



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

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www.epa.state.oh.us

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

April 3, 2007

RE: HARRISON PAINT
CEI - LQG
OH0 000 072 173
MAHONING COUNTY
NOTICE OF VIOLATION

Thomas Schmidt
Harrison Paint Corporation
1329 Harrison Avenue
Canton, OH 44706

CERTIFIED MAIL

Dear Mr. Schmidt:

On March 8, 2007, Ron Shadrach and I inspected Harrison Paint Company for compliance with Ohio hazardous waste laws and regulations found in Chapters 3734 of the Ohio Revised Code (ORC) and 3745 of the Ohio Administrative Code (OAC)

You represented Harrison Paint Corporation during the inspection.

Harrison Paint Corporation manufactures latex and oil/alkyd based paints.

This letter will explain the violations we found, other general concerns we have, and what you need to do to respond to them. We found the following violations of Ohio's hazardous waste regulations. In order to correct them you must do the following and send me all requested information **within 30 days** of the date of this letter:

**1. Dating and Labeling of Hazardous Waste Container Labels
OAC 3745-52-34 (A)(2) and OAC 3745-52-34 (A)(3)**

(A)(2) *A generator may, for ninety days or less, accumulate and/or conduct treatment of hazardous waste that is generated on site, provided that...The date upon which each period of accumulation...begins is clearly marked and visible for inspection on each container*

(A)(3) *While being accumulated...on site, each container and tank is labeled or marked clearly with the words "Hazardous Waste"*

There were four drums of oil-based paint waste in the loading dock area. The drums were not dated per this rule. To abate these violations, you must label and date the drums with the proper accumulation date, photograph them, and send the photographs to this office.

**2. Management of Containers
OAC 3745-66-73(A)**

A container holding hazardous waste shall always be closed during storage, except when it is necessary to add or remove waste.

a. The 4 drums identified in Violation #1 above were not closed per this rule. To abate the violation, the drums you must close the drums, photograph them, and send copies of the photographs to this office.

- b. Four, 5-gallon buckets in the industrial let-down room contained oil-based paint waste. The containers were not labeled per this rule.

You explained that you were letting the waste in these drums dry out prior to disposal. Please be advised that this activity is considered illegal treatment of hazardous waste. You must state, in writing, that this practice will cease and that this waste stream will now be managed.

3. General Inspection Requirements
OAC 3735-66-74(A) and OAC 3735-66-74(B)

(A) The owner or operator shall inspect areas, where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors.

(B) The owner or operator shall record inspections in an inspection log or summary.

Harrison Paint is not conducting weekly inspections per this rule. To abate this violation, you must begin conducting weekly inspections and you must submit a copy of the inspection log showing that at least two actual inspections have been completed.

4. Emergency Equipment Inspections
OAC 3545-65-33

All communication and emergency equipment shall be tested and maintained as necessary to assure proper operation in time of emergency

Harrison Paint is not conducting emergency equipment inspections. To abate this violation, you must immediately begin conducting emergency equipment inspections and send a copy of the inspection log to this office that show at least one actual inspection has been completed.

5. Emergency Response Information
OAC 3745-52-34(D)(5)(b)

A small quantity generator shall 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 alarms and;*
- (iii) The telephone number of the fire department unless the facility has a direct alarm.*

Harrison Paint did not have emergency telephone information posted per this rule. To abate this violation, you must post the information by the telephone nearest to the less-than-90 day accumulation area, photograph it, and send the photograph to this office.

6. Land Disposal Restrictions (LDR)
OAC 3745-270-07 (A)(3)(a)

With the initial shipment of waste to each treatment, storage, or disposal facility, the generator shall send a one-time written notice to each treatment, storage or disposal facility receiving the waste and place a copy in the generator's files...

Harrison Paint is not maintaining a copy of the LDR forms for its hazardous waste stream. To abate this violation, you must submit a copy of the LDR form to this office. The form must be maintained in your facility files.

