator Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>
	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>
	Other <input type="checkbox"/>	Street or P.O. Box:		
	City, Town or Village:		Operator Phone #:	
	State:		Country:	
	Zip Code:		Zip Code: 44131	

VIOLATIONS CITED? Yes No

TYPE OF HANDLER - MARK "X" AS APPROPRIATE

<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Large Quantity Generator (LQG)
	<input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). <i>Check the box for the applicable generator status and provide a comment.</i>	<input checked="" type="checkbox"/> Small Quantity Generator (SQG)
		<input type="checkbox"/> Conditionally Exempt Small Quantity Generator
		<input type="checkbox"/> U.S. Importer of Hazardous Waste
		<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)

<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Hazardous Waste Transfer Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Underground Injection Control Facility
<input type="checkbox"/> 72-Hour Recycler	<input type="checkbox"/> Receives Hazardous Waste from Off-site

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY))

<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)	

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES

<input type="checkbox"/> Batteries
<input type="checkbox"/> Pesticides
<input type="checkbox"/> Mercury containing equipment
<input checked="" type="checkbox"/> Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

<input 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 Used Oil
<input type="checkbox"/> Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: 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 the box(es) below to indicate the 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

Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. Instead just indicate the date of the most recent source record.

D002

COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.

Announced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:	Dale Good, Gloria Reetz, Patricia Hess in Cleveland Office
Tanks	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		

Name of Inspector(s) Melissa Boyers	Name of Inspector(s) Gary Deutschman	Date of Inspection/Time (mm/dd/yyyy) (hh:mm) 10/13/2011 11:30
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Comments:
Source Form updated on 1/13/12.

**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] (battery wash/slop water)	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 checked="" type="checkbox"/> No <input 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 checked="" type="checkbox"/> No <input 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 type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. Tank that meets 3745-66-101?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c. Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d. Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Complete appropriate checklist for each unit.

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

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)(1)]	Yes <input type="checkbox"/> No <input checked="" 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)(1)] & [3745-52-27(A)] No manifest was used for waste shipped to Midwest Guardian in Wapakoneta, Ohio	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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)(1)]		
12.	Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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 type="checkbox"/> No <input checked="" 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 type="checkbox"/> No <input checked="" 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 type="checkbox"/> No <input checked="" 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 type="checkbox"/> No <input checked="" 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, <u>spill control</u> and decon equipment? [3745-65-32(C)]?	Yes <input type="checkbox"/> No <input checked="" 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 type="checkbox"/> No <input checked="" 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 No Satellite Areas			
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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c.	Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d.	Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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 type="checkbox"/> N/A <input checked="" 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 type="checkbox"/> N/A <input checked="" 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 type="checkbox"/> N/A <input checked="" 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"/>
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			
31.		Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(D)(4)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

32.	Is the accumulation date on each container? [3745-52-34(D)(4)]	Yes <input type="checkbox"/> No <input checked="" 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"/>
<i>NOTE: Record location on process summary sheets and photograph the area.</i>		
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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>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.</i>		
PRE-TRANSPORT REQUIREMENTS (nothing being shipped the day of the inspection)		
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 ≤119 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"/>

GENERATOR LDR REQUIREMENTS

NOTE: This LDR checklist does not include the requirements for generators that treat to meet LDR standards. If the generator treats, the inspector should use the stand-alone Generator LDR checklist instead of this checklist.

GENERAL REQUIREMENTS

1.	If LDRs do not apply, does the generator have a statement that lists how the HW was generated, why LDRs don't apply and where the HW went? [3745-270-07(A)(7)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
2.	Did the generator determine if the HW/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)] If not,	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Did the generator send the waste to a permitted HW TREATMENT facility? [3745-270-07(A)(1)] No manifest or LDR form was sent with the shipments of waste sent to Midwest Guardian in Wapakoneta, Ohio.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<p><i>NOTE: This is done by determining if the HW /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 HW, 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).</i></p>		
3.	Does the generator have documentation of how he determined whether the HW/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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
4.	Does the generator keep the documentation required in #2, above, on-site for at least three years from the last date the HW/soil was sent on-site/off-site for treatment/disposal? [3745-270-07(A)(8)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
5.	Does the generator generate a listed HW that exhibits a characteristic? If yes,	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Did the generator determine if the listed HW exhibits a characteristic that is not treated under the LDR treatment standard for the listed HW? [3745-270-09(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<p><i>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 HW is treated for.</i></p>		
6.	Did the generator determine if its characteristic HW contains underlying hazardous constituents that need to be treated? [3745-270-09(A)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<p><i>NOTE: This is done by evaluating which underlying hazardous constituents (UHC) are in the HW 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 HWs.</i></p>		
<p><i>NOTE: Written documentation of this determination is not required.</i></p>		
7.	Did the generator treat his HW /soil on-site to <u>meet</u> the LDR treatment standard?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<p><i>NOTE: If "Yes" see question #16.</i></p>		
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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	If the generator chose not to make the determination of whether his waste must be treated, did he send a notice to the TSD facility with each shipment? [3745-270-07(A)(2)] If so, did the notice include:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
i.	Applicable HW codes?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
ii.	Manifest number of the first shipment to the TSD?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
iii.	A statement that conveys that the HW may or may not be subject to the LDR treatment standards and the TSD must make that determination.?"	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
9.	Did the generator resubmit the LDR notification form to the TSD when the	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

