



State of Ohio Environmental Protection Agency

Northeast District Office

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

May 11, 2009

Kerry P. McNamara, CEO  
K.P. McNamara Co.  
3972 Hamilton Ave.  
Cleveland, OH 44114

**RE: K.P. MCNAMARA CO., OHR000108027, CUYAHOGA COUNTY, NOV/RTC**

Dear Mr. McNamara:

On February 24, 2009, Wade Balsler and I, representing Ohio EPA's Division of Hazardous Waste Management (DHWM), visited the K.P. McNamara Company (KPM) located at 3972 Hamilton Avenue in Cleveland, Ohio, to conduct a hazardous waste compliance evaluation inspection (CEI). KPM was represented by Melanie Schwanek, Rob Stoner and you. On March 26, 2009, KPM submitted documentation as requested by my February 25, 2009 e-mail. On April 9, 2009, I met with Anthony Datillo and you at the KPM facility. On April 10, April 23 and May 1, 2009, KPM submitted documentation concerning personnel training and waste evaluation/management procedures.

The purpose of the inspection was to determine KPM's compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). The inspection included a review of the facility's operations and records, as well as the management of wastes. KPM was inspected for the requirements of a large quantity generator (LQG) of hazardous waste.

Based on the inspection, Ohio EPA identified the following violations:

1. OAC rule 3745-52-34 (A)(2)&(3), Dating Accumulation Containers: While being accumulated on-site, each container with hazardous waste contents must be clearly marked and visible for inspection with an accumulation date and labeled as "Hazardous Waste."

During the February 24 inspection, Ohio EPA was unable to view the hazardous waste label and accumulation start date on one, 55-gallon container observed in the hazardous waste accumulation area. On April 9, Ohio EPA re-inspected the hazardous waste accumulation area and noted that all containers were labeled, dated and visible for inspection. **Based on the April 9 inspection, this violation has been adequately abated. No further information is requested.**

2. Personnel Training, OAC rule 3745-65-16(C): Facility personnel must complete annual training on hazardous waste management and emergency response procedures.

KPM failed to document annual personnel training as described in the facility's job titles (OAC rule 3745-65-16(D)(1-3). Specifically, KPM lacked documentation that three employees received annual training on various facility-specific Standard Operating Procedures (SOPs). On March 26, KPM submitted documentation that the employees were trained on the SOPs. **Based on submitted documentation, this violation has been adequately abated. No further information is requested.**

3. OAC rule 3745-65-31, Maintenance and Operation: Facilities shall be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

During the February 24 inspection, Ohio EPA observed paint/solvent related liquids in a collection trough beneath the Asset Line. On March 26, KPM submitted documentation that the paint waste related material was cleaned-up. On April 9, Ohio EPA re-inspected the Asset Line and noted that the paint waste related material was cleaned-up. **Based on the March 26 response and April 9 inspection, this violation has been adequately abated. No further information is requested.**

4. OAC rule 3745-65-52(E), Content of Contingency Plan: The contingency plan must include a list of all emergency equipment at the facility, including, but not limited to, fire extinguishing systems, spill control equipment, communications and alarm systems, and decontamination equipment. This list must be kept up to date and include the location, and a physical description of each item on the list, and a brief outline of its capabilities.

KPM failed to update the facility's contingency plan since the hazardous waste accumulation area and associated emergency equipment was re-located. On March 26, KPM submitted documentation that the contingency plan was updated and distributed to emergency authorities. **Based on submitted documentation, this violation has been adequately abated. No further information is requested.**

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

KPM failed to conduct inspections of hazardous waste containers located at the Wash and Asset lines. Additionally, KPM failed to conduct weekly inspections of the hazardous waste accumulation area. On March 26, KPM submitted inspection logs that documented weekly inspections (i.e., once every seven days) of the hazardous waste containers located at the Wash and Asset lines and in the hazardous waste accumulation area. **Based on submitted documentation, this violation has been adequately abated. No further information is requested.**

In addition to the above violations, Ohio EPA is aware that KPM sent for off-site disposal the following wastes to the designated facility specified on the manifest:

Date	Manifest / Line Item	Original Shipping Description
10/10/07	000290357FLE / 9b.2	Non-regulated material per 40 & 49 CFR
10/17/07	000290421FLE / 9b.2	Non-regulated material per 40 & 49 CFR
10/31/07	000290534FLE / 9b.3	Non-regulated material per 40 & 49 CFR
11/14/07	000290685FLE / 9b.4	Non-regulated material per 40 & 49 CFR
1/30/08	000346413FLE / 9b.3	Non-regulated material per 40 & 49 CFR
4/29/08	001853203FLE / 9b.3	Non-regulated material per 40 & 49 CFR
5/8/08	001853258FLE / 9b.4	Non-regulated material per 40 & 49 CFR
7/31/08	001853557FLE / 9b.3	Non-regulated material per 40 & 49 CFR
10/8/08	001855658FLE / 9b.1	Non-regulated material per 40 & 49 CFR
1/15/09	000345649FLE / 9b.2	Non-regulated material per 40 & 49 CFR
2/5/09	000345794FLE / 9b.3	Non-regulated material per 40 & 49 CFR

After receipt by the designated facility, analytical testing was completed on these wastes. The designated facility's analytical testing revealed the following discrepancies associated with KPM's wastes:

Date	Manifest / Line Item	Discrepancy	Waste #
10/10/07	000290357FLE / 9b.2	One drum (55-gallons) was found to have a flashpoint <140F.	D001
10/17/07	000290421FLE / 9b.2	One tote (330-gallons) was found to have a flashpoint <140F.	D001
10/31/07	000290534FLE / 9b.3	One tote (275-gallons) was found to have a pH <2.	D002
11/14/07	000290685FLE / 9b.4	One drum (55-gallons) was found to have a pH >12.5.	D002
1/30/08	000346413FLE / 9b.3	One drum (55-gallons) was found to have a pH >12.5.	D002
4/29/08	001853203FLE / 9b.3	One tote (250-gallons) was found to have a pH >12.5.	D002
5/8/08	001853258FLE / 9b.4	One tote (250-gallons) was found to have a flashpoint <140F.	D001
7/31/08	001853557FLE / 9b.3	One tote (250-gallons) was found to have a pH >12.5.	D002
10/8/08	001855658FLE / 9b.1	Four drums (220-gallons) were found to have a flashpoint <140F.	D002
1/15/09	000345649FLE / 9b.2	Two drums (110-gallons) were found to have a pH >12.5.	D002
2/5/09	000345794FLE / 9b.3	One drum (55-gallons) was found to have a pH >12.5.	D002

After review of this information, Ohio EPA has identified the following violations:

6. OAC rule 3745-52-11; Waste Evaluation: KPM failed to evaluate the above wastes to determine if they were hazardous wastes.
7. OAC rule 3745-52-20 through OAC rule 3745-52-23; Manifest Use: KPM failed to comply with the manifest requirements for hazardous waste.

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8. OAC rule 3745-52-31 and OAC rule 3745-52-32; Labeling and Marking: KPM failed to label and mark containers of hazardous waste in accordance with DOT regulations under 49 CFR Part 172.
9. OAC rule 3745-270-07; LDR Requirements: KPM failed to comply with the LDR requirements for hazardous waste.

On April 23, KPM submitted a revised version of the SOP on *Waste Generation and Off-Site Shipment* to demonstrate that procedures have been implemented to evaluate all wastes and to properly manage them when they are identified as hazardous wastes. The SOP is also part the facility's personnel training program required under OAC rule 3745-65-16. On May 1, KPM submitted documentation that relevant employees were trained on the revised SOP. **Based upon submitted documentation, violations six through nine have been adequately abated. No further information is requested.**

Ohio EPA offers the following comments:

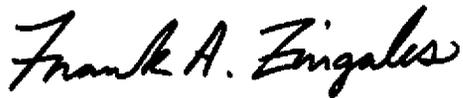
1. DHWM has created an electronic news service to provide you with updates related to hazardous waste activities in Ohio. For more information, please refer to: [http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc\\_serve.php?2=subscriptionpage](http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpage).
2. Technical assistance and pollution prevention information is available from Ohio EPA at: <http://www.epa.state.oh.us/ocapp/ocapp.html>
3. The Ohio Department of Development's Office of Energy Efficiency may be able to help with energy efficiency issues. For more information, please refer to: <http://www.odod.state.oh.us/cdd/oe>
4. You may be able to reduce the amount of waste your facility generates by finding ways to recycle, reduce, or eliminate it. Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) provides free compliance and pollution prevention assistance on environmental issues related to air, land and water. Should your facility be interested in receiving a free pollution prevention assessment in the future, please contact me or OCAPP. OCAPP may be contacted at (800) 329-7518 or via the internet at: <http://www.epa.state.oh.us/ocapp/ocapp.html>.
5. You may find copies of the hazardous waste rules and other information on Ohio EPA's web page at: <http://www.epa.state.oh.us/dhwm>.