**7. Hazardous Waste Determination
OAC 3745-52-11**

Any person who generates a waste in the state of Ohio...shall determine if the waste is a listed hazardous waste...

The following violations of this rule were noted:

- a. At least 18 drums in the dry bag storage room behind the loading dock,
- b. 38 drums in the warehouse,
- c. 5 open 5-gallon buckets in the industrial letdown room.

Harrison paint was not able to clearly identify the materials in the above containers. In addition, you claimed that the drums in the warehouse, loading dock, and room behind the loading dock were materials that Harrison Paint planned on trying to re-work and/or re-use in the production process. You were not certain of what was in the 5-gallon buckets which appeared to contain oil-based paint waste.

To abate this violation, Harrison paint must do the following:

1. Submit a complete inventory of the contents of each individual drum identified in the warehouse and room behind the loading dock. Each drum must be given a unique identifying number or code. You must be able to identify the contents with certainty, even if the contents must be sampled and analyzed.
2. You must develop and maintain an inventory tracking system to track these materials. You must submit documentation or other written information that explains the tracking system.
3. According to OAC 3745-51-01(C)(8), 75% of materials that are accumulated speculatively must be recycled/reused per year. Within one-year of the date of the inspection (by March 8, 2008), 75% of this material must either be re-worked/recycled or properly disposed. You must notify this office, in writing of what the disposition of this material will be. For any material that is re-worked, you must provide the specific date each drum was re-worked and what the resulting product was. For any material that is disposed, you must submit copies of the disposal documentation.
4. You must characterize the material in the 5-gallon buckets and properly dispose of it. You must submit copies of the disposal documentation to this office.

**8. Used Oil Storage Requirements for Generators (Labels)
OAC 3745-279-22(C)**

Containers and above ground tanks used to store used oil at generator facilities shall be labeled or marked clearly with the words "Used Oil"

There were two 5-gallon containers of used oil in the dry bag storage room. To abate this violation, you must label each container, photograph them, and send the photograph to this office. Ohio EPA recommends that the used oil be consolidated into a drum or larger container that can be closed. If you chose to consolidate the used oil into a single container (instead of labeling each individual container), you must label it per this rule, photograph it and send the photograph to this office.

9. Labeling of Containers (Satellite Accumulation)
OAC 3745-52-34 (C)(1)(b)

A generator may accumulate...hazardous wastes...at or near any point of generation where wastes initially accumulate, which is under control of the operator of the process generating the wastes...provided he...marks his containers either with the words 'Hazardous Waste' or with other words that identify the contents of the containers

Four of the 5-gallon buckets of paint waste in the industrial letdown room contained oil-based paint wastes. These are satellite accumulation containers and they were not labeled per this rule. To abate this violation, the waste must be in a container that can be closed. The container must be labeled either as 'Hazardous Waste' or with other words that identify the contents of the container.

10. Exception Report
OAC 3745-52-42(A)(1)

A large quantity generator of hazardous waste who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 35 days of the date the waste was accepted by the original transporter shall contact the transporter and/or the owner or operator of the facility to determine the status of the waste

You did not receive the 'return-to-generator' copy of manifest #'s: 04005, 00305, 00205, 00105. To abate this violation, you must obtain the return copies for your file and submit copies of them to this office.

11. Exception Report
OAC 3745-52-42(A)(2)

A large quantity generator shall submit an exception report to the Ohio EPA if he has not received a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 45 days of the date the waste was accepted by the initial transporter

You did not submit an exception report to Ohio EPA for the manifests listed in Violation #9 above. To abate this violation, you must submit an exception report to Ohio EPA and submit a copy of it with your response to this letter.