HW changed or the generator used a new TSD? [3745-270-07(A)(2)]		
10.	Does the generator have a copy of the LDR notification form/notice on file? [3745-270-07(A)(2)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the form/notice kept on file for three years after last HW shipped? [3745-270-07(A)(8)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Applicable waste codes (includes characteristic codes for a listed HW if applicable)? [3745-270-07(A)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	A statement that conveys that the HW is subject to LDRs and must be treated to meet LDR treatment requirements? [3745-270-07(A)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	A designation whether the HW is a wastewater or non-wastewater? [3745-270-07(A)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: A wastewater contains <1% by wt. total suspended solids (TSS) and <1% by wt. TOC. If you doubt the HW is a wastewater or non-wastewater, the HW 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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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NOTE: Subcategories are found on the LDR treatment standards table under the applicable waste code. Not all HWs 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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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 HW 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 HW treated by burning? If "No" go to #15.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
13.	Is the HW a metal-bearing HW?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

NOTE: Generally, metal-bearing HWs contain heavy metals above TCLP levels or were listed due to the presence of metals. A list of the restricted metal-bearing HWs is given in the Appendix to 3745-270-03.

14.	a.	Metal-bearing HWs cannot be incinerated, combusted or, blended and burned for fuel unless one 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 UTS 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 HW that must be combusted?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	If all responses to 14 a.i. through 14 a.v. are "No", HW is being improperly treated by dilution, violation of 3745-270-03(C). Is HW	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

		being treated by dilution?	
15.		Was the HW 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"/>
<i>NOTE: If "Yes", HW is improperly being treated by dilution.</i>			
	b.	Does the waste carry the D001 code <u>and</u> contain $\geq 10\%$ TOC?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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"/>
<i>NOTE: If the answers to b & c are "yes" and "no", respectively, waste is improperly being treated by dilution and generator is in violation of [3745-270-03(B)] and 3745-270-40(A)(3)].</i>			
<i>NOTE: A list of separation/recovery processes are given in 3745-270-42 under RORG.</i>			

SQG TANK SYSTEM REQUIREMENTS [3745-66-101]		
1.	Is each tank marked with the words "Hazardous Waste"? [3745-52-34(A)(3)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
TANK SYSTEM OPERATING REQUIREMENTS		
2.	Is the SQG complying with the following operating requirements of OAC 3745-66-101(B):	
a.	Is the storage and/or treatment of ignitable, reactive or incompatible waste done in accordance with precautionary measures of 3745-65-17(B)? [3745-66-101(B)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Does the SQG ensure that wastes or treatment reagents are not placed in a tank if they could cause the tank or its inner liner to rupture, leak, corrode or fail? [3745-66-101(B)(2)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
c.	Are uncovered tanks operated with 2 feet of freeboard or is the tank equipped with a containment structure, drainage control system, or diversion structure with a capacity that equals or exceeds the volume of the top 2 feet of the tank? [3745-66-101(B)(3)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	If waste is continuously added to the tank: Is the tank equipped with a waste feed cut-off or bypass system? [3745-66-101(B)(4)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
TANK SYSTEM INSPECTION		
3.	Does the generator inspect the following:	
a.	Discharge control equipment (daily)? [3745-66-101(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Data from monitoring equipment (daily)? [3745-66-101(C)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	The level of the waste in the tank (daily)? [3745-66-101(C)(3)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
d.	The tank construction material (weekly)? [3745-66-101(C)(4)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
e.	The area surrounding the tank (weekly)? [3745-66-101(C)(5)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: Per ORC§1.44(A) "Week" means 7 consecutive days.</i>		
4.	For tank systems using leak detection systems to alert facility personnel to leaks or implementing established workplace practices to ensure leaks are promptly identified, has the SQG documented: [3745-66-101(D)]	
a.	Inspections of items listed in questions 3.a to 3.e (weekly)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Use of the alternate inspection schedule, including a description of the established workplace practices at the facility?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
TANK SYSTEM CLOSURE REQUIREMENTS		
5.	Upon closure of the tank did the SQG remove all hazardous waste from the tank system in compliance with OAC 3745-66-101(F)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
TANK SYSTEMS STORING IGNITABLE OR REACTIVE WASTES		
6.	For tanks used to store ignitable or reactive wastes, has the owner/operator complied with one of the following : [3745-66-101(G)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	The waste is treated, rendered, or mixed before or immediately after placement in a tank so that the resultant waste, mixture or dissolution of material no longer meets the definition of ignitable or reactive waste; and 3745-65-17 is complied with? or	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Is the waste stored or treated to protect it from any materials or conditions that may cause the waste to ignite or react?; or	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Is the tank used solely for emergencies?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

7.	If ignitable or reactive waste are treated or stored in covered tanks, does the owner/operator comply with the buffer zone requirements for tanks contained in tables 2.3.2.1.1(a), 2.3.2.1.1(b) and tables 2.3.2.1.2 to 2.3.2.1.5 of the NFPA Flammable and Combustible Liquid Code (2008)? [3745-66-101(G)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
8.	Have incompatible wastes, or incompatible wastes and materials been placed into the same tank?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	If so, have the requirements of 3745-65-17(B) been met? [3745-66-101(H)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
9.	Have hazardous wastes been placed in an unwashed tank which previously held an incompatible waste or material?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	If so, have the requirements of 3745-65-17(B) been met? [3745-66-101(H)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>