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Information obtained pertaining to KPM's processes, hazardous waste generation and hazardous waste management areas, is discussed on the Process Description-Waste Activities Summary Sheet within the enclosed inspection checklists. Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve KPM from having to comply with all applicable regulations.

Should you have any questions, please contact me at (330) 963-1108.

Sincerely,



Frank A. Zingales  
Environmental Specialist  
Division of Hazardous Waste Management

FAZ:ddw

Enclosure

cc: Elissa Miller, Legal, CO  
Tammy Heffelfinger, DHWM, CO  
ec: Nyal McKenna, DHWM, NEDO

Ohio Environmental Protection Agency  
**RCRA SUBTITLE C SITE  
 IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to [kristina.durnell@epa.state.oh.us](mailto:kristina.durnell@epa.state.oh.us)  
 or mail it to Kristina Durnell, Central Office

<b>Site EPA ID No.</b> <b>Site Name</b>  <b>Site Location Information</b>  <b>Site Land Type</b> (check only one) <b>NAICS code(s)</b> <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>	EPA ID Number: <b>OHR000108027</b> Name: <b>K P McNamara Co.</b>		Website: (Optional)						
	Street Address: <b>3972 Hamilton Ave.</b> City, Town, or Village: <b>Cleveland</b> County Name: <b>Cuyahoga</b>		State: <b>OH</b> Zip Code: <b>44114</b>						
	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"/>	
<b>Facility Representative</b>  Additional names can be recorded in number 12  Only provide address information if it is different than the site address	First Name: <b>Kerry</b>		MI: <b>P</b>		Last Name: <b>McNamara</b>				
	Phone Number: <b>216-361-8955</b> E-Mail Address: <b>kerrym@kpmcnamara</b> Fax Number: <b>216-361-8956</b>		Phone Number Extension:  Fax Number Extension:						
	Street or P.O. Box: City, Town or Village: State:		Zip Code:						
<b>Legal Owner And Operator of the Site.</b> List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner:				Date Became Owner (mm/dd/yyyy):				
	Owner Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>
	Street or P.O. Box: City, Town or Village: State:		Name of Site's Operator:		Owner Phone #: Country:		Zip Code:		
	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: State:		Operator Phone #: United States		Date Became Operator (mm/dd/yyyy):		Zip Code:		

**VIOLATIONS CITED?** |  Yes  No

**TYPE OF HANDLER- A MINIMUM OF ONE BOX MUST BE CHECKED**

<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input checked="" type="checkbox"/> Large Quantity Generator (LQG)
		<input 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"/> Recycler of Hazardous Waste	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Underground Injection Control Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	

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. Oil	
<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner	

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 if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRAinfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

**D001                  D002                  D007                  D035                  F003                  F005**

**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:	<b>Rob Stoner &amp; Melanie Schwanek</b>
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Other Comments:	
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
<b>Frank Zingales</b>	<b>Wade Balsler</b>	<b>2/24/2009 0946</b>

OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of Owner, Operator, or an Authorized Representative	Name and Title (Print)	Date (mm/dd/yyyy)

**PROCESS DESCRIPTION / WASTE ACTIVITIES SUMMARY**

**Facility Name:** K.P. McNamara Co.

**Facility Type:** Large Quantity Generator (LQG)

**EPA ID#:** OHR000108027

**Process Information:** Facility services and sells industrial containers. Containers consist of totes/intermediate bulk containers (IBCs). Totes are either cleaned for reuse or shredded. Prior to cleaning, contents of tote (if present) are removed. Cleaning process for plastic totes entails washing with hot water and soap. Cleaning process for steel totes entails washing with a sodium hydroxide (caustic) solution.

See matrix for activities generating waste. Hazardous waste is accumulated in one generator accumulation (<90 day) area. The hazardous waste storage area is depicted in the facility's contingency plan and is located on the main floor of the building.