Suggestions/Recommendations

Ohio EPA has the following suggestions for Harrison Paints. Although Ohio EPA encourages you to consider them, you are under no obligation to do so:

1. You may be able to reduce operating costs with waste minimization/pollution prevention practices. The Ohio EPA offers pollution prevention assessments to help you decide which practices would benefit your operations. If you would like to have a pollution prevention assessment or would like more information please contact Adrienne LaFavre at (330) 963-1250. The Office of Compliance Assistance and Pollution Prevention website at <http://www.epa.state.oh.us/ocapp/ocappmain.html> is also a good source of information.
2. There may be opportunities for Harrison Paints to reduce energy costs. I noticed the following during my inspection:
 - a. You explained that the Small Alkyd Building has to be kept at 90 degrees. There appears to be no insulation in the roof of the building. Insulating the roof may provide a quick pay-back in energy savings. You may also want to consider heating the tanks.
 - b. An old wooden door located where the used oil was being stored (at the west end of the room behind the loading dock) has large gaps and holes. Replacing this door will prevent heat loss as well as improve security.
 - c. Harrison Paint is still using incandescent light bulbs in some areas of the plant. Switching to compact fluorescent lamps will result in net savings \$25-30 over the life of each replaced lamp.
 - d. The old latex tank room adjacent to the industrial letdown room is a large unheated room that appears to be unused. Because the industrial letdown room is a heated part of the building, the large opening to the room is a source of considerable heat loss in the winter time. Installing a walk-through plastic curtain door may be an inexpensive solution may significantly reduce energy costs and provide a short pay-back period.
 - e. Harrison Paint has old, single pane windows throughout its office, lab, and store. Installing energy efficient, double pane windows would likely have an energy payback period of seven years.

Ohio EPA encourages Harrison Paint to have a thorough, professional energy assessment to identify a more comprehensive list of energy saving opportunities that will reduce operating costs. Free industrial energy assessments are available through the Ohio Department of Development, Office of Energy Efficiency (ODOD-OEE). ODOD-OEE offers other services and programs, these include:

Free energy assessments for industrial facilities:

<http://www.odod.state.oh.us/businessenergy/>

Grants, low-interest loans, and tax exemptions for businesses to implement energy efficiency projects:

<http://www.odod.state.oh.us/cdd/oeec/services.htm>

An on-line tool for businesses that spend less than \$150,000 annually on energy to help identify opportunities and payback periods for energy efficiency projects:

<http://www.energyguide.com/EnergySmartSBE/welcomeba.asp?referrerid=227&sid=436>

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5. You may be interested to know that the Ohio Department of Development offers financial assistance to businesses for capital investment needs such as: renovation, equipment purchases, land and building acquisition, construction, and expansion. More information can be found at:

http://www.odod.state.oh.us/EDD/Loans_Grants.htm

Failure to list specific deficiencies in this communication does not relieve Harrison Paint Corporation from the responsibility of complying with all applicable Ohio EPA laws and regulations. Please be advised that present or past instances of non-compliance can continue as subjects of pending or future enforcement actions.

Please feel free to contact me at (330) 963-1170 if you have any questions.

Sincerely,



Edward J. D'Amato
Environmental Specialist
Division of Hazardous Waste Management

EJD:ddw

Enclosures

cc: Natalie Oryshkewich, DHWM, NEDO
ec: Frank Popotnik, DHWM, NEDO
Ron Shadrach, DHWM, NEDO
Harry Sarvis, DHWM, CO
Adrienne LaFavre, OCAPP, NEDO

USED OIL INSPECTION CHECKLIST (Short Version)

Company: Harrison Paint EPA I.D.: OH 004 469 896
~~00070002127078~~

Street: 1329 Harrison Av City: Canton

County: Stark State: Ohio Zip: 44706

Mailing Address: _____
 (IF DIFFERENT FROM ABOVE)

Telephone: (330) 455 5125 Fax: _____

Owner/Operator: _____
 (IF DIFFERENT FROM ABOVE)

Street: _____

City: _____ State: _____ Zip: _____

Inspection Date(s): _____ Time(s): _____

Inspection announced? Yes _____ No _____ If so, how much advance notice given? _____

	<u>Name</u>	<u>Affiliation</u>	<u>Telephone</u>
Inspectors:	<u>Ed D'Amato</u>	<u>OEPA</u>	<u>(330) 963-1200</u>

	<u>Ron Shadrach</u>	<u>"</u>	<u>"</u>
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Facility Rep(s): Thomas Schmidt Harrison Paint

USED OIL MANAGEMENT ACTIVITY

<input checked="" type="checkbox"/> Generator/Collection Center/Aggregation	<input type="checkbox"/> Marketer
<input checked="" type="checkbox"/> Transporter/Transfer Facility	<input type="checkbox"/> Off-Spec Burner
<input type="checkbox"/> Processor/Re-Refiner	<input type="checkbox"/> Other (specify)
<input type="checkbox"/> No Generation	

NOTE: This checklist does not include requirements for used oil transporters and transfer facilities, processors and re-refiners, burners, and marketers.

PROHIBITIONS

1. Is used oil being managed in a surface impoundment or waste pile? If so: Yes ___ No N/A ___ RMK# ___
Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 or 3745-65 to 3745-69? [3745-279-12(A)] Yes ___ No N/A RMK# ___
2. Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes No N/A ___ RMK# ___
3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)? Yes ___ No N/A RMK# ___

USED OIL GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [2745-279-21(A)] Yes ___ No N/A RMK# ___
5. Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)] Yes ___ No N/A RMK# ___
6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 or 3745-65 to 3745-69? [3745-279-22(A)] Yes No N/A ___ RMK# ___
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes No N/A ___ RMK# ___
8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)] Yes ___ No N/A ___ RMK# ___
9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
- a. Stopped the release? Yes ___ No N/A RMK# ___
- b. Contained the release? Yes ___ No N/A RMK# ___
- c. Cleaned up and properly managed the used oil and other materials? Yes ___ No N/A RMK# ___
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes ___ No N/A ___ RMK# ___

10. Does the generator burn used oil in used fired space heaters? [3745-279-23] If so: Yes ___ No N/A ___ RMK# ___
- a. Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators? Yes ___ No N/A RMK# ___
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes ___ No N/A RMK# ___
- c. Are the combustion gases from heater vented to the ambient air? Yes ___ No N/A RMK# ___
11. Does the generator have the used oil hauled only by transporters that have obtained an EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24] Yes ___ No N/A ___ RMK# ___

USED OIL COLLECTION CENTERS AND AGGREGATION POINTS

12. Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30] Yes ___ No N/A RMK# ___
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes ___ No N/A RMK# ___
14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32] Yes ___ No N/A RMK# ___

WASTE EVALUATION

15. Have all wastes generated at the facility been evaluated? [3745-52-11] Yes ___ No N/A ___ RMK# ___

C:\Documents and Settings\EDamato\My Documents\Folder\Forms\inspection forms\USED OIL.SHORT.2001.wpd

REMARKS



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

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

SQG: Between 100 and 1,000 Kg. (about 25 to under 300 gallons) of waste in a calendar month

LQG: >1,000 Kg. (-300 gallons) of waste in a calendar month or > 1 Kg. of acutely hazardous waste in a calendar month

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__ No N/A__
2. Has the generator obtained a U.S. EPA I.D. number? [3745-52-12] Yes No N/A__
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 No N/A__
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 No N/A__
5. Does the generator accumulate hazardous waste? Yes No__ N/A__

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 No N/A__

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 No N/A__

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 No N/A__
 - b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C) and Yes__ No N/A
 - c. Drip pads that meet 3745-69-40 to 3745-69-45? Yes__ No N/A__
 - d. Containment building that meets 3745-256-100 to 3745-256-102? Yes__ No N/A__

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 No N/A
10. Are wastes reclaimed under a contractual agreement? If so: [3745-52-20(E)] Yes No N/A
- a. Does the contractual agreement specify the type of waste and frequency of shipment? Yes No N/A
- b. Is the transport vehicle owned and operated by the reclaimer? Yes No N/A
- c. Is a copy of the reclamation agreement kept on-site for at least three years after termination/expiration of the agreement? Yes No N/A

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 No N/A

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 No N/A

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 No N/A

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

NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have 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 No N/A

16. Are signed copies of all manifests being retained for at least three years? [3745-52-40] Yes No N/A

NOTE: Waste generated at one location and transported along a publicly accessible road for temporary consolidated storage or treatment on a contiguous property also owned by the same person is not considered "on-site" and manifesting and transporter requirements must be met. To transport "along" a public right-of-way the destination facility has to act as a transfer facility or have a permit because this is considered to be "off-site." For additional information see the definition of "on-site" in OAC rule 3745-50-10.