**Regulatory / Enforcement History:** Proposed Director's Final Findings & Orders issued on November 20, 2007.

Description of Waste				On-Site Management	Off-Site Management
Process/Activity Generating Waste	Waste Generated	Waste Code(s)	Quantity Generated <sup>1</sup>	Type of Accumulation	Name, state, and type of activity occurring at the facility.
1. Steel tote content removal.	- Waste paint and thinners. - Waste polyester primer. - Waste polyester resin with styrene.	D001/D035/F003/F005  D001/D007  D001	LQG	Container-drum	Hukill Chemical Corp. Bedford, OH OHD001926740
2. Steel tote cleaning process (Asset line).	- Waste caustic sludge and filters. - Waste rags.	D001/D002/D035	LQG	Container-drum	Hukill Chemical Corp.
3. Plastic tote cleaning (Wash lines).	Consolidated high or low pH materials.	D001 and/or D002	LQG	Container-tote	Hukill Chemical Corp.
4. Plastic tote cleaning (Wash lines).	Waste products and cleaning solution/sludge.	Wastes evaluated when generated.		Container-tote or drum	Hukill Chemical Corp.
5. Wastewater Treatment Unit	Waste skimmings and sludge.	Wastes evaluated when generated.		Container-drum	Hukill Chemical Corp.
6. Maintenance	Spent lamps			Container-box	Hukill Chemical Corp.

Note 1: See annual hazardous waste report for amount generated.



**LARGE QUANTITY GENERATOR REQUIREMENTS  
COMPLETE AND ATTACH A PROCESS DESCRIPTION SUMMARY**

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

Safety Equipment Used: Safety glasses.

**GENERAL REQUIREMENTS**

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
2.	Are records of waste determination being kept for at least 3 years? [3745-52-40(C)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
3.	Has the generator obtained a U.S. EPA identification number? [3745-52-12]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
4.	Were annual reports filed with Ohio EPA on or before March 1 <sup>st</sup> ? [3745-52-41(A)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
5.	Are annual reports kept on file for at least 3 years? [3745-52-40(B)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
6.	Has the generator transported or caused to be transported hazardous waste to <b>other</b> than a facility authorized to manage the hazardous waste? [ORC 3734.02(F)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
7.	Has the generator disposed of hazardous waste <b>on-site without a permit</b> or at another facility <b>other</b> than a facility authorized to dispose of the hazardous waste? [ORC 3734.02(E) & (F)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
8.	Does the generator accumulate hazardous waste?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

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

9.	Has the generator accumulated hazardous waste on-site in excess of 90 days without a permit or an extension from the director ORC §3734.02 (E) & (F)?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
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NOTE: If F006 waste is generated and accumulated for > 90 days and is recycled see 3745-52-34(G) & (H).

10.	Does the generator treat hazardous waste in a: [ORC 3734.02(E)&(F)]	No treatment.		
a.	Container that meets 3745-66-70 to 3745-66-77?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
b.	Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
c.	Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
d.	Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

NOTE: Complete appropriate checklist for each unit.

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

11.	Does the generator export hazardous waste? If so:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
a.	Has the generator notified U.S. EPA of export activity? [3745-52-53(A)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
b.	Has the generator complied with special manifest requirements? [3745-52-54]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
c.	For manifests that have not been returned to the generator: has an exception report been filed? [3745-52-55]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
d.	Has an annual report been submitted to U.S. EPA? [3745-52-56]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