PREPAREDNESS AND PREVENTION

- 17. Is an emergency coordinator available at all times (on-site or on-call)? [3745-52-34(D)(5)(a)] Yes_ No N/A_

- 18. Has the following been posted by the telephone: [3745-52-34(D)(5)(b)]
 - a. Name and telephone number of emergency coordinator? Yes_ No N/A_
 - b. Location of fire and spill control equipment, and, if present, fire alarm(s) Yes_ No N/A_
 - c. Telephone number of local fire department? Yes_ No N/A_

- 19. Are employees familiar with waste handling and emergency procedures [3745-52-34(D)(5)(c)] Yes No N/A_

- 20. Has the facility properly responded to all fires and spills? [3745-52-34(D)(5)(a)] Yes_ No N/A

- 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 No N/A_

- 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_ No N/A
 - b Emergency communication device? [3745-65-32(B)] Yes No N/A_
 - c Portable fire control, spill control and decon equipment? [3745-65-32(C)]? Yes No N/A_
 - d Water of adequate volume/pressure? [3745-65-32(D)] Yes No N/A_

- 23. Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency [3745-65-33] Yes_ No N/A_

- 24. Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33] Yes_ No N/A_

- 25. Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under OAC 3745-65-32)? [3745-65-34(A)] Yes No N/A_

- 26. If there is only one employee on the premises is there immediate access to a device (ex. phone, hand-held two-way radio) capable of summoning external emergency assistance? (Unless not required under 3745-65-32?) [3745-65-34(B)] Yes No N/A_

27. Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] Yes No N/A
28. Has the generator attempted to familiarize emergency authorities with possible hazards and facility layout? [3745-65-37(A)] Yes No N/A
29. Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)] Yes No N/A

SATELLITE ACCUMULATION AREA REQUIREMENTS

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

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

32. Has the generator marked containers with the words "Hazardous Waste" [3745-52-34(D)(4)] Yes No N/A
33. Is the accumulation date on each container? [3745-52-34(D)(4)] Yes No N/A
34. Are hazardous wastes stored in containers which are: Yes No N/A

- a. Closed (except when adding/removing wastes)? [3745-66-73(A)] Yes_ No N/A_
- b. In good condition? [3745-66-71] Yes No N/A_
- c. Compatible with wastes stored in them? [3745-66-72] Yes No N/A_
- d. Handled in a manner which prevents rupture/leakage? [3745-66-73(B)] Yes No N/A_

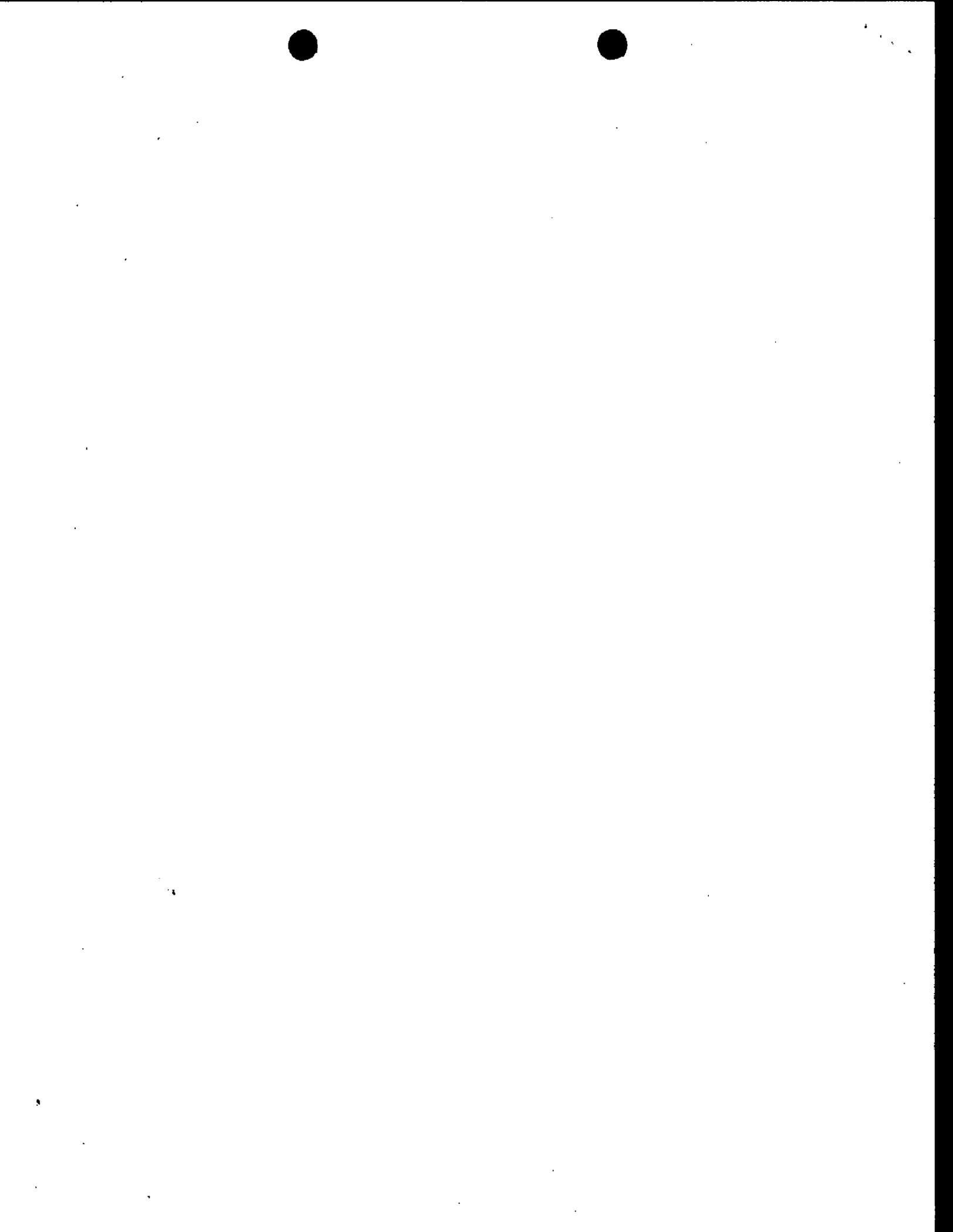
NOTE: Record location on process summary sheets and photograph the area.

35. 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_ No N/A_
- a. Are inspections recorded in a log or summary? [3745-66-74] Yes_ No N/A_
36. Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)] Yes_ No N/A
37. If the generator places incompatible wastes, or incompatible wastes and materials in the same container, is it done in accordance with 3745-65-17(B) 3745-66-77(A)] Yes_ No N/A
38. If the generator places hazardous waste in an unwashed container that previously held an incompatible waste, is it done in accordance with 3745-65-17(B) ? [3745-66-77(B)] Yes_ No N/A

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

PRE-TRANSPORT REQUIREMENTS

39. 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_ No N/A_
40. Does each container \leq 100 gallons have a completed hazardous waste label? [3745-52-32(B)] Yes_ No N/A_
41. Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33] Yes_ No N/A_



LDR CHECKLIST

GENERAL LDR REQUIREMENTS

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

NOTE: *If the waste is D001 non-wastewater treated by CMBST, RORGS, POLYM in Table 1 of Rule 3745-270-42 UHCs do not need to be identified.*