e.	Are export related documents being maintained on-site? [3745-52-57(A)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
<b>MANIFEST REQUIREMENTS</b>				
12.	Have all hazardous wastes shipped off-site been accompanied by a manifest? (U.S. EPA Form 8700-22) [3745-52-20(A)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
13.	Have items (1) through (20) of each manifest been completed? [3745-52-20(A)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
<i>NOTE: U.S. EPA Form 8700-22(A) (the continuation form) may be needed in addition to Form 8700-22. In these situations items (21) through (35) must also be completed. [3745-52-20(A)]</i>				
14.	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 checked="" type="checkbox"/>	N/A <input type="checkbox"/>
<i>NOTE: The generator may designate on the manifest one alternate facility to handle the waste in the event of an emergency which prevents the delivery of waste to the primary designated facility. [3745-52-20(C)].</i>				
15.	If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternate TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
16.	Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1) & (2)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
<i>NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have a program in place to reduce the volume and toxicity waste they generate.</i>				
17.	If the generator did not receive a return copy of each completed manifest within 35 days of the waste being accepted by the transporter did the generator contact the transporter and/or TSD facility to check on the status of the waste? [3745-52-42(A)(1)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
18.	If the generator has not received the manifest within 45 days, did the generator file an exception report with Ohio EPA? [3745-52-42(A)(2)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
19.	Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
<i>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.</i>				
<b>PERSONNEL TRAINING</b>				
20.	Does the generator have a training program which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to their positions? [3745-65-16(A)(2)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
21.	Does the personnel training program, at a minimum, include instructions to ensure that facility personnel are able to respond effectively to emergencies involving hazardous waste by familiarizing them with emergency procedures, emergency equipment and emergency systems (where applicable)? [3745-65-16(A)(3)(a-f)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
22.	Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
23.	Do new employees receive training within six months after the date of hire (or assignment to a new position)? [3745-65-16(B)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
24.	Does the generator provide annual refresher training to employees? [3745-65-16(C)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
25.	Does the generator keep records and documentation of:			
a.	Job titles? [3745-65-16D(1)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
b.	Job descriptions? [3745-65-16D(2)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

c.	Type and amount of training given to each person? [3745-65-16D(3)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
d.	Completed training or job experience required? [3745-65-16D(4)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
26.	Are training records for current personnel kept until closure of the facility and are training records for former employees kept for at least three years from the date the employee last worked at the facility? [3745-65-16(E)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

NOTE: The following section can be used by the inspector to document that all personnel who are involved with hazardous waste management have been trained. The employees who need training (written and/or on-the-job) may include the following: environmental coordinators, drum handlers, emergency coordinators, personnel who conduct hazardous waste inspections, emergency response teams, personnel who prepare manifest, etc.

Job Performed	Name of Employee	Date Trained

#### CONTINGENCY PLAN

27.	Does the owner/operator have a contingency plan to minimize hazards to human health or the environment from fires, explosions or any unplanned release of hazardous waste? [3745-65-51(A)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
28.	Does the plan describe the following:			
a.	Actions to be taken in response to fires, explosions or any unplanned release of hazardous waste? [3745-65-52(A)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
b.	Arrangements with emergency authorities? [3745-65-52(C)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
c.	A current list of names, addresses and telephone numbers (office and home) of all persons qualified to act as emergency coordinator? [3745-65-52(D)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
d.	A list of all emergency equipment, including: location, a physical description and brief outline of capabilities? [3745-65-52(E)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
e.	An evacuation plan for facility personnel where there is possibility that evacuation may be necessary? [3745-65-52(F)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

NOTE: If the facility already has a "Spill Prevention, Control and Countermeasures Plan" under CFR Part 112 or 40 CFR Part 1510, or some other emergency plan, the facility can amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with OAC requirements. [3745-65-52(B)]

29.	Is a copy of the plan (plus revisions) kept on-site and been given to all emergency authorities that may be requested to provide emergency services? [3745-65-53 (A) & (B)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
30.	Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, or failure of the plan? [3745-65-54]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
31.	Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

NOTE: The emergency coordinator shall be thoroughly familiar with: (a) all aspects of the facility's contingency plan; (b) all operations and activities at the facility; (c) the location and characteristics of waste handled; (d) the location of all records within the facility; (e) facility layout; and (f) shall have the authority to commit the resources needed to implement provisions of the contingency plan.

#### EMERGENCY PROCEDURES

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

**NOTE: OAC 3745-65-51(b) requires that the contingency plan be implemented immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents, which could threaten human health and the environment.**

**PREPAREDNESS AND PREVENTION**

33.	Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
34.	Does the generator have the following equipment at the facility, if it is required due to actual hazards associated with the waste:			
a.	Internal communications or alarm system? [3745-65-32(A)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
b.	Emergency communication device? [3745-65-32(B)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
c.	Portable fire control, spill control and decon equipment? [3745-65-32(C)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
d.	Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

**NOTE: Verify that the equipment is listed in the contingency plan.**

35.	Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
36.	Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
37.	Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under 3745-65-32)? [3745-65-34(A)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
38.	If there is only one employee on the premises, is there immediate access to a device (eg., phone, hand held two-way radio) capable of summoning external emergency assistance (unless not required under 3745-65-32)? [3745-65-34(B)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
39.	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"/>
40.	Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
41.	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 accumulation areas.**