5. Does the generator generate listed waste(s) which also exhibit hazardous characteristics? [3745-270-09] If so: Yes No ___ N/A ___ RMK# ___
- a. Has the generator also identified the appropriate treatment standard(s) for the constituent(s) which cause the waste to exhibit a characteristic? [3745-270-09(A)] Yes ___ No N/A ___ RMK# ___

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

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

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

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

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

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

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

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

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

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

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

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

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

Yes ___ No ___ N/A RMK# ___

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

Yes ___ No N/A RMK# ___

REMARKS

NOTIFICATION AND CERTIFICATION REQUIREMENTS

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

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

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

REMARKS

GENERATORS TREATING HAZARDOUS WASTE

1. Is treatment of hazardous waste occurring to meet the treatment standards in 3745-270-40? Yes ___ No N/A ___ RMK# ___
2. If so, does the generator have a waste analysis plan containing the following requirements? [3745-270-07(A)(5)] Yes ___ No N/A RMK# ___
- a. A detailed chemical and physical analysis of a representative sample of the wastes being treated? [3745-270-07(A)(5)(a)] Yes ___ No N/A RMK# ___
- b. All information necessary to treat the waste(s) in accordance with the requirements of 3745-270, including the selected frequency? [3745-270-07(A)(5)(a)] Yes ___ No N/A RMK# ___
3. Is the WAP on-site in the facility's files and available to inspectors? [3745-270-07(A)(5)(b)] Yes ___ No N/A RMK# ___
4. Has the generator followed their WAP [3745-270-07(A)(5)]? Yes ___ No N/A RMK# ___
5. Have the treated wastes met the applicable treatment standards in 3745-270-40? Yes ___ No N/A RMK# ___

NOTE: If the waste is a characteristic waste, which has been treated to render it non hazardous and subsequently sent to a solid waste landfill, proceed to question 7 & 8.

6. Has the generator sent a notification and certification with the initial shipment of waste? [3745-270-07(A)(5)(c)] Yes ___ ~~No~~ N/A RMK# ___
7. Does each notification/certification form completed, contain the information found in Table 1 of 3745-270-07? [3745-270-07(A)(5)(c)] Yes ___ ~~No~~ N/A RMK# ___
8. Has the generator, who is treating a characteristic waste, submitted a notification and certification to the director which contains the following: Yes ___ No N/A RMK# ___
- a. Name and address of the facility receiving the waste? [3745-270-09(D)(1)(a)] Yes ___ No N/A RMK# ___
- b. A description of the waste, including EPA hazardous waste codes and treatability group, and UHCs? [3745-270-09(D)(1)(b)] Yes ___ No N/A RMK# ___

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

9. Has the process/operation generating the waste or the solid waste landfill facility changed? If so:

Yes ___ No ___ N/A RMK# ___

a. Has the notification and certification been updated in the generators and treaters files? [3745-270-09(D)]

Yes ___ No N/A RMK# ___

b. Has the director been notified of such changes? [3745-270-09(D)]

Yes ___ No N/A RMK# ___

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

10. Is the facility treating contaminated soil using the alternative treatment standards in 3745-270-49? If so:

Yes ___ No ___ N/A RMK# ___

a. Has the facility treated the contaminated soil to less than 10 times the Universal Treatment Standards or has a 90% reduction in the total constituent concentrations occurred? [3745-270-49 (C)]