42.	Does the generator ensure that satellite accumulation area(s):			
a.	Are at or near a point of generation? [3745-52-34(C)(1)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
b.	Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
c.	Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
d.	Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
e.	Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
f.	Containers are marked with 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 type="checkbox"/>
43.	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 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 type="checkbox"/>

	b. Did the generator mark the container(s) holding excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
NOTE: The satellite accumulation area is limited to 55 gallons of hazardous waste accumulated from a distinct point of generation in the process under the control of the operator of the process generating the waste (less than 1 quart for acute hazardous waste). There could be individual waste streams accumulated in an area from different points of generation.				
<b>USE AND MANAGEMENT OF CONTAINERS IN &lt;90 DAY ACCUMULATION AREAS</b>				
44.	Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(A)(3)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
45.	Is the accumulation date on each container? [3745-52-34(A)(2)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
46.	Are hazardous wastes stored in containers which are:			
	a. Closed (except when adding/removing wastes)? [3745-66-73(A)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	b. In good condition? [3745-66-71]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	c. Compatible with wastes stored in them? [3745-66-72]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	d. Handled in a manner which prevents rupture/leakage? [3745-66-73(B)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
NOTE: Record location on process summary sheets, photograph the area, and record on facility map.				
47.	Is the container accumulation areas(s) inspected weekly? [3745-66-74] Per ORC§1.44(A) "Week" means 7 consecutive days.	Yes <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"/>
48.	Are containers of ignitable or reactive wastes located at least 50 feet (15 meters) from the facility's property line? [3745-66-76]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
49.	Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
50.	If the generator places incompatible wastes, or incompatible wastes and materials in the same container, is it done in accordance with 3745-65-17(B)? [3745-66-77(A)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
51.	If the generator places hazardous waste in an unwashed container that previously held an incompatible waste, is it done in accordance with 3745-65-17(B)? [3745-66-77(B)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
NOTE: OAC 3745-65-17(B) requires that the generator treat, store, or dispose of ignitable or reactive waste, and the mixture or commingling of incompatible wastes, or incompatible wastes and materials so that it does not create undesirable conditions or threaten human health or the environment.				
52.	If the generator has closed a <90 day accumulation area does the closure appear to have met the closure performance standard of 3745-66-11? [3745-52-34(A)(1)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
NOTE: Please provide a description of the unit and documentation provided by the generator for the file to demonstrate that closure was completed in accordance with the closure performance standards. If the generator has closed a <90 day tank, closure must also be completed in accordance with OAC 3745-66-97 (except for paragraph C of this rule). [3745-52-34]				
<b>PRE-TRANSPORT REQUIREMENTS</b>				
53.	Does the generator package/label its hazardous waste in accordance with the applicable DOT regulations? [3745-52-30, 3745-52-31 and 3745-52-32(A)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
54.	Does each container <110 gallons have a completed hazardous waste label? [3745-52-32(B)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
55.	Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>



**GENERATOR LDR CHECKLIST  
DOES NOT APPLY TO CESQGS**

**GENERAL REQUIREMENTS**

- |    |  |   |                             |   |
|----|--|---|-----------------------------|---|
| 1. | If LDRs do not apply, does the generator have a statement that lists how the HW was generated, why LDRs do not 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)] | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/>            |

*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).*

- |    |  |   |                             |                              |
|----|--|---|-----------------------------|------------------------------|
| 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 checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input 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 checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 5. | Does the generator generate a listed HW that exhibits a characteristic? If yes,  | Yes <input checked="" type="checkbox"/> | No <input 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 checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |

*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.*

- |    |   |   |                             |                              |
|----|---|---|-----------------------------|------------------------------|
| 6. | Did the generator determine if its characteristic HW contains underlying hazardous constituents that need to be treated? [3745-270-09(A)] | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
|----|---|---|-----------------------------|------------------------------|

*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.*

*NOTE: Written documentation of this determination is not required.*

- |    |  |                              |  |                              |
|----|--|------------------------------|--|------------------------------|
| 7. | Did the generator treat his HW /soil on-site to meet the LDR treatment standard? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
|----|--|------------------------------|--|------------------------------|

*NOTE If a Yes@ see question #16.*

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

**NOTIFICATION FORM**

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

*NOTE: A wastewater contains <1% by wt. total suspended solids(TSS) and <1% by wt. TOC. If you doubt the 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 checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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NOTE: Subcategories are found on the LDR treatment standards table under the applicable waste code. Not all 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 checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
----	--	---	-----------------------------	------------------------------

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 checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
----	---	---	-----------------------------	------------------------------

NOTE: Not required if the TSD tests its treatment residues for all underlying hazardous constituents.

**PROHIBITED DILUTION**

12.	Is the HW treated by burning?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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If ANo@ go to #15.

13.	Is the HW a metal-bearing HW?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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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 are given in the Appendix to 3745-270-03.

14.	a.	Metal-bearing HWs cannot be incinerated, combusted or, blended and burned for fuel unless <u>one</u> of the following conditions apply. [3745-270-03(c)]		
-----	----	---	--	--

	i.	Contains > 1% TOC?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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	ii.	Contains organic constituents or cyanide at levels greater than the UST levels?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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	iii.	Is made up of combustible material e.g., paper, wood, plastic?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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	iv.	Has a reasonable heating value (e.g., > 5000 Btu)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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	v.	Co-generated with a HW that must be combusted?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
--	----	--	---	-----------------------------	------------------------------

	b.	If all responses to 14 a.i. through 14 a.v. are ANo@, HW is being improperly treated by dilution, violation of 3745-270-03(C). Is HW being treated by dilution?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
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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 type="checkbox"/>
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NOTE: If Yes, HW is improperly being treated by dilution.

	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 type="checkbox"/>
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	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 type="checkbox"/>
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NOTE: If the answers to b & c are Ayes@ and ANo@, respectively, waste is improperly being treated by dilution and generator is in violation of [3745-270-03(B) and 3745-270-40(A)(3)].

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

**GENERATOR TREATMENT**

16.	Does the generator treat to meet LDRs on-site [3745-270-40(A)]?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
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	Did the generator treat his hazardous waste/soil on-site in a tank, container, drip pad or containment building to meet the LDR treatment standard?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>		
	If a Yes @... complete the rest of the checklist. If a No @... stop... you are done.					
a.	Does the generator have a written waste analysis plan (WAP) that describes the procedures he will follow to treat the HW/soil to the LDR treatment standard? [3745-270-07(A)(5)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>		
b.	Did the generator use a detailed chemical and physical analysis of the HW/soil in order to develop the WAP? [3745-270-07(A)(5)(a)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>		
<b>NOTE: This is a laboratory analysis but it does not have to be kept by the generator.</b>						
c.	Does the WAP contain all information necessary to treat the HW/soil to the LDR treatment standard? [3745-270-07(A)(5)(a)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>		
d.	Does the WAP include the testing frequency of the treated HW/soil to demonstrate that the LDR treatment standard is being met? [3745-270-07(A)(5)(a)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>		
e.	Does the generator keep the WAP on-site? [3745-270-07(A)(5)(b)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>		
f.	Is the WAP available for the inspector=s review during the inspection? [3745-270-07(A)(5)(b)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>		
<b>NOTIFICATION FORM</b>						
17.	a.	Contains all information in #11 a-g above and		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	b.	If the treated HW/soil is listed.....notification contains the following certification statement:  A I certify under penalty of law that I personally have examined and am familiar with the waste, through analysis and testing or trough knowledge of the waste, to support this certification that the waste complies with the treatment stands specified in rule 3745-270-40 to 3745-270-49 of the Administrative Code. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment. @		Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	c.	If the treated HW/soil no longer exhibits a characteristic and is no longer a HW, did the generator:				
	i.	Send a one-time notification to the director?[3745-270- 09 (D)]		Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	ii.	Maintain a copy of the notice onsite?[3745-270-09(D)]		Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	iii.	Include in the notification: [3745-270-09(D)(1)(a)]				
		1.	Name & address of receiving landfill?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
		2.	Description of HW when generated?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
		3.	HW code when generated?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
		4.	Treatability group when generated?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
		5.	Underlying hazardous constituents present when generated?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	iv.	Contain the right certification statement as required by 3745-70-07(b)(4)?		Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

Checklist not inclusive of violations six and nine as cited in OEPA 5/11/09 NOV letter.