Yes ___ No N/A RMK# ___

11. Does each notification/certification form completed, contain the information found in Table 1? [3745-270-07(A)(3)]

Yes ___ No N/A RMK# ___

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

REMARKS

HAZARDOUS DEBRIS

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

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

4. Was the hazardous debris a listed waste treated by an immobilization technology in Table 1? [3745-270-45(A)(1)] If so:
 Yes ___ No ___ N/A RMK# ___
- a. Was immobilization the last treatment technology used? [3745-270-45(A)(3)]
 Yes ___ No N/A RMK# ___
5. Is the waste a PCB waste under 40 CFR Part 761? If so:
 Yes ___ No ___ N/A RMK# ___
- a. Has the waste been treated to the most stringent standard in 40 CFR 761 or 3745-270-45? [3745-270-45(A)(5)]
 Yes ___ No N/A RMK# ___
6. Has the residue from the treatment of hazardous debris been disposed of in accordance with 3745-270-40 to 3745-270-49? [3745-270-45(D)]
 Yes ___ No N/A RMK# ___
7. Does the owner/operator of a treatment facility that claims the debris is excluded from regulation as a hazardous waste under 3745-51-03(F)(1) maintain the following information?
 Yes ___ No ___ N/A RMK# ___
- a. Records of all inspections, evaluations, and analyses of treated debris? [3745-270-07(D)(3)(a)]
 Yes ___ No N/A RMK# ___
- b. Records of key operating parameters of the treatment unit? [3745-270-07(D)(3)(b)]
 Yes ___ No N/A RMK# ___
- c. A certification statement for each shipment of treated debris? (See 270-07(D)(3)(c) for exact wording) [3745-270-07(D)(3)(c)]
 Yes ___ No N/A RMK# ___

8. Does the notifications and certifications of an owner/operator who first claims the debris is excluded under 3745-51-03(F)(1) have the following information? [3745-270-07(D)(3)]
- Yes ___ No ___ N/A RMK# ___
- a. Name and address of licensed solid waste landfill receiving the treated debris? [3745-270-07(D)(1)(a)]
- Yes ___ No N/A RMK# ___
- b. Description of hazardous debris as initially generated with applicable waste codes? [3745-270-07(D)(1)(b)]
- Yes ___ No N/A RMK# ___
- c. Technology used from Table 1? [3745-270-07(D)(1)(c)]
- Yes ___ No N/A RMK# ___
9. Has the above notification been sent to the director? [3745-270-07(D)(1)]
- Yes ___ No ___ N/A RMK# ___

REMARKS

TREATING FACILITIES WHICH TREAT WASTE TO MEET LDR STANDARDS

1. Does the treating facility test waste according to their waste analysis plan as required in 3745-54-13 or 3745-65-13? [3745-270-07(B)]
Yes ___ No N/A RMK# ___

2. Has a one-time notification been sent with the initial shipment of waste or contaminated soil to the land disposal facility? [3745-270-07(B)(3)]
Yes ___ No N/A RMK# ___

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

3. Does the one-time notification and certification contain the information listed in Table 2 of 3745-270-07? [3745-270-07(B)(3)]
Yes ___ No N/A ___ RMK# ___

4. Are wastes or treatment residues being sent to another TSD to be further managed? **If so:**

a. Has the facility complied with the generator notification/certification requirements? [Table 1, 3745-270-07(B)(5)]

5. Are recyclable materials used in a manner constituting disposal and subsequently subject to 3745-266-20? **If so:**

a. Has the treatment facility (recycler) sent a notification (found at 3745-270-07(B)(4)), excluding the manifest number, with each shipment of waste? [3745-270-07(B)(6)]

Yes ___ No N/A RMK# ___

b. Has the treatment facility (recycler) sent a certification found in 3745-270-07(B)(4) [3745-270-07(B)(6)]

Yes ___ No N/A RMK# ___

c. Has a copy of the notification and certification been sent to the director? [3745-270-07(B)(6)]

Yes ___ No N/A RMK# ___

6. Does the recycling facility maintain records of the name and location of each entity receiving the hazardous waste-derived products? [3745-270-07(B)(6)]

Yes ___ No N/A RMK# ___

7. Does the owner or operator of any land disposal facility disposing of waste subject to regulation under 3745-270 have:

a. Copies of all notices and certifications required in 3745-270?

Yes ___ No N/A RMK# ___

b. Test results indicating all waste, extracts of waste or treatment residue are in compliance with 3745-270-40 to 3745-270-49?

Yes ___ No N/A RMK# ___

c. The testing frequency specified in the facility's WAP and have they followed the protocol?

Yes ___ No N/A RMK# ___

REMARKS